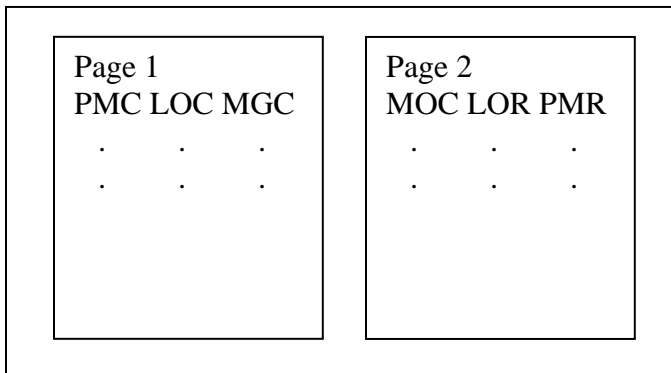# Flow Chart[1] of the Final Round
Connectictut Debate Association
Warde High School, January 6, 2024

This House regrets climate lawsuits.

The final round at Warde was between the Joel Barlow team of Griffin Speck and Cade Frafel on Government and Bethel team of Willa Zalaznick and Jack Wolleck on the Opposition. The debate was won by the Opposition team from Bethel.

Format Key

I take notes on an 11" by 14" artist pad. The two pages below are formatted to print in portrait mode on 8 ½ x 11 paper. The first page covers the first three constructive speeches: the Prime Minister's Constructive (PMC), the Leader of the Opposition's Constructive (LOC), and the Member of Government Constructive (MGC). The second page covers the Member of Opposition Constructive (MOC), the Leader of Opposition Rebuttal (LOR) and the Prime Minister's Rebuttal (PMR). The pages are intended to be arranged as follows, which is how my actual flow looks:

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│  ┌──────────────────┐   ┌──────────────────┐ │
│  │ Page 1           │   │ Page 2           │ │
│  │ PMC LOC MGC      │   │ MOC LOR PMR      │ │
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In general, the constructive speeches have arguments related to the Government contentions towards the top, and those relating to the Opposition contentions towards the bottom. Some debaters draw a line across the middle to separate the Gov and Opp, but it is hard to judge how much room you need for each until you hear the debaters. I adjust the top and bottom halves best I can.

This flow organizes the arguments logically, not necessarily in the order in which they were presented. Some speakers will deal with Opposition arguments prior to the Government. Some speeches will be completely disorganized and I place the arguments to best illustrate clash. Accompanying this is a "transcript" version of the debate which presents the arguments in the same order as each speech proceeded.

The chart uses "G1," "O2," etc. to refer to the Government first contention, the Opposition second contention and so forth.

Points of Information are indicated by "POI:" and this marker, the question and the answer are in boldface italics.

Prime Minister Constructive	Leader of the Opposition Constructive	Member of Government Constructive

1) Exxon oil spills in Alaska "punished" with low fines
  a) =>courts are the wrong approach
2) Intro/motion
3) Definition: "TH" is an average US citizen
  a) Framework: which side is more effective against climate change
	1) Intro
	2) We agree with Gov definitions
	3) Re Exxon example, fines weren't the only remedy
	  a) Case led to policy actions
		1) Intro

4) G1[2]: Litigation oversimplifies the problem
  a) NJ, CA, NY suits blame specific companies
    i) Like blaming one potato chip for obesity
  b) No clear "fault" for climate change
    i) Successful suits would set a bad precedent
  c) Even if climate change intensifies
    i) One company doesn't contribute much to harm
    ii) No way to prove a link
    POI: So companies simply get off causing harm?
    No, but suits won't solve the problem
    iii) Climat change not solely due to fossil fuels
	4) G1: We agree this is no magic, instant solution
	  a) Lawsuits are one step in a long process
	  POI: Do you have an example of a lawsuit leading to change?
	  We present these later in the speech
	  b) Gov narrative is wrong, as suits not limited to oil companies
		2) G1: Will lawsuits change behavior?
		  a) No examples presented
		    i) Cargill isn't Shell
		    ii) Oil spill still occurred after Exxon
		  b) Not just oil companies?
		    i) Many suits are against oil co's: NY, CA
		    ii) Other issues prevent these from solving problem

5) G2: Courts are the wrong place
  a) Suits an over-reach by the judiciary
    i) Violates separation of powers
    ii) Writes new law, ignores precedent
  b) Judges know less than Congress
    i) Congress can bring in outside expertise
    POI: Isn't Congress more biased than the courts?
    Judges are biased, look at the Supreme Court
  c) 2nd Circuit NY case said must apply Federal and common law
    i) This means Congress/EPA regulations
    ii) Suits violate 2nd Circuit ruling
    iii) =>problem better resolved by Congress
	5) G2: Separation of powers?
	  a) Suits allow citizens to be involved
	  b) Courts v Congress?
	    i) Court cases take a long time, include outside research
		3) G2: Congress is more effective
		  a) Court evidence often "liars for hire"
		    i) Sway case for oil companies
		  b) Individual involvement?
		    i) That violates legal precedent
		    ii) 2nd Circuit Court, not state law
		    iii) E.g., Clean Air Act led to regulation

6) G3: Climate lawsuits are ineffective
  a) Only 55% decisions favor the environment
    i) Better to prevent the problem than litigatge
  b) International agreements are possible
    i) E.g., Millenial Goals on smallpox, poverty, infant mortality
	6) G3: Ineffective
	  a) Can lead to small steps, better than no action
	  b) Only 55% help climate?
	    i) Decision itself not the only impact
	    ii) Lawsuits lead to greater awareness of the problem
	1) O1: Climate lawsuits force accountability
	  a) Need to understand what is happening
	    i) Companies operate behind closed doors
	    ii) Lawsuits bring awareness to public
	    iii) =>sway corporate policy
	    iv) Cancel culture works!
	    POI: Isn't energy/oil/gas a necessity?
	    Lawsuits provide an incentive to innovation
	    v) Demand drives science
	    vi) E.g., Cargill made ships less polluting due to public pressure
	  b) Not only oil giants
	    i) Lawsuits involve public, youth
	2) O2: Climate lawsuits foster civic involvement
	  a) Voting has limited influtince
	    i) Lawsuits often used by activists
	  b) Should not "regret" as they help a movement of informed citizens
	3) O3: Most effective way to force change on climates
	  a) Lawsuits often lead to legislation
	    i) E.g., Clean Water Act
		4) G3: Public awareness?
		  a) Public is aware of problem
		    i) Lawsuits sow false hope
		    ii) $ spent but no change
		  b) Legislation is more important than public involvement
		1) O1: Accountability?
		  a) Suits are very expensive
		    i) Better ways to expose problem
		  b) Can't cancel use of fossil fuels
		    i) Economy and individuals are dependent
		
		2) O2: Involvement?
		  a) Actually discourages involvement with false hope
		  b) Big show, but no change results
		3) O3: Effective?
		  a) Litigation only effective if it leads to new laws
		  b) Laws don't require litigation as a prerequisite

Member of Opposition Constructive	Leader of Opposition Rebuttal	Prime Minister Rebuttal

1) Intro/motion	1) Intro/excited to be in the final round
	2) Re-state O1, O2, O3
	3) Can lawsuits result in change?
	     a) Contributes to climate action
	        i) Remember the Gov framework
	        ii) Action requires more attention, more supporters
	     b) Public opinion has power
	        i) Just because we can't cancel oil that does not mean argument is incorrect
	        ii) Need to push to get action on climate change
	     c) Climate lawsuits aren't the only tool
	        i) Should not "regret" as they help change
		1) Regret means "more harm than good"
		2) What benefit has Opp shown?
		     a) No positive change has resulted
		     b) Never answered our POI asking for examples
		3) Public awareness?
		     a) Leads to false hope, trust in ineffective solution
		     b) We need effective solutions, not more activism

2)   G1: Oversimple?
     a)   Not just shaming, but holds defendants to account
        i)   Avg. American wants to identify blame
     b)   Others involved but not in lawsuit?
        i)   No reason those sued should be let off
        POI: Doesn't accountability require rectifying the wrongs, not just petty fines?
        Suits can have other remedies than fines
	4) What is the effect on public opinion?
	     a) Many think climate is hopeless
	     b) Lawsuits encourage hope and cont'd effort to solve
	5) Will lawsuits result in meaningful change?
	     a) Public opinion is a powerful tool
	     b) History shows pressure of lawsuits can lead to change
		4) Harms?
		     a) Action through courts violates legal precedent
		        i) Federal law says EPA is the authority
		        ii) Fossil fuel companies not only ones to blame
		        iii) Lawsuits show a failure to learn from mistakes
		        iv) Discourages activism with false narrative that this is only way to solve
		     b) Threatens democratic process
		     c) Leads to a worse climate crisis
		5) Litigation is a band-aid for a broken arm
		     a) Small court cases, patchwork quilt of results
		     b) Activism is not a tangible effect of litigation
		     c) Says only way to act is to sue
		        i) Hurts democracy
		        ii) Worsens climate change

3)   G2: Venue: Court or Congress?
     a)   On bias, courts are less biased than Congress
        i)   Courts can't be lobbied, control outsourcing
        ii) Congress is at its least effective in years		

4)   G3: We disagree litigation is ineffective
     POI: Dictators are effective, but aren't democratic elections best?
     Agree Congress needs to act, but litigation helps push change
        i)   Consider the civil rights movement
     b)   Lawsuits not just cancel culture
        i)   Prompt a public response
        ii)   Litigation is a tool
        iii) Need to use all resources to get change		

1)   O1: Litigation provides closure
     a)   E.g., Exxon Alaska spill
     b)   E.g., 2 dozen cities and states have sed oil companies for hiding harm
     c) Studies show suits result in a fall in share prices		

2) O2: Civic involvement is a good thing a) These are voice often not heard in Congress		

3)   O3: Public opinion has an impact
     a)   E.g., led to more electric vehicles by GM/Kia/etc.
     b) Cargill example is important		

Final Round, Jan. 2024