

Initially, all must comprehend the configuration of speeches in this debate which the negation will present in chronological order:

1. Inauguration Asseveration/Acknowledgement
2. Fundamental Effective Allocution
3. Rejoinder Disquisition/Conspectus Panegyric
4. Conclusive Protestation

Running-up would be a checklist of orders and modifications that are foretold to be comprehended in the carry-over of this debate:

1. There shall be no spamming in argumentations or exemplification in this debate, also not accredited within the comments section.
2. All debate argumentation will only take place within the rounds section and is not accredited in any other section.
3. There shall be no trolling inside the argumentations or exemplifications in this debate, no offensive terms will be accredited anywhere within these rounds.
4. All debate exemplifications must allude to the location of the gathering of averment, failure will ultimately result in plagiarism.
5. In no event, shall any person other than the affirmation *Random Stranger* of this current debate, no individuals may use argumentation in this debate other than *Random Stranger*.
6. In no event, shall any person use this debate as a source of exemplification for any other debates, or any other use, without further notice.

7. There shall be no use of personal or private information in this debate.
8. All debate votings shall be true-to-heart and no vote bombing is allowed, all votes shall have an RFD.

And so, the negation will begin this debate round with an opening statement which will then be followed by an acceptance of this debate.

The negation clearly invalidates the resolution “That we should abolish trial by jury” because it is of great importance to society, and that it cannot and should not be abolished. As Thomas Jefferson once stated, “I consider trial by jury as the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution” {01}. The trial by jury is such an important part in society that it would be impossible and deteriorating to take down. America is the most famously-known country for having a trial by jury, which is true because we are also known for our constitutional rights {02}. Since trial by jury is a constitutional right found in the constitution both the 6th and 7th amendment {03}. This means that this system would be extremely difficult to “abolish” as stated in the resolution. It would require about two-thirds of Congress to be in favor of repealing the constitutional right. Additionally, it is shown that it is more likely for 50% percent of Republicans to prefer the Jury, than 35% that oppose it {04}. Now that the president, senate, and House is officially controlled by Republicans {05}, it would be incredibly unrealistic for the affirmation to say that we may still be able to abolish the system. This would mean that the negation is

the only valid side to vote for in terms of constitutional rights. But, even so, the jury is a vital part of the American system of checks and balances. The system of checks and balances is so important because it allows for no one branch of government to be more powerful than another one {06}. The system of checks and balances is part of the Constitution, which cannot be overturned since in the Supremacy Clause it states, “This Constitution, ... shall be the law of the land ...” which proves that this cannot be overthrown {07}. Since jury trials help with having a strong judicial system, it will help with the “evening out” of all three branches of government. So, by voting negation, you will be voting for the Constitution, which cannot be changed, meaning that it would be impossible to vote affirmation, it would be unreal. Also, a jury will ultimately prevent tyranny in the courts. Tyranny according to the Merriam-Webster Dictionary is, “cruel and unfair treatment by people with power over others” {08}. By limiting the powers of a judge by using the trial by jury, we are able to prevent this using the system of checks and balances along with the constitutional amendments, which prevent tyrannical behavior. This is what makes our democracy so special and beneficial to society. This would allow with our democracy, that citizens would be able to take part of society and the courtroom. When citizens are able to take place in something that is bigger and more important than themselves they will feel and be important. This will educate them on governmental problems. By this, voting negation will result in happiness towards the people in which they will feel like true citizens, making sure they feel important and a part of their country. The importance of having a voice in the government will ultimately help the government and all citizens as well. The negation will provide 3 contentions to

support their claims. First, all must understand that the trial by jury is part of the constitution. Second, all must understand that trial by jury allows for citizens' voices to be heard. Third, all must understand that trial by jury is an effective system in court. Therefore, the framework in this debate is that whoever provides society with more benefits, follows the law of the land, and has more efficient effects, shall win this debate. This is why the negation rules the framework, and ultimately, wins this debate.

The negation truly accepts all argumentations, exemplifications, clarifications, refutations, and oppositions, along with the outcome. Good luck to the affirmation, and thanks to all who will take the time to examine this debate.

As the negation in which is presented as second speaking order, the negation would like to provide some small refutations and contradictions towards the affirmation first argument.

All refutations will be first quoted in *italics* and furthermore explained into clarifications.

“Trial: Merriam Webster defines "trial" as the formal examination before a competent tribunal of the matter in issue in a civil or criminal cause in order to determine such issue.”

Indeed, I accept this debate resolution definition that provides us with the knowledge that a trial is an examination that is used in civil or criminal cases to determine the issue presented. This means that anybody can analyze the knowledge of the trial being

presented and ultimately make a decision, and this is what juries do as a group.

Regardless, the jury's still provide a solution to the issue, it should not just be the judge.

“Jury: Merriam Webster defines “jury” as a body of persons legally selected and sworn to inquire into any matter of fact and to give their verdict according to the evidence”

Indeed, I accept this debate resolution definition that provides us with the knowledge that a jury is legally selected people that give a decision using evidence. So, how are we supposed to

1. First, abolish a legal body of persons that swear to follow specific guidelines.
2. Second, abolish a system that uses evidence and facts to back up claims, instead of personal opinion and biased thoughts.

But, what is a failure to see in this debate argument is the definition of what the actual words put together are, ‘trial by jury’ or ‘jury trial’. Merriam-Webster just decides to put the two words together, “: a trial in which a jury serves as the trier of fact”. Well, the Legal Dictionary on the free dictionary defines this as, “A jury trial or trial by jury is a legal proceeding in which a jury either makes a decision or makes findings of fact, which then direct the actions of a judge. It is distinguished from a bench trial, in which a judge or panel of judges makes all decisions” {09}. A jury, an efficient system that makes factual actions, directing the judge to make a decision, which creates a perfect organized and indestructible system of trial.

“1) Juries are an inconvenience for everyday citizens, and a waste of government resources.”

Juries as stated in the affirmation definition does not seem to show how they are inconvenient, instead it shows the legal, factual, sworn, and evidence-based system it is. If this system was of inconvenience, then it would not have positive and logical benefits, the affirmation fails to have common sense in this situation. Now, when saying that it is inconvenient to everyday citizens, is false. When juries are presented it allows the citizens to educate themselves on the government, and they will feel as though they have a voice in the government, which is what all citizens should plead for. As once stated by John F. Kennedy, “And so, my fellow Americans: ask not what your country can do for you - ask what you can do for your country. My fellow citizens of the world: ask not what America will do for you, but what together we can do for the freedom of man” {10}. Citizens are their to help, and become a voice, this is why all citizens that are not naturally-born in the US go through a test on the history of America. We should not just depend on judges to make decisions, we should be able to become part of the government, which is what this country’s ideology was based upon from.

“2) Juries are more likely to create poor or even incorrect rulings than a judge.”

What the affirmation fails to see here is common sense and logical thinking. Now, let’s think about something without evidence-based thoughts through questions:

- ★ If a jury is a group of people that work together to find the solution, then how would so many people commit the same mistake? How does working together lead to poor thought or incorrect thoughts?

- ★ If a jury is a group of carefully chosen people, then why would they choose incorrect and illogical thinkers to do this important job?
- ★ Isn't a judge one single person, that has nobody to tell them right or wrong, no group of analysis? Can't they just do whatever they want for they are independant?

Just a few questions to keep us going. Now to the first question; a jury according to the affirmation is a body of people, so logically thinking how would so many people be incorrect? Just saying. Additionally, my definition shows that these ideas that are put together are presented to the judge to make the ultimate decision of the case. Second question; if a jury is legally chosen and presents an oath, then why would they choose people who lack logical thinking skills? Why would they choose people who know literally nothing. They are not going to choose a hobo, a person who doesn't understand English, etc. Third question; if a judge is one person, then they can commit mistakes easily, right? Nobody is helping a judge, there is no 'working together', the judge can simply do whatever.

“the average jury trial can last for four to five days, and possibly much longer”

Now when saying that jury trials take long is true. But, don't all trials take very long as well, every single court decision takes a pretty long time {11}. The judge, or jury in many situations, needs to evaluate both sides of the court, making sure there is evidence, and analyzing key witnesses. Regardless, if it's a court trial or jury trial, they all take time, and by saying that jury trials are very long is extremely senseless. So, regardless of vote,

trial will still take a long time, and what the affirmation has stated is completely foolish, so what if they take time? Isn't taking time in court to make a decision, lead to more accurate results?

“During this time, jury members miss out on their job or taking care of their families. Some citizens go to jury selection, only to not be selected, waisting [wasting] their time.”

This is completely agreeable to the affirmation. Indeed, citizens may sometimes need to specifically 'skip' a jury trial time due to struggles they may face. But, the presented proves that all jurors present an oath in front of the judge, which shows that these jurors have to stay loyal to trial {12}. Now, many states have each different requirements, and they do indeed provide a schedule beforehand in order for them to organize and plan this day accordingly. Of course, the courts will not just randomly call and person and tell them to come immediately and leave everything behind, this is a very organized and detailed system. Many states do provide excuses to jurors if needed for own personal reasons {13}. Now, when the affirmation believes that people “waste time” by going to jury selection, well, it is true. One may see how this system is truly time consuming, but this is just one of the very few disadvantages compared to many advantages. It is all a requirement for all US citizens to become part of jury selection, which are one of the responsibilities of a US citizen {13}.

“Certain courts reimburse jurors, though nowhere near the amount of an average wage.”

This is simply false. What can be inferred through this argument is that the courts do not pay the jurors for being there the whole day. Well, they should not. During jury selection process these people should not be paid for sitting around the whole day, but when actually in court they are paid \$40 a day and after 10 days they are paid 50\$ a day {14}. Meaning for the little time a day of court lasts, they are being paid fairly, and sometimes even more than the minimum wage.

“Courts use snail mail to mail out summons, which takes time and money. Selecting jury members requires a separate session before the trial, wasting more time and more money.”

Snail mail is mail delivered by a postal system {15}. But, is this necessarily bad, no of course not. For example, the USPS website states 1 perfect example of what to do when sending a valuable item, such as money {16}. Additionally, the USPS receives money from our taxes that help this system become more efficient, and ultimately makes shipping prices cheaper. So, as the affirmation stated on money regarding traditional postal service is completely ridiculous, for this is the government we talk about, the government can afford many things. Regarding time, yes, it is a lengthy system, but has high security measures that prevent ultimate harm. Email is completely insecure, simply because it was built upon the ideology that it did not need privacy, and it is remaining this way {17}. And even passwords are proving wrong, it is now too easy for hackers to break our passcodes, so none of our security on the Internet is completely their, but that's for a different debate {18}. By having money transferred on the Internet through the government, something is likely to go wrong. Now, when stating that having a jury

selection session is lengthy, yes, that is true. But, once again is this necessarily bad. No, of course not! By having a slow and steady jury selection process, it becomes more efficient and the jury becomes perfectly selected. Slow and steady wins the race! This is why it is necessary for a slow process, because it would lead to a more carefully selected decision, ultimately helping a lot in court. But, I do not see how a good jury selection process is a waste of money. The affirmation did state that this money was appliance consumption and potential loss of jury wages. First, how does less money being paid towards the jurors wasting money, isn't saving money. It seems as the affirmation is focusing way too much on money, that we are not seeing that there is more to this debate than just money. Now, appliance consumption is so low, that the government is not going to go bankrupt because of high energy or water bills. The affirmation's whole argument on negative aspects of money when it comes to trial by jury is all false, and so unrealistic and miniscule.

"A judge's passion is to seek justice."

Yes, indeed, to become a judge in America is very difficult and a real hard course that is truly based on determination and love for law. Now, as the negation, I am not stating that judges are doing bad things, no, of course not, the resolution asks us to evaluate the eradication of the jury. This should not be eradicated, for judges cannot do everything by themselves. There are many challenges that a judge may face everyday such as bringing order to a court, deciding the credibility of witnesses, revisiting decisions, etc. {19}. Using this, we can see how difficult a judge's job may become, so having an

efficient jury system will actually help these judges manage their time and make more efficient decisions in a more tranquil environment.

“A juror, in contrast, is selected from a set of short questions that try to determine whether or not they are biased, which would be easy to conceal.”

Yes, this is true that a jury is rapidly selected, in most cases it is also a pretty slow process. Now, these questions are specifically chosen in order to determine biased thoughts, in which there are many different questionnaires that do this {20}. Even if they would be easy to conceal it is still possible for biased thoughts to be shut down through peer pressure, and since there is a group of jurors, the decision would not 100% be based off of biased thoughts. Additionally, wouldn't it also be easy for a judge to conceal biased thoughts, isn't this possible? There humans too, and are filled with biased thoughts as well.

“Jurors usually have no knowledge of the law outside of what they receive from the case they are participating in, and don't have a long term will to hand down a just ruling.”

Yes, this is true once again, sometimes, and very rarely, there are people not knowing about law that become jurors. Now, this can actually benefit the juror. Since this is a learning experience, jurors will be able to take a lot out of the cases and use them in their own day-to-day lives, and tons are available to prove this {21}. So, not knowing all about law, can end up being beneficial to the knowledge citizens have in societal crisis,

which is extremely beneficial to the individual, the community, and also the judge and witnesses, case, etc.

“There wasn't any data on the error rate of judges.”

Really? I think not. Much data on error rate of judges {22} {23} {24} {25} {26} {27} {28} {29} {30} {31} {32}. Wow, how much. I think that this is greater than NONE on the error date of judges. Unfortunately, I know many won't go through all links, but just look at all this precious info, waiting to be read (I read it all by the way, almost fell asleep).

“Do we really want citizens to be forced to do something that they have no formal training in, while the state still pays highly trained individuals that could be doing the job instead? I don't think so.”

Counterquestion time:

Do we really want judges to be the only ones making decisions in court, where they can obviously make mistakes? I don't think so.

Do we really want all our citizens to not have part in government and their community? I don't think so.

Do we really beleive that money is the only thing in this debate, such as the affirmation is implying? I think we should not.

Why should the government have enough money to purchase arrest, food in jails, court maintenance, etc. and not have enough money to pay jurors? I think this doesn't make sense.

Isn't jury beneficial to society and the ultimate helps of the innocent? Yes, it is.

Do we want to go against the government and the Constitution? No, of course not.

Therefore, vote NEGATION. Why, constitutional rights, common sense, government balance, learning experiences, etc. Just look at all this, do you still want to vote AFF.

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