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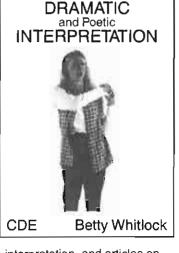
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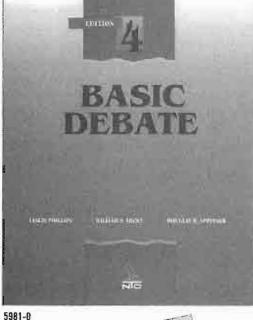
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### THE ROSTRUM

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On the Cover: Kiaklo: Zuni kachina, story teller and speaker.

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### ON THE COVER

In Native American lore, Kiaklo, a Zuni kachina, was "a speaker who heard everything and understood it..." According to Zuni tradition, Kiaklo is "the one to keep the lifeline of the people unbroken by telling them the story of creation..." "Kiaklo continues to bring entrusted messages to the Zuni when he comes every four years for the initiation..." "He begins his sacred recitation just as the sun comes up. The chant lasts for two or three hours..."

Kiaklo's forehead bears the colorful stains of the Rainbow's reflection and the mark of the Milky Way in black and white. His eyes are tiny with deep runnels below where his tears ran, and his mouth shows the same marks where it split from the cold and constant calling. His ears are large squash blossoms, as he presumably hears and understands everything. His eonstant companion, the Duck, rests on his hand, wearing his necklace of shells.

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## GETTING THE STORY RIGHT: THE ROLE OF NARRATIVE IN ACADEMIC DEBATE

### by Kelly McDonald & Jeffrey W. Jarman

While the idea to extend a narrative paradigm into academic debate is not a new one, this essay argues for a pluralist, non-paradigmatic view of narrative within the context of academic debate. First, this essay addresses applications of narrative to debate as paradigm or exemplar; second, it analyzes the criticisms of this paradigmatic approach; third, posits our theory about the application of narrative; fourth, extends some conclusions regarding the application of narrative and implications for the practice of academic debate.

### Narrative as Debate Paradigm

Bartanen (1987) argues, "Perceived as narrators, debaters present competing stories relevant to the topic area. They recount ideas of others and events of the past and try to account for those ideas and events. Interwoven, necessarily, are their own experiences and perceptions." Consonant with the outlook on truth seeking within debate, a judge does not seek the truth, but a truth among competing stories. Finally, Bartanen points to the dangers of current debate practice embedded in the metaphor "argument is war" and points to debater as storyteller as a possible remedy.

In their 1985 article Hollihan, Riley, and Baaske call for "academic debate [to] move in the direction of a "communication style" which manages to preserve many of the best elements of the policy-making systems theory perspective -- the emphasis on careful and deliberate considerations of policy alternatives -- while also teaching debaters to make arguments that appeal to and have meaning for broader audiences." Turning to Walter Fisher's work on the narrative paradigm, the authors point to narrative as the pluralist "exemplar" they desire debate to emulate. Narrative becomes the means to open the debate community to larger audiences, including university administrators, politicians, and the general population. For debaters, narratives are the vehicle to enact their "social knowledge," thereby locating their claims in particular historical moments. Moreover, the narrative format would allow debaters to attend to the value dimensions of the many different policy alternatives".

Many of the functions described by authors who advocate a paradigmatic view of narrative in academic debate are useful and constructive. Hollihan, Riley and Baaske (1985) argued that a narrative approach to debate would not change the rigor and research of the activity of policy debate. Moreover, the authors contend the narrative mode would increase the argumentative repertoire of competitors.

Debaters and debate critics would continue to possess a very shrewd and well-defined sense of argument. They would still be involved with research, and through this research they would learn how the "experts" in the field evaluated stories. Thus rather than sacrificing rationality, debaters would be enriching their education by supplementing their rational arguments with narrative capability.

Debaters, according to Hollihan, Riley, and Baaske would receive more preparation in real world argumentation through a paradigmatic view of narrative in debate. Additionally, programs may benefit, they argue, as a narrative approach would increase accessibility and openness to debate activities.

Continuing their earlier work, Hollihan, Baaske, and Riley return to the narrative paradigm for guidance in the conduct of academic debate. One central concern they cite is the distance or removal of the critic as an active participant in the process of adjudication. The authors claim they are searching for a means to increase debater involvement and engagement with issues.

We want debaters to create compelling arguments that audiences will find impossible to ignore. Thus debate can train its participants not just for leadership roles in society, although we hope and expect that debaters will continue to become leaders, but also to serve as crities of the values being promulgated in our society.

A narrative perspective would be important for shaping the experience of individual debaters for future leadership as well as forcing them to make MORE compelling

arguments. Additional benefits cited by the authors include elevating public knowledge and judgement, as "[a] narrative perspective celebrates the ability, wisdom and judgment of the public;" increasing judge and participant interaction in co-creating the debate as the process of "constructing, communicating, and evaluating their respective understandings of the world" would engage judges and participants in a highly dialectical process; increase the focus on context and biography of sources, thereby giving greater emphasis to the warranting function within argument; and finally help reduce some barriers to competition created by lack of prior high school debate experience.

### Criticism of a Paradigmatic Application

Gass (1988) represents the strongest critique of the Application of a narrative paradigm in academic debate. Rejecting any paradigmatic solution to the problems within debate practice through narrative, Gass advances the expert model for argument construction and evaluation. He makes three basic arguments against the narrative paradigm. First, Gass says the narrative paradigm lacks the precision needed for academic debate. Grounding his argument in the differences between "pure" and "applied" theories, Gass contends that "pure theories" do not require precision because they attempt to "explain, understand, or interpret phenomena."

In contrast, "applied" theories require precision because they function to regulate, instead of explain phenomenon. Academic debate, because its theories act to regulate behavior, rather than explain it, requires precision. Gass argues that the narrative paradigm does not bring the necessary precision the activity requires. For instance, it provides no guidelines concerning how to resolve issues such as conditionality, counterplans, permutations, stock issues and fiat power. Without explaining how narrative rationality would resolve competing theoretical questions, Gass believes that the theory fails to provide the necessary precision required by academic debate.

A second criticism of the application of the narrative paradigm to academic debate is that narratives have a lower standard of evaluation than traditional arguments. Gass believes that the role of debate should be to teach students how to construct and test arguments as experts. However, the standards of narrative fidelity and narrative probability do not serve that end. He suggest two problems:

First, the assumption that lay audiences attend to, let alone understand, complex policy issues appears to be somewhat fanciful. Second, even if lay audiences occasionally do succeed in this regard, academic debate should employ a higher standard of argumentative excellence than is accepted by the norm.

His argument is a direct refutation of the claims made by Hollihan and his co-authors. Hollihan and others contend that debate should be geared more toward the average citizen. However, Gass' point is that we should not teach our students to debate for the average citizen because they pay very little attention to policy issues. Moreover, even if they did, he argues that we should hold debaters to a higher standard. He suggests that the expert model would provide a better standard of evaluation than would narrative rationality. He says that the problem is that debaters and judges act too little like policy makers. In fact, he suggests that use of the "expert criterion in debate rounds--one which simultaneously recognizes the judges as an expert on argument, and one who is wellversed on the topic for debate--establishes a higher standard of argumentative excellence than does the narrative perspective."

Gass' third criticism concerns the adverse impact on judge intervention that the narrative paradigm would have on academic debate. He argues that the standards of evaluation (narrative probability and narrative fidelity) would require more judge intervention. His argument is that "some judges might refuse to accept arguments that failed to 'ring true' with their belief systems, despite compelling evidence" and that " other judges might accept arguments that struck sympathetic chords within their belief systems, even when those arguments were not accompanied by adequate evidence." He believes that the problem is that the narrative paradigm utilizes the judge as the referent for the quality of argument, therefore inviting intervention. Within the narrative paradigm, arguments are right or wrong based on particular judges. An expert model, he argues, would avoid this problem because it appeals to other outside information to verify claims and not to the judge's personal beliefs.

While these criticisms of the narrative paradigm do have merit, they too are not without problems. [We do not take issue with specific recommendations for debate which Gass presents or the expert model he advocates. He is advancing a claim for much of what already exists.] However, what we do suggest is that his particular criticisms of the narrative approach may go too far. Instead, we would like to highlight a few of the comments he makes which can be useful in reconstructing a role for the narrative which combines the best of the expert model and the narrative perspective.

First, Gass is correct in arguing against the narrative paradigm in academic debate. We agree that the introduction of the narrative as a metaphor for the activity could have an adverse impact on theoretical positions and argument evaluation. However, this criticism should not be taken as a general indictment of narratives in debate. Stories can be useful, while at the same time acknowledging that debate is not a story-telling activity.

Second, the role of debate as a training ground for future experts is also important. As Gass suggests, the words "expert" or "elite" should not be devil terms. What is important, however, is that we begin to transform what it means to be an expert. Strict adherence to traditional notions of expertise need to be abandoned. What we suggest is that debaters broaden their conceptions of what constitutes evidence and authority. Too often, the perspectives of the marginalized are not given adequate space, even when they have something significant to contribute. We propose utilizing the narrative to broaden what is considered relevant for experts to evaluate. What is needed is a conception of argumentation which would include traditional forms of argument as well as narratives.

Finally, we also agree that any prescription for debate should minimize judge intervention. Gass is correct to argue that debaters do not want to have to debate a judge whose ideas and "arguments were kept secret from him or her during the debate, and whose objections were made known only after the ballot was completed." However, the ability to minimize judge intervention should be buffered against the need to make debate arguments as inclusive as possible. The more arguments debaters have available to them before the round begins the greater the likelihood that they can appeal to a judge and preclude intervention. Opening debate up to include narratives, then, can facilitate a reduction in judge intervention.

### Narrative at Middle Ground

There are two divergent views of narratives within academic debate: one which supports the narrative paradigm citing a need to make debate more open to the general public; another as which holds that debate should train students to become experts. We believe that there is a middle ground to resolve this dispute. Treating narratives as evidence instead of paradigms allows for stories to be introduced into debates without compromising the expert orientation of the activity.

The basis for this approach lies in the expert model of debate as advocated by Gass. His argument is based on the reliance of authority-based reasoning to advance and test claims. The key element is the knowledge used to warrant the claims advanced. In a separate article, Winebrenner posited evaluative criteria for consideration of expert knowledge in the warranting of claims. He suggest two relevant standards useful when evaluating expert testimony: first, what is the nature of the author's qualification and second, are the reasons for conclusions present in the evidence. Using these criteria, and the expert model which is interested in the production and evaluation of knowledge, narratives function as evidence. Treating narratives as evidence, based on these criteria, can fulfill the functions of narratives as well as maintain the argumentative rigor desired by the expert model.

First, narratives do have an epistemological function. Too often critics of the narrative paradigm tend to overlook the benefits of narratives choosing to focus on the specific problems of application. It is important to keep in mind that narratives do provide knowledge. A story has the power to convey information and humanize a situation which might be unavailable in other formats. For instance, issues of racism and discrimination seem aptly suited to discussions via narratives. Statistics and facts

seem less capable of describing racism than a story. An example of this comes from Cornell West (1993) when he describes several instances of racism:

> This past September my wife, Elleni, and I made our biweekly trek to New York city from Princeton. I dropped my wife off for an appointment on 60th Street between Lexington and Park Avenues. I left my car -- a rather elegant one--in a safe parking lot and stood on the corner of 60th Street and Park Avenue to cateh a taxi. ... I waited and waited and waited. After the ninth taxi refused me, my blood began to boil. The tenth taxi refused me and stopped for a kind, well-dressed, smiling female citizen of European descent. As she stepped in the cab, she said, "This is really ridiculous, is it not?" Ugly racial memories of the past flashed through my mind. Years ago, while driving from New York to teach at Williams College, I was stopped on fake charges of trafficking cocaine. When I told the police officer I was a professor of religion, he replied, "Yeh, and I'm the Flying Nun. Let's go, nigger!" I was stopped three times in my first ten days in Princeton for driving too slowly on a residential street with a speed limit of twenty-five miles per hour. (And my son, Clifton, already has similar memories at the tender age of fifteeu.) Needless to say, these incidents are dwarfed by those like Rodney King's beating or the abuse of black targets of the FBI's COINTELPRO efforts in the 1960s and 1970s. Yet the memories cut like a merciless knife at my soul as I waited on that godforsaken corner. Finally I decided to take the subway. I walked three long avenues, arrived late, and had to catch my moral breath... When I picked up Elleni, I told her of my hour spent on the corner, my tardy arrival, and the expertise and enthusiasm of the photographer and designer...As we rode back to Princeton...we talked about what race matters have meant to the American nast and how much race matters in the in the American present. And I vowed to be more vigilant and virtuous in my efforts to meet the formidable challenges posed by Plato and Du Bois. For me, it is an urgent question of power and morality; for others, it is an everyday matter of life and death.

The point of the story is to illustrate the massive inequalities which are associated with racism. Simply counting the number of times racist behavior occurs does not do justice to the claim. Only through a story can the significance of the problem be understood. In this way narratives serve an epistemological function.

Second, narratives can function as evidence within the academic debate context because they fulfill the criteria established by Winebrenner. Narratives do meet the requirement of expertise. When establishing claims of authority two issues are involved: either the author is knowledgeable on the subject (expert) or s/he has some experience which make their comments relevant. When individuals relate or retell actual events from their life experience, they are accorded the later type of expert status. Other stories are created by authors who have some level of education, expertise, or training in a given field and are accorded expert status of the former type. These stories draw on the first type of authority. It is also possible for certain stories to utilize both levels of authority, as with Cornell West: he is a professor of cultural studies and a victim of racism.

Not only do stories fulfill the expertise requirement, they also meet the standards of warranting claims established by Winebrenner. His argument is that we should not accept arguments which are only conclusionary. Rather, a basis for the claim should be explicit in the evidence. He writes: "an authoritative inference involves expert opinion, but presents that opinion in a manner which reveals the thinking of the authority...Such testimony not only identifies the opinion a witness holds, it identifies the inference upon which that opinion has been based. Opinions which combine substance with deference create a stronger web of proof than do opinions which rely upon deference alone." Stories clearly meet this criteria. The development of the story functions as pieces of evidence in support of the claim. Each example within the story further supports the major claim. The plot functions to warrant the claim of the story. The plot ties together each of the small descriptions into an argument. For example, in the Cornell West story, the refusal of a taxi to stop only for a black man functions as evidence of some racist act. In this manner, the necessary components of a story would fulfill Winebrenner's requirement that

evidence contain within itself warrants for the claims.

This understanding of narratives provides a Burkean "both/and" solution to the problem of narratives in academic debate. On the one hand, it maintains the usefulness of narratives within debate. Narratives are clearly powerful types of evidence which can and should be utilized in the construction of persuasive arguments. At the same time, narratives as evidence maintain the expert model of debate advanced by those opposed to narratives. The key is that debaters are still required to construct viable arguments with sound reasoning. The only change is that this interpretation would expand the realm of what is acceptable "evidence." Instead of relying solely on the policy-analyst expert, debaters and judges would be required to broaden their understanding of what constitutes an expert. Authority-based reasoning should include those who have knowledge about the claim advance. Clearly, anyone who studies racism or who has been the victim of racism or discrimination is in a position of expertise on the subject. Moreover, not only can we test their expertise on a given subject, but we can also test the validity of their argument without resorting to judicial intervention. Stories can be read for internal consistency. This is the mark of warrants within a story. Judges and debaters can evaluate how well the events of a story function to warrant a conclusion about the events. The fact that the events are told as a story, instead of some other format, does not preclude this type of analysis. Winebrenner's discussion of the role of testimony in debate is also instructive in applying narrative arguments. The dominance of authority evidence within contemporary debate practice, especially without complete or meaningful qualification for the source providing testimony, produces fewer warrants and increased unchallenged claims. Winebrenner illuminates the issue of warranting claims during a debate round.

### Conclusion and Implications

General systems theory provides helpful instruction for the debate community as we seek to remain a vital and functioning system. Failure to sustain external inputs, the theory argues, will result in systemic failure as the elements breakdown and as chaos begins to emerge. The system of intercollegiate debate is no exception. The

continued health and vitality of the debate community requires changes and adaptations in practice. A willingness to change and adapt is certainly a beginning point. To that end, the recommendation from the First National Developmental Conference on Forensics also pointed to a need for openness within the system to changes as "debate educators should be open to considering innovations in debate theory which might improve the activity." Thus, this essay is an attempt to carve out some space for narrative within the current practice of academic debate, not as a paradigm which wholly defines the practice of debate, but as a significant area for evidence and warrants for larger claims advanced by affirmative or negative teams.

The warranting function or power of narratives for academic debate underscores the epistemological basis for narratives as a form of argument. Narratives also have axiological qualities as evidence for claims. That is, narratives can help debaters focus on unique issues, particularly as they affect marginalized groups within our culture and give voice to their concerns. Narratives have an ontological existence in debate rounds for much the same reason. The rhetorical force of narratives is the experience of the individual related through the story. Calling upon the narrative evokes the experience of the individual as proof. However, despite our interest in including narratives within the canon of debate "evidence" or "proof," we disagree with anyone who would claim that because they presented a narrative they ought to win the debate per se. It is incumbent on debaters to use the narrative evidence only for what it proves. Meta-debates over the tyranny of language or discursive thought/argument may or may not be appropriate in a given

Using narrative effectively within the context of academic debate does not mean the community must discard all previous pedagogy, research and practices. Rather, we envision something of a Burkean "both/ and." The value of narrative in the debate context does not necessarily have to be an all or nothing proposition. Every team or the entire community does not have to transform their argument behavior to recognize the benefits which Fisher, Hollihan, Riley, Baaske and Bartanen affirm. We would clearly oppose any efforts to divorce narratives from reason. As with any mode of

delivery (explicitly narrative or not) we believe debaters should draw reasons (inclusive of stories, narratives, etc.) from the relevant topic area which judge past, present or future actions. Evaluation cannot be dissociated from debate. One evaluates the probability and fidelity of a particular narrative through much the same process as evaluating the salience of disadvantages (or any other policy structured argument) in the current paradigm. As educators, our role should be to supplement the "traditional" theory and practice with instruction in the application of narrative.

In evaluating the appropriateness of different arguments and argument forms, we ask coaches to take more seriously the preround question, "Do we have a story?" Beyond a question of simple fidelity between the counterplan and disadvantages, coaches should encourage debaters to experiment with different modes of argumentation. The perspective we are advocating cannot account for all objections to forensics practice leveled by Hollihan, Baaske, and Riley. Perceived barriers to successful entry in the highest levels of competition in academic debate will likely remain whether debaters explicitly become storytellers in a Fisherian sense or in the tradition sense of coherent, detailed policy arguments grounded in external, authority evidence. The exactness and attention to detail debaters accord to the construction and refutation of arguments should not give way to any less rigid standards. Initial resistance within the debate community to new forms of argument or different bases for warranting claims should not be reason alone to reject the innovative practice. Further discussion, debate and clarification over the nature of the form and its epistemological and axiological implications for debate practice is necessary.

Finally, treating narratives as evidence should have the effect of expanding what is considered authority-based reasoning. Winebrenner establishes a hierarchy of evaluating expertise based on "direct evidence", "associative evidence" and "accepted expertise". We suggest a redefinition of these terms to account for narrative authors. Winebrenner defines direct evidence of expertise as those individuals who have competence or knowledge within a given field. Direct evidence of expertise would be stories based on an individual's actual experience. Winebrenner defines

associative evidence as those individuals who have connections with particular institutions related to the topic. Associate evidence within the narrative paradigm would be treated similarly. That is, does the writer work in the area of study or have other institutional, related knowledge of the topic. Finally, Winebrenner defines accepted expertise as people who are recognized or legitimated authorities on a topic. Example of accepted expertise used by Winebrenner include staff writers for The New York Times and individuals who testify before congressional hearings. In the context of the narrative paradigm, accepted expertise is functionally unchanged. Social critics, George Orwell for example, are given expertise given the merit of their claims based on the predictive value of their claims or their explanatory quality on a given issue.

While the preceding examples may suggest particular forms or forums for the authors' stories, they also suggest the significance we attach to the substance of the stories. Bartanen's position strongly amplifies the significance attached to form. Drawing from the legal profession, Bartanen quotes Bennett and Feldman

...adequately documented but poorly structured accounts will be rejected because they do not withstand careful scrutiny within a story framework. Similarly, a well-constructed story may sway judgements even when evidence is in short supply.

In suggesting the importance of form, the authors seem to understate the significance of substance. We do not want to suggest substance or support will in any way be slighted by form or presentation. Drawing from the positions of Hollihan, Riley, and Baaske, we believe the role of research and evidence will in no way be ignored by adoption of a narrative approach. Rather, any transition will necessarily involve looking at evidence and research differently.

The need to strike a balance between traditional and innovative forms of argument is necessary if the debate system is going to survive. Along with innovative forms of argument we need to have an adequate theory to guide its application. "Without coherent standards for thought and judgement and a method for applying them, our acts and judgments threaten to decay into empty gestures, rituals devoid of meaning or purpose, or con games whose (McDonald and Jarman to Page 20)

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## REFLEXIVE FIAT: INCORPORATING THE OUTWARD ACTIVIST TURN INTO CONTEST STRATEGY

### by Gordon Mitchell

On the [college] energy topic which called for the affirmative to reduce fossil fuel consumption, a team from Loyola advocated a plan which contained an implementation plank naming themselves as energy czars, with total control over U.S. energy policy. The debaters, Madison Laird and Todd Flaming, successfully used the energy czar plank in numerous rounds to turn disadvantages and fend off solvency arguments against their affirmative.

Last year, a Northwestern team advocated a counterplan which mandated that their coaching staff undertake a study of the panoptic dimensions of the criminal justice system. The Northwestern debaters, Sean McCaffity and Jody Terry, advanced the counterplan against Texas' ban pretrial services case, which claimed a panoptic power advantage. The idea of counterplan was the fact that since Texas' evidence suggested that the only thing necessary to solve the advantage was that a "hole be poked in the panoptic screen," an academic study would constitute a sufficient poke. The judges unanimously disagreed.

This year, a Wake Forest team advocated a counterplan which promised that they would personally contact human rights NGOs and plead for them to better value and respect Palestinian people and culture. The Wake Forest debaters, Sean Nowak and Armen Nozarabhian, secured a negative ballot in a round against Texas with this counterplan, but have apparently not yet implemented its mandates.

These examples of debaters themselves assuming the role of agents of change push the envelope of legitimate fiat by raising the question: does the power (or privilege) of fiat extend to one's own self? Or to put the question differently, is fiat reflexive? Approaching the question from the received perspective, the answer clearly must be no: fiat only affords the option to defend governmental, not private action. In this piece, I question the normative worth of this received view of fiat and propose that there are good reasons for permitting the opportunity for debaters to present their own actions as voting alternatives in contest rounds. My argument will unfold in the course of a brief three part discussion. In part one, I highlight the structural differences between received and reflexive views of fiat and consider how these differences shape the political trajectory the debate community as a progressive agent of social change. In part two, I sketch the basic features of reflexive fiat and illustrate its emancipatory potential as a social movement mobilization tool. In part three, I anticipate objections to the theory of reflexive fiat and offer constructive reactions.

### How structural features of fiat shape political trajectory

Most mainstream conceptions of fiat contain a common structural feature, the idea that fiat is a construction which affords debaters the latitude to make assumptions about external actors. The assumption that a specified agent will "carry out the plan" if the affirmative team proves its desirability inscribes this externality by structurally separating the advocate from the specified agent of change. Likewise, the idea that the negative team "has the power" to mandate an alternative course of action by the same (or another) external actor endorses this same kind of structural separation between debater and the agent of change.

Advocacy, under this view of fiat, takes place on the plane of simulation. The power that backs a debaters' command that "we mandate the following..." is a mirage, a phantasm allowed to masquerade as genuine for the purpose of allowing the game of political simulation to take place. Debaters have no real authority over the actors they employ to implement their ideas in plans and counterplans, yet the simulation of such authority is recognized as an essential fiction necessary to allow the game of policy debate to unfold.

One problem with approaches to fiat which feature such a structural separation between advocate and agent of change is that such approaches tend to instill political apathy by inculcating a spectator mentality. The function of fiat which gives debaters simulated political control over external actors coaxes students to gloss over consideration of their concrete roles as in-

volved agents in the controversies they research. The construct of fiat, in this vein, serves as a political crutch by alleviating the burden of demonstrating a connection between in-round advocacy and the action by external actors defended in plan or counterplan mandates.

A second manner in which the structural features of this sort of fiat tend to circumscribe active political involvement is through the containment of fiat action within the spatio-temporal boundaries of the contest round. The fiction of simulated authority evaporates when the judge issues his/her decision and the debaters disband and head to the next round. Advocacy, resting on the ephemeral foundation of simulation, is here a casual and fleeting phenomenon that carries with it few significant future ramifications or responsibilities. By cultivating an ethic of detachment of the actual polis, this view of advocacy introduces a politically regressive dynamic into the academic debate process.

Reflexive fiat, on the other hand, can be structurally differentiated from "external" fiat in four ways. First, reflexive fiat collapses the gulf separating advocate from agent of action; debaters assume the dual role of advocate and actor simultaneously. While the proposed course of action may ramify upon external actors, such reactions are not mandated by fiat, but are instead considered as policy effects. Second, because the advocate is physically present and in direct control of the range of possible actions available, the necessity of framing fiat power as simulation is obviated; fiat becomes a tangible mandate for concrete action, not just a hypothetical suggestion for simulated action by external actors. Third, by making a commitment to carry out future concrete action rather than temporarily simulating commitment to action, reflexive fiat explodes the spatio-temporal limitation of the contest round itself. The iudges' affirmation of a course of action defended under a reflexive fiat framework entails consequences which extend beyond the time and place of the tournament. Fourth, the authority to propose courses of action using reflexive fiat does not flow from the resolution, but is instead pragmatically grounded in the physical presence of advocates, underwritten by evidence of the advocate's speechmaking capabilities and proof of mobilization potential.

These structural features enable the theory of reflexive fiat to steer debate participants toward an activist political trajectory. Transcending the spectator orientation encouraged by the received view of external fiat, advocates who defend courses of action backed by reflexive fiat in contest rounds make the commitment to directly engage the issues they identify as pressing public concerns. Unlike the temporally ephemeral political commitment entailed in the defense of simulated plans, the commitment to future action made with reflexive fiat carries with it an outward activist imperative. This imperative is actualized with the judge's act of voting; in voting, the judge not only issues a competitive reward to the reflexive fiat advocate, but makes public the expectation that the specified mandates will be implemented in the manner described.

### Details and workability of reflexive fiat proposals

In this section, I offer some preliminary sketches of different types of "action plans" which might be advocated using reflexive fiat.

Counter-directional action plan. The negative could propose an action plan which would run against the general grain of the specific affirmative proposal. For example, on the current Middle East topic, against an external fiat plan calling for the U.S. to increase arms sales to Jordan, the negative might offer an action plan which mobilizes debaters to press for a moratorium on arms sales to the Middle East. The judge's ballot would serve as a trigger to ignite various forms of political pressure, such as Congressional lobbying, demonstrations against arms manufacturers, petition drives or direct-mail campaigns (Consider the following solveney evidence: "When President Eisenhower was asked on the day after his farewell address what he thought eould be done to curb the growing power of the military industrial complex, he responded simply and firmly that the only hope was that an active, engaged citizenry would keep its power in eheek. It is time that the public stopped directing its anger at relatively small issues like the House Banking scandal or the size of the latest tax eut proposal and attended to one budgetary issue that more than any other may determine whether the United States remains a prosperous and free nation in the generations to come: the size and composition of its military budget" (William Hartung in World Policy Journal, Fall 1995, p. 27).) A more viable, limited action plan versus the Jordan case might call for campus demonstrations to locally reduce the largess of the military industrial complex. Such action plans could jibe nicely with case argumentation proving that arms sales almost always fail to achieve their national security objectives and end up compromising security by fueling the arms race or stopping the transition to defense conversion. Either action plan would serve as a reason to reject the affirmative proposal on two levels: 1) it would provide for the judge a concrete option to stem the tide of the MIC, thus giving uniqueness of the case turns, and 2) doing both the affirmative plan and the negative action plan together would compromise the mobilization potential of the action plan (rhetorical competition). Rhetorical competitiveness, on this account, would be comprised of the argument that the affirmative's advocacy of a pro-arms sales policy would tarnish their persuasiveness as rhetors entering the public sphere and calling for the reduction in the size of the military-industrial complex. In short, their suggestion to "do both" would involve assuming a hypocritical or inconsistent rhetorical stance in the public sphere, something which would limit their political efficacy and jeopardize solvency of the action plan.

Unidirectional action plan. Offering a reflexive fiat proposal along the lines of a traditional agent counterplan, the negative might wish to present an action plan which "does" the affirmative plan; i.e. uses debaters to implement the terms of the affirmative's external fiat mandates. For example, under the privacy topic, against an affirmative plan which called for a reversal of a particular court decision, the negative might have presented an action plan which directed debaters to organize an amicus brief initiative designed to influence an appeals court to issue a judgment consistent with the affirmative team's endorsement of external fiat, according to this argument, would represent political flight from activist engagement and warrant exclusive adoption of the action plan.

Uniqueness-providing action plan. An action plan could be presented by the negative as a supplement to a conventional strategy that is sound in all respects save uniqueness. For example, on the criminal procedure topic, a popular position against

the affirmative case which banned victim impact statements was the argument that the affirmative's incremental reform of the death penalty machinery would quiesce the social movement pressing for complete abolition of the death penalty. This strategy was vulnerable on uniqueness grounds, because of the present weakened state of the death penalty abolition movement in this country. However, the negative might have successfully remedied this uniqueness problem with an action plan to spark the abolitionist movement through debaterdriven initiatives such as the sponsoring of public debates, organization of protests, or letter-writing campaigns. The competitiveness story would have remained largely the same as before, except the action plan would provide for the judge an activist alternative to address the inherent problem (mere existence of the death penalty, rather than its arbitrary or discriminatory application).

### Anticipated objections and reactions

\* Since fiat is derived from "should" in the resolution, fiat power should be limited only to the agent specified in the resolution. Because the debate community (or individual debaters) are not agents in the resolution, reflexive fiat is illegitimate.

While this argument may provide a coherent reason to limit the scope of external fiat (e.g. simulated advocacy of measures taken by institutions outside of the debate community) to only those actors specified in the resolution, it does not undermine the foundations of reflexive fiat, since the power to present one's self as an agent of change is implicit in the very process of partisan advocacy itself, and transcends resolutional grounding. The mere physical presence of a speaker is sufficient grounds for a judge to entertain concrete proposals for action on the part of that speaker. The degree of confidence that a judge is willing to invest in any given action plan may depend on the past track record of the presenting advocate, and/or the quality of evidence documenting the mobilization potential of the network cited as the agent of change.

### \*Allowing reflexive fiat would lead to a flood of utopian, crackpot schemes that would waste our time.

Because reflexive fiat discards the notion of fiat as simulation, and instead (Mitchell to Page 20)

### MOCK TRIAL PART V AN OPEN AND SHUT CASE, THAT IS --

### HOW TO OPEN AND HOW TO SHUT

### by M. Donna Ross

The start and stop of it is that in Mock Trial the opening sets out the map for the trip to the beach that is the trial. The closing lets everyone know if you deserve to bask in the sun's golden rays or if you are about to get burned.

The opening corresponds closely to the introduction in the first affirmative speech in debate, and the closing corresponds nicely to what the last rebuttal should do in the ideal debate.

These two times are the ONLY two times the students can actually make speeches. In these two and these two alone students can interpret the facts and try to make sense of things -- maybe even persuade the listeners. Conclude that these are the 10 most precious minutes your side has -- 5 to open and 5 to close. Don't waste a second. Here are the most common time wasters in openings.

- 1. Speed: Your evaluators are not used to listening at debate speed. Even if they know how to, they won't do it. So, practice self-control. Go at a rate that anyone can follow. Use pauses and emphasis. Think "real world". (Estimate the opening at 550 words, tops.)
- 2. Distractions: Your evaluators are not used to listening to attorneys speak from written scripts. They find such notes extremely obnoxious and amateurish. Thus, if you cannot memorize your opening with perfection, write four or five key words on a piece of paper, then extemporize each section. Lay the paper down and look at it only when moving from section to section. DO NOT JUST READ A PAPER EVEN IF YOU'RE A GOOD READER. Have eye contact and gestures. Be alive.
- 3. Being argumentative: This is tricky since you really want to be argumentative (read that as persuasive) but you're not allowed to do much in that department because the evaluators will try to disregard it and will even take off points for overdoing it. Think of the trial this way. The people who will decide matters are brought together to hear about the case for the first time IN YOUR OPENING. Your job is to lead them to understand what happened,

the legal problem posed by what happened, and exactly what your side wants from them. You can see that covering all this is a real challenge for just five minutes. (P. S. Don't delude yourself that your evaluators have read the case even if they had it well ahead of time.)

4. Dragging in gunk. Many cases contain many pieces of information that are just plain worthless. If you can't tell killer from filler, you look simple. Focus.

So, those are things to avoid -- what are you supposed to do? The first thing is KISS it. (Keep it simple, stupid.) You must find a way to make the case -- no matter how complicated -- seem easy to understand. Boil the whole mess down to a single sentence or even a phrase that your side can hang all the other facts and testimony on. Think Perry Mason title -- this is the case of the \_\_\_\_\_\_. Fill that in to get a handle on simplicity. Here are a few samples: "This is the case of the landlord who couldn't stand children." "This is the case of the boy who thought he could modem his way to other people's money." Remember though, never to call your story a STORY. That sounds like fiction. Call it a "series of events" which become "an account".

Gerry Spence, the flamboyant Wyoming lawyer had this to say in the April 1986 American Bar Association Journal:

"What is a complex case?"

"I tried one in Chicago a couple of years ago with hundreds of boxes of documents that filled a room as large as a cow barn with enough paper to feed all the goats in Egypt. But it was not a complex case... I never have tried a complex case... all cases are reducible to the simplest of stories."

Here are some common themes that come up time after time.

Prosecution ---

- MOM -- The defendant had means, opportunity and motive.
- 2. The defendant was the only one who could have done it.

3. The preponderance of evidence points to the accused.

Defense --

- 1. Victim of circumstance
- 2. Set up by others
- 3. The real culprit could have been anybody
  - 4. No credible evidence

OK. So, now we have a theme. Let's start the speech. If you have not introduced your team, do that and have each one stand. Ideally, you will be able to do that before timing begins.

Now, Tease them -- that is -- T's 'em. As you talk through the 5 parts of the opening tick off these t's.

Theme

Timeline

Testimony

Target

Tie up

Tease the listeners, but please them first by showing that you have good court-room manners. Use these words to make a nice impression, "May it please the Court." This is the polite and traditional way to ask the judge if you may begin. After making eye contact with the judge, you may start unless she indicates that you should wait.

Start the opening by painting a wordpicture to introduce your theme. Trace the events leading up to the crime or issue to be decided. Use future phrasing such as, "The evidence will prove". (Some think the word "prove" is argumentative - so you might use "show".) Use forceful action verbs and short words in short sentences while trying to tell only straightforward facts. (But, don't pass up any opportunities to color things your way. For example, on defense, just a mention that the opposing witness is the defendant's former boss will register an emotion with most listeners.) Get rid of most modifiers and all extra words and sounds. Economize.

T's 'em. After establishing theme and tracing the timeline, introduce your witnesses and forecast the highlights of their (Ross to Page 21)

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As many will remember from the health care topic a few years back and the crime topic last year, NCPA's powerful market-oriented analysis proved useful both in preparing market-based affirmatives and in attacking new government programs. NCPA's pro-market approach to public policy comes through, but our webmaster is unstinting in providing links to a wide variety of different kinds of sources.

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## CURMUDGEONLY THOUGHTS ON THE STATE OF POLICY DEBATE

by Larry Smith

The overarching assumption regarding competitive debate ought to be that the activity is an educational one. The extension of that assumption is that any activity that is designated as educational should have as an end result some applicable knowledge or skills gained by the participants which could be applied in real life.

Any formulation of a policy or a change in policy requires a careful and thorough consideration and communication of the net effects of the application of the policy. This would be true from the very micro level of a family attempting to determine something as simple as the policy for bedtime for children to the complex macro policy decisions regarding the governance of a nation.

Educationally students participating in policy debate competition should be learning to examine policies inherent in the annual debate resolution and through exhaustive research and information gathering be able to formulate coherent arguments for or against a particular policy. That is supposed to be what policy debate is all about....and by extension, it is supposed to be teaching them the methods and skills required in real life decision making. It should be a training ground for future leaders.

That would be the ideal, educationally speaking. Unfortunately policy debate at the interscholastic level has degenerated in the past decade to something less than what its name would imply. Rather, policy debate has become an activity that is more a complex theory game, played by a very select few for a very select audience that subscribes to this "game" approach. The decline nationwide of the number of schools which participate in policy debate is evidence enough that something has gone wrong in the state of debate. In policy debate rounds very little in the way of "policy" in a real world sense is ever debated.

From an educational viewpoint this is profoundly disturbing. Future generations are being deprived of the skills required in making sound policy decisions. Ask any attorney, teacher, businessperson,

or common citizen to judge a debate. The result is often, "What in hell are these kids doing?" Certainly this public perception of the activity is not what the forensic educational community would like to broadcast regarding the value of competitive speech activity as an "educational" experience all students should receive.

There are several questions that need to be answered regarding the problems many see in the arena of high school policy debate. The first question is what seems to be root cause of this decline? Secondly, what specific practices springing from these root causes are destroying policy debate? Third, what could be done to return policy debate to a truly valid and valuable educational activity?

From a strictly biased and personal position, high school debate has been wrested from the school classroom and the high school debate teacher. University "debate camps" have promulgated the current abuses of the activity by turning it into a game of theory arguments. Those who sit in the ivory towers of academia examining rhetorical communication and persuasion theory are also, unfortunately, the same people who instruct high school debaters in weeks long institutes.

At the university level ongoing research and the publish or perish dictum are the driving factors to retain instructional positions. Job security dictates constant thinking and evolution into new interpretations and "knowledge" that can be published or presented to other colleagues at conventions and conferences. (One has only to sit through some of these presentations to realize just how far beyond the norm some are. The facetious observation regarding doctoral dissertations is true. To obtain a Ph.D. one researches and learns more and more about less and less, then publishes the findings. Usually to no useful purpose in the real world.)

### Critiques

While these efforts are expected and encouraged at the university level, they should have little, if any, influence on high school students. Unfortunately that is not what happens. A good example of this abuse of knowledge by application appears

in the critique arguments that have been spawned and spread into high school debate in the past few years. Critiques take two (maybe more) avenues, neither of which contribute anything useful to what is supposed to occur in a high school debate. The avenues are born of the recent rage to be politically correct in all senses, but particularly in language choices. Politically correct loosely translates into "non offensive" language...non offensive to anyone, anywhere, anytime if that is possible in making language choices. (I suspect the same people who examine language choices for political correctness are also responsible for the gobbledygook language of governmental agencies, but that is another article.)

Negative teams have seized on the critique (or kritik or kritick or other strange variations on the word) as another means to play a game against affirmatives. Some teams argue that affirmative policy must be rejected because the terms of the debate resolution contain offensive language choices. This absurdity becomes an argument in the round, even though the affirmative has no choice regarding the wording of the resolution. In the jargon of debaters, it is nothing but a "time suck" that conceivably could have a place in a real world discussion regarding policy wording formulation, but should not appear in academic debate. For example, I could see in the real world how language choices could be important in encoding a policy, but to argue that affirmatives are responsible for the wording of a debate resolution's "offensive" terminology is an egregious abuse of academic research into language effect that is better left to doctoral dissertations.

A second abuse of the critique argument is for either team to object to some language choice by the other. Again, this is an abuse of time that could be better spent debating specific issues in the round. David Hingstman offers in the Rostrum (March 1997) an example of a critique argument heard in a round. "...scapegoating and ageism kritiks ask the judge not to treat juvenile crime as a special social problem...because it stigmatizes juveniles

and masks adult crime and becomes a self fulfilling prophecy." And he shows an affirmative abuse of the game of critiquing, "The kritik often asks the judge to ignore disadvantages that are grounded in the secondary consequences of the plan because of the interests of marginalized groups or peoples (racially or genderized others)."

The search for political correctness in language choices should be left to the ivory towers of communication research and learned papers. It has no place in high school policy debate if educationally the goal is to teach students to discover the real world processes of policy decision making. Specifically no judge should ever decide a debate round on the basis of who did or did not use "offensive" language choices. The critique arguments are nothing more than an attempt to avoid the real issues in policy debate and to intervene in the decision the judge makes by forcing the judge to consider irrelevant issues.

### Topicality

A second theory argument that has been distorted well beyond its original intent is topicality. The rules of debate (of which there are only four or five) state that the affirmative team must offer a new policy that implements the wording of the resolution. For years topicality arguments were reasonably rare in debate rounds, and then they only appeared when an affirmative team offered some policy plan that was clearly outside of and beyond the scope of what the resolution stated. Under the instigation of debate theorists, again at debate camps, the topicality voting issue has become expanded well beyond what it was originally intended to be.

Topicality has become not an option. but instead an obligatory issue in every debate round, even when an affirmative plan is clearly topical. And applying the "advanced theory thinking" of college research, the topicality issue has reached highly structured and extensively obtuse language to the point that only a handful of "game debate" practitioners can comprehend what is being argued. (I've judged many rounds where it was clear the topicality block being argued had sprung directly from some debate institute brief, probably written by some graduate student instructor. It was also clear too often that the debater offering this unintelligible argument did not have a clue regarding the meaning of what he/she was reading.)

Topicality arguments reach the point

of absurdity when debaters find obscure definitions for words such as "to", "for", "by" and "federal" and try to apply those definitions to challenge the validity of the affirmative plan's adherence to the wording of the resolution. Too often the whole topicality argument comes down to "our dictionary (source) is better than theirs." Even worse, topicality arguments, often multiple arguments on multiple words or phrases, seem to consume entire first negative time blocks. I once judged a round at nationals where the negative team asked my preferences. Among other preferences, I noted I was not a big fan of topicality arguments. What did first negative do? He stood up and read (at 400 wpm) eight minutes worth of topicality briefs! Nothing on inherency. (more about that later) Nothing on significance. Just topicality, not one of the arguments really applicable to the affirmative plan. (I had listened to the plan. It was topical, at least reasonably so, which is the standard I usually apply.) In sum, topicality, which should be an issue only rarely if affirmatives are following the rule of offering a plan to implement the resolution has become THE issue for first negatives and even is being introduced into a debate by some second negatives. I can envision the horror of listening to a whole round where negative offers nothing but topicality and critique arguments...theory only, no substantive arguments on policy.

And the tragic thing about most rounds is that topicality as an issue too often disappears off the flow sheet after 2nd affirmative constructive's responses. So? Why did first negative waste all that time when he could have been arguing something more substantive? The answer is simple: institutes teach topicality as a theory, and students come away with whole blocks and briefs that require them to think little in a debate round. And it was traditionally the first negative who had to be the best thinker in the round. Here again the esoteric thinking of theorists overrides the pragmatic arguments one would expect to find in any debate over policy in the real world. Can you imagine congress arguing topicality (definitional issues) over some policy proposal? Topicality arguments like critiques are designed to influence the judge's decision making process by directing it away from that of a policy maker to that of an arbitrator on language choices.

### Inherency

Another negative influence of theory

dribbling down to policy debate is that involved in the logic of the decision making process. Specifically the whole issue of cause and effect has disappeared from debate. Debate jargon used to include inherency (current policy or lack of policy) and significance (harms). Debaters on the affirmative had to demonstrate a cause-effect relationship between inherent policy and some sort of societal harms.

Somewhere, probably at those same institutes, someone decreed that inherency was not an issue. The resolution exists, therefore there must be a problem with the policy related to the resolution. Negatives were absolved of having to defend any current policy because none is mentioned by affirmatives. To be sure, affirmatives can offer harms...dead bodies on the podium, or other societal harms or risks...but rarely will a clear indictment of status quo policies be made to show the direct cause of those alleged harms. Negatives rarely bother to question affirmative's assumption that current policy is the direct cause of these harms.

In a real world decision making process when some sort of harm is evident the first question to ask before implementing any sort of remedy is, what is causing these harms? Contemporary debate allows affirmatives to offer some policy and find some asserted harms that it will supposedly correct. eg: legalize drugs, reduce juvenile crime. Nowhere does the judge hear how status quo policy of making drugs illegal is the direct, primary cause of juvenile crime. The resolution exists...current policy must be at fault. No argument, No logic either. The affirmative teams just likes the bold concept of legalized drugs and adapts that thought into policy to implement the resolution.

Since negatives rarely make issue of inherency and significance, it is no wonder poor first negative has been relegated to topicality briefs and a few disadvantage arguments his partner doesn't have time to run. Case side arguments are obsolete, according to the theorist gurus.

### Plan Attacks

Policy debate, then, has come down to 52 minutes of argument and rebuttal on the merits of an affirmative plan: topicality, disadvantages. Period. Most negatives do not even bother to actually think about what a plan says and offer any plan meet advantage or workability arguments. That would require in round thinking and analy-

sis. No canned briefs eight pages long.

Since topicality, a plan attack, has been discussed, turn for a moment to disadvantage arguments. Here again we will find the fertile minds of university students at work. Students attending institutes come away with boxes full of eight page disadvantage briefs. No thought process here. Just stand up and read them in the round, even if you don't fully understand what the brief says or that it takes seven and a half minutes of precious constructive time to read at 400 wpm.

Some, like the beef disadvantage argument, probably started as a joke. Others which invariably have some sort of apocalyptic world ending impact are at face value counter intuitive. Any adult judge sitting in the round probably knows enough history to know that similar actions (to affirmative plan) have been implemented in the past without triggering nuclear war or environmental collapse. Yet high school debaters will take briefs prepared on the "learned" knowledge of college students in economics classes or political science classes and utilize them in a round...often not understanding a word of what they read. No thinking is involved. How many really understand the "net widening" disadvantage that appears round after round?

Rarely is any disadvantage clearly linked to affirmative plan. Generics abound. And the thinking is, if this one doesn't have enough impact to convince the judge, then the next three or four will. Each is built on linking various and divergent sources into a chain of reasoning that defies all logic. If one could assemble all the quoted authorities in the room and ask them to come to the same conclusion as the stated impact, in all probability the experts would laugh uproariously. Yet negatives claim these impacts to be true probabilities. And how are they being educated in the decision making process by this profligate leap frog logic?

Through all the college influenced changes in policy debate have we seen any truly educational benefits? The answer is only for a handful of students who seize on the theory game playing aspect and eschew the true purpose of what policy debate is supposed to be. And other students (and coaches) stay away from policy debate in droves because they perceive it as too arcane and meaningless. And that is not as it should be. The result, fewer and fewer students are learning the real world.

logical thinking processes that go into policy decision making processes. Just imagine a teenager arguing against a family policy of a midnight curfew by telling his parents the curfew has placed the world on the road to nuclear destruction. And just imagine any legislative body attempting to determine policy having to consider whether or not implementing that policy would lead to environmental collapse.

To be sure, the effects, as best they can be predicted, of any proposed policy should be explored before adoption of the policy. If there are disadvantages those ought to be within the realm of the distinctly possible, real world possibilities. No one can go beyond the concept of risk and say any impact would be probable because we cannot predict the future. Impact possibilities should be just that rather than the absolute probables negatives now proclaim. "Adopt affirmative and nuclear war will occur" is patently faulty logic and poor argument. Do you think institute college student instructors will ever teach that? Me neither.

That answers, somewhat, the questions "what is the root cause of the decline of policy debate?" and "what are the specific practices from these causes that are destroying debate?" In sum, institutes have allowed advanced theory in argument to creep into the high school curriculum. These "cutting edge" topicality, critique, disadvantage theories are well beyond the scope of the educational intent implicit in teaching students good, logical decision making processes. It would be best if these theories were left at the university level to be shared by academics in the field to rhetoric and argumentation at their various conferences.

### Solutions

The last question is, "What can be done to return policy debate to a truly valid educational activity?"

There are no clear answers. Should institutes be prohibited...or students be prohibited from debating at the interscholastic level if they attend institutes? No. In spite of the damage I see inflected on high school policy debate, I still found that the students I sent to institutes had a very good, in depth educational experience. I just had to de-program them when they came home so they could debate for our local judges. Institutes should be held accountable, however, for what they teach. What they teach should be basic debate devoid of advanced

rhetorical and argument theory such as those that have spawned the critique arguments. Institute directors should focus on the real world for a change rather than the academic.

There are other suggestions I could make to remake policy debate into an educational experience that teaches real world skills in decision making. Some are doable. Others are probably off the wall.

First, let me propose some new rules:
Rule one: No debate may be decided
on theory or decision rule arguments. This
would eliminate critique arguments in particular which either side will try to "sell"
the judge as decision rules. In other words,
just because a team asserts, "This critique
is a decision rule." does not mean the judge
must act on that assertion at all.

Rule two: Topicality arguments raised by negative must be based on grammatical phrases rather than single words within the resolution. That would eliminate at least some of the nit-picking obscure definitional challenges to single words.

Rule three: Debaters may not utilize preprepared briefs. All argumentation must be spoken to the judge, but debaters may read quotations from 4" x 6" cards in support of their arguments. There go the canned eight page disadvantage briefs

or

Rather than limit debaters to just cards, allow each debate team two evidence tubs for files. Just think of the back strain and excess airline baggage charges that would be eliminated.

Rule four: Change speaking times. In rebuttals give 1AR 6 minutes and 1 NR 6 minutes. Final rebuttals, summation speeches required, 4 minutes each. Final rebuttals would be restricted to summarizing the debate from a side's viewpoint. After the 2NC/CX the judges would name the issues considered crucial for their decision, and the first rebuttalists would confine their arguments to those issues. Some thought might be given to reversing the order so 1AR immediately follows the 2NC/CX. That way the judges can hear immediate responses to 2NC plan attacks.

Rule five: Require that negative argue issues of inherency and significance or grant those issues in the round by announcing they will do so.

Rule six: Do not allow debaters to ask judges for judging philosophy. (Smith to Page 21)

### **NFL IN PICTURES**



NFL members Jerad and Nicholas Bradt, identical twin sons of Alva (OK) coach Charlene Bradt with Oklahoma Governor Frank Keating celebrating twin week at the Capitol. The Governor spoke at the Western Oklahoma NFL Congress.



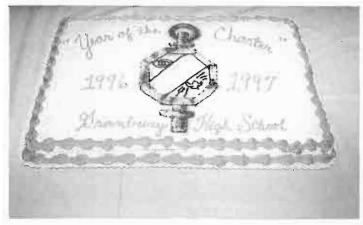
Madame President! Andara MacDonald, NFL coach at Holtville (CA) HS, President of the California High School Speech League, last May brilliantly directed the nation's largest state tournament.



Indiana Speech Hall of Fame inductees: Don Fortner, Munster; Denise Walker, Lafayette-Jefferson; and Thomas Pabst, Fort Wayne-Snider.



Officers of the Georgia Forensic Coaches Association present a check to Sheriff Tony Reeves as part of a student debater fundraising project for Georgia charities (see Notes).



Year of the cake! Granbury HS (Heart of Texas District) was so excited about getting their charter that the theme for their forensic award banquet was "The Year of the Charter".



Doing time at Haven (KS) High. Wearing real state prison shirts, stenciled "Haven Debate", the Haven forensic "delinquents" caused a stir on road trips.

### NFL NOTES ... (OLD AND NEW)

### NFL Culpa...

The NFL is most embarrassed that the diamond of coach Gail Chastain, San Francisco-Mercy (CA) HS was not noted in the national tournament program. Ms. Chastain's work at Mercy has been an example of maintaining a good program in a small school. ...NFL also apologizes to one of NFL's great national coaches Cindi Timmons who was erroneously omitted from the double diamond coach list in December. Cindi has 6701.3 points.

### Numbers...

Marching toward 1,000,000!

Tony Lomas, Stockdale (CA) HS is new member #931,000. ... Kristine Henriksen, Martin County (FL) HS, #930,000... #929,000 belongs to Cassy Avila from Kokomo (IN) HS. ...#928,000 is Eugene Fulton, Baltimore City College (MD) HS. ... Aaron Brant, Elkhart Memorial (IN) HS is member #927,000. #926,000 is Drew Newman student at Florida's Berkley Prep. ... Stephanie Fodor, Punahou School, Hawaii, is new member #925,000... #924,000 is Patrick Luff of Tom Moore (TX) HS. ...Kobi Littlefield from Maine's Thornton Academy is #923,000 and Stephanie Grantham of North Mecklenberg (NC) HS is #922,000. ... #921,000 is Jamie Wagner at Marian Catholie (PA) HS. ...Rachel Banning, Newburgh Free Academy (NY), 920,000 and Velvet Beckwith, Troy (PA) HS, 919,000. ... Member #918,000 is Corey Wilson, Millard-South (NE) HS. ... Rita Poe from Cypress Falls (TX) HS is member 917,000. ... #916,000, John Burnett, Fenwick (IL) HS... Jenni Bishop, Eaglecrest (CO) HS is #915,000. ... Gross (NE) HS student Monica Mora is new member #914,000. ... #913,000 is Tom Clarke, Deerfield (IL) HS and Dan White from Crete (NE) HS is #912,000. ... New member #911,000 is Tom Endo of Lancaster (OH) HS, while #910,000 is Jennifer Lobdell of Helena (MT) HS!

### Sick Call. . .

Jan Heiteen, popular coaeh at Downers Grove-South (IL) HS was at nationals despite a broken leg with 9 pins -- the result of a May auto accident... Cancer patient Ajay Tandon, captain of last season's Bethel Park (PA) Blackhawk Forensic Squad, too ill to attend graduation, was graduated in a ceremony at the hospital, with teachers and teammates.

### NJFL Numbers...

Danielle Robinson of Memorial Park Middle School (IN) earned NJFL #1000.

### Projects...

One of the largest programs unifying debate and community affairs was produced in Springfield, Missouri last season. Using the juvenile crime debate topic, NFL teams approached the editor of the newspaper who sponsored a discussion between debaters and community leaders. Over 1100 people attended and the forum was rebroadcast on TV. NFL students who spoke included Trevor Mathenia and John Nickle from Springfield Central; Anne Twitty and Heather Barbre, Glendale; Todd Katter and Allison Gleghorn, Hillerest; Jeff Meyer and Jason Morrow, Kickapoo; and Eleni Tsolakis and Chrystal Jenkins, Parkview. This project was "service" speaking at its best by the "Nation's Future Leaders". ...

David Smith, coach at Mary Persons (GA) HS and Southern Peach NFL Chair, Richard Bracknell, initiated a fund raising project among Georgia debaters involved in local community charities. Students collected over \$800. ...

Former star debater, **Les Lynn** is now the debate co-ordinator for the Chieago Public Schools Debate Commission, a pilot program to return debate to the CPS. ...

### Kudos...

Michael Marks, former coach at Hattiesburg (MS) HS was elected President of the Mississippi Association of Educators. ... Newly retired coach, Richard Cross, Norfolk (NE) HS, received the "Crystal Apple" outstanding educator award last spring. He was nominated by the Norfolk national qualifiers who presented him the award. ... NFL friend Dean Mike Price of Marquette University was presented the 1997 James T. Tiedge Memorial award for "a commitment to personal responsibility and ethical behavior." ... U of Vermont debate coach Alfred "Tuna" Snider proud that his daughter was second speaker at college novice nationals debate. ... NASSP Principal of the Year is Fresno Hoover (CA) HS administrator Doris Alvarez. She was Larry Smith's last principal before he rctired. ... Lana Israel, great L/D debater from North Miami Beach (FL) HS is a Rhodes Scholar. ... Retired coach Bob Fleischacker (Brooklyn Prep. and Lynbrook, NY) and wife soon to visit the Greek Isles. "Bobby the Fly", as John Sexton dubbed him does intend to return to his favorite island, Long!

### Alumni...

Meridith Bagby former Twin Lakes (FL) HS NFL contestant just finished a book about the U.S. Budget. She works with Ross Perot. ... John Schmidt, LaSalle (PA) College HS NFL debate champion in 1980 appeared on ABC's World News Tonight. ... Director of Management and Budget for the Federal Government is NFL grad Franklin Delano Raines, a former Washington State HS debate champion. He graduated with 526 points in 1967.

#### In Print. . .

Fine looking new newsletter in Florida Sunshinc written by Bill Gibron. ... Dayton Oakwood's "Oakwood Orator" is a wonderful squad newsletter to communicate with alums, parents, boosters, et al.

### Council Capers. . .

Councilor **Don Crabtree** has notified his debate class: This is not Burger King, Federal Express, or the Library of Congress. Therefore, I do not do it your way, deliver overnight, or know everything! ... Councilor **Brother Rene' Sterner FSC**, when informed that the name of one of the large hotels at the St. Louis Nationals was "Henry the Eighth" suggested a play "A Council for All Seasons." Cast:

Henry VIII -- Billy Tate; Anne Boelyn -- Glenda Ferguson; Thomas More -- Roger Brannan; Cardinal Wolsey -- Harold Keller; Richard Rich -- Ted Belch; Cromwell -- Michael Burton; Common Man -- Don Crabtree; Norfolk -- Donus Roberts; Producer -- Bro. Rene' Sterner

### Survival Kit...

Tarhcel East NFL Chair (and 1996 nationals host), **Jackie Foote** sent a creative survival kit to each coach in her district. Included:

Rubberband A reminder to be flexible and that all Tarheel East NFL District eoaches are banded together. Eraser To remind that everyone makes mistakes. Cottonball To soften the rough roads ahead. Toothpick To help pick out the positive rewards of coaching. Chocolate Candy To deal with all that travel stress! Life Saver A sign of hope for a successful year. Pen To record all those NFL points. Bandaid To patch all those nerves from tournament jitters. Penny For good luck in forensic education.

### In Memoriam...

The NFL Community will sincerely miss these friends and eolleagues. ...

Former New Iberia (LA) HS coach and eurrent mayor, Cliff Aucoin, passed away from cancer October 24. He had beaten an earlier cancer in 1991. Among Cliff's many honors: Louisiana Speech Teacher of the Year from LHSSL, USL and LHSA, and the NFL Diamond Key. He also directed national tabs. Cliff earned the love and respect of all of NFL. ...

James Guyot, coach at Paxton-Buckley-Loda (IL) HS. . . Claudette Harty, coach at McIntosh (GA) HS. . . Student writer and speaker Sarah Warrener of Lakeland (IN) HS. ... Maxine Gause, Diamond Key coach at Tarpon Springs (FL) HS, whose daughter qualified for nationals [Jane Arnold retired Diamond Key coach notified the Rostrum.]

(Mitchell from Page 12)

views fiat as a concrete course of action, it is bounded by the limits of pragmatism, and utopian examples can be challenged effectively on such grounds. For instance, as an example of reflexive fiat, Loyola's energy czar plan provision could have been easily discredited on the grounds that the Loyola debaters provided insufficient evidence to justify belief in their capability to assume the position of energy czars in the real world. They had no detailed lobbying plans, inside connections or strategies to gain such concrete political power, thus, their proposal was highly vulnerable to solvency attacks. By eschewing the power to directly control external actors, reflexive fiat sheds the utopian dimension that plagues the fantastic attempts to extend the received view of fiat.

\*Reflexive fiat would unravel the basic fabric of debate as we know it and render the activity foreign and alien.

If reflexive fiat became successful as a legitimate tactic on a widespread basis, it is true that the face of debate would change as contest rounds would come to resemble social movement organizing sessions more than hypothetical expert policymaking forums. However, with such a shift, there is no reason why many of the currently popular topoi of argumentation would have to be abandoned. Disadvantages, case turns and PMNs would still retain relevance as arguments serving to test the merits of the telos, or ultimate goals behind specific reflexive fiat proposals. The major new genre of argument likely to emerge would address the potential and proper political uses of the debate community's resources.

\*Political activism is something to be undertaken outside of contest debates (the "wrong forum" argument).

Because of the degree to which intercollegiate debating participants are attracted by the lure of competitive rewards, efficacious political mobilization on the part of the debate community may only be possible if activist imperatives are woven into the competitive reward structure itself. Reflexive fiat seeks to establish such a synergistic connection by transforming the judge's ballot into a trigger for outside activism. Successful activist imitatives would thus lay the foundation for future competitive rewards, and competitive rewards would, in return, stoke the momentum behind activist initiatives.

Through the medium of contest debates, the debate community continuously reinterprets and adapts its normative principles and collective identity. Accepting reflexive fiat in contest rounds would thematize and spur reflection on major issues regarding the debate community's responsibilities to wider society and its potential as an agent of social transformation.

\*While reflexive fiat might be OK when applied to individual debaters or teams, it enters the realm of utopian private fiat when extended to the debate community writ large.

Should debaters advance reflexive fiat action plans calling for mobilization by more people than just themselves, proof would need to be supplied to demonstrate that such support could be obtained/would be forthcoming. This pragmatic check would prevent the advocacy of unrealistic action plans which would include reluctant participants.

\*Reflexive fiat could be abused by debaters who promise extravagant activist efforts in contest rounds but then fail to follow through after securing competitive victories.

While this "hollow promise" strategy might pay short term dividends, eventually, lack of follow through could be presented in future rounds by opponents to downgrade the credibility of reflexive fiat advocacy. Nozarabhian and Nowak from Wake Forest currently face this contingency; having yet to have followed through on their reflexive fiat proposal to contact Middle Eastern NGOs (made at the Kentucky tournament), the credibility of their next attempt at reflexive fiat may be in jeopardy.

### Conclusion

Critics of the academic debate community rightly deride its hermetically sealed orientation as evidence of abdication of the community's civic responsibility to funnel at least some of its considerable expertise and resources directly into the ailing body politic. A good argument can be made that one of the theoretical conventions that tightens this hermetic seal is the received view of simulated, "external" fiat. In this piece, I have proposed not an enlargement, but a retreat from this view of fiat as a step designed to facilitate an activist outward turn in academic debate. Putting the stamp

of legitimacy on the strategy of reflexive fiat involves sanctioning the merit of this activist outward turn and providing a useful outlet for its realization.

(Gordon Mitchell, an NDT top speaker now coaches debate at the University of Pittsburgh. This paper was presented at the 1995 SCA National Convention.)

(McDonald and Jarman from Page 8) sole purpose is to gain power over others" (Sherwin 551). This paper represents our attempt to provide the standards and methods by which narratives can be introduced into academic debate rounds with sufficient compromise: the benefits of narratives with the rigors of argumentation.

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(Kelly McDonald is the Director of Forensics at Western Washington University and is co-authoring a book on Debate Watch '96. Jeffrey Jarman teaches at the Elliott School of Communication at Wichita State University. This paper was presented at the 1995 SCA Convention.)

(Ross from Page 13)

testimony. End by targeting exactly what you want the jury to do, and tie everything up with a last mention of your theme.

DON'TLET YOUR OPENING WRITE CHECKS THAT YOUR CLOSING CAN'T CASH. You can't afford to fail in or bail out on anything you promise to prove.

So, that is how to open. How do we close? Easy -- tease them some more. The main difference is that we've had about 2 hours to hear all about the case. By the time closing rolls around, many items brought up in the opening won't matter any more. Others will be just too small to worry much abont. The case will pivot on only a few issues. There are three t's to the closing.

- 1. Start with the **theme** and show how you've proved everything you promised in the opening.
- 2. Triple trump -- isolate the 3 key points the other side might be winning. Answer each as efficiently as possible. Be sure these are the real issues upon which the case turns.
- 3. Now, tell the tale again as your side has proved true. This time include the verdict your side expects.

Special tips for Prosecution and Defense:

Prosecution: The prosecution speaks first and has the option of reserving time for rebuttal. Use the first three minutes to do parts one and two. (A good strategy is to make several challenges for the defense to answer.) After the defense closing, use your last 2 minutes to answer one really compelling point the defense brought up and to sell the overall case in the finale.

Defense: Start by answering all the challenges and points against you as efficiently as may be. Then, focus on your theme. Remember, it has to leave an impression that will last through anything else the prosecution has to say. Do all you can to stress the importance of one point that you know the prosecution can't prove.

Break out the Hawaiian Tropic -opening and closing are just a day at the
beach. Your mock trial future's so bright
you've got to wear shades.

Next time "Cross Examination."

(M. Donna Ross, 1995 District Chair of the year, is co-host of the 1998 Gateway Nationals.) (Smith from Page 17)

Rule seven: Instruct judges to put down their pen and stop taking notes whenever the speaking rate is too fast for comprehension.

Rule eight: Instruct judges they do not have to take the debaters' word. If they have personal knowledge (not beliefs) that indicates an argument is blatantly nntrue or counter intuitive to logic and historical precedent, the judge may reject the argument and so note on the ballot.

Rule nine: Prohibit debaters from telling the judges "this is the winning argument in the round" or asserting similar are the crucial issues in the round and note them for the debaters prior to rebuttals.

Rule ten: On debate ballots elevate speaking skills to the top of the chart and award more points for effective communication than for other categories.

Example:

Ability of speaker to clearly speak and communicate arguments and evidence reading during round: 5-20 points

Ability of speaker to reason and use logical thought processes in analyzing and presenting arguments: 5-20 points.

Ability of speaker to effectively utilize evidence in formulating arguments during the round: 5-15 points.

Ability of speaker to present arguments in an organized fashion so the judge can follow where those are to be applied: 5-10 points.

Admittedly, all of this is personal opinion and curmudgeonly. There is one aspect of it all that is undeniably true, however. Policy debate at the high school level is a declining activity which engages only a handful of students nationwide. It should not be so. Rather, the thinking, decision making and other educational skills that debate can offer ought to be experienced by thousands of students nationwide.

(Larry Smith is a member of the NFL and CHSSA Halls of Fame.)

### Debate Website

http://www.nrel.gov/debate National Renewable Energy Laboratory

### '98 TNT

### '98 Tournament News Time

It was not River Phoenix, Keanu Reeves, or William Hurt. You are a true trivia triumph if you knew this one. Starring as the crude philandering husband targeted for the cemetery in "I Love Yon to Death" was Kevin Kline, a graduate of St. Louis Priory.

There's romance in the National Forensic League. Don't you believe me? Just look at the number of couples who have grown together becanse they were thrown together by NFL. Well, it makes sense. Spend every weekend with the same, extremely intelligent, fascinating and articulate people who have the same interests. Spend lots of time standing around waiting for postings with not much to do but talk. Who would be surprised if romance danced in while no one was looking.

Here's one East Missouri love story that's still swirling out happy days. Glenbrook's Debbie-O, a graduate of Parkway West HS, won the NFL district trophy for first place in oratory. In those days, only the first place winner earned the right to compete in nationals. Who took second and stayed home that summer? My Parkway Central student, Kent Middleton. Kent was so smitten, though, that he married the competition. The most charming thing about their wedding was the -- polished and elegant speakers that they both are -- both messed up their lines. I guess that some nerve-wracking occasions defy even the best of training.

EMO minderbinder

Who is the charming and handsome Parkway graduate television commentator that will be our keynote speaker at the 1998 Nationals? (Clue -- he has been known to wow a certain famous country singer.) (TNT written by Gateway Nationals co-host M. Donna Ross)

## NFL'S TOP 50 DISTRICTS (NOVEMBER 25, 1997)

Rank	Chang	ge District	Ave. No. Degrees	Largest Chapter	Degrees
1.	-	Northern South Dakota	118.11	Watertown	371
2.	+3	Kansas Flint-Hills	114.88	Washburn Rural	355
3.	-	East Kansas	113.38	Blue Valley Northwest	319
4.	+4	Rushmore	111.33	Sioux Falls-Lincoln	217
5.	-3	Northern Ohio	108.60	Austintown-Fitch	175
6.	-2	San Fran Bay	103.72	James Logan	314
7.	***	Florida Sunshine	103.60	Academy of the Holy Names	290
8.	-2	Heart of America	99.82	Independence-Truman	234
9.	-	West Kansas	99.13	Garden City	272
10.	+3	South Kansas	89.47	Wichita-Campus	183
11.	_	Central Minnesota	86.92	Apple Valley	265
12.	-2	California Coast	86.13	Leland	305
13.	+1	Northwest Indiana	85.75	Plymouth	278
14.	-2	Western Washington	85.63	Auburn Sr.	188
15.	_	Show Me	81.23	Blue Springs-South	182
16.	+1	Northern Illinois	76.33	Elk Grove	296
17.	+7	New York City	75.77	Bronx H.S. of Science	254
18.	-2	Hole in the Wall	74.62	Cheyenne-East	164
19.	_	Eastern Ohio	73.52	Carrollton	203
20.	-2	Illinois	72.86	Downers Grove-South	511
21.	444	Sierra	70.35	Centennial	264
22.	+1	New England	69.66	Lexington	369
23.	+3	Southern Minnesota	69.54	Eagan	199
24.	-4	Rocky Mountain-South	68.20	Golden	187
25.	-3	East Los Angeles	68.09	Gabrielino	131
26.	-1	Hoosier South	67.46	Evansville-Reitz	364
27.	+15	Big Valley	64.72	Modesto-Beyer	280
28.	+3	Nebraska	64.69	Millard-North	222
29.	-2	Carver-Truman	61.26	Neosho	232
30.	+10	Southern Wisconsin	59,92	Greendale	141
31.	+1	Hoosier Central	58.36	Ben Davis	218
32.	+3	Pittsburgh	57.50	Cathedral Prep.	150
33.	-5	Nebraska South	57.31	Millard-South	144
34.	+32	New York State	57.30	Iona Prep.	172
35.	-5	South Texas	57.18	Houston-Bellaire	206
36.	+12	Northern Wisconsin	56.90	Appleton East	183
37.	-3	Northern Lights	56.05	Moorhead	193
37.	-8	North Dakota Roughrider	56.05	Fargo-Shanley	107
39.	+4	Valley Forge	54.85	Truman	178
40.	-1	Eastern Missouri	54.25	Pattonville	228
41.	-3	Sagebrush	53.88	Douglas	164
42.	+3	Montana	53.80	Flathead Co.	137
43.	+34	Lone Star	53.68	Plano Sr.	276
43. 44.	+20	North Coast	53.46	Shaker Heights	97
44. 45.	+20	Heart of Texas	53.42	Hays	132
45. 46.	+2 -10	Ozark	53.42	Springfield-Hillcrest	142
46. 47.	-10 -14	North East Indiana	52.61	Chesterton	293
	-14 +6		52.30	Ashland	166
48.	70	South Oregon		Vestavia Hills	165
49.		Deep South	51.71	Caddo Magnet	131
50.	-	Louisiana	51.30	Caddo magnet	101

### NFL DISTRICT STANDINGS

Rank	Chang	ge District	Ave. No. Degrees	Leading Chapter	Degrees
51.	-14	Colorado	51.25	Cherry Creek	220
52.	-8	West Virginia	50.83	Wheeling Park	87
53.	+8	Rocky Mountain-North	50.12	Greeley-Central	120
54.	+11	Southern California	49.68	Redlands	130
55.	-14	Idaho	49.00	Hillcrest	141
56.	+17	Southern Colorado	48.79	Rampart	108
57.	-5	Tennessee	48.34	Mars Hill Bible School	180
58.	+4	Central Texas	48.11	San Antonio-Churchill	137
59.	-6	Greater Illinois	47.46	Heyworth	118
60.	+16	Great Salt Lake	47.33	Kearns	88
61.	+25	Mid-Atlantic	46.66	James Madison	252
62.	-16	Eastern Washington	46.55	Mead	133
63.	+4	East Texas	46.36	Klein	137
64.	+15	Georgia Northern Mountain	46.00	Gainesville	85
65.	-14	West Iowa	45.85	Bishop Heelan	114
66.	-3	Southern Nevada	45.44	Green Valley	112
67.	-7	Sundance	45.06	Jordan	169
68.	+2	Tall Cotton	44.92	Odessa Sr.	108
69.	+2	Florida Manatee	44.89	Taravella	188
70.	-13	Western Ohio	43.31	Dayton-Oakwood	172
71.	-12	South Carolina	42.60	Riverside	170
72.	-16	Michigan	42.10	Portage-Central	135
73.	-5	West Oklahoma	42.08	Alva	152
74.	-16	Wind River	42.00	Worland	108
75.	-20	East Oklahoma	41.96	Jenks	148
76.	+2	Arizona	41.59	McClintock	120
77.	-5	South Florida	39.45	Miami-Palmetto	158
78.	+17	New Mexico	38.62	Albuquerque Academy	159
79.	-6	North Texas Longhorns	36.95	Newman Smith	142
80.	+3	Tarheel East	35.83	Pine Forest Sr.	69
81.	-12	West Los Angeles	35.52	S.O. Center Enriched Studies	204
82.	-7	Maine	34.87	Brunswick	84
83.	+6	Carolina West	34.57	Myers Park	80
84.	+1	North Oregon	33.82	Clackamas	120
85.	4	Big Orange	33.09	Esperanza	137
86.	-6	Kentucky	31.76	Rowan County Sr.	109
87.	+10	Georgia Southern Peach	31.58	Warner Robins	83
88.	-	New Jersey	31.52	Montville	78
89.	-5	Utah-Wasatch	31.42	Ogden	100
90.	_	Mississippi	31.29	Hattiesburg	166
91.	4	Gulf Coast	31.16	Gregory-Portland	164
92.	-10	Pennsylvania	29.64	Belle Vernon Area	56
93.	+3	West Texas	29.33	Montwood	134
94.	-3	East lowa	29.17	Ottumwa	56
95.	-2	Patrick Henry	26.05	Princess Anne	86
96.	+4	Capitol Valley	24.90	Del Norte County	75
97.	+1	Puget Sound	24.05	Kamiak	84
98.	-6	Iroquois	23.66	Richfield Springs-Central	64
99.	-5	Hawaii	19.90	Punahou	50
100.	-1	Alaska	11.00	Robert Service	22
101.		Guam	5.62	Academy of Our Lady of Guan	
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Dates to be Announced

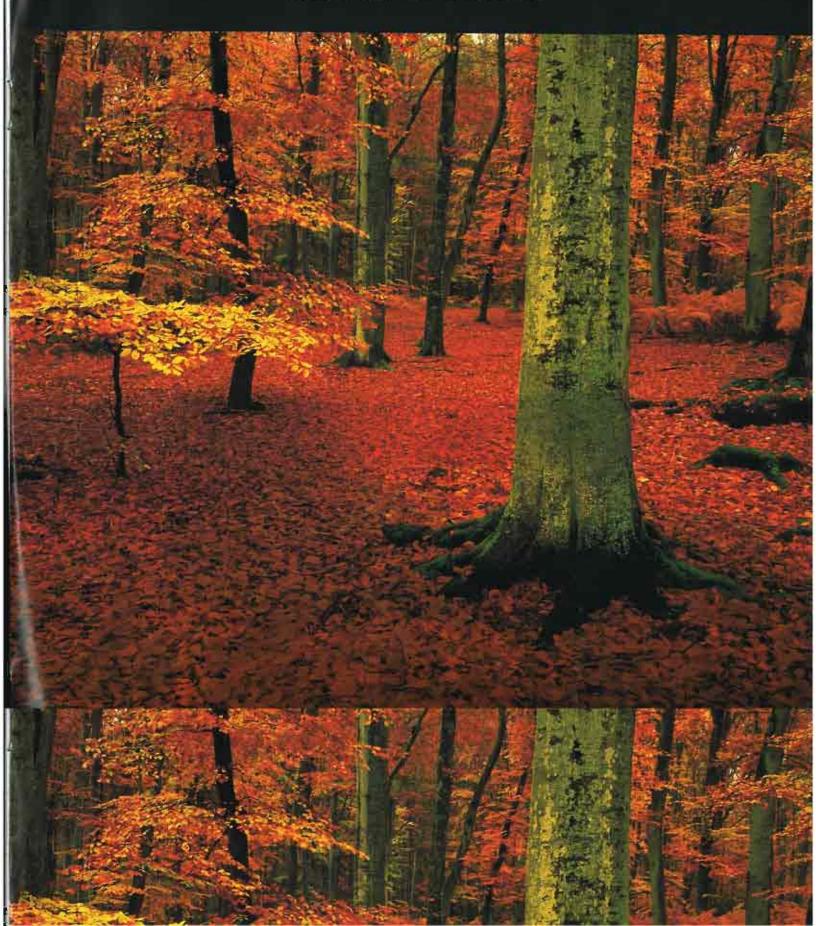
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