

The Final Round¹

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Connecticut Debate Association

Pomperaug High School and Westhill High School

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Resolved: That soft drinks with added sugar should be taxed to discourage their consumption.

A Note about the Notes

I've reproduced my flow chart for the final round at Westhill High School augmented by what I remember from the debate. The notes are limited by how quickly I could write and how well I heard what was said. Others may have different versions. I'm sure the debaters will read them and exclaim, "That's not what I said!" I apologize for any errors, but I hope debaters will appreciate this insight: what a judge hears may not be what they said or wish they had said.

There are two versions of the notes. The one below is chronological, reproducing each speech in the order in which the arguments were made. It shows how the debate was actually presented. The second is formatted to look more like my written flow chart, with each contention "flowed" across the page as the teams argued back and forth. It's close to the way I actually take notes during the debate.

The Final Round

The final round at Westhill was between Westhill High School (Martha Masiarz and Ellie Brain) on the Affirmative and Fairfield Warde High School (Ben Schwartz and Andrew Harrison) on the Negative. The debate was won by the Negative team from Fairfield Warde.

1) First Affirmative Constructive

- a) Statement of the Resolution
- b) Presentation of contentions
 - i) A1²: This tax will reduce obesity
 - ii) A2: The funds raised by the tax will be used for health programs that will further reduce the problem
 - iii) A3: The tax is the first step in a long war against obesity
- c) A1: There is a clear link between sugared soft drinks and obesity
 - i) A Harvard study links soft drinks with risk of obesity

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² "A1" indicates the Affirmative first contention, "N2" the Negative second contention and so forth.

- ii) One in four New Yorkers is obese
- iii) New York expects an 18% tax to reduce consumption by 5 percent
- iv) Obesity is linked to other health problems like high blood pressure and high cholesterol
- d) A2: The tax is expected to raise \$404 million in the first year and \$539 the second
 - i) Funds will be use for education to promote exercise and other lifestyle changes
 - ii) These programs will have additional benefits
- e) A3: There is no immediate cure for obesity
 - i) The tax will fund education and promote health
 - ii) Benefit will be in the long term effects
- 2) Cross-Ex of First Affirmative**
 - a) What gives government the prerogative to tell people what to do? It betters society
 - b) Isn't this excessive infringement on their lives? No
 - c) You say this tax is one of many factors? Yes, the first step.
 - d) Why start with this action? Because it's a gradual change.
 - e) Why 18%? If you are serious, why not a tax of 50% or 100% or a complete ban? This is a first step.
 - f) Is the goal to stop consumption or raise funds? Stop consumption
 - g) Why not raise the tax higher? The small amount adds up.
 - h) Why not ban soda for those under 18, like tobacco? That could be infringement.
- 3) First Negative Constructive**
 - a) Intro
 - b) N1: The tax is contrary to the ideal of personal liberty
 - i) Aff. shows fundamental disregard or misunderstanding of personal liberty
 - ii) People should have the right to buy what they want without harassment
 - (1) This tax is the first step towards a fascistic nanny state that dictates what and how much we can consume
 - iii) Adopting the resolution won't be effective, but will be tremendously symbolic
 - c) N2: The tax is not a proper solution to the problem
 - i) Negative agrees obesity is a health problem that needs to be dealt with
 - ii) The difference is whether we choose a punitive or a constitutional solution
 - (1) The resolution's solution is cosmetic and temporary
 - (2) We should emphasize personal responsibility and education in school and at home
 - (3) Better education would lead to a drop in consumption
 - iii) There is a wealth effect involved
 - (1) Among the wealthy, 1 in 4 is obese
 - (2) Among the poor, 1 in 3 is obese
 - (3) Best solution is to combat poverty and provide universal health care
 - iv) If the Aff is serious, they should make the tax exorbitant or propose a ban.
 - (1) The resolution is wishy washy and begins a nanny state.
- 4) Cross-Ex of First Negative**
 - a) Your second contention is that the resolution is inefficient? Yes

- b) Why? Instead of incentives, you propose penalties
- c) Haven't we used the same approach with cigarettes? Sin taxes are an invasion of liberties
- d) Even if it saves lives? It's still unpalatable
- e) The Neg is not in favor of saving lives? No,
- f) How do you enforce personal responsibility? The government can encourage it through education
- g) Where would the funds come from? Same taxes as provide other funds
- h) Aren't we short of funds now? We have a massive deficit, but we still seem to spend.

5) Second Affirmative Constructive

- a) Intro
- b) Resolution
- c) A1: Any reduction in obesity improves public health
- d) A2: Obesity costs New York \$6.1 billion on obesity-related health care
 - i) 6.7% of Alaska's health care is spent on obesity
 - ii) 5.7% of medical expenditures on average
- e) A3: Anti-smoking efforts show the way through both taxes and educational campaigns
 - i) A 10% increase in cigarette taxes reduces sales by 3%
 - ii) The 1983 federal cigarette tax increase alone saved 40,000 lives per year
 - iii) Benefits and results are undeniable.
- f) N1: Individuals still have the right to choose. The tax only changes the cost
 - i) Is the higher price of a Lexus an infringement on free choice?
 - ii) We don't have the funds for education without the tax.
 - (1) This is the worst economy since the depression
 - iii) Taxing soft drinks is one of many steps, like banning trans fats
 - iv) Taxes are a good incentive for citizens
 - (1) Everyone knows cigarettes are bad for you
 - (2) Similarly, 1 in 4 New Yorkers are obese
 - v) Why not raise the tax very high or ban soda entirely?
 - (1) It would have an unrealistically harsh impact
 - (2) Better to shift consumption away from soda step by step
- g) N2: Tax permits us to start with other methods, like health classes
 - i) Works in conjunction with steps like banning trans fats

6) Cross-Ex of Second Affirmative

- a) Motor vehicles are cause many deaths, why not ban them? They are necessary for living
- b) Isn't drinking necessary? Water is
- c) Won't the tax make drinks unaffordable? Water is cheap.
- d) Isn't bottled water more expensive? No, there is cheaper water available.
- e) Doesn't the tax discriminate against the obese? No.
- f) Isn't this just a paternalistic value judgment? No, it helps people.
- g) Why is the government more important than free choice? Everyone will still have a choice
- h) Doesn't a price increase limit choice? If you can afford it, you have a choice.

7) Second Negative Constructive

- a) Introduction
- b) Resolution
- c) A1, A2, A3: This tax won't be effective
- d) N1: Would we have a Bill of Rights if it were not written down?
 - i) 18% tax seems small, but small violations of rights are the most egregious
 - (1) Ban on trans fats and cigarette taxes are an example
 - ii) It's not a government prerogative to ban or impose punitive regulations or taxes
 - (1) Aff says no infringement on rights
 - (2) Neg sees this as government overstepping
 - iii) Like trans fats, lifestyle is not the government's job
 - (1) Government should focus on defense, security and good operations
 - (2) People should be able to buy what they want
 - (3) Shouldn't have sales or sin taxes for these purposes
- e) N2: If the Aff were serious, they'd propose a large tax or a complete ban
 - i) The cigarette tax, for example is punitive, trans fats are banned.
 - ii) This is a slow first step
 - iii) The poor are most obese, due to the high cost of healthy food
 - (1) This tax is discriminatory

8) Cross-Ex of Second Negative

- a) Your second contention says the tax will be ineffective. Do you deny that the tax will reduce consumption? The statistic isn't relevant because the effect is small
- b) Why is it irrelevant? Because the tax violates free choice
- c) Which is more important, life or liberty? Liberty
- d) Isn't it the government's job to protect life no matter what the cost, yes or no? I disagree with your request, the question is more complex

9) First Affirmative Rebuttal

- a) I will review the Neg contentions, then the Aff
- b) N1 is overly idealistic
- c) N2 is contradictory.
 - i) They claim the tax is inefficient, but that it will overly burden the lower class
 - ii) 18% tax is small, but the combined revenues will pay for a lot of education
- d) N1: The tax does not infringe on liberty
 - i) It discourages consumption and promotes good health
 - ii) Obesity caused by multiple factors but soda is definitely one of them
 - iii) They say it is a personal obligation to deal with obesity
 - (1) But in this depression they can't say where they get funds for education
- e) N2: Tax does not penalize anyone and the education helps overcome the negative effects
- f) A1: We've presented multiple sources and statistics demonstrating the tax will be effective
- g) A2 and A3 have been ignored by the Neg.

10) First Negative Rebuttal

- a) There is no contradiction
 - i) The tax won't stop people with lower income from buying soda

- ii) It will take up more of their money
- b) The Aff position is classism and paternalism, arguing telling McDonald's
- c) Consider the moral aspects
 - i) Aff says cigarettes are bad, agrees to ban on trans fats
 - ii) Obesity is more a problem of the poor
 - iii) People in power want to dictate to others
 - iv) Polls show these taxes are unpopular
- d) Liberty is more important than life
 - i) We protect the 1st amendment in wartime
 - ii) We support the 2nd amendment even though it puts us at risk
 - iii) This tax is a minor but important battle
 - iv) If life were the only concern, then we would all take horse-and-buggies to work

11) Second Negative Rebuttal

- a) A1: in the packet, a study by Washington University found:
 - i) a tax on food won't alter long-term behavior
 - ii) reducing obesity requires education and lifestyle changes
- b) What the resolution really is is a symbolic and practical infringement of liberty
- c) Aff says they are not punishing obesity
 - i) Then we wouldn't tax, as "sin" tax is by definition a punishment
 - ii) It is a personal choice to endanger one's health if it doesn't harm others
 - iii) Government's job is to preserve liberty
- d) We touched on the other two Aff contentions
- e) The revenue argument is irrelevant, and could be gathered through other means
 - i) In a recession, the government should not be implementing a tax or focusing on obesity
- f) The tax will be ineffective and infringes on personal liberty

12) Second Affirmative Rebuttal

- a) N1: The Neg argues morality
 - i) How is this tax different from taking a gun away from a suicidal person?
 - (1) That's when the government should step in
 - (2) If there is no life, there is no liberty
 - (3) What do you say to those who are dying?
 - ii) We aren't taking away an option, just changing the cost
 - (1) Unhealthy choice is harder to make, like expensive cars
 - iii) It is not discriminating against the obese to target obesity
 - (1) What kind of government won't protect its citizens from disease
 - (2) The trans fat ban is a good example
 - (3) The government through the tax is providing healthy options
- b) N2: The negative only gave one piece of evidence, in the second rebuttal, arguing the tax would be ineffective
 - i) That's too late in the debate to be admissible
 - ii) It compares to multiple pieces of evidence presented by the Aff
- c) A1: There was no real Neg reply to our argument and evidence that the tax would reduce obesity
- d) A2: The tax would raise funds necessary to combat lack of education on health

e) A3: Obesity is not a simple problem, but this tax is the first step.