

ESD

英语演讲与辩论文库

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Selected Speeches of International Debate
Champions and Best Speakers



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与世界辩论冠军 零距离：

国际知名辩手辩论辞选编



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图书在版编目(CIP)数据

与世界辩论冠军零距离：国际知名辩手辩论辞选编
/ 樊启青主编. —杭州：浙江大学出版社，2013.5
ISBN 978-7-308-11056-3

I. ①与… II. ①樊… III. ①辩论—汇编—世界
IV. ①H019

中国版本图书馆 CIP 数据核字(2013)第 014427 号

**与世界辩论冠军零距离：
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**Selected Speeches of
International Debate Champions and Best Speakers**

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封面设计 十木米

出版发行 浙江大学出版社

(杭州市天目山路 148 号 邮政编码 310007)

(网址: <http://www.zjupress.com>)

排 版 杭州中大图文设计有限公司

印 刷 富阳市育才印刷有限公司

开 本 710mm×1000mm 1/16

印 张 11

字 数 255 千

版 印 次 2013 年 5 月第 1 版 2013 年 5 月第 1 次印刷

书 号 ISBN 978-7-308-11056-3

定 价 32.00 元

版权所有 翻印必究 印装差错 负责调换

浙江大学出版社发行部邮购电话 (0571)88925591

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总 序



为帮助当代大学生进一步掌握英语演讲与辩论的技巧，加深对国际优秀演讲或辩论选手的思维方式、思辨哲学根基和攻防策略等方面的了解，英语演讲与辩论文库编委会推出了《英语演讲与辩论文库》。该文库具有以下四个特点：

1. 《英语演讲与辩论文库》收集的演讲稿全部由国际知名辩手或裁判亲自撰写，包括 William Bernard Jones (2009 年“世界大学生辩论赛”冠军)、Sharmila Parmanand (连续三年荣获“亚洲大学生辩论赛”冠军)、Leela Koenig (2009 年“世界大学生辩论赛”最佳辩手(ESL))、Yoni Cohen-Idov (2011 年“欧洲大学生辩论赛”总裁判长)和 Suthen Thomas (Tate) (2012 年“亚洲大学生辩论赛”总裁判长)等，有一定的代表性。

2. 《英语演讲与辩论文库》邀请国内外知名裁判为文库所收集的演讲稿撰写了评判辞。除上述辩手和裁判外，还有程轶群(美国 Hobart and William Smith 大学辩手、2012 年“中国辩论公开赛”冠军和“外研社杯全国英语辩论赛”副总裁判长)、何静(复旦大学英语演讲与辩论队教练和 2012 年“第 16 届全国英语辩论赛”总决赛裁判)、何京锴(2008 年“外研社杯全国英语辩论赛”冠军和“外研社杯全国英语辩论赛”副总裁判长)、李溪(北京外国语大学英语演讲与辩论总教练和“外研社杯全国英语辩论赛”总裁判长)、裴蕾(西安建筑科技大学演讲与辩论队总教练和“第 9 届外研社杯全国英语辩论赛”最佳辩手)、万江波(复旦大学英语演讲与辩论队总教练)、王欣(广东外语外贸大学辩论队总教练和“第 11 届维斯杯国际商事仲裁庭辩论赛”中国赛区冠军)和张琳琳(2011 年“第 15 届外研社杯全国英语辩论赛”冠军队教练和天津外国语大学英语辩论队总教练)，等等，有一定的实践性。

3. 《英语演讲与辩论文库》所收集的相关演讲与辩论原理的论著由我国改革开放以来最早从事英语演讲与辩论教学工作的专业教师根据自身的教学经验和需求，在充分研读相关经典论著和国际知名演讲人、辩手和裁判亲自撰写的演讲稿的基础上，运用归纳和总结等方法提炼而成，有一定的理论指导性。

4. 《英语演讲与辩论文库》为开放性丛书，编委会将不断推出新作品。

樊启青
浙江万里学院
2013年5月



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Module 1

This House Would Only Use Prison for Violent Offenders

G. Rhydian Morgan



Rhydian Morgan is the founder of Stylus Communication, a now global organisation, with operations in the United Kingdom, Europe, and the US, with further expansion planned for Asia, Africa and South America in the coming year.

As an experienced and proficient debater, judge, and coach, Rhydian has enjoyed significant success in all three roles at an international level, winning a number of team prizes and individual speaker awards, and coaching teams from across the European continent to great success at European and World Championship level.

A student of, and graduate in, the disciplines of philosophy, modern languages, and law, Rhydian is a member of the Honourable Society of Gray's Inn and a life member of the Oxford Union, and is a faculty member of the World Debate Institute, the Asian Debate Institute, and the International Debate Academy. In this module, he discusses in the WUDC style the pros and cons on the motion, "This House Would Only Use Prison for Violent Offenders".



I. Opening Government: Prime Minister

Mr. Speaker, members of the House, ladies and gentlemen: prison isn't

working. It isn't working for those inside it seeks to rehabilitate, nor for those outside it seeks to protect. It is quite simply no longer fit for purpose. We argue that the reasons for this are that we use prison indiscriminately as a punishment, whether or not it is warranted, and whether or not it works for all offenders. As a consequence, our prisons are too full. Their resources are stretched, the skills and the endurance of people working within the system tested to the limit. We need to address this failure of our prisons to protect, to re-educate and to rehabilitate, and the first step in doing so is to treat criminals appropriately, and cut prisoner numbers.

We do not think that the way to do that is to release vast amounts of people already in prison indiscriminately, but rather to look again at those we sentence to prison term, and question whether imprisonment is warranted, needed, or justified in most cases. If prisons are full (and they are), it is because we are too quick to send the newly convicted to live within their walls, and so that is the issue we must address. Our policy therefore is to reserve the use of detention in prison as a sentence for people who have committed violent offences. We offer a number of arguments in support of this, regarding:

1. The purpose of prison as it relates to the aims of the justice system;
2. The nature of violent crime, and how prison is effective for violent offenders, but not for other criminal types;
3. Why there are better, more effective punishments for other types of offence; and
4. How prison is failing (due to overcrowding).

I will be dealing with the first of these, and my deputy will expand on the others, but first, to some key definitions. We define "violent offences" to be any crime committed using violence or the threat of violence against the person, or against the private property of the person. We think that's clear, and unambiguous, and we hope the Opposition accepts it as such. To give examples of what we consider a violent offence for the purposes of the definition, beyond obvious crimes like murder, kidnap, or assault, we would also include acts of vandalism, and looting, which we argue require violence or violent acts as part of their menace. We will expand on this when we discuss our first argument.

The model we put forward is also simple. Prison (as a sentence) will only be

used following a successful conviction observing due process for a crime of violence according to the above definition. Where it is necessary to remand someone in custody prior to the trial for whatever reason we think that police cells or court holding cells are adequate for this purpose, and we don't think they form a large part of this debate. We think all the normal conditions for bail prior to a trial would still apply, and again, we don't think such matter is central to the debate.

Point of Information (Clarification): Do you consider rape a violent crime?

Response: Yes, we do, in any and all cases. We make no distinction here between rape where a weapon is used, and other kinds. We think all rape is itself an act of violence, and a power crime, and should be treated as such.

So, to our first argument: what is the purpose of prison, how does it correspond to the broader aims of the criminal justice system, and how does it work for violent offenders in these regards, but not for other types of offenders?

There are four main tenets of any criminal justice system, Mr. Speaker, these being: 1) protection, 2) deterrent, 3) punishment, and 4) rehabilitation.

We argue that the most important of these for the system to be effective is protection. We must protect individuals and society at large from immediate and future threat, and in order to do so we must have the facility to remove from that society and those individuals that pose such a threat. We would argue further that in pursuing the aims of deterrent and rehabilitation, we are serving the wider aim of protection, and so these must be considered secondary to that. Equally, we see punishment as an element of deterrent, and again it serves the broader aim of protecting society in both the short and the longer term.

It is the nature of violent crime that it poses the biggest threat to society, in that violence or the threat of it directly attacks people's feeling of security. In doing so, it attacks the very fabric of society, as feeling safe and free from attack when going about private business is essential if such activities are to continue unabated. Violent offenders and the crimes commit depend upon people feeling weak, vulnerable and helpless in the face of that violence.

Point of Information: Do you think the victim of a burglary feels safe in their own home, knowing that someone has broken in?

Response: No. We accept that some crimes which under our definition are non-violent can cause feelings of insecurity, but that is better dealt with in another fashion. A person who is burgled might not feel safe even once the criminal is caught and imprisoned, as the fear is not specific; we can better help victims of this kind to improve things such as home security, or to develop Neighbourhood Watch programmes, for example.

To continue: violent offences also require that these people at the time of the offence cannot rely or are unable to call on assistance from the state, and it is this which means that once a violent offence is committed, the effects often last long after the event. The fear that such an act could be visited on once again—at some unspecified time in the future—is what creates a culture wherein violent offenders can thrive; in such a culture, the mere threat of violence is often enough. As such it is essential that when violent offences occur, they are dealt with appropriately, and in the most effective fashion, and that is with prison.

Prison removes the violent offenders from society for a determined time, punishes them effectively for the harm they have caused, and affords the state the opportunity to rehabilitate the offenders before they are released back into society, hopefully able to behave in a manner which society considers acceptable. It can only do this provided the correct resources are in place, and that is a point my partner will develop, as I have said, but what is important here is the counter prison provides to the culture of fear I have described. By removing the offender from the public sphere, the state sends the message, very clearly, that such behaviour cannot be permitted, that the individual cannot now re-offend, and that others who seek to intimidate with violence will be punished for doing so. The fear is removed, society feels better protected. The wrong-doer is punished, and further wrong-doing is deterred. This we can see that all the aims of our justice system are fulfilled.

This is emphatically not the case when considering non-violent offences.

Crimes such as fraud do not attack feelings of physical security in the same way, but use things such as technology to bypass virtual barriers. As such they are not deterred in the same way by physical incarceration, and the victim's insecurity is also not challenged directly. If there is no deterrent, and there is no feeling that people are now safer from this type of crime, there has been no success in achieving the wider aims of the justice system, and so prison as the medium of punishment must be considered a failure. It follows therefore that there must be other, better and more effective ways in dealing with this type of crime. Whatever those might be, prison is not the way.

So, Mr. Speaker, because violent offences demand the response of prison, because prison works for those violent offenders where it doesn't work for other criminal types, and because, as my partner will go on to explain, prison is failing all of us currently due to excessive numbers of inmates, we stand firmly by the proposal that prison should only be used for violent offences.

Thank you.



II. Opening Opposition: Leader of Opposition

Mr. Speaker, members of the House, ladies and gentlemen: when George W. Bush responded to the atrocities of Sept. 11th, 2001 by declaring a “war on terror” he was mocked for trying to battle an abstract concept. What today's Government attempts to do is equally absurd—they are declaring war on people's fear, by locking up those they think will attack them physically. They are creating a fetish of physical harm, and ignoring the reality that a great number of crimes that according to their definition are non-violent also create the climate of fear they claim to wish to address.

On Opposition today, we will talk to you about the risks of fetishising this type of harm, and what it says about the society in which we live. We will also talk to you about the principal of equality before the law, that crimes which are equally serious, regardless of the specifics of each, should be punished equally, and about the dangers of stratifying some types of offence, in this case violent offences, as always deserving of more extreme punishment. Before we do, we would like to

move to some rebuttal of specific points made by the Prime Minister.

We challenge the Prime Minister's assertion that people are more affected by physical harm or the threat thereof, and we wait to hear what justification or evidence the Government has for this. On our side of the House, we point to the damage done to communities when there is endemic non-violent criminal activity, such as a series of break-ins, or that done to society when trust, the glue which holds so much together, breaks down in cases of large-scale fraud, misappropriation of pension funds, etc. We have only to look at the loss of confidence in the banking sector and financial markets when details of abuse like Madoff's are revealed. Second, we think the Government is guilty of only looking at whether crime is deterred, and the criminal rehabilitated. We think that's myopic, and ignores the feelings of the victim and of society generally. It is axiomatic that for justice to be done, it must be seen to be done, and that includes the retributive element of justice—punishment. There is a natural and comprehensible desire to see the guilty punished for their wrongdoing, and in many countries, imprisonment is the ultimate sanction—the loss of liberty is seen as a serious message that what was done, in terms of the crime, is not and will not be tolerated.

Point of Information: Do you think that the victim's desire for revenge should be the basis for punishment?

Response: No, Mr. Speaker, we do not; it is absurd for Government to claim that we do. However, we think ignoring those feelings completely undermines the power of and respect for the justice system in the minds of ordinary citizens. We want to address that problem.

The Prime Minister tells us that prison isn't working, and tells us this is due to overcrowding. We wait to hear from the Deputy Prime Minister exactly how prison isn't working, but on this point we have two responses:

1. If prisons are overcrowded, the solution is not to let people off, just as it would not be to release those convicted of crimes. Build more prisons.
2. If prison isn't working (for whatever reason), why should we assume that it will work best for the most serious offenders? Fix the prison system so it works for all, rather than just assuming violent offenders need a violent

response, and no one else does.

Finally, the Prime Minister alludes to, but does not outline or specify in any way, “better methods” for dealing with non-violent offences. Until some details of these better methods have been presented, this is a mere assertion on behalf of the Government, and does nothing to further their case.

And so we move, Mr. Speaker, to our positive matter: the danger of over-emphasising physical harm, or the threat thereof, and diminishing the serious nature of other offences, for society as a whole, and the specific negative effects for the legal and criminal justice systems.

Mr. Speaker, we wish you to consider what kind of society we create when we focus too much, when we place undue emphasis on certain types of crime. What does this do to us as people? Does it, as the Government hopes, better protect us from harm, specifically the type of harm we have been taught to fear, we have been told by those in charge is the worst thing that can happen to us? No, Mr. Speaker, it does not. Does it make us more vigilant, better able to protect ourselves and others before such harm can occur? No, Mr. Speaker, it does not. Does it at least force us as a society to address why such crime occurs, what are the root causes and what can we do to change? No, Mr. Speaker, it does not. What it does is to reduce us, and dehumanise us, so that we become scared, unable to act, paralysed by the fear that the state or our society cannot protect us, or worse, it makes us all violent in response to the violence. I will deal with each of these ideas separately.

First, the idea that treating violent offenders differently, and in an exclusively “violent” manner, makes us more violent as individuals when faced with, or dealing with, violence; to support this, we have two points. One is the idea that we take our cues for our acceptable behaviour from figures of authority—our parents, our peers, our “superiors”, and the state. When the state sends the message that the only way to deal with violent offenders is through violence, and that only violent offenders must, or indeed can, be treated in this way, it creates the conditions wherein people are more prepared to use violence themselves, feeling legitimised as they do by the state’s message. A look at sociology and criminology statistics tells us that states which are most violent in their responses to violent crime are the ones which suffer most violent crime occurring, and which have higher incidences

of violence in disputes among private individuals. Violence as a method of control becomes normalised and violent behaviour increases, not decreases.

Point of Information: Or it could be that those states with endemic problems of violence have had to resort to ever more extreme methods of punishment...

Response: Yes, it could, but a) we think that unlikely, and b) most states were more violent previously than they are now. Why is it that the ones that have remained violent are those that respond with violence?

To get back to my speech: second, if the state goes too far in portraying this as a problem, and people believe those there to protect us cannot do so, the consequence is one of paralysing fear that can itself lead to irrational and ill-directed violent outbursts. We have two recent significant examples of this — terrorism and paedophilia. Because a disproportionate amount of coverage is afforded crimes of these kinds, engendering public outcry and in response a demand from politicians that courts apply the toughest sentences, the feeling is created that, no matter what we do, we are still threatened. We pass new laws allowing for increased detention, in the case of terrorists in Britain, or laws which continue to restrict liberties after a sentence has been served, such as sex offenders' registers, and the existence of Megan's Law in the United States, and none of these things makes us feel any safer. In fact, we just highlight that we can never be fully protected, and that every stranger who fits our preconceived picture of a paedophile or a terrorist is to be feared, treated with suspicion, and if necessary, violence — “before they can do it to us!” For example, we cripple a generation of children and parents with the idea that every stranger who takes an interest in children not their own (and soon, every teacher, nursery worker, and so on) only does for the most perverse of reasons.

This problem is exacerbated when the legal system is used as the heavy-handed tool of a Government seeking to address a problem of their own making. If you want a society that says we don't know how to handle violent offenders, except with violence, side with the Government. If you want a society where everyone is afraid that they might be next, side with the Government. If you want a society that is ready to blow at any moment, because we have created a culture of “get