I affirm the Resolution.

Black’s Law Dictionary defines the Criminal Justice System as:

**The collective institutions through which an accused offender passes until** **the accusations have been disposed of** **or the assessed punishment concluded**\* **The system usually has three components: Law enforcement** (police, sheriffs, marshals), **the judicial process** (judges, prosecutors, defense lawyers), **and correction** (prison officials, probation officers and parole officers).

Question of the criminal justice system thus extend through all three phases or until the accusations have been disposed of. Thus the resolution by asking about juveniles who were charged with violent felonies in each stage of the judicial proceeding.

Further prefer this interpretation because

1. Breadth

Over the years, the distinction between adult and juvenile proceedings as decreased. The topic is incredibly small if we deal. Joseph Sanborn[[1]](#footnote-1) explains,

**Juvenile defendants currently are afforded nearly all the constitutional rights enjoyed by their adult counterparts at criminal trial.** There are two notable exceptions, however. The vast majority of juvenile courts any defendants the rights to both a public trial and a jury trial. Juvenile courts have been able to avoid these aspects of the adversary system because the U.S. Supreme Court declared more than 30 years ago in McKeiver v. Pennsylvania that juvenile courts differ from criminal courts, and therefore, the juvenile defendants no not have the provided public or jury trials. It is uncertain whether the practice of employing non public bench trials will continue for much longer. **Today’s juvenile court is constantly discarding many of its traditional and fundamental characteristics,** and it is **adopting many of the features customarily associated with criminal court. The similarities between the two courts have become so great that an appellate court in California** recently **observed** correctly **that** **the** continued **denial** **of** these **constitutional** **rights** “**Is** not just **[over]ripe for** Supreme Court **reconstruction**, it is overripe. “

This means that an interpretation which excludes considerations of punishment is too narrow a resolutional question. This restricts the topic to only one or two issues, which destroys breadth of education because debaters are forced to have the same debate nearly every round for a topic that lasts 5 months. Because of the amount of time when this debate can happen, breadth is key, as it allows the same amount of depth of education, just on a variety of issues. People have been complaining that this topic is too narrow, and the only way to broaden it is to allow for punishment.

1. Philosophical ground

The similarities in the two systems remove the ability to substantively engage issues of the philosophical and political role and purpose of punishment. We can’t discuss the underlying justification for coercive state action, as the resolution is limited to a few procedural issues. The ability to discuss issues of punishment and coercion is preferable a) because it access the greatest breadth of argument. People from Thucydides to Kant have been debating the role of state in coercion, while the procedural debate is limited by boring political scientists from the last 10 years. This links to education because we can have a higher quality debate with greater depth and breadth to positions that have been discussed more. It links to fairness because the depth of argumentation allows debaters to create more strategic and sophisticated positions which are not as reliant on dubious and questionable empirical claims.

Lastly charged in the resolution takes the form of a past participle of the word charge. Learn English Network explains the meaning and basis

**A past participle indicates past or completed action or time. It is often called the 'ed' form as it is formed by adding d or ed, to the base form of regular verbs,** however it is also formed in various other ways for irregular verbs.

Thus if at one point an individual was charged the resolution is still pertains as long as they reside in the criminal justice system. Because past participles imply merely a past or completed action. You are charged with a violent felony is at one point someone accused you via a criminal acquisition.

In the united states Adults currently receive the death penalty. Juveniles do not. Thus affirming the resolution would entail allowing juveniles to receive the death penalty.

I value morality as ought implies a moral obligation

Ethical frameworks are evaluated via their maximum expected value. Andrew Sepielli[[2]](#footnote-2) explains.

**You and I are imperfect beings.** One consequence of this is that **we must make our decisions under uncertainty.** There are two types of uncertainty with which we must contend. **One is** nonnormative uncertainty – uncertainty about matters of nonnormative fact. Non-normative facts may include everything from the age of the universe to the GDP of Burkina Faso to the health effects of drinking four gallons of Mountain Dew in one night.The other is **normative uncertainty** – uncertainty **about the reasons those facts give us.** Someone might, for example, be uncertain about whether the reasons to have an abortion outweigh the reasons not to have one, even she were certain about how the fetus develops, the kind of life a child born to her would lead, and so on. Similarly, someone may be uncertain whether the reasons to support a tax increase outweigh the reasons to oppose it, even if she is sure about the economic and social effects of the increase. A good deal has been written on the issue of what we should do when we’re non-normatively uncertain. To get a feel for the perceived importance of this issue, consider that nearly every major ethical theory has been pilloried somewhere or other for failing to offer guidance to non-normatively uncertain agents. By contrast, almost nothing has been written on the issue of what we should do when we’re normatively uncertain.1 This is both unfortunate and surprising, as normative uncertainty seems so clearly to pervade the life of the reflective person. In this paper, I’ll take some small steps towards rectifying this neglect. I will suggest that the right thing to do under normative uncertainty is given by what I’ll call a “comparativist” principle of rationality. The bad news is that the application of comparativist principles is impossible without first solving a problem that I call the Problem of Value Difference Comparisons. I spend the majority of the paper defending a solution to this problem and answering objections to this solution. Part I: The Phenomenon of Normative Uncertainty **An agent is normatively uncertain** just **in case** a) **her degrees of belief** (or “credences”, or “subjective probabilities”) **are divided between at least two mutually exclusive normative propositions**, and b) this division in her degrees of belief is not entirely due to non-normative uncertainty.2 Consider a Commander-in-Chief deciding whether to go to war. If he has some credence in the proposition going to war is better than not going to war and some credence in the proposition not going to war is better than going to war, and this is not fully explained by his uncertainty regarding the non-normative facts, then the Commander-in-Chief is normatively uncertain. **There are many different kinds of normative proposition**. The ones I want to focus on are what I call “practical comparatives”. A practical comparative is a proposition of one of these forms: Action A is better than Action B; Action A is worse than Action B; Action A is equal to Action B. These propositions are practical in that they are about what we ought to do, rather than what ought to be, or how we ought to be. They are comparative in that they’re about how actions compare to each other, rather than how they fare absolutely.3 Other treatments of normative uncertainty have focused on uncertainty among normative theories, rather than uncertainty among practical comparatives.4 Normative theories include such **ethical theories as utilitarianism, [and] deontology**, virtue ethics, and all the rest, as well as theories about prudence, legality, and so on. My main reason for focusing on practical comparatives rather than on theories is that, while almost everyone has beliefs about the former – which, again, are simply beliefs about which actions are better or worse than which other actions – very few people think in terms of comprehensive theories like utilitarianism. Even those who do have beliefs about theories may have many beliefs about practical comparatives that are entirely independent of the deliverances of any of their theories. Insofar as our goal is to offer an account of what actual people should do under normative uncertainty, it’d be better to shift the focus away from beliefs that constitute such a small part of most people’s normative thinking.5 That said, I do think uncertainty regarding normative theories is an important topic, so at the end of the paper, I’ll explain how the basic features of my approach to uncertainty about comparatives can be cross-applied to uncertainty about theories. Part II: Responses to Normative Uncertainty. One way of putting our animating question is: Which action should I perform when I’m normatively uncertain? But this is ambiguous, for there are many senses of “should”. It’s important to distinguish between what I’ll call the “‘should’ of rationality” and the “‘should’ of reasons”. What one should (in the former sense) do depends only on one’s own mental states. The extra-mental world plays no role in determining what it’s rational to do, other than, of course, the role it plays in causing us to have the mental states we do. What one should (in the latter sense) do may depend on features of the world other than one’s own mental states. The right answer to the question above, if we take the “should” as the “should” of reasons, seems clearly to be “whichever action(s) one actually has sufficient reason to do”. But as I shall argue, this is not the right way to answer the question, if “should” is understood as the “should” of rationality. And this is the sense of “should” with which I’ll concern myself. We must also make a further distinction – between what it’s globally rational to do, and what it’s locally rational to do. What it’s globally rational for an agent to do depends on all of that agent’s mental states; what it’s locally rational for an agent to do depends on only some subset of that agent’s mental states. But while it makes sense to say what it’s globally rational, simpliciter, for an agent to do, it doesn’t make sense to say what it’s locally rational, simpliciter, for an agent to do. We first have to specify which subset of the agent’s mental states we’re talking about. So evaluations of local rationality will always be evaluations of what it’s locally rational to do given this or that subset of an agent’s mental states. I’ll ask what it’s locally rational to do, given a subset of the agent’s total mental states that includes her practical comparative beliefs, plus whichever of her other mental states it is rational to hold along with those practical comparative beliefs. The actions that will be rational in this sense may not be rational in the global sense. It may be locally rational, given an agent’s practical comparatives, for him to perform some action even though it is irrational, given his other mental states, for him to have those practical comparatives in the first place. Maybe he believes that the evidence doesn’t support them. Maybe he’s a nihilist about value who hasn’t quite connected the dots. In that sort of case, it’s plausible that some other action may be the globally rational one.6 So again, **the** cleaned-up version of our **question is: Which action is it locally rational to perform, given your practical comparative beliefs plus whatever mental states it is rational to hold** along with those practical comparative beliefs? Perhaps the most natural answer is: Act in accordance with the practical comparative in which you have the highest credence. That is, if your degree of belief is highest that Action A is better than Action B, then you should do A rather than B. We should be leery of this answer, though, because some similar courses of action under non-normative uncertainty seem so clearly mistaken. **Suppose that I am deciding whether to drink a cup of coffee. I have a** degree of **belief of .2 that the coffee is** mixed with a deadly **poison, and a** degree of **belief of .8 that it’s** perfectly **safe.** If I act on the hypothesis in which I have the highest credence, I will drink the coffee. But this seems like a bad call. **A good chance of coffee isn’t worth such a significant risk of death -** at least, not if I've got commonsense beliefs regarding the values of coffee and death. **Similarly, suppose I am deciding between actions A and B.** **There’s** some chance that A is better than B, and **a**n ever so slightly **greater chance that B is better than A.** I also believe that, **if A is better than B, then A is saintly and B is abominable; but if B is better than A, then B is slightly nasty and A is merely okay.** Despite the fact that my credence is higher that B is better than A, **it still seems like I ought to do A instead, since A’s “normative upside” is so much higher than B’s, and its “normative downside” not nearly as low**. Here, then, is a more promising answer**: I should perform the action with the highest expected value. We get the expected value of an action by multiplying the subjective probability that some practical comparative is true by the value of that action if it is true**, doing the same for all of the other practical comparatives, and adding up the results. This strategy is sensitive not only to my credences in the various normative propositions, but also to the sizes of the upsides and downsides of actions to which the “highest credence” strategy was insensitive.

Morality is best achieved via a consequenatlist paradigm.

[Insert consquentalism framework]

Under consequentalism however the impact story is very simple. Whoever minimizes the probability of damnation has the biggest possible impact. Arnauld and Nicole[[3]](#footnote-3) explains,

**It belongs to infinite things** alone**, as eternity and salvation, that they cannot be equalled by any temporal advantage ;** and thus we ought never to place them in the balance with any of the things of the world. **This is why the smallest degree of facility for the attainment of salvation is of higher value than all the blessings of the world put together ; and why the slightest peril of being lost is more serious than all temporal evils,** considered simply as evils.

**This is enough to lead all** reasonable **persons to come to this conclusion,** with which we will finish this Logic : **That the greatest of all follies is to employ** our time and our life **in anything else but that which will enable us to acquire one which will never end, since all the blessings and evils of this life are nothing in comparison with those of another**; and since the danger of falling into these evils, as well as the difficulty of acquiring these blessings, is very great.

The implication is very clear. When adopting state policies any action is justified if it increases the probability of salvation. Craig Duncan[[4]](#footnote-4)

When will this happen? Borrowing a page from Pascal's Pensées, **a religious persecutor** might answer ―very often.‖ This is so, the persecutor **can claim, because the well-being associated with salvation is infinite in scope—**and when we set S equal to , then so long as pC and c are both greater than zero, the quantity pCSc will likewise equal . This will be infinitely greater than –A, a finite quantity, and **thus enforcement will have infinitely greater expected value than liberty, no matter how much anguish the enforcement option will cause in this world.**

Thus the sole affirmative burden is to prove affirming decrease the probability of damnation.

Part 1.

Christianity is immensely probable.

First, the bible is one of the most historically reliable documents, for many reasons first due to the time frame in which it was recorded in accordance with when the events happened. Blomberg[[5]](#footnote-5) explains

**“The standard scholarly dating, even in very liberal circles , is mark in the 70’s, Matthew and Luke in the 80’s, john in the 90’s.** But listen**: that’s still** **within the lifetimes of various eyewitnesses of the life of Jesus, including hostile eyewitnesses who would have served as a corrective if false teachings about Jesus were going around.** Consequently, these late dates for the gospels really aren’t all that late. In fact we can make a comparison that’s very instructive. **“the two earliest biographies of Alexander the great were written by arrian and Plutarch more than four hundred years after Alexander’s death in 323 B.C., Yet historians consider them to be** generally **trustworthy**. Yes, **legendary material about Alexander did develop over time, but it was only in the centuries after these two writers.** In other words, the first five hundred years kept Alexander’s story pretty much intact; **legendary material began to emerge over the next five hundred years.** So whether **the gospels were written sixty years or thirty years after the life of Jesus, the amount to time is negligible by comparison. It’s almost nonissue.”**

We can also find clear evidence of the Christian faith even earlier then this, for instance 1 Corinthians 15 which states

“3For what I received I passed on to you as of first importance[[a](http://www.biblegateway.com/passage/?search=1%20corinthians%2015#fen-NIV-28706a)]: that Christ died for our sins according to the Scriptures, 4that he was buried, that he was raised on the third day according to the Scriptures, 5and that he appeared to Peter,[[b](http://www.biblegateway.com/passage/?search=1%20corinthians%2015#fen-NIV-28708b)] and then to the Twelve. 6After that, he appeared to more than five hundred of the brothers at the same time, most of whom are still living, though some have fallen asleep. 7Then he appeared to James, then to all the apostles, 8and last of all he appeared to me also, as to one abnormally born.”

These passages were written within a few years of Jesus’ death Blomberg explains

“**Here you have the key facts about Jesus’ death for our sins, plus a detailed list of those to whom he appeared in resurrected form – all dating back to within two to five years of the events them-selves”**

This evidence Is even more substantial given the enviormetn in which these stories developed. Blomberg explains

“**Many people had reasons** for wanting **to discredit the movement and would have done so if they could have simply told history better**,” Blomberg said. “**Yet look what his opponents did say. In later Jewish writings Jesus is called a sorcerer who led Israel astray**—**which acknowledges** that **he** really **did** **work** marvelous **wonders**, although the writers dispute the source of his power. **This would have been a perfect opportunity to say something like, ‘the Christian will tell you he worked miracles, but we’re here to tell you he didn’t’ yet that’s the only thing we never see his opponents saying**. Instead they implicitly acknowledge that what the gospels wrote—that Jesus performed miracles—is true.” I asked, “could this Christian movement have taken root right there in Jerusalem—in the very area where Jesus had done such of his ministry, had been crucified, buried, and resurrected—if people who knew him were aware that the disciples were exaggerating his distorting the things that he did?” “I don’t believe so,” Blomberg replied. “**We have a picture of what was initially a very vulnerable and fragile movement that was being subjected ot persecution .If critics could have attacked it on the basis that it was full of falsehoods or distortions, they would have.** “But,” he emphasized in conclusion, “**That’s exactly what we don’t see**.”

The fact that the Christian faith survived implies that it was correct and that Jesus did live, rise from the dead and appeared to hundreds of people before ascending into heaven.

The second reason we look to the Christian faith is because it is supported by through the fulfillment of prophecy.

In the old testament there were over 300 prophesies made about the coming messiah hundreds of years before Jesus was born, these range from the place and day of his birth, to his trial, to his death and to his resurrection. There was not a single prophesies in the old testament talking about the messiah that Christ failed to fulfill. The probability of any one man fulfilling just 8 of these prophesies by present day was found in a study done by PETER W. STONER, Chairman of the Departments of Mathematics and Astronomy at Pasadena City College and Chairman of the science division, Westmont College and Robert C Newman with .D. in Astrophysics, Cornell University and Associate Professor of Physics and Mathematics, Shelton College. They found the likely hood to be 1 in 10 to the 17th power. This is incredibly small Stoner and Newman[[6]](#footnote-6) explain

**Suppose that we take 1017 silver dollars and lay them on the face of Texas. They will cover all of the state two feet deep.** Now **mark one of these silver dollars and stir the whole mass thoroughly, all over the state. Blindfold a man and tell him** that he can travel as far s he wishes, but **he must pick up one silver dollar and say that this is the right one. What chance would he have of getting the right one? Just the same chance that the prophets would have had of writing these eight prophecies and having them all come true in any one man, from their day to the present time, providing they wrote using their own wisdom.**

This is merely 8 out of the 300 prophesies that would need to be fulfilled if you were to take all 300 prophesies and set the likelihood they would be extremely high you still receive incredible odds towards divine inspiration. Stoner and Newman explain

**there are more than three hundred prophecies dealing with Christ's first advent.** If this number is correct, and it no doubt is, **you could set your estimates ridiculously low on the whole three hundred prophecies and still obtain tremendous evidence of inspiration.**

For example **you may place all of your estimates at one in four. You may say that one man in four has been born in Bethlehem: that one of these children in four was taken to Egypt, to avoid slaughter; that one in four of these came back and made his home in Nazareth; that one in four of these was a carpenter; that one in four of these was betrayed for thirty pieces of silver; that one in four of these has been crucified on a cross; that one in four was then buried in a rich man's tomb**; yes, even that one in four rose from the dead on the third day; **and so on for all of the three hundred prophecies and from them I will build a number much larger than the one we obtained from** the **forty-eight prophecies.**

Part 2.

Death row inmates are far more likely to convert to Christianity.

. LOUIS/ Behind The Headlines -- Sister Helen Pr‚jean is the Louisiana nun whose book Dead Man Walking was made into a feature film star ring Sean Penn and Susan Sarandon. Reeking with false compassion for convicted murderers awaiting execution on death row, both the book and the movie offered an emotional appeal for the prohibition of capital punishment. Ironically, Sister Helen has conceded in at least one interview that some of the **condemned men** to whom she has ministered **have experienced conversion as a direct result of knowing the certain date of their departure from this world.** Nevertheless, she seems unable to recognize that salvation is a greater good than life itself, and persists in opposing the one means available for rescuing especially hard cases from certain damnation. Professional genius Marilyn vos Savant once devoted half of her "Ask Marilyn" column in Parade magazine to a consideration of the pros and cons of capital punishment, without once mentioning the possibility of an afterlife and the correlation between reconciliation and the prospect of eternal punishment. Marilyn conceded that she considers "capital murder far more abhorrent than . . . capital punishment" and for that reason "reluctantly support[s] the administration of the death penalty." She insisted, however, that she could find "nothing positive about the concept of capital punishment." Apparently, Marilyn hasn't searched hard enough. **Anyone seeking a deeper understanding of the positive effects of capital punishment would be well advised to read The Consolation of Philosophy, by Boeth**i**us**, or Herman Melville's short story "Billy Budd." One is **a factual**, the other a fictional, **account of a man unjustly condemned to death who nevertheless overcomes his bitterness and self-pity and, recognizing the blessing in his misfortune, seizes the opportunity to save his soul**. Atheists and agnostics, depending on their temperament, view capital punishment either as just or vengeful. **Only the faithful,** however, **can see it for what it really is: the ultimate act of mercy. Assuming that eternal life -- in heaven or hell -- awaits us after our brief sojourn on earth, anything that redounds to our salvation must be counted as more valuable than human life itself.** Far from being inhumane, **then, a death sentence is one of the greatest blessings we sinners can receive. By focusing the mind on the mortality that most of us ignore, it provides a compelling incentive for reconciliation. This applies even to those rare few who've been falsely convicted.** **How many "victims" of capital punishment (not to mention terminal illness) might have been damned without the knowledge of their imminent demise? Do they share our mortal squeamishness in paradise? Not likely.** They undoubtedly conclude, and rightly so, that **we place too much emphasis on this life and too little on the next.**

Second Prison Chaplain make them selves always available to Death row inmates due to their approaching death. This along with other factors and focus means that those who are likely to receive the death penalty are provided more frequent opportunities for conversion.

This is empirically verified with juveniles. Victor L. Streib[[7]](#footnote-7) during a compressive evaluation of every juvenile to receive the death penalty found that

**Probably the most common theme seen in the 281 cases is the last-minute conversion** to an orthodox religion **and a final prayer to God for salvation**. **Some** conversions **are** apparently **reaffirmations of childhood religious experiences. Other seem to have no foundation**. One should keep in mind that unless the prisoner adamantly refuses, **prison chaplains routinely counsel death row inmates and stay with them up to the moment of execution. If the condemned juvenile wants to discuss religion, he or she is usually has someone right there with whom to do so. Some** executed juveniles seem **simply** to have accepted **a prayer suggested** by their religious counselor. **A classic example is that of a William Batton,** the illiterate boy executed by Pennsylvania in 1722. His last statement, signed by him with his mark, closed with the eloquent sentence: I yield my body to his shameful and ignominious death this 15th day of August, 1722, being about seventeen years of age, hoping God will have mercy upon my poor soul. Lord Jesus, receive my spirit. (American Weekly Mercury, 16-23 Aug. 1722, p,2) **Irving Hanchett, barely 15 years of age**, was executed by Florida in 1910. Only three months elapsed between his crime (the murder of a teenaged girl who had rejected his advances) and his execution. Hanchett had just moved to Florida from Connecticut and had no friends or family in the area. **While he was awaiting execution, a priest baptized him into the Catholic faith, and Hanchett seemed to be buoyed by the hope of salvation. As the 15-year-old mounted the scaffold, he said: “Mercy, my Jesus, my Jesus, mercy. Goodbye everyone”** (Florida Times Union [Jacksonville], 7 May 1910). Harley Beard was a slow-witted orphan executed in Ohio in 1914 or murdering the three people with whom he lived and for whom he worked. He made a full confession of his crime and died less than seven months after it had occurred. His well-publicized last words were: “I think it is awful to send me to my Father this way” (Portsmouth [Ohio] Daily Times, 4 Dec. 1914). **Willie Whitefield was executed** in 1938 **by Alabama for a robbery and murder**. He seemed defiant until near the end of the 11-month period between crime and execution. Then **he began to consult regularly with the prison minister. His final words were part prayer, part confession**, and part complaint: **I’m goin’ on home…tell ‘em I’m going on home to rest with Jesus. Preacher, all you all, goodbye. I’m ready to go. I’ve made up with the Good Master. If I hadn’t did what I did I wouldn’t be ready to go**…don’t pull those straps so tight. (Montgomery Advertiser, 19 Aug. 1938) **Willie Francis, a black youth from Louisiana, killed a prominent white man**, the brother of a police chief. Francis holds the distinction of having been electrocuted twice on dates over a year apart .**His first electrocution failed when a wire burned out in the electric chair. Francis saw this as divine intervention: “The Lord was with me.” When he was electrocuted again in 1947, 13 months after the first attempt, the chair worked, and Francis was not spared. Francis remembered that when strapped into the chair the firt time, he was thinking about going to heaven and wondering what hell was like** (weekly messenger [St. Marinsville, La.], 10 May 1946). His thoughts upon being electrocuted the second time will never be known.

 Finally, prefer the empirical analysis in the AC because; first, it verifies the accuracy of causal analytics, whose impact is only verifiable in the context of the quantitative impact on empirical results of the system. Second, the nature of the criminal justice system makes the probability of sweeping generalizations in analytic claims irrelevant, as the nature of decisions, decisionmakers involved, etc. change in every case. Only empirical analysis accounts for such vast alternative causalities.

1. “The Right to a Public Jury Trial: A Need for Today's Juvenile Court. Joseph Sanborn. Judicature 76.5. 1993. HeinOnline. [↑](#footnote-ref-1)
2. Andrew Sepielli. “**What to Do When You Don’t Know What to Do”** Rutgers – New Brunswick [↑](#footnote-ref-2)
3. *Logique de Port-Royal. 1660.*  [↑](#footnote-ref-3)
4. The Persecutors Wager. Published in *The Philosophical Review*116:1-50 (January 2007). [↑](#footnote-ref-4)
5. Strobel, Lee. *The Case for Christ ; And, the Case for Faith*. Grand Rapids, MI: Zondervan, 2002. Print. [↑](#footnote-ref-5)
6. Peter Stoner, *Science Speaks: Scientific Proof of the Accuracy of Prophecy and the Bible*, 1944, [↑](#footnote-ref-6)
7. Facing the death Penalty. Essay on the cruel and unusual punishment. [↑](#footnote-ref-7)