

Debate: Springfield Planned Parenthood v. Jones (case and readings online)

Date: Wed 31 Jan

Advocates

- Brandeis** You represent the interests and point of view of women seeking abortions. You want to be able to live your life with some peace and privacy, especially at this stressful time.
- Marshall** You represent the interests and point of view of all the other pro-life protesters-- those with bullhorns, wanting to physically block access and so on.
- Stevens** You represent the interests and point of view of pro-choice demonstrators and abortion clinic staff. You want above all else for individuals to be able to freely exercise their right of choice.
- Brennan** You represent the interests and point of view of the sidewalk counsellors. These individuals want to speak personally with women entering the clinic to have abortions.
- White** You represent the local chapter of the American Civil Liberties Union. Unlike the national ACLU, you have decided to support free speech over the right of choice when it comes to abortion protest.
- Burger** You represent the interests and point of view of businesses and residents near the abortion clinic. Whether you are pro- or anti-choice, you are distressed by all the ruckus, which is giving your town a bad name, making it hard to get around, and hurting business.

Justices

Scalia, Black, Holmes, Harlan, Frankfurter

Debates: format and first roles

The purpose of the debates is to practice argument in a more challenging environment than your Court--before strangers, in oral form, on your feet. The following is the basic format:

- 11:00 Justices groups, sit at the very back of the room, in a row. Advocate groups, sit towards the front, all together. All groups have a very brief opportunity for some last-minute organization.
- 11:05 The "Chief Justice" calls the proceedings to order and invites the Advocates to make statements in the order they're listed in the handout on roles.
- 11:05-11:15 Each Advocate group presents a 2 minute prepared argument for their position, staying within their assigned role. (When you present, face the Justices, stand up, take off any headgear and say who you are representing.)
- 11:15-11:30 Justices have the opportunity to question the Advocates, supervised by the Chief Justice
- 11:30-11:37 Justice groups deliberate and vote within themselves about decision in the case.
- 11:37-11:42 Justices announce their vote and main reasons.
- 11:42-11:45 "General public" (classwide) feedback to Justices
- 11:45-11:50 Instructor's feedback on debate

First Debate: Springfield v. Smith: Student Speech (case online; readings in casebook)

Date: Mon 29 Jan

Advocates

- Black** You represent the interests and point of view of high school students, especially Ms. Smith. What do you think?--Remember when you were a high school student.
- Harlan** You represent the interests and point of view of high school principals, especially Principal Skinner. You want to maintain an orderly environment in your school, one you think is most conducive to learning.
- Holmes** You represent the local chapter of the American Civil Liberties Union. You are dedicated to protecting free expression to the max.
- Frankfurter** You represent the interests and point of view of parents and taxpayers in the community. You want the local children to receive the best possible education at the lowest possible cost.
- Scalia** You represent the national, general public. You are deeply divided about the gay rights issue, especially for minor children. What do you think about the freedom of speech?--up to you.

Justices

Brennan, Brandeis, Burger, Marshall, Stevens, White