

# R O S T R U M



**Ted W. Belch**  
*Pursuing H. B. Mitchell's Record*



# CDE Debate and Extemp Camps

## The Best in the Nation

### More rounds, More classes, More success, Guaranteed.

- \* In 1990 became the first U.S. debaters to win the World College Debate Championship.
- \* In 1991 CDE graduates won two events at Nationals plus second and fourth place trophies.
- \* In 1993 CDE graduates won three events at Nationals plus two second places and two third place trophies.
- \* In 1994 CDE graduates were the first U.S. team to ever win the World High School Debate Championships. And at N.F.L. Nationals 5 of the 12 Lincoln Douglas finalists were CDE graduates!
- \* In 1995 CDE graduates won three National Championships.
- \* In 1996 CDE graduates took second in L.D. Nationals, won three National Extemp Championships, and second in debate nationals.
- \* In 1997 CDE alumni won two National Championships.
- In 1999 CDE alumni won the National Debate Championship and another National Extemp Championship.

This year **YOU** are invited to join us.

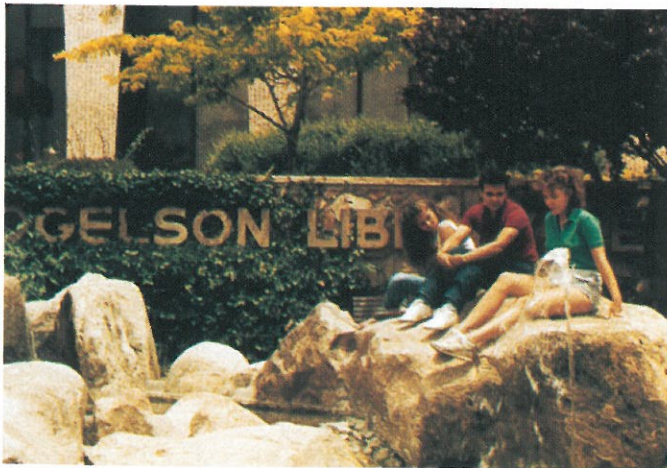
Lincoln Douglas and Extemp Camps: July 1 - July 15, 2000. \$1085, Alumni \$985, Commuters \$540, Teachers and Coaches \$440

(Held at Northern Arizona University in Flagstaff).

Team Debate Camp: July 18 - August 8, 2000. \$1085, Two week session (July 18 - July 31) is \$650 (Commuters \$375).

(Held at the University of Utah, Salt Lake City).

Costs include tuition, room, meals, free tourist day, 1,500 debate blocks or 400 articles, 24 critiqued practice rounds. Acceptance guaranteed or money refunded.



Both camps will be headed by WILLIAM H. BENNETT, the former national debate champion, author of over 50 texts and books, and coach of 9 national champions and championship debate teams.

Teacher-student ratio is guaranteed to be 8-1 or lower. Class actions are monitored.

Each camp is limited to the first 60 applicants. An \$85 application fee must accompany entry. Check or credit card accepted.



Mail to: **CDE**, P. O. Box Z, Taos, N. M. 87571

Phone: (505) 751-0514 Fax: (505) 751-9788

Visit the CDE Web Site - [www.cdedebate.com](http://www.cdedebate.com)

Email - [bennett@laplaza.org](mailto:bennett@laplaza.org)



☐ Team Debate

☐ Lincoln Douglas

☐ Foreign Extemp

☐ Domestic Extemp

☐ Generic Extemp

☐ I have enclosed my \$85 application check (or CC# and expiration). Send me my full packet today.

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone # \_\_\_\_\_

# WHICH CAMP IS REALLY THE "BEST IN THE NATION"?

by William Bennett

The next few months you will see numerous ads, flyers, and other sources proclaim that their camp is a "great" camp, maybe even the "best in the United States." But, as you well know, only one camp can TRUTHFULLY make the claim. The thing you need to know to be sure to select the best camp for you is which one is telling the truth. And the answer is CDE. And there are six reasons why that is true.

First is the quality of the staff. No other institute offers you Catherine Bennett (coach of three national extemp champions and the ONLY coach whose students "closed out" final round at Nationals in Lincoln Douglas), and a staff of 27 more who between them have produced top debate speaker, two national championship debate teams, three firsts in L.D. at Nationals, and seven National champions in extemp.

Other teachers include Geof Brodak (1999 National Debate Champion, 2<sup>nd</sup> at L.D. Nationals in 1996), Bob and Anne Jones of Oregon (coach of 37 National qualifiers, and National trophyists in both extemp and Lincoln Douglas debate), Josh Levine (Univ. of Colorado and a recent National Champion), Frank Irizarry (former Director of Forensics at Pace University and author of THE REALLY BIG COMPUTER RESEARCH book), Bill Bennett (author and or editor of over one hundred books, past national policy debate champion, coach of National Champions in team debate, extemp, and Lincoln Douglas debate).

Second is the work commitment of the staff. Our people do NOT come in to give the occasional "guest lecture." We all work ten to fourteen hours a day to be sure that you get your money's worth.

Third is our record of empirical success. It is in your best interest to compare what percentage of CDE graduates qualify for Nationals compared to the other camp(s) you are considering. At CDE as many as 87% of our graduates in any given year make it to Nationals. No other camp has this success rate. Only CDE graduates have won both the high school and

college level international debate championships for the United States (Scotland, 1990 and New Zealand, 1994).

Fourth is the amount of critiqued practice rounds you receive. WE don't just give you a "tournament" at the end. At CDE you get critiqued nondecision rounds through the whole camp. If you are in policy debate that means 24 debates before you graduate. In Lincoln Douglas you average 23, in extemp its 24 rounds. And they are all critiqued in constructive ways by successful professionals.

Fifth is the class structure you will enjoy. It is hard work for you but it assures learning and growth. And it is different from other camps because we do not assign you to "labs" for most of your time; too often "labs" are a name for subjecting you to the erratic vagueries of an individual coach or two. At CDE you follow a class, practice, and research format perfected since 1969. Hour-by-hour you move through a learning plan that exposes you to different teachers who excel at the subject they are helping you with. And this happens to you 6 days a week, from the day you arrive until the day you leave. You are exposed to every teacher on our staff, you are helped and prodded and even eat some of your meals with staff members to assure that your individual needs are met.

Sixth is cost. Unlike many other camps CDE figures the cost of all your meals into the price we quote to you. And unlike many other camps we figure in the cost of ALL debate blocks or L.D. blocks and extemp materials in the price we quote you. CDE's price tells you the truth.

Only one camp is the BEST in the nation. And that camp is CDE. We accept the first 60 students who apply.

CDE students also do well after they get to Nationals. Since 1983 CDE has produced more National Champions than any other camp. I hope you'll join us this upcoming summer.

# Bates | College *Maine*

## 2000 Bates College Forensics Institutes

**National Policy Institute: June 25 - July 15**  
**Lincoln Douglas Debate Workshop: June 25 - July 8**  
**Individual Speech Events Workshop: June 25 - July 1**

Excellence in debate has been a tradition at Bates since 1896, when the college christened its program by besting Boston University in the finals of the first New England Debating League Championship. Competitive excellence remains the hallmark of the Bates debate program. In addition to its active participation in debate tournaments throughout the U.S. and Canada, Bates conducts an annual debating exchange with Japanese universities and makes frequent international tours.

The Bates Policy Debate Institute was founded in 1974 by the late Professor Robert Branham. The Lincoln Douglas workshop was added in the 1980s, and 1997 marked the addition of a one-week program in individual speech events.

The student-faculty ratio is carefully limited to 6:1. The program features daily supervised library and internet research, numerous critiqued practice rounds, and a full program of recreational and social activities.

Bates ensures that all instructional groups are led by professional forensic coaches with years of teaching and coaching experience, assisted by outstanding college debaters. All lab groups are led by senior staff, and each student works with each faculty member. The 2000 teaching faculty includes: John Blanchette, R. Eric Barnes (author of *Philosophy In Practice: Understanding Value Debate*), Lynne Coyne, Jen Harris, Bob Hoy, Joan Macri, Mike Matos, Dick Merz, Mindy Newman, Les Phillips, Jon Sharp, Chris Wheatley, and the UDL Coach of the Year.

Students live in double rooms in one of the college's modern dormitories, supervised by Richard Bracknell, parent, grandparent, teacher and forensics coach at Carrollton (GA) HS, and full-time director of residence life for the Bates Institute since 1993. The pastoral 109-acre campus located in Lewiston, Maine, is about 140 miles northeast of Boston and within half an hour's drive to the coast.

Comprehensive fees include tuition, handbook & copies of the institute briefs (policy debaters), videotaped critiques (speech participants), room and board. All meals, including a lobster bake, are included in the comprehensive fee. LDers receive copies of the *Bates LD Reader* and Eric Barnes' book, *Philosophy In Practice: Understanding Value Debate*. No hidden costs. Policy Debate Institute \$1,275; Lincoln Douglas Debate Workshop, \$850; Speech \$490. Need-based financial aid and payment plans available to qualified applicants. This year, applications will be processed on a first-come, first-served basis -- apply early for best chance of admission.

### **For further information:**

Bates Forensics Institutes  
Office of Summer Programs  
Bates College, Lewiston, ME 04240  
email: [summer@bates.edu](mailto:summer@bates.edu), telephone: (207) 786-6077  
<http://www.bates.edu/summer>

*Come to Maine! Study with the best at Bates!*

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<http://www.bates.edu/summer>

***Come to Maine! Study with the best at Bates!***



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## THE ROSTRUM

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Individuals: \$10 one year; \$15 two years. Member Schools \$5.00 each additional sub.

**ON THE COVER:** Ted W. Belch: Four NFL National Finalist debate teams; Three champions.

**NEXT MONTH:** Jason Baldwin on choosing an LD Institute. National Hotels. Council candidates.

**COVER PICTURE:** Model Image (Chicago)

## The National Debate Circuit

The National Debate Circuit! It is applauded and reviled but it won't go away. Moreover, it has and will continue to change the face of debate in the 21st Century!

Just what is this "circuit" which celebrates the spread, encourages the "kritik", and insists that only "qualified" judges should adjudicate?

In brief, it probably consists of major college hosted high school debate invitationals: Wake Forest Early Bird, The Barkley Forum at Emory University, Harvard, Berkley, Stanford, Redlands, Northwestern, U.S.C. and the holy grail -- The Tournament of Champions at the University of Kentucky. It certainly also includes the major high school debate invitationals: The Glenbrooks, The Southern Bell Forum at Montgomery Bell Academy, St. Mark's, Bronx Science and Greenhill. Certainly it contains the elite round robins: Greenhill and The Glenbrooks and Pace and Baylor.

And other tournaments may arguably be on that list: Yale, Florida Blue Key, Lexington (MA), New Trier (IL), Crestian (FL) and the Iowa Caucus are attended by top teams from many states. Also the circuit includes national institutes. And finally, although the NDCA is open to all coaches, few would deny that its membership contains every "circuit" coach and its own NDCA tournament is "circuit" based.

Should there be a national circuit? The question is really moot. There has always been something of a national circuit. But as transportation improved "the circuit" really grew.

David Johnson relates that in 1927 - four years prior to the first NFL national tournament, a "national championship" was held in Washington D. C. between Hartshorne, Oklahoma and Alexandria, Virginia, judged by the entire Supreme Court in the Capitol rotunda! H. B. Mitchell told James Copeland that when H. B. was in high school in the early 1920's he won an interstate tournament in Birmingham.

By the 1960's a number of big events were being staged: The Georgetown Cherry Blossom Festival run by Bill Reynolds (later James Ungcr), the Northwestern University Tournament, the Miami Beach Forensic Festival -- held during Christmas vacation in Florida, the Bellaire Forensic Tournament in Houston and the Central Sweepstakes in Pittsburgh, were among the most prestigious and well attended.

By the late 1960's Emory University coach Glenn Pelham approached Brother Rene' Sterner, Jane Eldridge, and others about trans-

forming the Barkley Forum from a four speaker Southern tournament to a two speaker national event to draw the finest teams from the North: St. Brendan's of Brooklyn, Princeton of Cincinnati, Central Catholic of Pittsburgh, Marquette of Milwaukee and Bronx Science of New York.

In the 1970's large pageant tournaments were held. David Horn ran the "Bi-Centennial Forum" where the final rounds were conducted in Independence Hall or the historic Philadelphia City Hall. The Super Bowl of Debate was held in Milwaukee on Super Bowl Sunday. One team from each of the NFL cities, dressed in football jerseys, competed for a large football trophy!

In the 1980's Ted Belch was talking about the triple crown: NFL, NCFL, and TOC -- all of which his teams won. In the late 60's and early 70's the triple crown was Miami Beach, Emory and Georgetown!

Is the national circuit for everyone? No. Many state activities associations deny or limit travel so schools in those states rarely can attend national invitationals. Some coaches prefer state and regional tournaments where debate is more traditional. Some students don't have time or money to attend summer programs or travel the "circuit."

And most important, a philosophical difference exists between the "circuit" judges where spread, spew, "kritiks" and unusual paradigms are accepted (and even encouraged) and state and local meets where speech coaches and lay judges call for policy making, communication, and real world arguments.

Each school, coach and student must make a choice which tournaments meet their needs. But a "national circuit" does exist -- whether it will grow or self destruct in an explosion of spew, "kritiks" and obscure off topic arguments remains to be seen. Its demise has been often predicted but the "circuit" continues to prosper.

This issue of the *Rostrum* highlights the national circuit. Two world class articles on post modernism and "kritiks" are offered by Dr. David Glass, coach at Edgemont (NY) and a favorite national circuit judge and by Professor Roy Schwartzman. A column by Dr. David Cheshier, another circuit final round favorite judge is also included.

No, the articles this month are not easy reading. But, they are essential for any coach or debater who aspires to debate on the "national debate circuit".

NWROSE NATIONALS WEBSITE: [WWW.NWROSE.COM](http://WWW.NWROSE.COM)

**NEW NFL DEBATE AND LD TOPIC HOME PAGE:** <http://sites.netscape.net/topicpagenfl/homepage>

The Rostrum provides an open forum for the forensic community. The opinions expressed by contributors to the Rostrum are their own and not necessarily the opinions of the National Forensic League, its officers or members. The National Forensic League does not recommend or endorse advertised products and services unless offered directly from the NFL office.

# MILESTONE OF THE MILLENNIUM

1,000,000

- Karl E. Mundt, later U. S. Senator from South Dakota, was NFL member #1 in 1925!

**W**ho will be NFL member one million  
(1,000,000) in 2000?

**Counting.....**

- 991,000 Aoife Dowdall  
Marist School, (GA)
- 992,000 Vanessa Alfaro  
San Gabriel HS (CA)
- 993,000 Mandelyn Krueger  
Groton HS (SD)
- 994,000 Christian Taylor  
Carrollton HS (WY)
- 995,000 Courtney C. Barcellos  
Arroyo Grande HS (CA)
- 996,000 Sara Laue  
Burlington Comm. HS (IA)
- 997,000 Jessica Lopez  
Miami Southridge Sr. (FL)
- 998,000 Amber Wollan  
Sioux Falls-Roosevelt (SD)
- 999,000 James A. McAuley  
Cypress Creek HS (TX)

1,000,000

?

*The Stanford Debate Society presents the Summer 2000*  
**Stanford National Forensic Institute**

**CX Program: July 25 - August 13**

**LD / Events: July 31 - August 13**

**Extended-week program for both CX and LD: August 13 - 20**

**SUPERIOR  
PROGRAM:**

The **Stanford National Forensic Institute** offers a unique national caliber program which features policy debate, LD debate, and NFL events. The policy program is 3 weeks, the IE and LD programs are 2 weeks. The SNFI is conducted by the Stanford Debate Society of Stanford University, a registered student organization of the Associated Students of Stanford University. An excellent faculty teaches students both fundamentals and advanced techniques in a rigorous, carefully structured environment that caters to the needs of forensics students at all levels. Policy debate students who have attended an institute of sufficient rigor earlier in the summer may apply for acceptance into the "policy debate swing lab," designed for students desiring 5 weeks of comprehensive instruction.

**SUPERIOR  
FACULTY:**

The majority of primary faculty will be current and former high school and collegiate coaches of national repute. Last year's faculty included (and most will return for Summer 2000):

Hajir Ardebili, UC Berkeley Law  
Russ Falconer, Emory  
Jon Miller, U of Redlands  
Dan Fitzmier, Emory  
Jon Dunn, Stanford Debater  
Michael Major, formerly CPS  
Byron Arthur, Stuart Hall  
Jonathan Alston, Newark  
Josette Surrat, New Orleans

Robert Thomas, Emory  
Anne-Marie Todd, USC  
Ryan Mills, College Prep School  
Byrdie Renik, Columbia U  
Jon Sharp, W. Georgia College  
Jessica Dean, Boston U  
Hetal Doshi, Emory  
Leah Halvorson, Reed College  
Aaron Timmons, Greenhill

Dave Arnett, UC Berkeley  
Randy Lusky, El Cerrito HS  
Abe Newman, UC Berkeley  
Jessica Clarke, Whitman  
Tina Valkanoff, Northwestern  
Adam Lauridsen, Harvard U  
Nick Coburn-Palo, Hopkins  
Michael Edwards, Princeton  
Matthew Fraser, SNFI Director

\*listed affiliations are for identification purposes only. The institutions noted are where the relevant SNFI staff member works, debates or debated, and/or studies during the academic year. More detailed staff qualifications are enumerated in the program brochure, available in March.

**SUPERIOR  
SETTING:**

The SNFI is held on the Stanford University campus, located in Palo Alto, CA. There is no better location anywhere to study forensics. Stanford provides a beautiful setting for the students to study, practice and learn. Supervision is provided by an experienced staff which collectively has hundreds of previous institute teaching sessions of experience. The SNFI specializes in advanced competitors, but comprehensive programs at all levels are available.

**REASONABLE  
COST:**

**Policy Debate**

\$1,725 resident plan  
\$895 commuter plan  
\$850 Aug 13 - 20 CX extended week

**LD and Events**

\$1,375 resident plan  
\$775 commuter plan  
\$850 Aug 13 - 20 LD swing lab

*Given the nature and quality of the 2000 program the cost is quite low. This program, both in faculty composition and in structure compares favorably with programs costing nearly twice as much. The resident plan includes housing for the duration of the program, 3 meals a day on most days of the program, tuition and all required materials. The commuter plan includes tuition and some materials. An additional \$75 application fee is required upon application to the SNFI.*

**TO APPLY**

**&/or INQUIRE:**

**(650) 723-9086**

**e-mail: snfi@mail.com**

**Stanford Debate Society - SNFI**

**555 Bryant St., #599**

**Palo Alto, CA 94301**

**Scholarships in the  
form of need-based  
aid are available.**



*The Stanford Debate Society presents the*

# Stanford National Forensic Institute

**Individual Events Program: July 31 - August 13, 2000**

**Dramatic Interpretation...Humorous Interpretation  
Oratory...Extemporaneous...Impromptu...Expository  
Thematic Interpretation...Prose...Poetry...Duo Interpretation**

The SNFI Individual Events program offers a comprehensive program which accounts for regional differences in style, content, and judging. Students will have the opportunity to work with coaches and national champions from around the nation. The Institute is designed to provide a strong technical foundation in an enjoyable atmosphere, students at all levels of experience will be accommodated.

## **Outstanding staff includes:**

**Josette Surratt** is in her 29th year of teaching, and is currently at Teurlings Catholic High School. She has qualified 90 students to the NCFL and 20 students to the NFL nationals in her last six years of coaching. She has coached state champions in every event.

**Adam Lauridsen** attends Harvard University, and went to Bellarmine College Prep for High School. Adam was the 1997 national champion in domestic extemp, and a two-time California State Champion.

**David Kraft** coaches speech at Holy Ghost Preparatory School in Philadelphia. He has coached two national champions in HI, and two finalists in duo. He is also a published playwright, and one of his plays recently was used to win first place in duo at CFL nationals, and another play made octos at NFL nationals.

**The Two Track System of Placement** allows advanced students to focus on specific events at an accelerated pace, while also ensuring that the beginning to intermediate level students advance at a more relaxed pace while participating in and learning about a variety of different events. This ensures that upper level competitors leave camp prepared to immediately step into high level tournament competition. Seminars are designed to cater directly to areas of student interest. Workshops are provided to instruct new competitors in basic speaking techniques, and novice workshops meet the needs of both new competitors and those solely interested in improving general speaking skills without the intention of later competition.

**Team Instruction** provides students who are involved in a recently formed Forensics team basic techniques on student coaching. We teach students of all levels how to coach themselves during the course of the year to maximize their competitive experience and success. The research facilities unique to the Stanford campus provide an excellent resource for the creation of a comprehensive script library. Institute staff has on hand hundreds of scripts both to assist student, and to serve as example material. Resource packets are provided specifically for this group.

*"I had never competed before the Institute and now I am taking home First Place awards! I learned a lot while making friends for life. I'll be back!!"*

*- Loan Pham, previous SNFI Individual Events camp participant*

**Resident cost: \$1,375 / Commuter cost \$750**

An additional application fee of \$75 is required

**For additional information: call (650) 723-9086**

**SNFI, 555 Bryant St., #599, Palo Alto, CA 94301**

*The Stanford Debate Society presents the*

# **Stanford National Forensic Institute**

**Lincoln-Douglas Program: July 31 - August 13, 2000**

Outstanding features of the 2000 Lincoln-Douglas portion of the SNFI:

1) **14 fully critiqued practice rounds:** most camps offer a practice tournament at the end of the camp which may offer only four rounds of total experience. At SNFI, your students will **not** be sent home with a pile of notes on philosophy and a stack of student researched evidence with minimal visible improvement in their debate skills. Your students will receive practice rounds built into the daily schedule. Their progress is monitored so that their development is assured!

2) **Incomparable staff:** The 2000 staff includes:

**Program Director:** Dr. Michael Major, formerly of College Prep School

**Lab Instructors:**

*Hetal Doshi, Emory University      Leah Halvorson, Reed College*

*Adam Lauridsen, Harvard      Byron Arthur, Stuart Hall School*

*Aaron Timmons, Greenhill School      Jessica Dean, Boston University*

*Jonathan Alston, Newark Science      Michael Osofsky, Stanford Debater*

*Michael Edwards, Princeton      Michael Arton, New Orleans Jesuit*

*Nick Coburn-Palo, Hopkins      Jon Geggenheimer, Woodson School*

3) **Extended Week Option:** The outstanding highlight of this option will be an extra 20 fully critiqued practice rounds. Students attending other camps during the summer can avail themselves of this one week experience or students in the regular camp can extend their stay for a total of 34 practice rounds!

***For many LD debaters this is the equivalent of a full semester of competitive LD debate experience in just 3 weeks!***

## **Important Information**

**SNFI LD Institute:**

**July 31 - August 13**

**Resident Program: \$1,375**

**Commuter program: \$750**

**LD Third week Option: August 13-20**

**Third Week Resident Program Cost: \$850**

**For additional information and applications contact us at**

**SNFI, 555 Bryant St., #599, Palo Alto, CA 94301**

**(650) 723-9086**

# UNIVERSITY OF KENTUCKY

Home of The National Tournament of Champions

## 2000 POLICY INSTITUTES



**Three Week Institute**  
June 16 - July 9, 2000

Tuition -- \$575  
Housing/Meals -- \$625

**Two Week Institute**  
June 16 - July 2, 2000

Tuition -- \$490  
Housing/Meals -- \$440

**One Week Institute**  
June 16 - June 25, 2000

Tuition -- \$365  
Housing/Meals -- \$260

### 2000 INSTITUTE FELLOWS

### 2000 INSTITUTE STAFF

### 2000 INSTITUTE FELLOWS

(all are definite unless starred - see April Rostrum)



**Michael Klinger**  
Glenbrook North, IL



**Elliot Tarloff**  
College Prep, CA



**Stacey Nathan**  
Glenbrook North, IL



**Scott Phillips**  
St. Thomas Academy, MN



**Chris Stanton**  
St. Thomas More, LA

**ERIK CORNELIER:** Former Champion debater and current Assistant Coach, Gonzaga University; Institute Instructor, Northwestern, 1997 and 1999, Michigan State, 1996-99, and Kentucky, 1998-99.

**DANIEL DAVIS:** Former debater, University of GA; Debate Coach, University of KY; runner up 1997 NDT National Champion; Institute Instructor, Dartmouth and Kentucky; 1997-99.

\***KAMAL GHALI:** Senior Champion debater, Emory University, 1997 TOC winner.

**JOSH HOE:** Debate Coach, University North Texas; CEDA National Champion debater, CSU, OK; Institute Instructor, UMKC, Arizona State, Emporia State and Kentucky, 1996-99.

**MICHAEL HOROWITZ:** Senior Champion debater, Emory University; Emory Institute Instructor, 1998-99.

**AARON KALL:** Senior Champion debater, University of Kentucky; President, UK Student Forum, Sponsor of the TOC; Kentucky Institute Staff, 1996-99.

**CHRIS LUNDBERG:** Debate Coach, Emory University; former Redlands University Champion debater; Institute Instructor Liberty, 1997; Emory; 1998-99; and Dartmouth, 1998.

**JASON PATIL:** Assistant Coach, Glenbrook North; Champion Debater, University of Kentucky; University of Chicago LLB.

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**RACHEL SALOOM:** Champion debater, University of West Georgia; Institute Instructor, West Georgia, 1997-99.

**JON SULLIVAN:** Former Champion debater and currently Debate Coach, Michigan State University; Institute Instructor, Michigan 1997-1999; Kentucky, 1998-99.

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# TOP TEN DEBATE SCHOOLS OF THE CENTURY

by James M. Copeland

**T**he Nation's top debate school of the 20th Century is Glenbrook-North (IL). Since the first national tournament in 1931, North has won the Debate Championship four times: 1974 (Steven Davis, coach), 1986 (Jeffrey Wortman, coach) and 1997 and 1999 (Ted Belch, coach). North finished second in 1996 (Ted Belch, coach) and 1980 (Pam Schultz-Takona, coach).

Using the number of final round appearances as a standard, the second best debate school of all time is Seminole, (OK) coached by the legendary H. B. Mitchell: first in 1956, 1958, and 1959 and second in 1938, 1951, and 1955.

Seminole appeared in four finals in five years (1955-1959) and Glenbrook-North has made the stage three times in four years (1996-1999), but may add to their string this year.

Third is Oklahoma City - Classen coached to championships by Hall of Famer C. E. "Pop" Grady in 1937, 1939, and 1941 and another in 1951 coached by Gerald Kidd.

Tied for Fourth is Toledo-Whitmer (OH), coached by NFL's most successful woman debate coach, Esther Kalmbach. Whitmer won back to back in 1971 and 1972 and was second in 1966. Also fourth is Houston - Bellaire (TX), winner in 1968 (Hall of Famer Bill Henderson, coach) and 1979 (Hall of Fame coach David Johnson at the helm). Bellaire also lost the final round in 1984 with Johnson coaching.

Sixth is shared by Elgin (IL), whose unsung coach R. S. Cartwright led Elgin to the title in 1938 and second in 1934 and 1937, and The St. Mark's School of Texas, coached by NDCA founder David Baker, first in 1990 and second in 1987 and 1992.

Also sixth is Miami Beach (FL) HS. Beach appeared in three final rounds, winning in 1954, Margaret Roberge (Sprinkle), coach and losing in 1964, Ernie Beresh, coach and 1975, Ralph Carey, coach.

Tied for ninth is Greenhill (TX) and Westminster School of Atlanta (GA). Both won twice: Greenhill in 1996 and 1998 (coached by Alex Pritchard and Aaron Timmons); Westminster in 1988 and 1991 (coached by Eric Brannan). Greenhill also added an LD title and placed an LD runnerup (coached by Timmons).

Special recognition must go to Vestavia Hills, coached by Hall of Fame doyen Marilee Dukes. The Hill Folk won debate in 1992 and LD in 1994 and 1998. Vestavia, Regis (NY) and Greenhill have won both debate and LD titles.

Near the top ten are Louisville (OH), Edmond (OK), Bristow (OK) and San Antonio-Lee (TX). Each split in two final rounds each, one win and one loss.

Honorable mention is awarded to Mullen (CO), coached by Hall of Fame member Frank Sferra, which lost in two finals 1968 and 1971; Topeka (KS), which lost in both 1931 and 1989 and to Milwaukee-Marquette (WI), coached by James Copeland. Marquette was runnerup in 1971, and the only school to have two teams in the semifinals the same year, 1974; both teams lost.

Unlike the National Catholic Grand Debate final round and the Tournament of Champions final round both closed out by Marquette, the NFL Debate final round has never been closed out and only in 1974 did Marquette have a chance. Bill and Cat Bennett at St. Michael's (NM) closed out LD finals in 1986.

Beside Seminole, (1958, 1959) and Toledo Whitmer, (1971, 1972) no other

schools have won back to back national debate titles. But Bristow (OK) won in 1940 after a loss in 1939, Elgin (IL) lost in 1937 but won in 1938 and Seminole won in 1956 after losing in 1955. Glenbrook-North lost in 1996 but won in 1997.

An oddity is Classen's four titles, coming in stairstep years, 1937, 1939, 1941. After the 1941 tournament the war years intervened so no national tournaments were held. After the war the Principal's Association banned debate at nationals from 1946 to 1950 ("too competitive"). When debate was restored, Classen won again in 1951!

Only two students have captured two national debate titles. Eugene Edwards and William J. Holloway of Classen won as callow sophomores in 1939 and again as seniors in 1941 - but both years with two other teammates as part of a 4-person team. Three other students appeared in two final rounds, Cyclone Covey (what a kewl name) of Bristow in 1939 and 1940 and Doris Ollman and John Amott from Elgin (IL) who lost the finals in 1937 and won in 1938, but in 1937 were part of a three person team.

Only one person has both won the nationals in debate and later coached the national debate championship team. Jeffrey Wortman won in 1981 at Glenbrook-South (IL) and coached the winner in 1986 at Glenbrook-North.

There are many standards to measure the excellence of a debate program. If using a *competitive* standard, these schools which appeared in several NFL national tournament final rounds are clearly the very best in the 20th Century.

*(James M. Copeland has served as NFL Secretary since September, 1986. As a coach he qualified debate teams from Marquette (WI) and Battle Creek Central (MI) High Schools)*

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# TOP TEN DEBATE COACHES OF THE CENTURY

by James Copeland

At the 1959 National Tournament Founder Bruno E. Jacob proclaimed H. B. Mitchell the "Foremost Debate Coach" in America. And justly so.

Mr. Mitchell's debate teams had reached the final round of the National Tournament an unprecedented six times, including three national championships. Seminole High School (OK) was first in 1956, 1958 and 1959; second in 1938, 1951 and 1955. Five times in the same decade was an H. B. Mitchell Seminole team in the final round. Out of 12 teams (state or district winners) who qualified for nationals from Seminole - six made the stage!



**H. B. Mitchell**

H. B. was an interstate debate champion in high school (nationals, nor NFL had yet been invented) and was voted "Outstanding Debater" in college.

Mr. Mitchell summarized his own debate career in his book *Here's the Question*:

It is only the coach who has the desire and the willingness to "pay the price" who will succeed. Successful debaters...are the product of an expert and interested craftsman.

The National Tournament began in 1931. Sixty-one national debate final rounds have been held since then. (No debate championship was conducted during the WWII years, 1942-1945 or from 1946-1950

when the National Principals Association banned debate for being "too competitive"). If Mr. Mitchell is the foremost debate coach of the earlier nationals (1931-1969) Ted Belch is the foremost coach of the later ones (1970-1999). Ted's teams won the nationals in debate in 1981, 1997 and 1999 and finished second in 1996. Belch's debate teams have also won TOC and NCFL titles as well as major invitationals like the MBA Southern Bell Forum, Emory's Barkley Forum and St. Mark's. Belch, still coaching at GBN, is pursuing H. B. Mitchell's record.

If Mitchell and Belch are the top NFL debate coaches of all time the runners-up must be Hall of Fame coaches C.E. "Pop" Grady and Esther Kalmbach. In third place "Pop" coached three teams to finals -- all winners -- in 1937, 1939 and 1941. Fourth place Kalmbach, NFL's top woman debate coach, coached winners in 1971 and 1972 with a second in 1966.

In fifth place would be Hall of Fame Coach Steven Davis who directed teams to three final rounds from three different schools: Glenbrook-North (IL) won in 1974, Alexander-Ramsay (MN) was runner-up in 1978 and San Antonio-Churchill (TX) second in 1988. Davis is still coaching at Vance High School in Charlotte, (NC). Also in fifth place would be R. S. Cartwright of Elgin HS (IL) who coached the 1938 winner with runners-up in 1934 and 1937. NDCA founder David Baker whose St. Mark's team won in 1990 and placed second in 1987 and 1992 is also tied for fifth. Baker still coaches at The St. Mark's School of Texas.

Interestingly, Mitchell coached five finalists in nine years and four in five years. Belch coached three finalists in four years, Grady three finalists in five years and Baker three finalists in six years.

Only Kalmbach and Mitchell coached back to back winners; Mitchell in 1958 and 1959 and Kalmbach in 1971 and 1972; although several coaches had teams in the finals two years in a row.

In eighth place are coaches whose team won twice: P. Eric Brannen Jr. of Westminster (GA) in 1998 and 1991 and the duo of Alex Pritchard and Aaron Timmons

Jr. from Greenhill (TX) in 1996 and 1998.

Honorable mention listing must go to David Johnson of Houston-Bellaire (TX) first in 1979 and second in 1984 and to Frank Sferra of Mullen High School (CO) with two seconds: 1968 and 1971. Both Johnson and Sferra are Hall of Fame members and still actively coaching. Johnson has qualified the most debate teams to nationals: 36.

And don't forget Bristow (OK) coach Joe C. Jackson whose team won in 1939 and lost in 1940.

Special recognition must be accorded to coaches who have placed in *both* debate and L/D at Nationals. Aaron Timmons Jr. with two champions in policy also has a



**Ted W. Belch**

winner and runner-up in L/D. Marilee Dukes of Vestavia Hills (AL) scored a policy win in 1992 and L/D wins in 1994 and 1998. Hall of Fame coach Richard Sodikow had a debate finalist in 1983 and an L/D winner in 1984.

No coach has closed out debate at NFL Nationals but one coach, James Copeland of Milwaukee-Marquette (WI), come close with two teams in semis in 1974.

There are many ways to select the greatest coaches of the century just passed: teaching ability, victories on the national circuit, state championships, successful students in later life, etc. But if the standard is success in debate at Nationals, the above list chronicles the all time greats.

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- Glenbrooks: 1999

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- Glenbrooks RR: 1998
- Tournament of Champions: 1999
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# POST- MODERN CRITIQUES AS STRATAGEMS IN THE POLICY DEBATE DISCOURSE

by

**David J. Glass, M.D.**  
**Debate Coach,**  
**Edgemont HS**

Perhaps the most dramatic change in academic policy debate over the last decade has been the introduction of a new class of argument called a "critique" (also spelled "kritik" by those seeking to reference the cultural roots of some versions of the argument).

Critiques reference in their myriad examples a range of disparate thinkers, but have coalesced into a similar *form*, with a particular purpose in a round of competitive Policy Debate. A pervasive subset of Critiques invoke a school of academic discourse known as "Post-Modern Criticism." There are many different strains of Post-Modernism, and reviewing them all is beyond the scope of this paper, but it is important that the reader be introduced to the work of at least two authors, Michel Foucault and Martin Heidegger, in order to understand these archetypal examples of this new debate position.

It is ironic that a more complete appreciation of Foucault and Heidegger, and recourse to the analytical methodology they helped evolve, serves to undermine the unique strategic potential of the post-modern critical discourse, rendered as The Critique, as a constructed tool to gain victory in a round of Policy Debate.

Foucault was a historian who sought to increase understanding of certain classical systems of knowledge, through the very rejection of descriptive historical analytical norms such as tradition, continuity, and evolution, insisting that a discourse should be evaluated in the "now". One might be tempted to view Foucault as a social biologist in disposition; his studies of both sexuality and the scientific method betray his respect for the quantifiable, and his meticulous and vast descriptions of phenomena are reminiscent of the zoologist describing a new species, or an anthropologist a novel culture. However, unlike a traditional scientist, Foucault was a relativist, and relentlessly criticized the idea of objective truth, describing instead relative accepted-truths operating as part of a system of cultural norms. His archeology of history rejected the norms of history (such as an ordering of events in a constructed sense of continuity), demonstrating his methodology of stepping "outside the box" of the intellectual project he is analyzing. However, it is imperative to note that Foucault's descriptions are not determinative. Foucault writes, in *The Archaeology of Knowledge*:

"My aim is not to transfer to the field of history, and more particularly to the his-

tory of knowledge, a structuralist method... My aim is to uncover the principles and consequences of a... transformation that is taking place in the field of historical knowledge.... My aim is most decidedly not to use the categories of cultural totalities in order to impose on history, despite itself, the form of structural analysis. The series described, the limits fixed, the comparisons and correlations made are based not on the old philosophies of history, but are intended to question teleologies and totalizations..." (pg 15)

*He continues, speaking of his own work:*

"It is not critical, most of the time; it is not a way of saying that everyone else is wrong. It is an attempt to define a particular site by the exteriority of its vicinity; rather than trying to reduce others to silence, by claiming that what they say is worthless, I have tried to define this blank space from which I speak, and which is slowly taking shape in a discourse that I still feel to be precarious and so unsure." (pg 17)

Thus, a sense of Foucault's method is gleaned: he seeks to reveal by *pure* description, by writing a history "of the present", showing how relationships *are* by determining where one event touches another. However, Foucault perturbs the present in a particular way: not by peeling back current events and relating them to the past, but by disassociating each thing from those discrete objects around it, in order to better observe what *this* object is, as opposed to *that*. As Andrew Barry, Thomas Osborne, and Nikolas Rose note,

"Such a fragmentation of the present is not undertaken in a spirit of poststructuralist playfulness. It is undertaken with a more serious, if hopefully modest, ambition - to allow a space for the work of freedom. Here, indeed, the place of ethics is marked in Foucault's thought. Analyses of the present are concerned with opening up "a virtual break which opens a room, understood as a room of concrete freedom, that is possible transformation"; the received fixedness and inevitability of the present is destabilized, shown as just sufficiently fragile as to let in a little glimpse of freedom - as a practice of difference - through its fractures...." (pg 5)

In the search for freedom, Foucault noted its absence, through the introduction of the idea of *disci-*

*plinary power.* Given the present context of the Policy Debate discourse, it is perhaps ironic to note that Foucault's main descriptions of disciplinary power were apolitical. Rather, Foucault was initially concerned with bodies and individuals escaping what he referred to as bio-power, or control induced by the application of medical norms on the individual. The application of Foucault's *ethos* and method to political discourse only came later, through a series of interviews and essays, but not in a single unifying text by Foucault. When asked about political discourse, Foucault placed disciplinary power as belonging to neither sovereignty nor government, but part of a triangle of sovereignty-discipline-government, a shape which perhaps helped to generate the idea that power is fluid, and that the use of power results in its own destruction, since it can be owned by neither the government nor the governed.

The juxtaposition of Foucault's overarching care to avoid structuralist tendencies with the use of his discourse by policy debaters to advocate the negation of a particular point of view is thus deeply unsettling. Indeed, coming to Foucault's actual writings *after* having heard examples of his discourse rendered in a debate round was a jaw-dropping experience for me, because of the complete discontinuity of Foucault's project with the appeal to negation of a particular discourse in a round of policy debate. Contradiction seems to be an inadequate term for those who advance Foucault's discourse as an appeal to negate a proposed course of action. What is going on here is more than a contradiction; it is an active structural construction of a new totalizing norm, *arguing in favor of a rejection* where Foucault definitively dismisses any such action, existing in the realm of the debater trying to win an argument where Foucault appealed for an avoidance of normalizing tendencies, a grab for *disciplinary power*.

#### **Pat O'Malley noted that:**

"Almost the defining property of Foucault's conception of disciplinary power is that it works through and upon the individual, and constitutes the individual as an object of knowledge. In the disciplines, the

central technique is that of normalization in the specific sense of creating or specifying a general norm in terms of which individual uniqueness can be recognized, characterized, and then standardized. Normalization in the disciplinary sense thus implies "correction" of the individual, and the development of a causal knowledge of deviance and normalization." (p 189, Foucault and Political Reason)

#### **Foucault wrote that:**

"what we are concerned with here is not to neutralize discourse, to make it the sign of something else, and to pierce through its density in order to reach what remains silently anterior to it, but on the contrary to maintain it in its consistency, to make it emerge in its own complexity." (p 47)

Foucault is thus the anti-debater. He seeks not to affirm or negate, but to understand what exists in the *now*.

Is it possible that debaters who advance the Foucault Critique as an appeal to Negate are unaware of this problem? An oft-used response cited by debaters when presented with this apparent problem is that negation is not an appeal to endorse the Negative, but rather to reject the affirmative discourse. But, as we have already seen, Foucault himself avoids any such rejection, and substitutes a desire for complete understanding. Given the discontinuity between Foucault's method and how his discourse is referenced in a debate round, the question remains: why is Foucault being used in such a manner? The answer to this question involves stepping back from the inner-workings of the Critique discourse during the debate, and focusing on the actual structure of the Debate Round, which will be referred to as the "Policy Debate discourse." Foucault's method will be applied to an Archeology of the Critique in the Policy Debate discourse.

#### **Foucault wrote:**

"One last precaution must be taken to disconnect the unquestioned continuities by which we organize, in advance, the discourse that we are to analyze: we must renounce two linked, but opposite themes. The first involves a wish that it should never be possible to assign, in the order of a discourse, the irruption of a real event; that beyond any apparent beginning, there is always a secret origin - so secret and so fundamental that it can never be quite grasped in itself. Thus one is led inevitably, through the naivety of chronologies,

towards an ever-receding point that is never itself present in any history... Discourse must not be referred to the distant presence of the origin, but treated as and when it occurs."

However, he continues:

"These pre-existing forms of continuity, all these syntheses that are accepted without question, must remain in suspense. They must not be rejected definitively of course, but the tranquility with which they are accepted must be disturbed; we must show that they do not come about of themselves, but are always the result of a construction the rules of which must be known, and the justifications of which must be scrutinized..." (p 25; the Archaeology of Knowledge)

#### **How then to proceed?**

"First we must map the first *surfaces* of their *emergence*... We must also describe the authorities of delimitation.... Lastly, we must analyze the *grids of specification*... But the above enumeration is inadequate... How can one speak of a 'system of formation' if one knows only a series of different, heterogeneous determinations, lacking attributable links and relations?" (p 41)

It should therefore be made explicit that, despite the necessary beginning, middle, and end, the narrative to follow cannot have a "real" starting point, thus alerting the reader to the obvious multitude of events still "out there" which are excluded in this short story, and also noting that the underlying purpose of this synthesis will be laid bare, and subject to scrutiny. Indeed, in *The Order of Things*, Foucault offers a specific synthesis of how modern science developed (see, for example, page 345). Thus, it seems such an exercise is well-grounded, with the appropriate caveats and cautions. As an additional measure, we might reject the idea that the synthesis which follows is a "history", and say rather that it is a narrative of where I am *now* in terms of my dispositions towards the Critique in Policy Debate. I'm not trying to be "cute" here; while this narrative has the form of a conventional history, we strip it of its pretense as "The Way Things Came to Be" by unmasking it as the author's synthesis, and render it instead as an Archeology of my current understanding of the activity. On the other hand, it may be informative to temporarily suspend the post-modern ethos in order to understand an in-



stance of its use, thereby stepping out of the Method in order to see how it is working in the present discourse. There is clearly a tension here, but hopefully it will be resolved before we have finished. Here then is my narrative:

### **The Rise of The Critique in the Policy Debate Discourse**

The evolution of Policy Debate has been punctuated by radical innovations. What has remained constant is the basic format: two individuals advocate the Affirmative, whose goal is to prove a Resolution of Policy true, most commonly by advancing a specific plan-of-action to solve a particular problem as an example of the truth of the resolution; two individuals advocate the Negative, who need prove the resolution false.

The majority of innovations in Policy Debate can be traced to the development of tactics taken by the Negative. The first set of argument-classes used by the Negative included: inherency arguments, geared at showing the plan was unnecessary, because the status quo was capable of the problem; the use of solvency arguments to show that the plan wasn't up to the task of solving the problem; and the use of the Disadvantage, to show that the plan would incur certain deleterious consequences, which outweighed any good that it might do. These arguments constituted the majority of the Negative arsenal. The Disadvantage was clearly most useful strategically, since it actually provided an offense to the negative, a reason to vote against the plan. In order for a disadvantage to be applicable, it had to provide a link between what the Plan advocated and the deleterious impact presented. Also, and this will be important later, that impact had to be Unique to the affirmative. In other words, it would not matter much if the Plan resulted in inflation if inflation was already occurring, unless there was an additional and unique harm to increasing inflation further.

For about ten years, and very occasionally this debate recurs, there was a distinct thread of theoretical argument as to whether the resolution or the plan should be the focus of the debate - this was practically resolved in favor of the plan, since a resolutorial focus would allow a near-infinite number of alternate justifications for the resolution by the affirmative, and an equally large number of negative counter-warrants aimed at proving the resolution false, by demonstrating potentially disad-

vantageous examples of the resolution.

The early eighties gave rise to the wide use of the Counter-plan by the Negative. Instead of simply defending the status quo, the Negative was now able to offer an alternative to the plan. The test of whether the counterplan was superior to the plan was found in a theory called Competitiveness - the counterplan was found to be competitive with the affirmative if it provided a Net Benefit - if it solved the problem that the Affirmative Plan sought to solve, while avoiding a Disadvantage that the Affirmative accrued. The Affirmative could seek to test whether a Counter-plan was competitive by Permuting the counter-plan, thereby asking if the simultaneous adoption of all of the plan, plus all or part of the counterplan, would be worse than doing the counterplan alone. If advocating simultaneous adoption of the counter-plan and the affirmative would result in avoiding the disadvantage, then the counter-plan was not competitive. If however, there would be a net benefit to simply doing the counterplan, and not doing the plan as well, then the counterplan was shown to be superior.

There were many examples of counterplans advanced, the earliest constituting a test of the word "federal" in the resolution. Since most resolutions required action by the federal government, and thereby gave rise to plans which called for federal-level legislation, one of the earliest counter-plans written was the argument that legislation by State governments would be preferable, originally because State government action would avoid an infringement of Federalism, but also because it would avoid either positively or negatively affecting presidential popularity. Attempts to permute State action, and argue that simultaneous action of the Federal government and the State government would actually be preferable, were unsuccessful, because such action would still incur the Reagan, and then the Bush, and then the Clinton argument.

Then came a much more radical test of the words "federal government" in the resolution - the Anarchy Counterplan. This counter-plan argued that instead of the government action advocated by the Affirmative, the federal government should be dismantled in its entirety, because governments lead to militarism and war. However, while this argument enjoyed some early success, someone eventually discovered that it was vulnerable to a permutation - the affirma-

tive could still defend that the federal government should do their plan, while advocating that all other aspects of the federal government should be dismantled; this permutation solved for the militarism of government, while still allowing for the advantage advocated by the Affirmative - the counterplan thus did not have a net benefit, and was dismissed on the grounds that it did not compete with the plan.

However, the Anarchy idea did not go away. It came back as a disadvantage called Statism. The Negative argued that the plan served to entrench the state, by presenting a policy which was seen as advantageous, thus allowing the state to continue its evil ways. This argument, however, suffered from a lack of uniqueness: the Affirmative was able to show that even without the plan, the state would continue to exist, and that therefore the affirmative plan should not be rejected for doing something advantageous, since no quantifiable harm could be assigned to an entrenchment.

Therefore, those seeking to advance arguments in Policy Debate aimed at undermining the very existence of government could not find an appropriate tool in the Argument-Forms then available: the counterplan would be permuted; the disadvantage was not unique. In purely structuralist terms, there was a strategic and therefore technical Problem which demanded a technical Solution. A new Form of argument was found to be needed, and that form was constructed as the Critique.

The Critique did not irrupt from nothing, but rather exploded out of frustration with the Counterplan and the Disadvantage, borne by the desire for an argument which did not have to be Unique and could not be Permuted, by the wish to say this particular "thing" and have it "matter" in the Policy Debate discourse. Where there was once a Statism Disadvantage, there was now a new player, the Statism Critique, which would not be denied by Uniqueness... Or would it?

When the Statism Critique was first offered, it was taken seriously by very few. It smelled and felt like a Disadvantage, so it was treated as such. When it was argued that the Argument did not have to be Unique, the response was "Why Not?" It was still the case that the State would exist with or without the Affirmative, so why should this new construct be any different in its call for rejection of an Affirmative which, when *fiated*, would do some dem- (Glass to page 22)

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onstrated good? This early frustration with achieving victory with the new Argument highlighted a remaining technical problem in fitting the Critique into the realm of the Policy Debate discourse: *fiat*.

*Fiat* is one of the primary theoretical tools available to the Affirmative (and, in the case of counterplans, to the Negative); it allows for the assumption that the plan proposed is actually implemented, so that the plan's effects might be tested. Without *fiat* the Affirmative would be caught in an impossible double-bind between the burden of demonstrating the plan to be necessary, by proving the existence of some inherent barrier in the status quo which blocks a present solution to the problem, and proving that the plan is effective; if the inherency of the problem is demonstrated to be due to the intractable nature of the present legislature, then this same legislature would obviously not be pre-disposed to the plan. *Fiat* allows the affirmative to ignore questions of plan implementation. Unfortunately for early versions of the Critique, *fiat* also proved to be a potent tool in justifying the need for an argument to be unique. If the plan made the status quo better, why not adopt it, given that the same State existed in the world before and after plan adoption?

The problem of *fiat* gave rise to the second technical innovation instituted through the advocacy of the critique: the notion that *fiat* was illusory. At first, this point seems to be stunning in its obviousness, and in its implicit assumption that the Affirmative was suffering under the delusion that their plan was actually implemented by the Powers-That-Be upon the signing of the debate ballot. But the statement that *fiat* is illusory was used to try to wrest away from the Affirmative the *fiat*-tool, in order to limit to the Affirmative the *Idea* that they sought to promote the State *through their discourse in the debate round*. The Negative claimed that the Affirmative's proposal had impact only on the discursive level, only in that the discourse favored by the Affirmative had the effect of demonstrating the State to be good. Under this model, where *fiat* is illusory, the only thing that matters is what the Affirmative says, and if they say the State is good, that's a unique example of such a claim, thus linking uniquely to the Critique. We thereby see how, with this second technical innovation, the Critique came to grab hold - while on the surface shunning the notion of Uniqueness, the Critique was able to establish unique-ground by link-

ing the simple utterance of the Affirmative to the implications of the criticism.

The Affirmative needed to have an answer, and countered on two levels. First, the Affirmative sought to argue that *fiat* is a test - no one, obviously, believes that *fiat* "happens", but it is impossible to discuss the policy implications of the plan without the assumption that it happens. Second, the Affirmative stood up one day and Permuted the Critique. The Affirmative argument was that it was possible to simultaneously recognize that the State is bad, while using it to do some concrete good. Further, this combination was superior to simple criticism, because it solved for any implicit assumption that the State may be good, while still arguing for the solution of the problem. Here, the Negative responded as follows: "You can't permute a Critique."

### We'll return to the Permutation dispute momentarily...

The change in the notion of *fiat* allowed for an even wider proliferation of Critiques, and brought forth a more fundamental level of criticism, onto the level of Truth and Power.

Post-Modernism came more strongly to the foreground of the Critique palette with the Critique of Normativity. This argument sought to go to the most fundamental basis of debate, and held that Normative Thought itself was untenable. Unfortunately, the Negative advancing this criticism was caught in a double-bind, because by asking the judge to vote for the Negative, they were requesting a normative judgement. This particular double-bind may have been part of the third Technical change to the Policy Debate discourse wrought by the Critique - the appeal to pure Negation. According to the Negative, the Criticism required the judge to reject the Affirmative discourse. This rejection was not tantamount to the endorsement of *anything*, including the status quo. It was simply a recognition of the criticism, that the Affirmative discourse was undesirable. The fact that such Negation resulted in the Negative side winning the debate was simply an accident.

### Indeed.

Critiques were now resulting in debate wins. Perhaps, therefore, it was not a complete coincidence that they were also gaining in popularity. However, there was still widespread resistance to them, until the introduction of two additional Post-Modern Critiques - the Foucault Critique, and

the Heidegger Critique.

We have already introduced Foucault. Martin Heidegger seemed to hold much promise for the Critique debater, because it was his position that the framing of an issue as part of a problem-solution dichotomy would inevitably lead to failure. Heidegger thought that the separation between the idea of the problem and that of the solution was illusory, and that attempts at making technical fixes as part of a rational mind-set constituted a constructed facade; an alteration of the *thing* by a desire to change it. Since the very form of the Policy Debate discourse demanded that the Affirmative frame discussion under a problem-solution rubric, use of Heidegger's concept was a natural for the Negative.

### Thus ends my narrative.

We have now before us the Critique as a distinct Entity. However, all discussion of: the Critique's "validity"; the theoretical properties of the Critique; and substantive counter-points to the Critique have been issued within the confines of the Debate Round, without the recognition of the existence of an over-arching Policy Debate discourse. To my knowledge, what has not occurred is an Archeology of the Critique as part of that discourse, or a critique, if you will, of The Critique in the Policy Debate Discourse.

The Critique does not stand alone, divorced of purpose. It stands in relation to other Arguments in the Policy Debate round. There are tests available to determine its purpose. Here is a thought experiment: If there is doubt that The Critique is advanced by the Negative to win a Debate Round, perform the following experiment: when the Negative says that a Critique cannot be permuted, answer this way: Why not?

### Why Not?

If the purpose of a Critique is discursive in nature, why isn't that discourse fluid? It is as if the Negative is saying to the Affirmative: you may not agree with me, it is simply not allowed! But this is a case wherein the honest and thoughtful and sincere concession of the Negative argument results in its disappearance, so to allow such a concession would be disastrous for a Negative effort to Win the Debate. What other purpose could there be to forbidding a Permutation of the Critique other than maintaining ground on which the Negative might win the debate? If the goal was simply dis-

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cursive... if the goal was simply to accept The Critique for What It Is, one might think that the more acceptance, the better! But in the Policy Debate discourse, the Critique could *not function as a strategic argument* if it were permutable, so the Negative cannot allow the Affirmative to accept it.

It has been argued that the permutation of a Critique is insincere, that when the Affirmative adopts the Criticism they do so merely to make it go away, and therefore their advocacy is hollow. But this argument works both ways - if the Negative can accuse the Affirmative of falsely advocating the Critique for the purpose of Winning, why can't the Affirmative similarly accuse the Negative of just this thing? And who is in the better position to win this argument - the team which says "I agree with you," or the team that says "You may not agree with me."

The advocacy that the Critique may not be permuted is simple proof that the Critique has a purpose in the Policy Debate discourse, and that purpose is to win. (On another level, it is almost laughable that such a great effort has to be extended to prove this point; ask yourself this: who in a Policy Debate round makes arguments for any purpose other than to win the Debate?)

The Critique is thereby unmasked as much more than what it is claimed to be. It is a tool to win a debate round. And in this case it is a tool which has been constructed, piece by piece, to avoid theoretical and strategic pitfalls suffered by other arguments. The Critique is a structured entity in the greater Problem-Solution framework of the Policy Debate discourse - the problem is: How do you win the debate round? The solution is: run the Critique.

The act of advancing a Critique thereby is subject to the Heidegger argument - if discourse is all that matters, and the Affirmative is to be Criticized for posing a problem-solution dichotomy to address the harms of the case; then the Negative is subject to Criticism discursively for constructing a Solution to the Problem of winning the debate; the proof of the construction is the negative claim: *You may not agree with me.*

Let us pause for a moment, and recall Foucault. Foucault said that power is fluid, and traced it as it shifted back and forth between individuals. In the Policy Debate discourse, power was originally held by those who opposed the notion that the State is good, because the Affirmative held the

Argument-tools to defeat that idea in its forms as a Counter-plan or as a Disadvantage. This could be seen as an instance of Disciplinary Power, where the judge was compelled to discipline the Negative, chilling their discourse. Then came The Critique, and power was shifted to the Negative. Now the Affirmative was bereft of Argument-tools, and suffered the disciplinary power of the judge: any discourse which advocated that a problem might be solved, or that the State may be used, was rejected. This flow of power is quite an impressive display of the insight of Foucault - it demonstrates how disciplinary power leads to resistance, which leads to its own destruction. But now there is a unique situation: the disciplinary power is held by a side which is arguing *against* the use of disciplinary power! And discourse if being silenced by invoking an author who cautions *against* any silencing of discourse. This untenable situation inevitably leads to the sapping of the Negative's disciplinary power: no one who advocates Foucault or who advocates Heidegger can use these Critiques to win a debate round. Power is fluid. Permutations are possible.

Does this back-and-forth constitute a never-ending series of double binds? No - there is hope. The original Affirmative advocacy is structuralist and humanist in its intent, and therefore there is no contradiction with that advocacy and the construction of the permutation. Also, it is simply the case that Foucault believed in rights, and believed in the possibility of governmental change - he even participated in demonstrations, and argued for governmental changes which increased individual liberty.

Looking at how the Critique exists now in the Policy Debate discourse, one is buffeted by ironies. The original desire to criticize the state has resulted in an argument which protects the state from any attempt to change. From a desire for radical transformation springs forth a position complete in its totalizing nature. This totalizing characteristic of the absolute refusal that the State may be used for good gives rise a new plea for liberty, a new resistance to disciplinary power. Liberation is to be found in a simple mechanism - the ability to speak and to debate. The Affirmative may say: "I can agree with you; I am allowed to say what I will say, and I agree that the State can be bad; I agree that certain problem-solution dichotomies are false; I agree that threats can be constructed." To achieve

liberty, the Affirmative need only say: I agree. To deny the Affirmative this discourse is indistinguishable from any Totalitarian denial - what is the difference between saying "you may not speak what I speak" and saying "you may not speak"? They are of a continuum. An equally serious irony is the discontinuity between the projects of Foucault and Heidegger and the totalizing manner in which their projects are utilized in the Policy Debate discourse. Some have argued that Heidegger's program gave rise to Totalitarianism - but that may be because of the surprising way in which the desire for radical transformation seems to collide on a circular path with the totalizing nature of an Argument for which the Critique debater argues *there is no way out...*

There are remaining issues, such as: what is the judge to do, faced with the Foucault critique of the Foucault Critique, or the Heidegger critique of how Heidegger is used in the Policy Debate discourse? If the judge were to listen to the Negative, who advocates rejection, then the judge would reject the negative. If the judge were to listen to Foucault, she or he would simply understand and comprehend the Critique for *what it is*, but would not use it to silence any discourse. It would simply *be*, without serving as a structuralist mechanism to secure a victory.

### What about the other Critiques?

Foucault and Heidegger are still there, available to the Affirmative to unmask any claim that these arguments are not permutable, or need not be unique. Once the permutation is accepted, then what happens depends on the argument. At least discourse is not stifled, and power is shared.

Writing in the November 28th, 1999 issue of the New York Times Magazine, Jacob Weisberg discusses the current struggle between former American Communists and anti-Communists, and the battle for understanding and for historical redemption. Weisberg finds his way between these two diametrically opposing camps in the advocacy of the liberal anti-Communists.

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(Glass to page 58)



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# POSTMODERNISM AND THE PRACTICE OF DEBATE

by Roy Schwartzman, Ph.D.

## Debating Postmodernism

The concept of postmodernism has gained so much popularity in competitive debate that it has been advocated as a decision-making paradigm (Kramer & Lang, 1993). Careful consideration of the suggested paradigm occasions reflection on the role postmodernism might play in academic debate. This essay explores the proposal that debate should be conducted according to a postmodern perspective. An examination of postmodernism reveals that postmodern tendencies, particularly advocacy of inconsistency, run counter to the goals and conduct of debate. Next, the purported advantages of postmodern perspectives are subjected to critical scrutiny. Finally, the repercussions of postmodernism for academic debate are discussed.

The term *debate* applies generically to any rule-governed argumentative exchange. Specific applications to competitive debate are identified as *academic debate*. As employed in this essay, the issues regarding postmodernism in academic debate represent a particular context for confronting postmodernism beyond the forum of debate rounds *per se*.

## Clarifying the Concept of Postmodernism

It is difficult to identify the species of postmodernism theorists such as Kramer and Lang (1993) advocate when they propose it as a paradigm, because they do not link the postmodern characteristics they associate with a particular intellectual tradition. Defining postmodernism is troublesome, for it does not describe a methodology, doctrine, or any static body of theory. It "remains, at best, an equivocal concept" that defies pigeonholing (Hassan, 1987a, p. 23). The varieties of intellectual projects and artistic objects labeled as postmodern cast some "doubt [as to] whether the term can ever be dignified by conceptual coherence" (Boyne & Rattansi, 1990, p. 9). Instead, postmodernism qualifies more as a spirit of inquiry, an attitude that distrusts universalization and promotes the revelation of internal inconsistencies. Hassan (1987a) has inventoried the prominent characteristics of postmodernism in its various incarnations. These qualities include:

1. Privileging indeterminacy instead of finality. This resistance to finality also implies a rejection of historical teleology (Zavarzadeh & Morton, 1991).
2. Recognition that reality is fragmentary and disconnected, thus history is discontinuous not linear (Lyotard, 1989).
3. Opposition to all canonical authority.
4. The free mixture of styles, genres, and traditions.
5. Emphasis on the conditionality and historicity of theories, which offer perspectives rather than ultimate answers.
6. Focus on the processes of creation and interpretation instead of on static objects or ideas.

## Qualities

Each of the preceding qualities invites appropriation by debaters:

1. Precedents and model programs are treated with suspicion, since they imply continuity with the past. If an affirmative plan has worked as a pilot project, that success may have been due to the monopolization of funds and skewing of reporting by the dominant power interests than to the merits of the program.
2. The critique of causality is subsumed by postmodernism, because assertions of causal linkage are questioned. Furthermore, definitive knowledge is disavowed.
3. There is no decision rule that transcends the individual round.
4. Multiple paradigms can co-exist productively.
5. Claims are evaluated not as true or false themselves, but are contextualized as having truth-value only within specified parameters. Not only are conditional arguments recommended, but all arguments are subject to revisions that restrict their domain of applicability.
6. Instead of evaluating the resolution or affirmative plan as a concrete proposal, debate would focus on the assumptions behind the way terminology is employed. The argumentative process becomes the center of attention, not supposedly completed proposals offered for wholesale adoption or rejection.

## Importing Postmodernism

When postmodernism is suggested as a model or mindset for the practice of

debate, it may be imported in one or more of the preceding ways.

There is a big difference between observing what could be called a postmodern condition and elevating that condition to an "-ism" that would regulate argumentative practice. Marshall (1992) understandably recommends erasing the -ism suffix because it "suggests that here is something complete, unified, totalized" (pp. 4-5). Postmodernism, in a word, resists specification as a doctrine or method. Richard Bernstein (1991), frustrated with the inchoate ways that 'postmodernity' has been used, suggests abandoning the term altogether. Instead, he recommends further investigation of the issues raised under the rubric of postmodernism. To clarify those issues, we must examine the assumptions and implications of postmodernism.

Postmodernism in debate might seem to be a *fait accompli*. After all, the multiplicity of paradigms could testify to the localization of epistemological claims, thereby enacting the postmodern admonition to "give up the luxury of absolute Truths, choosing instead to put to work local and provisional truths" (Marshall, 1992, p. 3). This point invites two responses. First, a plurality of paradigms does not require or prove the presence of postmodernism. The conditionality and multiplicity of truths can be and is accomplished without any need for abandoning a progressive ideal of *better* argumentative practice. Ideas and practices can improve without positing a singular epitome of perfection. Second, the presence of multiple paradigms and their tendency to proliferate testifies to the problematic epistemological status of research in debate. An invitation to construct ever more "new and improved" paradigms—what debaters might label "paradigm proliferate"—undermines claims for debate to acquire scholarly legitimacy. Let us consider each point.

To scrutinize postmodernism, it is useful to turn to figures such as Rorty and Lyotard, considered "the original sources of postmodern philosophy" in America (Lemert, 1991, p. 181). Lyotard "remains today perhaps the most influential theorist of postmodernity" (Boyne & Rattansi, 1990, p. 13), and his book *The Postmodern Con-*

dition" enjoys a certain definitive status in discussion[s] of postmodernism" (Callinicos, 1990, p. 3). In most of its incarnations, postmodernism designates the distrust of comprehensive rational foundations of knowledge. Rejection of foundationalism often targets scientific reasoning, which has epitomized ultimate explanations in the absence of authoritarian pronouncements (the ultimatums of autocrats) or divine law. The fact that science bears the brunt of postmodern wrath will loom large when we reconsider paradigms.

The advocacy of a postmodern paradigm strikes a discordant note because postmodernism and paradigms as employed in academic debate are incompatible. Postmodernism as an epistemological orientation rejects transhistorical criteria for what counts as truth, knowledge, or meaning. Put succinctly, a postmodern attitude fosters "incredulity toward metanarratives" (Lyotard, 1984, p. xxiv). Surprisingly, Kramer and Lang defend postmodernism while offering it as "an overarching argumentative strategy" (1993, p. 58). Any attempt to construct an argumentative framework that has universal validity no longer qualifies as postmodern, but falls squarely within the conventionally modernist mission of modeling debate after science (hypothesis testing), legislative deliberation (rational policy making), or storytelling (narrativity).

A less relativistic version of postmodernism would not undercut the employment of paradigms *per se*. Instead, it would pose paradigms provisionally, advocating the reflexive recognition that one is operating within the constraints of a culturally and historically specific "paradigm of thought" (Marshall, 1992, p. 3). In short, any theory operates "within a certain paradigm" of background assumptions (Marshall, 1992, p. 187). This version of postmodernism offers cumbersome theoretical baggage that acknowledges what current debate practice already takes into account. Does any debater or critic claim that a paradigm offers a path to ultimate truth? Probably not. When explaining hypothesis-testing, Zarefsky characterizes the knowledge available through debate as probable truth which, like scientific knowledge, is not "eternal and unchanging" (1992, p. 255). Instead, paradigms lend structure to argumentation by providing models for the argumentative process (Berube, 1994). Depending on the paradigm employed, different criteria for assent will receive more or less emphasis.

### Purported Advantages of Postmodernism

Zavarzadeh and Morton (1991) contend that cogent arguments against postmodernism can arise only from considering its "consequences and effects" (p. 121). In other words, what sorts of attitudes and practices would result from a postmodern perspective? The emphasis on effects is prominent because, the authors contend, any logically based arguments (e.g., accusations of logical inconsistency or fallacious reasoning) would attempt to subject postmodernism to the strictures of the very logical framework it rejects. Taking this point a step further, "the very deployment of logical argumentation against (post)modernism would unfortunately legitimate a rather reactionary notion of truth" because it would presume universal criteria for rationality that restrict innovation and invest only one disputant with The Truth (Zavarzadeh & Morton, 1991, p. 121). Zarefsky (1992) makes a similar point in the context of debate. He explains that the choice among paradigms is difficult because none can be attacked except on the terms it recognizes as legitimate. Zarefsky suggests examining how a paradigm might undermine its own purposes. Let us consider how postmodernism might do just that.

Postmodernism sometimes gets touted as a dramatic rupture with the past, a radical discontinuity with Enlightenment traditions of rational discourse. In this sense, it is tempting to label the postmodern movement a paradigm shift in argumentative rationality. That label, however, would generate more confusion than clarity. Postmodernists could contend that the traditional ideals of debate were valid but have outlived their usefulness. If this were so, then proponents of postmodernism would be advocating a form of historicism that presumes an ability to judge (on heretofore unidentified grounds) the compatibility of theories with events (Crook, 1990). That is, postmodernists would presume to know the moment in history when an idea no longer serves a function. Such a claim runs counter to the postmodern enthusiasm for indeterminacy. On the other hand, if traditional argumentative rationale is wrong or undesirable in principle, then postmodernism's opposition rests on the very sort of universal standards or truths postmodernism decries.

### Social Emancipation

The varieties of postmodernism share a political focus (Boyne & Ratansi, 1990, p. 23) in their goal to recover discourse that

has been marginalized or silenced by hegemonic ideals of argumentation. In debate rounds, the advantages associated with postmodern critiques,<sup>1</sup> for example, usually stem from giving "voice to the powerless and marginalized" (Lake & Haynie, 1993, p. 17). In fact, postmodernism may be characterized as "a shifting and differential cultural site of social struggles" rather than a "settled or stable" set of doctrines (Zavarzadeh & Morton, 1991, p. 106). If postmodernism *per se* has a project, it is to disrupt the argumentative ideals that constricted discourse to conform with Enlightenment models of rationality. In the context of public or academic debate, a postmodern project would involve revising the canon of "classic" argumentative exchanges to include discussions that fall outside the mainstream political parties and campaign issues. The question arises, however, as to why postmodernists would recommend such revisions.

The inability to find an answer in postmodernism has made some feminist theorists uncomfortable with a postmodern emancipatory project. Since postmodernism devalues consensus as a central objective, it falls short in explaining why any underrepresented group such as women might merit recognition *as a group* (Lovibond, 1990). By placing highest priority on continuance of discourse, postmodernism cannot identify or endorse material signs of progress toward reducing oppression. Quite the contrary: by aiming for continuance instead of closure, disagreement and contentiousness (not concessions or acts of liberation) have intrinsic merit (Lovibond, 1990). Lyotard envisions the task of postmodern philosophy as "multiplicity and the incommensurability of works" (1989, p. 193), which promises greater diversity but less sharing or amalgamation of ideas. Postmodernism leaves the deeper questions about the roots of oppression and marginalization unanswered. Lyotard's proposed fertilization of incommensurability surely does not hold much promise of greater empathy with the oppressed. What resources does postmodernism offer for expanding the ranges of options open for underrepresented populations (Lovibond, 1990, p. 172)? To expand available opportunities requires more far-reaching social actions than individual deviations from norms or distrust of totalizing narratives. Postmodernism in any of its incarnations has failed to give methods for dealing with uncertainty, the dis-

trust of timeless truths, and the decay of universal values. Postmodernism provides insufficient inventive resources to provide solutions for the narrow epistemological habits it criticizes.

If postmodernism can earn its keep as a productive or advantageous mode of thought, it must offer some methods for resolving disputes and reaching decisions. Lyotard recognizes this difficulty writ large as a challenge to communication itself: "You multiply manners of speaking and sensing, but how will you communicate? The contemporary artist knows that this difficulty in communicating happens" (1989, p. 193). But the artist fuels irresolution instead of quenching it. Postmodernism offers few recommendations for improving the means to effect social change or render judgment. This lack of a critical edge has led Rorty (1991a) to criticize postmodernists such as Foucault for revealing the methods of social manipulation without providing routes to escape them. Similarly, James L. Marsh finds in postmodernism "no criteria to indicate whether or why we should move forward, no groups identified whose position in the social structure presents a possibility or probability of transcendence, no identifiable crisis points within the system" (1992a, p. 94). Postmodernism ultimately endorses "a stance of pessimism and quietism" on social issues since "it can offer no positive, constructive ethics or politics" (Marsh, 1991a, p. 94; 1992b, p. 208).

It is inappropriate to discuss postmodernism as "an overarching argumentative strategy" (Kramer & Lang, 1993, p. 58) since postmodernism is directed against the very notion of such all-encompassing discursive strategies. Lyotard's opposition to Habermas's advocacy of universal consensus lies in the denial of "metaprescriptions regulating the totality of statements circulating in the social collectivity" (Lyotard, 1984, p. 65). Lyotard enjoins his readers to "wage a war on totality" (1984, p. 82), a call that does not sound conducive to paradigm-building, or to sweeping reforms that would target the institutional bases for repressive social practices.

Postmodernism, unlike critical theories such as feminism or socialism, provides few if any resources to counter institutionalized forms of oppression that might be pervasive but exist in several forms and on several levels of society. The distrust of grand explanations generates a suspicion of universals but leaves untouched "the complexities of the social, political and eco-

nomic formations that exist as part of a heterogeneous but interdependent global configuration" (Boyne & Rattansi, 1990, p. 19). In other words, repressive forces can be manifested in ways other than the unitary, overarching, grand narratives that Lyotard and other postmodernists target. For example, how could postmodernism offer a means of redressing economic elitism, racism, or sexism in competitive debate? Phrased in the language of policy debate, what potential for solvency does postmodernism offer? Because of its elusive character, postmodernism cannot be instituted in any case because it is not a body of doctrine but a critical attitude (cf. Lyotard, 1989, p. 314).

Two tendencies of postmodernism render it ineffective in accomplishing the very political tasks that supposedly lie at its core: "an inability to specify possible mechanisms of change, and an inability to state why change is better than no change" (Crook, 1990, p. 59). The first difficulty has been encountered in the inability to instigate or even take account of a need for broad-based social reform. The second point, advocacy of change, raises another set of issues.

It is difficult to envision how postmodernism could justify any social reforms, even the most localized changes in debate practices. If the quality of discussion hinges on the multiplicity of viewpoints articulated, then expressions of intolerance such as sexism, racism and homophobia presumably deserve encouragement because they add to the plurality of perspectives (Crook, 1990). Debate conducted in a postmodern manner would not and could not justify ruling out offensive *ad hominem* argumentative practices. Even if such intolerance were not sanctioned by a postmodern mindset, it should be unacceptable. Although proponents of postmodernism might agree, the decision to restrict available argumentative tactics runs counter to the cardinal postmodern value of creativity. Paradoxically, the most intolerant and repressive social agendas become legitimate even if not explicitly endorsed under the postmodern rubric of creative expression.

#### Enhanced Creativity

One argument Kramer and Lang (1993) suggest to support a postmodern paradigm cites the value of creativity. Allowing inconsistency would open the floodgates for debaters' creative juices to flow freely, thus irrigating parched argumenta-

tive ground. Lyotard hints at a similar preference for creativity in his choice of art as an epistemological model. Postmodernism now encounters the familiar quandary of romanticism: how to reconcile creativity with quality and morality (which presume standards of conduct). Does relaxation of strictures encourage creativity? The lesson from paradigms in science shows the opposite to be the case. In an often overlooked early essay, Kuhn (1977, pp. 225-239) remarks on what he calls the "essential tension" in science. Paradoxically, the tradition-bound nature of science with its preservation of "normal science" obedient to paradigmatic strictures has been conducive to innovation. Only when the boundaries of normal science are clearly articulated in a paradigm do practitioners begin to question the paradigm's articulation. Who are the innovators? Kuhn explains that "the productive scientist must be a traditionalist who enjoys playing intricate games by pre-established rules in order to be a successful innovator who discovers new rules and new pieces with which to play them" (1977, p. 237). Applying this principle to debate, the innovators can redefine the game only if the game already has set boundaries and rules. The test of creativity lies in the ability to improvise within guidelines, not rewrite the guidelines to accommodate novelty.

We now confront the question: "Why artificially limit the size of the playing field" (Kramer & Lang, 1994, p. 67) by prohibiting inconsistency? First, no clear distinction has been made between "artificial" versus "natural" limits, and no reason has been given to prefer one over the other. Second, preserving the game metaphor, all games have rules or they cease to qualify as games. The reason for regulative paradigms that limit argumentative options is both logical and pragmatic. If all argumentative options are allowed, then an infinite regress occurs because no standards emerge from the paradigm to evaluate the quality of the arguments (Panetta & Herbeck, 1993, p. 26). The regress turns vicious in debate or in any deliberative forum because decisions must be made and justified.

Pragmatically, the procedural regulations in debate rounds mitigate against unconstrained invention. In competitive debate these constraints are designed to achieve definite closure if not definitive solutions. Strict time limits and zero-sum decisions mimic how deliberation often must proceed because policies must be formulated and issues de-

(Schwartzman to page 36)

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(Schwartzman from page 33)

cided under the pressure of the moment. Contrary to this realistic albeit imperfect scenario, "resolution and closure are not goals of the postmodern moment" (Marshall, 1992, p. 13). Panetta and Herbeck (1993) observe that the intellectual grounds of postmodernism are so alien to those of policy debate that it is not possible to reconcile these incommensurable perspectives. Since postmodernism condemns two-valued thinking (while touting incommensurability), it cannot in principle qualify as a clear-cut alternative to other orientations. The more that advocates of postmodernism portray it as a dramatic rupture with other modes of thought, the more they exemplify the very all-or-nothing mentality they condemn as elitist and exclusivistic. This inconsistency is not simply logical, but instead constitutes a failure to reconcile proclaimed goals with actual argumentative practice.

#### The Employment of Postmodernism in Academic Debate

Before delving into the mechanics of postmodernism in academic debate, one key point merits attention. Postmodernism cannot and should not be advocated as a voting issue. The "thoroughly hierarchical constructs" of winning and losing are fundamentally incompatible with the postmodern agenda" (Lake & Haynie, 1993, p. 19). To qualify as a "voter," postmodernism would have to function as a decision rule. This role could be fulfilled in two ways, both of which reduce postmodernism to incoherence or pernicious relativism. If a team deserves to lose because it fails to foster creativity by allowing paralogical argumentation (e.g., inconsistency, non sequitur, etc.), then creativity or freedom are being postulated as values sufficient to merit voting for the team that best promotes them. That being the case, postmodernism is reducible to traditional liberal values. More problematically, postmodernism appeals to creativity and related values as sufficient criteria for rendering decisions. Bernstein (1991) observes that postmodernists such as Lyotard and Rorty resort to "a universal 'letting be' where difference is allowed to flourish" (p. 222), a laissez-faire epistemology just as sweeping and potentially just as constraining as conventional rationality. In other words, this version of postmodernism relies on normative criteria accepted as inherently desirable--the very sort of grand standards postmodernism is designed to combat.

Postmodern argumentation could as-

sume a more critical edge without committing its proponents to indefensible universal decision criteria. This version of postmodernism would recommend at least suspending judgment (i.e., not voting for the opposing side) because the opposition fails to account for the "other" in its argumentation. Employed by the negative, postmodernism could underlie either a resolutionally-focused or case-focused critique. The basic argument would be to reject the resolution or the affirmative plan because its very language or assumptions exclude social forces or people that, despite their marginalization, should count as significant stakeholders in decision making. Of course, if the critique is argued as an independent voting issue, then it falls prey to the reification of values just discussed. On the other hand, a postmodern critique could carry an impact similar to a studies counterplan that urges a negative ballot in lieu of sufficient information to vote affirmative. Failure to account for marginalized social groups leads to decisions that are myopic at best and often paternalistic or destructive toward those who are excluded. The postmodern position would presume that the voices of the marginalized are *ipso facto* liberating or beneficial. Instead, a much more modest claim emerges: irrespective of its actual impact, hitherto suppressed perspectives deserve inclusion.

The claim that postmodern perspectives would liberate decision making, however, relies on the premise that inclusiveness in rendering decisions is desirable. If, for example, it is argued that formulation of foreign policy toward Mexico should include more Mexican or Hispanic participation, the advantage would be more participatory decision making. The advocate of postmodernism, however, has no grounds for claiming that participation would render better decisions, especially since a postmodern foreign policy would deny any single, overarching value that would guide policymaking. Present American foreign policy toward Mexico, Latin America in general, or toward the world for that matter, already qualifies as thoroughly postmodern. Without the guiding influence of containing communism, foreign policy decisions are made on an ad hoc basis. Inconsistent policies, contrary to the supposed virtues of postmodernism, have caused international embarrassment and public disgrace to the United States in Haiti, Somalia, and countless other locales. Inconsistency *per se* is no more a virtue than rigidity.

For a postmodern view to generate advantages, it must assert *what counts* as an advantage. Postmodern critiques do little to replace current patterns of thinking, although they question and criticize those patterns relentlessly. Exactly what sorts of reforms would postmodernism promulgate? Postmodernism has not generated coherent strategies--even provisional ones--for coping with change and uncertainty. McGee (1990) states the point unequivocally: "I think it is time to stop whining about the so-called 'post-modern condition' and to develop realistic strategies to cope with it as a fact of human life, perhaps in the present, certainly in the not-too-distant twenty-first century" (p. 278). The problem is not so much that postmodern perspectives have arisen, but that they have failed to offer productive alternatives to excessive rigidity of thought.

#### Postmodern Critiques

Many critiques in debate rounds have been launched under the banner of postmodernism. Run as a critique, postmodernism typically emerges as follows: The opposing team (not merely their case but their entire mode of argumentation) exemplifies an undesirable way of thinking. From a postmodern perspective, such undesirable thought patterns typically involve marginalization of oppressed populations, cultural imperialism, masculinist agendas, anthropocentrism, all-or-nothing mentalities, etc. By voting for the affirmative, the critic would endorse these undesirable thought patterns. Critiques typically ask the critic to make a personal decision against the affirmative, since any implications of setting a precedent for making policy run counter to the postmodern rejection of linear reasoning and trend-setting. I quote from one such brief: "All the critique asks is that you make a personal, conditional moral choice to inform your action."<sup>2</sup> The critic, therefore, operates as a lone voice whose vote represents nothing more than a personal commitment against the affirmative and for the liberating benefits attendant to postmodernism.

Now is not the time to enter into a detailed discussion of critiques. Some remarks on postmodern critiques, however, will illustrate the problematic infusion of postmodern thinking into competitive debate. Many postmodern critiques rely on a simple punishment paradigm: punish the team that advocates the undesirable way of thinking by voting against them. Notice, (Schwartzman to page 40)

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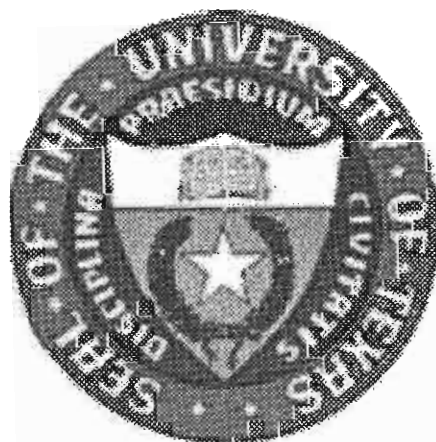
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(Schwartzman from page 36)

however, that a notion of desirability lurks behind the postmodern critique. The critique must presume a standard for decision making that transcends the individual round; after all, the postmodern arguments almost always are found on shells that are employed virtually unchanged round after round. The use of such standardized argumentative tactics shows a commitment to the critique as a constant. The more a standard critique is used, the less credible is its link to postmodernism, which advocates creative, individual argumentation—exactly the values that prefabricated arguments do not foster.

An advocate of postmodernism might respond that the critique invokes and applies values only locally. A negative brief on the subject states: "...we ask you [the critic] to generate morals within the context of this debate, not enforce them universally." The localization of advantages resembles the argument Zavarzadeh and Morton (1991) make in defending postmodernism against the charge of political quietism. They distinguish ludic postmodernism, which seeks local, small-scale political change, from resistance postmodernism, which "works not simply for an ideological intervention and a change of social practices, but for the transformation of the economic structures that bring about those local conditions to begin with" (Zavarzadeh & Morton, 1991, p. 128). The specification of economic structures reflects a lingering Marxist strain that presumes economic factors lie at the core of social problems. Such a Marxist remnant is troublesome given the postmodern denial of economics (or any other single principle) as the basis of social relationships.

Either variety of postmodernism, ludic or resistance, spells trouble for the team employing it in a debate round. Ludic postmodernism promises nothing in the realm of solvency because its only mode of addressing problems is piecemeal. Furthermore, even if solvency could be obtained, it would be inefficient because it would consist of a conglomeration of decentralized, overlapping, and probably poorly funded efforts. These difficulties, of course, should not discredit small-scale problem solving, but they cast serious doubt on whether any definite, positive social impact can be expected from adopting a postmodern perspective. Since implementation of any postmodern program would be a purely individual matter (given the postmodern praise of individuality and creativity), the results

would be unpredictable and compliance could be mandated only at the expense of sabotaging the premise of epistemological liberation that drives postmodern thought.

Resistance postmodernism, in turn, is problematic because postmodernism undermines the very sorts of concepts that would foster the formation of social movements. Individuals coalesce into a movement for the sake of something greater than themselves. Social action is instigated for the sake of a cause that transcends the individual social agent. Although universal ideals have been invoked to justify horrendous injustices, postmodernism fails to offer any means for catalyzing social change *via* concerted action.

Hassan (1987a) suggests a way to sidestep postmodern relativism while retaining the useful spirit of distrusting purportedly universal and ahistorical theories. He proposes a "critical pluralism" that would encourage interpretive diversity, highlight the cultural and temporal limits to theorizing, and "attempt to contain" postmodernism's relativistic tendencies (1987a, p. 23). Hassan confesses, however, that no means of establishing consensus emerge within a postmodern framework. The critical pluralism Hassan proposes, which resembles Habermas's ideal speech situation, offers no checks on the exertion of power or on degeneration into relativism that fails to resolve—even provisionally—any issues (Hassan, 1987a, p. 32). We are left, then, with a renunciation of power and domination but without an affirmation of shared methods, traditions, or other bases of community for resolving conflicts, redressing grievances, or rendering decisions. Postmodernism purchases individual freedom at the cost of communal foundations for action.

Robert Hart (1994) extends this line of concern further by linking postmodernism with the ahistorical mélange of images that play on television. He argues that the postmodern renunciation of continuity undermines the possibility of political action, since political action presumes some historical basis and objectives. Television's postmodern aspect emerges in the premium placed on instantaneous emotional reactions. Gut reaction (how people feel) replaces deliberative action (what people think and why). Hart expresses consternation about the possibility of any political action in a postmodern context, since postmodernism tends to "back people away from the political sphere" (p. 98). If history holds no lessons other than individual emotional re-

sponses, then moral judgments about events such as the Holocaust, slavery, and oppression of women remain individual opinions. Hart laments what he sees as an inevitable loss of community and thus of rational consensus (e.g., among critics serving as a panel in a debate round) that could underlie moral reasoning.

Postmodernism is particularly unsuitable as a critique because it falls prey to a false dichotomy, treating postmodern perspectives as clear alternatives to inflexible thought patterns. Debaters seem to run postmodern critiques and cases as if they offered clear alternatives: either modernism or postmodernism, but not both. The choice is not whether to opt for postmodernism because, as McGee (1990) observes, the postmodern era is upon us. The unresolved challenge is to go beyond the postmodern distrust of epistemological rigidity. Goodnight (1995) traces the epistemological roots of postmodernism to the ancient Greek skeptics. He labels postmodernism "a skepticism sweeping into and out of the academy for well over two decades" (1995, p. 269). Postmodernism easily degenerates into a pernicious skepticism by *revealing* overly restrictive thought patterns without *redressing* them.

A postmodern critique supposedly offers improved ways of thinking, yet it presents no means of translating thought into action. Without some kinds of ideals beyond the celebration of individual creativity, postmodernism deconstructs social practices without offering anything in their place (Fairclough, 1994). Exactly what would a critic be voting for if deciding in a favor of a postmodern critique?

#### Limits of Applying Postmodernism to Debate

Far from presenting means to escape repressive social practices, postmodernism could fuel the very repression it criticizes. By negating the role of public deliberation, postmodernism replaces rationality with will power as the means for deciding controversy. Explaining the postmodern aspects of *Jurassic Park*, Goodnight (1995) observes that "it is will, not reason, that confirms genius in the postmodern moment" (p. 275). In debate rounds, therefore, intellectual acumen would not reap rewards under a postmodern view. Instead, the ability to impose one's will on another, be that through persuasion or physical force, would merit praise. Lest this conclusion seem far-fetched, recall that within a postmodern (Schwartzman to page 44)



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(Schwartzman from page 40)

framework there are no *a priori* preferences for persuasion over coercion. From a postmodern perspective, there is no "unique value to 'rational' as opposed to other forms of justification" such as force (Harris & Rowland, 1993, p. 31). Postmodern heroes, for example, are not necessarily technical experts, but they do know how to manipulate the resources at hand (Goodnight, 1995). Is this the primary lesson debaters should learn from the activity?

Unbridled argumentative inclusiveness also invites abuses. Some viewpoints, such as fascism, have been marginalized in order to encourage participation. I submit, with Hirst (1993), that certain practices such as blatant intolerance, racism, sexism, and homophobia have no justification and deserve no place in argumentation. Such means of "arguing" should be marginalized. Without some criteria for distinguishing justifiable versus unjustifiable marginalization, blatantly abusive behavior in debate rounds could be tolerated or even promoted in the name of free expression. Not all "otherness" qualifies as virtue (Bernstein, 1991). Designation as an oppressed group does not constitute a *prima facie* case for status as righteous but unfairly persecuted.

The fundamental problem in applying postmodernism to debate is that postmodernism functions best as a critical tool, not as an evaluative method or a set of adjudicative standards. It is designed to expose and question unquestioned assumptions. The supposedly radical break postmodernism makes with previous epistemological practice makes it unsuitable for use in an activity such as academic debate, which is thoroughly modernist in its practices, especially if viewed as advocacy of truth or as discovering which side does the better arguing. Debate in general qualifies as a "traditional (modernist) mode" (Zavarzadeh & Morton, 1991, p. 120) of contesting ideas, to be contrasted with the postmodern accommodation of differences and tolerance of unresolved (thereby unresolvable?) disputes. The avowal of inconsistency, therefore, reverberates beyond academic debate. Once inconsistency is institutionalized, it dissolves the desirability and perhaps even the possibility of converging viewpoints and stable social relationships. The postmodern praise of contradiction "underlines the insurmountable differences that make for a lack of social and personal cohesion" (Kuspit, 1990, p. 59). In an activity that could use greater

emphasis on cooperation, why should debate theory undermine unity by underlining heterology? Debaters, critics, and coaches must ask themselves whether rejecting the basis of communal values serves an educational purpose. It seems far more productive to balance practices that foster community with a respect for diversity. Why further isolate members of the debate community from one another by enshrining inconsistency?

The thoroughly modernist activity of debate is structured according to a division of ground informed by Aristotelian logic. Most prominently, the distinction between affirmative and negative sides presumes incompatible positions as the basis for forced choice that leads to a decision. Debate actually emphasizes argumentative incompatibility in order to facilitate choice. The intolerance of inconsistency is logically and procedurally necessary in a zero-sum game atmosphere where decisions must be rendered for one side only. If inconsistency were encouraged as a component of a postmodern perspective, then counterplans need not be competitive. In addition, the more inconsistency is tolerated, the less reason there would be to vote for postmodernism as an alternative to the rational methods employed by the opposing team. As inconsistency becomes more acceptable, it undermines the grounds for claiming that any argument could qualify as a voting issue. Ultimately, if inconsistency is desirable, then any particular debate could and should end in a tie.

Postmodernism offers debate primarily negations: opposition to unitary evaluative standards and rejection of scientifically based means of adjudication. From a postmodern perspective, any attempt to place facts "within some larger, more ambitious explanatory paradigm—is ignoring the weight of *de facto* evidence" that shows the historical failure of grand explanatory schemes (Norris, 1990, p. 7). If a postmodern perspective could be applied to debate, it would not take the form of a paradigm or other normative structure. Postmodernism might simply counsel us to recognize our interpretations as limited, thus enabling political engagement without hegemonic claims to know an ultimate Truth (Marshall, 1992). Such self-imposed restrictions on the scope of claims would introduce a welcome tone of modesty into competitive debates.

The choice is not whether or not to "adopt" a postmodern perspective, but to decide how postmodern conditions could

affect the assumptions and conduct of debate. Postmodernists along the lines of Baudrillard discard the qualification that contradictions should not be obvious and they embrace paradox instead. In contrast to Rorty, Baudrillard recommends: "Distrust campaigns of solidarity at every level," because all sense of unity and permanence is designed to disguise the erosion of referentiality (1983, p. 110n). This strain of postmodernism abandons criteria for valid argumentation, instead judging argumentative quality on the aesthetic merits of the rhetorical strategy irrespective of normative standards (Norris, 1990). The *raison d'être* of debate would become the satisfaction of individual taste, since aesthetics no longer would have any transcendent grounding in human values or fidelity to anything beyond the representation itself. Such a change harbors serious implications. Argumentative acumen reduces to knowing how to best one's opponents, so the hope that argumentation can enlighten arguers and audiences vanishes because enlightenment is illusory.

The political consequences of postmodern debate do not sound enticing, either. The promise of argumentation serving as an intellectually and socially liberating force—an agenda adopted by Habermas, for example—relies on rationally grounded critique that exposes distortion and internal contradiction. Without an understanding of what would constitute argumentative progress or communicative value, postmodernism fails to offer grounds or explanations of change. In essence, postmodernism sounds the call for political involvement while leaving a blank slate when called upon to produce a vision of productive social engagement for intellectuals (McGowan, 1991).

These considerations leave at least two choices for those involved with academic debate. First, debaters and critics can adopt a postmodern mindset but at the cost of undermining procedural foundations and social relevance. Harris and Rowland (1993) note that academic debate already exhibits some postmodern tendencies, such as the detachment from analogues and applications beyond the rounds themselves. The independence of debaters from "real world" concerns such as face validity of arguments brings debate ever closer to Baudrillard's simulacra, where external reference dissolves. In a word, academic debate becomes more postmodern the more it grows irrelevant to the world beyond the round.

On the other hand, the practice of

debate might be understood as antagonistic to postmodern tendencies. In policy debate, how could argumentation have any significance once the relationship between intellectuals and social change becomes ill-defined and idiosyncratic? In value debate, how could values be weighed when the standards for evaluating them have evaporated? In any form of debate, how could decisions be rendered when the very criteria for making those decisions no longer stand?

Recognizing the influence of postmodernism still can allow for some explanation of how agreement could be reached and how decisions could be justified without appealing to universal, immutable standards. This task is akin to the project Rorty has undertaken since writing *Philosophy and the Mirror of Nature*. At the core of postmodern thought lies a concern for relationships instead of facts or representations of reality (Klinkowitz, 1988, p. 8). Such a shift in orientation drives Rorty (1979) to reject the epistemological goal of accurately representing nature. Instead, he envisions epistemology as a continuing conversation in which claims are posited, tested, and revised consensually. Worthy as the goal may be, Rorty and others have yet to explore in detail the means for engineering consent and achieving community. Rorty (1991, p. 174) criticizes Lyotard and Foucault for engaging in penetrating social critiques without articulating the basis for the "we" of human solidarity. Debate theorists can take up the same challenge: to elucidate the symbolic and other means for solidarity that permit rational decision-making.

I avoid using the term *Kritik* in the context of postmodernism. As employed in debate rounds, a *Kritik* represents a comprehensive decision-making framework that offers sufficient conditions for reaching a decision. Since postmodernism cultivates a distrust of such universal frameworks, the idea of a *Kritik* could apply only to the individual round, thereby denying its universality. Kant envisioned the *Kritik* as applying to "the faculty of reason in general," not only extending beyond specific instances but "independently of all experience" (Kant, 1965, p. 9).

<sup>2</sup>All the quotes from debate briefs are from materials generated at the 1995 National Debate Institute at the University of Vermont.

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- (As a high school debater for Pace Academy, (GA) Roy Schwartzman won the first Super Bowl of Debate. Professor Roy Schwartzman, (Ph.D., University of Iowa), is currently Assistant Professor of Speech Communication at the University of South Carolina. This article was originally published in Contemporary Argumentation and Debate 17(1996): 1-18. copyright 1996, Cross Examination Debate Association. Used by permission. Another version appeared in Speaker and Gavel.



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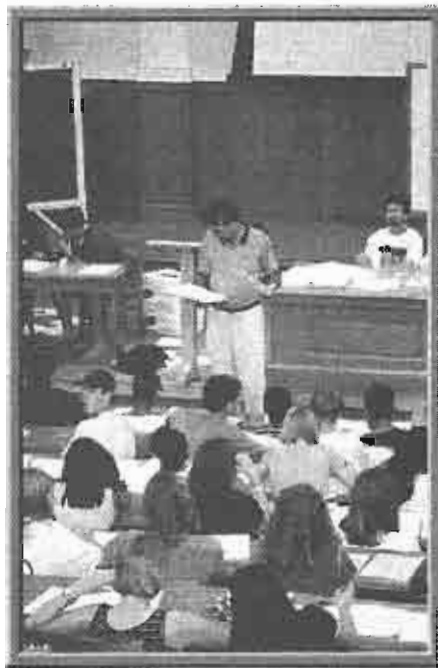
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N



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D



White cross-questioned by Mike Lewis as Dan Shalmon intervenes.

C



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A



CX Combat



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# THE D G E

## **DEBATING PRIVACY: AN INTRODUCTION TO THE 2000-2001 POLICY TOPIC** by David M. Cheshier

The new policy topic reads: "That the U. S. federal government should significantly increase protection of privacy in one or more of the following areas: employment, medical records, consumer information, search and seizure." Before surveying some of the substantive issues which will arise on this resolution, here are some preliminary observations regarding topicality and agent specification.

The topic selection process has again produced a resolution that justifies or even mandates effects topicality assessment. This may not seem evident to the careful reader of the resolution since the wording only ambiguously mandates an outcome, as opposed to requiring the affirmative to simply get the ball rolling by starting or establishing a policy for privacy protection. The ambiguity hinges on the term "protection," and the question is this: Can an affirmative claim to have enhanced protection by the mere passage of law is sufficient for topicality. But others refer to "the condition of being protected," an outcome statement which would require more than legislative or judicial establishment, but rather efficacious protection. The extent to which an outcome mandate will matter in actual debates is ultimately a function of the extent to which negative teams can defend clear, bright-line tests that exclude absurdly effectual policies while preserving reasonable affirmative ground.

Although the resolution requires federal government action, the coming year is less likely to be dominated by the state counterplan, despite the obvious possibility for state constitutional action as a sub-

stitute for the plan. Part of this has to do with the substantially weaker literatures defending state action in the particular areas identified by the topic. In some (especially medical records and consumer information) interstate commerce and the sheer difficulty of even simultaneously implemented 50-state protections will make the merits of state action less obvious. In the case of search and seizure, an area plainly implicating federal constitutional liberty issues, the merits of state action, even when performed through state constitutions, are narrow. Of course the absence of strong counterplan solvency evidence will not eliminate use of the option (witness the heavy use of the so-called "Lopez" counterplan even in cases where the merits of state action are absurd stretch of political reality), and the strategic benefits of a states/Clinton approach will remain, at least through the election. But the privacy literature today points more in a global than a local direction, often citing the increasing difficulty of privacy protection at the national level -- for some experts, the paradigmatic pro-privacy legislation of the 1970s and 1980s is rapidly being undone by the internationalization of information flow.

The word "privacy" does not appear in the American constitution, and as legal doctrine the term was not embraced until the mid-20th century by the Supreme Court. In fact, it wasn't until the publication of an 1890 *Harvard Law Review* essay (by Samuel Warren and Louis Brandeis) that the issue was even seriously considered. This awkward and relatively recent legal embrace combines with definitional ambiguity to complicate debate on the issue. As Colin Bennett and Rebecca Grant recently put it in their edited volume, *Visions of Privacy: Policy Choices for the Digital Age* (Univ. of Toronto Press, 1999), "it is an almost customary feature of any analysis of privacy to begin with a disclaimer about the inherent difficulty, perhaps impossibility, of defining exactly what 'privacy' is and of disaggregating its various dimensions." But don't be deceived by such statements into thinking privacy is an unimportant issue. As former Northwestern University debater, now University of Southern California law professor Erwin Chemerinsky has written, "it is inevitable that personal privacy will be one of the most significant pressure points in our national fabric." What was called "the issue of the 90's" by some will undoubtedly remain one of the most important issues of the new century.

One of the most cited and still-useful collections addressing the many complicated uses of the term "privacy" remains Ferdinand Shoeman's *Philosophical Dimensions of Privacy: An Anthology* (Cambridge Univ. Press, 1984). But many works explore the concept, and the topic promises to produce rich critique arguments. The term "private" (historically contrasted with its opposite, "public") has a long and, for some, infamous history: for thousands of years, for instance, the subjugation of women has been facilitated by relegating their work to the "private sphere" of the household, while men have been taught to control the public domains of citizenship and government. Capitalism has long been sustained on the idea that the right of governments to regulate money loses its legitimate authority as it intrudes on "private ownership." The ideology of privacy is rooted in Enlightenment notions of the autonomous individual increasingly under assault, and among many others Michael Foucault's analysis of the "surveillance state" enables strong attacks on how governments and societies use concepts like "privacy" to discipline social participation and behaviors.

The emergence of the digital age, which makes all information storage format convertible and economical, and the management of vast databases more routine, makes privacy protection an increasingly salient political issue. A September 1999 *Wall Street Journal* poll asked Americans to list their biggest concerns about the new millennium, and topping the list was the loss of privacy. Responding to such expressions of concern, President Clinton recently announced a series of initiatives pertaining to medical records privacy. But despite this, privacy protection has not traditionally been the source of much partisan bickering, apart from the wrenching social controversies surrounding abortion rights and open gay/lesbian service in the military, and even today privacy issues rarely capture attention from the mass media. Conservatives often appeal to their libertarian constituents in making the case of privacy rights, while liberals appeal to their civil rights-oriented supporters to argue on the same grounds. It is rare in American politics for politicians to succeed by arguing privacy should be undermined, and even in the case of abortion right-to-life advocates are careful to cast their position as pro-life, and not anti-privacy.

Privacy can be protected in many ways, only some of them legislatively or ju-

dicially mandated. While so-called "fair information" principles are now strongly entrenched in American and international law, the same digital revolution that risks compromising privacy also promises to fortify it; the use of privacy-enhancing technologies (such as, in the Internet context, site-blocking software or financial information security software), for example, strengthens the power of individual customers to act on their own interests. In the medical records context, Robert Gellman (former counsel to the House Subcommittee on Government Information) has long argued that privacy policy must embrace three levels of action: legislative, technical, and personal. Even in the context of legislative action, there is a growing awareness that the principle threats to privacy derive less today from Big Brother than Big Business, a fact whose recognition is compelling many industries to adopt "voluntary codes of practice" protective of privacy. Whatever one concludes about the most desirable balance of protection, the fact remains that the major landmark privacy legislation (including the Privacy Act of 1974) today does little to protect the rights of Americans in the domains specified by the topic.

### Employment Privacy

In the context of private sector employment, privacy issues routinely arise. A survey of recent court activity shows numerous instances where individuals have been compelled to reveal the most intimate facts about themselves, all to satisfy supervisors -- everything from matters pertaining to sexual orientation, to information about background and genetic makeup. And an increasing number of American employees are compelled to participate in lie detector and random drug use programs which some believe violate the classic right against coerced self-incrimination (especially when the companies involved subcontract for the government).

When the employer is an agency of the government, these questions quickly implicate constitutional issues. Consider, for example, the question of whether a government agency is allowed or required to release the results of internal employee investigations on issues like sexual harassment under state or federal Open Records laws. For the most part, personnel information does not have to be released to the public, but recent state decisions in Colorado and elsewhere are shrinking the personnel exemption.

But in the corporate world, privacy



protections vary widely and in some jurisdictions the courts have upheld employer actions almost absurdly violative of employee privacy. One company circulated a memo announcing that a worker (named in the memo) was leaving the company to go into alcohol and drug rehabilitation; the court ruled the workers' privacy was not violated. Another company conducted surveillance operations at a worker's house, and checked license plate numbers for all the cars stopping there. The court declined to rule the company's behavior out of bounds. Some employers videotape employee changing rooms, randomly monitor telephone and computer use, and even time bathroom breaks. One Arizona high school installed secret surveillance video cameras in a principal's personal shower to see if he was having sex there with a secretary. And in a Maryland case, evidence was introduced proving one hospital had showed clandestinely gathered videotape from a nurses' locker room over an in-house cable channel.

And to what extent is an employer entitled to monitor employee conversations, such as those conducted on a business-provided email or Internet access system? The accepted practice with regard to phone conversations is that an employer can monitor business calls (such as many 1-800 service numbers do as a way of monitoring customer service), but most disconnect when the call is private. But when it comes to email messages the law lags, and accepted practices allow employers to monitor anything on an internal system server, including all email traffic and Internet usage logs. Lest the risk of employer monitoring seem obscure, a December 1999 poll found 65% employer support for the idea that email can be monitored. An especially comprehensive review of this issue appeared in the Spring 1998 *University of Georgia Law Review* (S. Elizabeth Wilborn, "Revisiting the Public/private Distinction: Employee Monitoring in the Workplace," p. 825).

Proposals range in the area of private sector employment, but most efforts at regulation have been effectively combatted by business arguments, defending their right to monitor employee performance. Most workers must therefore rely on weak state-level and common law tort protections. In response, recommended changes range from minor amendments to the federal privacy laws all the way to Constitutional amendment. Much commentary centers on recent (but failed) attempts to secure Con-

gressional passage of the proposed Privacy for Consumers and Workers Act, which would create federal guidelines for such employee practices as monitoring, and mainly centers on a requirement that workers be given notice of surveillance activities.

In the area of federal government employment (where an affirmative might want to focus, since action there is less vulnerable to state action counterplans), one of the major controversies centers on the so-called "Don't Ask, Don't Tell" (DADT) policy governing enforcement of the congressional ban on open gay and lesbian service in the armed forces. After President Clinton's early proposal for the full inclusion of homosexual soldiers in military life met sharp resistance, and the Congress voted to reinforce its ban on such service, questions arose about how to ensure that the Pentagon did not carry out "witchhunts" to uncover closeted gay activity. DADT was a compromise intended to make sure that individual soldiers would not be terrorized on account of their private, off-base, after-hours sexual activity or preferences while still maintaining the overall prohibition. But much evidence suggests the policy has failed in this purpose, including recent data that expulsions from the military on account of homosexuality have actually increased under DADT provisions. Vice President Gore has criticized the policy and vowed to liberalize gays-in-the-military policy, action also supported by the President but opposed by all the Republican presidential candidates.

#### Medical Records Privacy

In 1996, the Congress imposed a deadline on itself to pass medical privacy legislation. The three-year deadline, written into the 1996 Health Insurance Portability and Accountability Act, was an attempt to assure regulation despite repeated failed attempts by Congress to act. The deadline passed last August, and shortly thereafter, President Clinton announced draft regulations to be implemented by the Secretary of Health and Human Services. The Congressional action limited what the President could order; for instance, the regulations cannot permit Americans to sue companies that violate their privacy. But despite these constraints, the Clinton initiatives were applauded as a good first step by pro-privacy groups, and at the date of this writing are scheduled to go into effect after the obligatory comment period.

One of the problems addressed by the

proposals has to do with the overlap of government and private sector access to information about your health. For example, the landmark Freedom of Information Act protects our "rights to know" about the government's activities. But what happens when the government has collected confidential medical research records, or when those records end up in private hands due to federally funded medical research grants? [An essay in the December 1999 *Federal Communications Law Journal* explores this issue in some detail.]

But the Clinton proposals would have much broader application than this case alone. The basic requirement would limit the right of health providers to release electronic medical records without the explicit permission of the patient involved. The regulations would also limit the amount of information routinely provided to so-called "business partners," companies who subcontract to perform work for a health care provider.

The need for regulations like these is based, in part, on the curious fact that this country provides fuller consumer protection for video rental records than it does for patient records. In fact, the only protections in force today are those self-imposed by the medical community. Meanwhile, the evidence is mounting that medical privacy is being violated on a regular basis. One often-cited example is a case where a convicted child rapist, employed at a hospital, was able to use the computer system to gain access to the phone numbers of almost 1000 female patients, many of whom he subsequently harassed over the phone. There is evidence some employers are using confidential medical records to fire their more expensive insurance risks, including those who bring prior medical conditions to the job with them, and others who contract expensive-to-treat conditions like rare cancers or AIDS.

Here, as in most areas of privacy law, good arguments are advanced by both sides. Opponents of tighter confidentiality requirements point to the likely higher medical care costs that may result from tougher rules, and defend open information protocols as ultimately better servicing patients (such as individuals who need emergency medical care). And employer access to medical information, while it does risk discrimination, can also help supervisors better make reasonable accommodations for disability.

### Consumer Information Privacy

In 1977 the Supreme Court acknowledged a constitutional right of information privacy in *Whalen v. Rose* (429 U.S. 1977). Even though the case upheld a state statute that forced doctors to reveal patient information for inclusion in a statewide prescription drug database, the decision nonetheless recognized that broad "dissemination by state officials of such information...would clearly implicate constitutionally protected privacy rights."

An example of the issues that arise with respect to state-owned databases is the extent of privacy protection given to drivers. In 1994 Congress passed the Drivers' Privacy Protection Act, but it left open a major loophole allowing states to sell and disclose information about drivers without their consent. In the last year, newspaper coverage has drawn attention to efforts by Colorado, Florida, and South Carolina to sell drivers' photos without permission. The 1994 Act was strengthened by Congress last October, when they preemptively cancelled a plan to turn state licenses into national identification cards.

But the greater and more hotly debated consumer information issues pertain to corporate databases. Last January, the Intel Corporation caused something of an uproar when it announced plans to manufacture silicon chips containing a unique "identifier" that would force computer users to leave behind a specific mark whenever they went into cyberspace. Intel protested that consumers would be able to turn the feature off, but civil liberties groups worried, in part because the feature was designed to reactivate whenever the computer was rebooted. Intel finally agreed to make the chips with the tracking devices turned off, but refused to remove the feature entirely.

In the area of banking law, federal regulators recently backed away early last year from a plan they were urging on financial institutions designed to help them "Know Your Customers." Opponents were concerned the plan would have turned banks into spies. But passage of the omnibus banking reorganization legislation is keeping concerns alive among watchdog groups: since the law permits banks, mutual funds, and insurance groups to affiliate and share customer information, the concern is that, as ACLU President Nadine Strossen put it, customers of financial institutions will be required to forfeit their privacy.

And when it comes to telephone records, a court battle is still waging over the right of telephone companies to use customer records to market their services. In *US West v. FCC*, a federal appeals court said an FCC ban on the promotional practice violated the First Amendment rights of the phone company to market its products. The phone companies argue privacy rights are not burdened by their practices, since customers can "opt out," but critics say the opt-out option is an unnecessary burden on phone users.

Beyond these particular areas of current concern are the more classic privacy debates, centered mainly on consumer debt and credit reporting. In this area the Congress has an especially strong record of consumer protection, starting with its enactment of the 1968 Fair Credit Reporting Act and continuing through the 1996 Consumer Credit Reporting Reform Act. The latter, which overhauled credit reporting in major respects, also introduces as clearly as any other privacy legislation the issue of state power, since the statute appears to override all state law on the issue. The Congress was plainly intent on creating one national standard for credit reporting. For more information on newer cyberspace challenges to the credit reporting system, see Jerry Kang's April 1998 essay, "Information Privacy in Cyberspace Transactions," in the *Stanford Law Review*.

### Search and Seizure

The law governing search and seizure in the United States derives from the Fourth Amendment, which reads: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath and affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

For much of the 1970s and 1980s the key issue regarding search and seizure doctrine has centered on the extent to which tainted evidence (that is, evidence gathered in violation of 4th Amendment guarantees) should be excluded from the courtroom. The "exclusionary rule" enforces the idea that tainted evidence must be excluded, for if it is not, the police will have no real incentive to enforce 4th Amendment protections. Over the course of the past two decades the courts have tended to gradually narrow the exclusionary rule, allowing more and more tainted evidence into court proceedings, a

trend which has continued even given the growing number of Clinton judicial appointees. One obvious affirmative will be to explore ways to re-strengthen the exclusionary rule, although the evidence on these issues is more balanced than it was on former topics where search and seizure issues arose.

Search and seizure doctrine has been made more complicated by many facts, among them the dispersed manner by which citizens today conduct their personal affairs. As Janlori Goldman has noted, for a time the courts lagged the Congress in recognizing this situation. For instance, in the 1979 case *Smith v. Maryland* (442 U.S. 735), the Supreme Court held that people have no constitutionally protected interest in the numbers dialed from their home telephones. And in *U.S. v. Miller* (425 U.S. 345), a 1976 case, the Court refused to find a reasonable expectation of privacy for personal information divulged to a third party, even when the person had no choice but to divulge. Both cases were "overturned" when the Congress passed the Electronic Communications Privacy Act and the Right to Financial privacy Act.

But despite these actions, technological advances are further limiting the zone of privacy individuals have come to expect. Many groups are drawing attention to a new global electronic surveillance system, code named "Echelon." News reports say the system is an attempt by the government to access all satellite, microwave, cellular, and fiber-optic communications globally. Massive computers will scan the flow of data, looking for keywords (like "bomb" or "cocaine") which then justify forwarding the trace to intelligence agencies. You can read about Echelon at <[www.echelonwatch.org](http://www.echelonwatch.org)>. The Congress expects to hold hearings on the National Security Agency project sometime this year.

Debate also rages about the extent to which private companies and groups should be allowed to develop encryption protocols. The government is concerned that strong private sector encryption safeguard technology will hamper public efforts to right terrorism and other crime (since the safeguards might be used to secure illegal transactions and conspiracies), and insists it must have access to the "keys" needed to open all coded messages. In 1993, the Clinton Administration proposed its so-called "Clipper Chip" program, which would have required the turnover of encryption keys to federal regulators. Faced with a

sharp public outcry -- a Time/CNN poll found 80% opposition, and the ACLU said the proposal was the equivalent of "the government requiring all homebuilders to embed microphones in the walls of their homes" -- the proposal was withdrawn. Since then the Clinton Administration has released two more proposals (termed Clipper II and Clipper III), and supported bills like the 1994 Communications Assistance for Law Enforcement Act, which essentially requires telecommunications carriers to build wiretapping capabilities into their systems. Critics argue the information obtained by electronic surveillance typically does more to damage privacy than to prosecute crime, and point to government statistics showing that of the 2.2 million conversations intercepted in 1996, a full 1.7 million were deemed innocent by investigators. They also point to the often atrocious record of the government on this issue: politically motivated electronic surveillance was common in the United States from the 1950s until the 1970s.

The dispute over this issue has grown so heated that Prof. Kenneth Dam, the chair of the National Research Council's Committee to Study National Cryptography Policy, recently warned that a "policy crisis is upon the nation" because of the total lack of consensus. Many bills have been proposed to deal with the issue in one way or another, but all will likely struggle against Fourth Amendment objections. The main problem is that open-ended surveillance of the type enabled by scanning technology (where all communications is searched for specific words) seems to plainly violate the Amendment's rule against searches unable to precisely specify the "things to be seized."

### Conclusion

It is unarguable that privacy concerns have grown in each of these areas, and the arguments back and forth are powerfully advanced. In each area dozens of other issues will arise. In reaction to new privacy claims, companies often argue that their greater use of previously confidential information is necessary given an increasingly competitive global economy, and that use of such information actually serves customers by allowing corporations to better tailor products and services to the needs of their consumers. Governments argue that old notions of privacy must necessarily give way in an age when narcoterrorism and cyberwarfare risks loom ever larger.

How shall affirmatives impact their

case for the more nebulous right of privacy? Of course, in some cases, mega-impact claims will lie close at hand -- the risk of overreaching government tyranny, the negative impacts of globalization, and so on, are easy to document. And I suppose we will see an early reliance on the abstract rights impacts which crop up every so often, including the rhetorically hyped claims made about the risks of dehumanization. Whether these vaguer impacts will survive the scrutiny of the debate season when confronted by the more utilitarian claims of disadvantage impacts (such as business confidence and political popularity positions) remains to be seen. It is not too early to begin thinking about this potential difficulty for the affirmative.

### For Additional Information on Privacy Policy

Hundreds of books are available on the privacy issue which complement vast resources available in academic journals, law reviews, and newspaper databases like Lexis-Nexis. Some of the most widely cited books include the following: Philip Agee and Marc Rotenberg, eds., *Technology and Privacy: The New Landscape* (Cambridge: MIT press, 1997); Ellen Alderman and Caroline Kennedy, *The Right to Privacy* (New York: Knopf, 1995); Ann Cavoukian and Dan Tapscott, *Who Knows: Safeguarding Your Privacy in a Networked World* (Toronto: Random House, 1995); Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage, 1977); Julie C. Inness, *Privacy, Intimacy, and Isolation* (New York: Oxford Univ. Press, 1992); Kenneth Laudon, *The Dossier Society: Value Choices in the Design of National Information Systems* (New York: Columbia Univ. Press, 1986); National Research Council, *For the Record: Protecting Electronic Health Information*, 61-2 (Washington, D. C.: National Academy Press, 1997); Priscilla Regan, *Legislative Privacy: Technology, Social Values and Public Policy* (Chapel Hill: Univ. of North Carolina Press, 1995); H. Jeff Smith, *Managing Privacy: Information Technology and Corporate America* (Chapel Hill: Univ. of North Carolina Press, 1994); and U. S. Department of Commerce, *Privacy and Self-Regulation in the Information Age* (Washington, C.D.; U.S. Dept. of Commerce, NTIA, 1997).

In addition, many advocacy groups have extensive web pages dedicated to privacy issues. Two of the most easily found are run by the American Civil Liberties Union <www.aclu.org> and the Electronic

Frontier Foundation <www.anu.edu.au/people/Roger.Clarke/DV>. The Privacy Rights Clearinghouse site contains much information, although some of it is inapplicable to resolutorial context, <www.privacyrights.org>.

(David M. Cheshier is Assistant Professor of Communications and Director of Debate at Georgia State University. His column appears monthly in the Rostrum.)

(Glass from page 26)

sisted both Communism and the demagogic and bigoted anti-communism of HUAC.

It was liberal foreign-policy thinkers like Paul Nitze and George Kennan who devised the Truman Doctrine and containment, successful strategies for resting the spread of Communism at the outset of the cold war. And it was liberal intellectuals like Arthur Schlesinger Jr. and Reinhold Niebuhr who developed the most useful understanding of the Communist threat. In his classic 1949 statement in 'the Vital Center,' Schlesinger argued that while Communism was certainly a danger to America, it wasn't much of a threat in America. The way to answer it, he wrote, was not by banning and prosecuting Communism, but through the Constitutional methods of 'debate, identification and exposure.'

Schlesinger's prescription seems to offer a useful posture to the judge, operating in the Policy Debate discourse -- arguments should not be banned, even if they are radical and frightening to those in power. They should be debated, identified and exposed. They should be understood for what they are: they are arguments. And they should stand or fall based on their internal assumptions, and the validity of their claims, wherever those claims take us.

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(Dr. David Glass, a cancer researcher, playwright, and debate coach debated for Bronx HS of Science (NY) and coaches at Edgemont (NY) HS.)

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**BEN DAVIDSON**, Sophomore, Duke University; 1st place Wake Forest; 3rd place at Montgomery Academy Round Robin; 2nd place at Greenhill Round Robin.

**HETAL DOSHI**, Senior, Emory University; former debater and graduate of Vestavia Hills High School; Glenbrook Champion; MBA Champion; Semifinalist Bronx High School of Science, NFL Nationals; Top Speaker, TOC; three time TOC qualifier; TOC Champion; Wake Forest Champion.

**MARILEE DUKES**, Director of Forensics, Vestavia Hills High School; B.S., University of Southern Mississippi; M.S., North Texas State University (Debate Fellow); former high school and college debater; 20-year teaching and coaching veteran; numerous state and national qualifiers; coached NFL and TOC champions; NFL Double-Diamond; Key Coach of the Barkley Forum; co-founder of Iowa's Lincoln-Douglas Summer Debate Institute; Blue and Gold Society.

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**JOHN WOOLLEN**, Director of Forensics, Enloe High School; A.B., Wesleyan College; M.Ed. in Social Studies, UNC at Greensboro; Ed.D. in International Studies; certificates in Curriculum and Instruction and Social Sciences Education; NFL Double Diamond; Key Coach of the Barkley Forum; 100 students to NFL Nationals; Barkley Forum champion; state champions in extemp, oratory, HI/DI, LD; semi-finalist at NFL Nationals.

**DANIEL YAUVERBAUM**, B.A., philosophy and physics, magna cum laude, Amherst; former successful high school debater; coached outstanding high school champions at Isidore Newman; runner of marathons.



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# WHAT I LIKE ABOUT DEBATE

by Bill Gibron

The famous film critic Pauline Kael was once asked the question, "which was easier to review, *The Godfather* or *The Texas Chainsaw Massacre*?" (A little background; she loved the former and despised the latter).

"Why, that appalling horror flick," she mused "it was a breeze to deconstruct. Praise takes too much work."

I can honestly say that I agree with her. It is always easier to find fault in something than it is to find a way to sing its accomplishments or benefits. The reason seems simple enough. If something offends your sensibilities, then you have a basis, a foundation from which to start. But if something stirs your heart, or moves your mind, or enralls you like nothing has before, then it is impossible to find a corresponding frame of reference in your mind. You can make comparisons to other moments that have caused the same reaction, but in the end, it is just a point by point match up of other, unexplainable events.

When I started this column a few months ago, I knew I would have little problem filling the space with the wrongs of Debate. After all, this well-spring will not run dry any time soon. As I sit here writing this sentence, a hundred dismal debate practices run through my mind; Speed reading, camp evidence, sleaze tactics, time-suck arguments, T...the list continues on and on. I could write another four years and still only scratch the surface.

But what about the good? There surely must be something valuable and wonderful about Debate that keeps me coaching it year in and out (aside from the fact that I am becoming independently wealthy doing it). There must be some worth. Well, there is. I have said it before, and I will say it again; there is nothing that a teenager can do that will be more valuable to their future life than speech and debate. But more specifically, there are the little moments, the wonderful times and the unexplained joys that come from watching that proverbial light bulb come on in a student's head, to actually see them thinking and speaking on their feet, indicating that they have finally figured it out. It's why most teachers teach (aside from the aforementioned riches). So, what are these moments, these



Bill Gibron

It's not the trophies or the wins.

It's not the National Championships or the missed opportunities.

It's not the number of NFL points or team size.

It's the times when a smile creeps to the corner of your mouth, almost subconsciously, when you see before you what you've only read about in books, or heard as rumor from other coaches.

It's when forensics becomes forensics.

It's when all the hard work pays off, and the long sleepless nights and caffeine fueled days disappear into a comforting haze of simplicity, this is why and how it is done. *This* is why I coach. And *this* is why I write the column. I want *more* of the good things, and *less* of the bad. I want forensics to be forensics. And when it is, *it's*

*magic.*

little specks of joy? Here we go:

...when the Negative team discovers their links are valid, and realizes they now have an inroad into an otherwise squirrely case.

...when novice Debaters, who dread doing anything, let alone debating, walk out of a round, thoroughly defeated but desperate to debate again.

...when a debater presents to the coach, without any prodding or yelling, and without the benefit of camp files, or coach's input, a brand new block of evidence.

...when the 1AC presents not so much a case, but a narrative of a problem and a solution that makes clear, cohesive sense.

...when a round becomes so heated and so intense that students forget silly wants like food and water and are focused on one thing and one thing only, debate!

...a sly and clever cross examination, where hints are given as to the direction and use of the answers provided, but skill prevents a clear view.

...when sleaze debaters are caught, and punished by their opponents.

...when sleaze debaters are caught, and admit it, and move on.

...when varsity debaters, who have the chance to literally destroy novices they are facing in a round, instead walk them through the debate, knowing that they win the ballot *and* the moral high ground.

...when a team, long the fodder for other varsity teams, finally comes into their own and begins to win.

...the look on the faces of debaters, who are convinced that they lost the tournament, when their names are announced as winners.

...the look on the face of the novice team when they break for the first time.

...the youthful optimism of a new debate year.

...the letter, years after the fact, telling you how much debate, and your coaching, meant to that ex-student.

Sure, it's easy to point out the small pleasures amongst the massive defects that currently exist in Team Debate. And it would be easy to argue that the problems far outweigh the fun. But that's not really the truth. On whole, debate is still a wonderful event, filled with hidden riches. Dwelling only on (Gibron to page 72)

# Austin National Debate Institute

CX Main Session: July 2 - July 18

LD Main Session: July 2 - July 15

The Austin National Debate Institute seeks to provide students access to a national-caliber faculty at an incomparably low cost. The ANDI is an independent program which offers **both Policy and Lincoln-Douglas debate**, taught by some of the finest and most respected forensics educators in the country. The ANDI provides a true national level program, with options for policy debate or LD debate programs or for one-week primer sessions in either type of debate.

## *Fabulous Learning Environment*

- **Great location.** The ANDI is located in Austin, Texas, an exciting city known for its cosmopolitan atmosphere and quality libraries. Students are housed in a secure facility which is one of the finest residence halls in Austin. Housing is of the highest quality, with comfortable, climate controlled double rooms, many of which have a separate living area and kitchen facilities.
- **Educational emphasis.** The ANDI programs focus on the teaching of debate skills and techniques in combination with a proper emphasis on preparation and original research. The program is designed to accommodate students at the beginning and advanced levels, with separate labs and primary instructors for beginners. All essential camp evidence and materials, including over a thousand pages of briefs produced at the camp by policy debate students, are included absolutely free of additional charges. Policy students will graduate prepared to tackle the 2000 policy topic, while the LD students will be prepared to debate likely national topics.
- **Numerous special program features.** These include enrollment caps to ensure student access to ALL the top faculty; an incredible faculty-student ratio of around 1:7; special theory seminars, lectures and guest lecturers; multiple critiqued debates; rebuttal reworks and strategy training; and much more! The program as a whole emphasizes learning through doing, with all students working with a variety of faculty on basic and advanced skills such as argument preparation, strategizing, extension of positions, and foundational theories of debating and delivery. Policy debate students will also receive access to the best evidence produced at the NFC camps!
- **Top quality national-circuit faculty.** The ANDI faculty is composed of some of the finest coaches and debaters in the nation. Students will have the opportunity to learn from a supportive and experienced staff. A glance at the qualifications of the ANDI staff will reveal the depth and quality of what is every summer debate program's most important asset, its teaching staff. ANDI compares favorably with any other program in this and every regard!

### *Carefully Structured Schedules*

#### SAMPLE CX SCHEDULE

8-9:00 AM	Breakfast
9-10:30 AM	Topic Lecture
10:30-Noon	Aff Case Construction
Noon-1:00 PM	Lunch
1:00-3:30 PM	Library work
3:30-5:00 PM	Theory seminar
5:00-6:30 PM	Dinner
6:30-8:30 PM	Lab session
8:30 PM	Commuter checkout
8:30-10:00 PM	Topic preparation
10:00-12:00 AM	Recreation & relaxation
Midnight	Lights out

[www.educationunlimited.com](http://www.educationunlimited.com)

#### SAMPLE LD SCHEDULE

Breakfast
Value Analysis Practicum
Seminars on Strategizing
Lunch
Case preparation
Practice debate w/critique
Dinner
Delivery drills
Commuter checkout
Aff case work session
Recreation & relaxation
Lights out



Fees : \$995 for CX,  
\$825 LD, \$535 1-week  
plus \$75 application fee.  
For info contact: NFC  
1678 Shattuck Ave, #305  
Berkeley, CA 94709  
or call: 510-548-4800

*The National Forensic Consortium presents the*

# **Austin National LD Debate Institute**

Regular LD Session: July 2-15

One-Week LD Session: July 2-9

The Austin National LD Institute offers a national-caliber program with great instructors at a cost comparable to local camps. The camp has a variety of outstanding features, and has a history of preparing students for all levels of competition: local, regional, and national circuit.

## **The 2000 faculty includes:**

Nick Coburn-Palo of Hopkins High School and Jessica Dean of Boston University. Both of these instructors specialize in teaching philosophy and advanced techniques of LD debate. Instruction is available for students from beginning to advanced level.

## **And here are what some previous ANDI LD camp participants thought:**

"All of the philosophical lectures and discussions were awesome! I was really pleased with the level of instruction. Our lab leader was very dedicated to providing us with a good experience, and the level of intensity was extremely high. I would definitely recommend this camp!"

*Addie Frieweaver, previous program participant*

"I would recommend this camp to other students because it was tons of fun and I learned a lot. The work was hard, and the intensity was high, but wasn't overwhelming... The staff did a good job explaining things and made it easy to ask questions. The quality of instruction, level of intensity, and student to staff ratio were all a '10'..."

*Alison Campbell, previous program participant*

"I learned a lot and feel I've improved tremendously. I liked the emphasis on research... I felt the best features of this camp were the friendliness of the staff, their dedication to our intellectual and spiritual growth, and the free bumper stickers! The level of preparation of my lab leaders, their knowledge and skill level, and their commitment to providing a quality experience were all 10 out of 10..."

*Will Orloff, previous program participant*

"I would recommend this camp because it's affordable with the same qualities as more expensive camps. I really enjoyed the counselors. ...the instructors were experienced, but were also people that students could relate to..."

*Viviana Gonzalez, previous program participant*

## **For a brochure contact:**

**1678 Shattuck Ave, #305  
Berkeley, CA 94709  
or call: 510-548-4800**

## **NFC ANDI LD Camp Fees :**

**\$535 for the one-week, or  
\$825 for the full program,  
plus a \$75 application fee.**



*Listed fees include tuition, room and a meal plan.*



# HOW DEBATER'S SHOULD JUDGE INTERP!

by Michael Streeter

I use the pervasive, albeit, inaccurate term "Speech" to describe what I do. I am a Speech Coach, I coach the Speech Team and we go to Speech Tournaments. "Speech and Debate" is just as inaccurate for an interpretation is no more a speech than a debate is. When I use the term "Forensics" with anyone my age or older (outside of our cloistered little world) they think of the TV show *Quincy* with Jack Klugman. Anyone younger than I am will respond with... "huh?" Using speech is much more effective in recruiting a fourteen-year-old freshman than forensics will ever be. It is sufficient to say speech and those that don't see the efficacy of using a short, inaccurate term to facilitate understanding hasn't debated or seen a debate in the last few years.

That said, "Speech Tournaments" are frequently in need of judges. When I attend speech tournaments, often I hear groans and protestations when someone with little or no debate experience is asked to judge a debate. They fear speed/spread and avoid debate like the plague. The inverse is also true, though the protestations are much subtler. The debater given an interp ballot will whisper, "I never know how to judge these things, I just go with my gut feeling." If said to a fellow debater, the response is usually a shrug of the shoulders. If said to an interper, the response is a knowing smile of assent. The

interper knows that going with one's "gut feeling" is probably the best way to adjudicate an interp. What the interper fails to see is that going with one's gut feeling run contrary to everything in which a debater believes. This response is also of no value to the debater because it gives no clue as to how to write a ballot (the most important aspect of judging in this author's view). Gut feelings supply the rankings only. Ballots require more.

Debaters aptly supply quality critiques of delivery (though seldom will you see the comments "too fast" or "slow down"). Beyond delivery comments, debaters are often lost. Here are some tips that may help a debater to judge interpretation using language debaters can relate to:

**Topicality** - Is the selection appropriate to the event? Prose in Prose, Poetry in Poetry, funny stuff in Humorous, etc.

**Need/Solvency** - Does the selection meet a need in the audience? Intellectual stimulation, insight into life, emotional fulfillment, etc.

**Advantages** - How does the audience benefit from having experienced the interpretation? Was the experience worth the time of the audience? Was there something new to be learned?

**Ethos, Pathos & Logos** - (When I use

these terms with my interpers, they often think I'm referring to *The Three Musketeers*). While the focus may be on the pathos, ethos and logos are not to be neglected. After you have watched an interp; ask yourself, "Were the characters made believable?" (Ethos) "Was the introduction adequately related to the piece?" "Was the piece communicated in a way that made sense?" "Could I follow it?" (Logos)

**Flow** - Is there an emotional arc or through line within the character(s) that carries through the piece?

**Turn** - Did the competitor misinterpret the piece. Are they taking it in the wrong direction?

**Tag Team** - In Duo, are the performances balanced or is one competitor carrying all of the weight of the piece?

**Clash** - In Duo, are the competitors listening to each other or are they each giving individual performances? Is there a dramatic build to a climax?

I'm sure others will generate many additions to this (half tongue in cheek) list. These tips may help the debater find her/his way to writing a quality ballot that will be of use to the interp competitor.

(Michael Streeter coaches in Sandy (OR))

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If you are a coach and you would like a packet of information sent to you to share with your students contact Bettie Minshall via e-mail at [minshal@dce.ksu.edu](mailto:minshal@dce.ksu.edu).



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HOME ADDRESS \_\_\_\_\_

CITY/STATE/ZIP \_\_\_\_\_

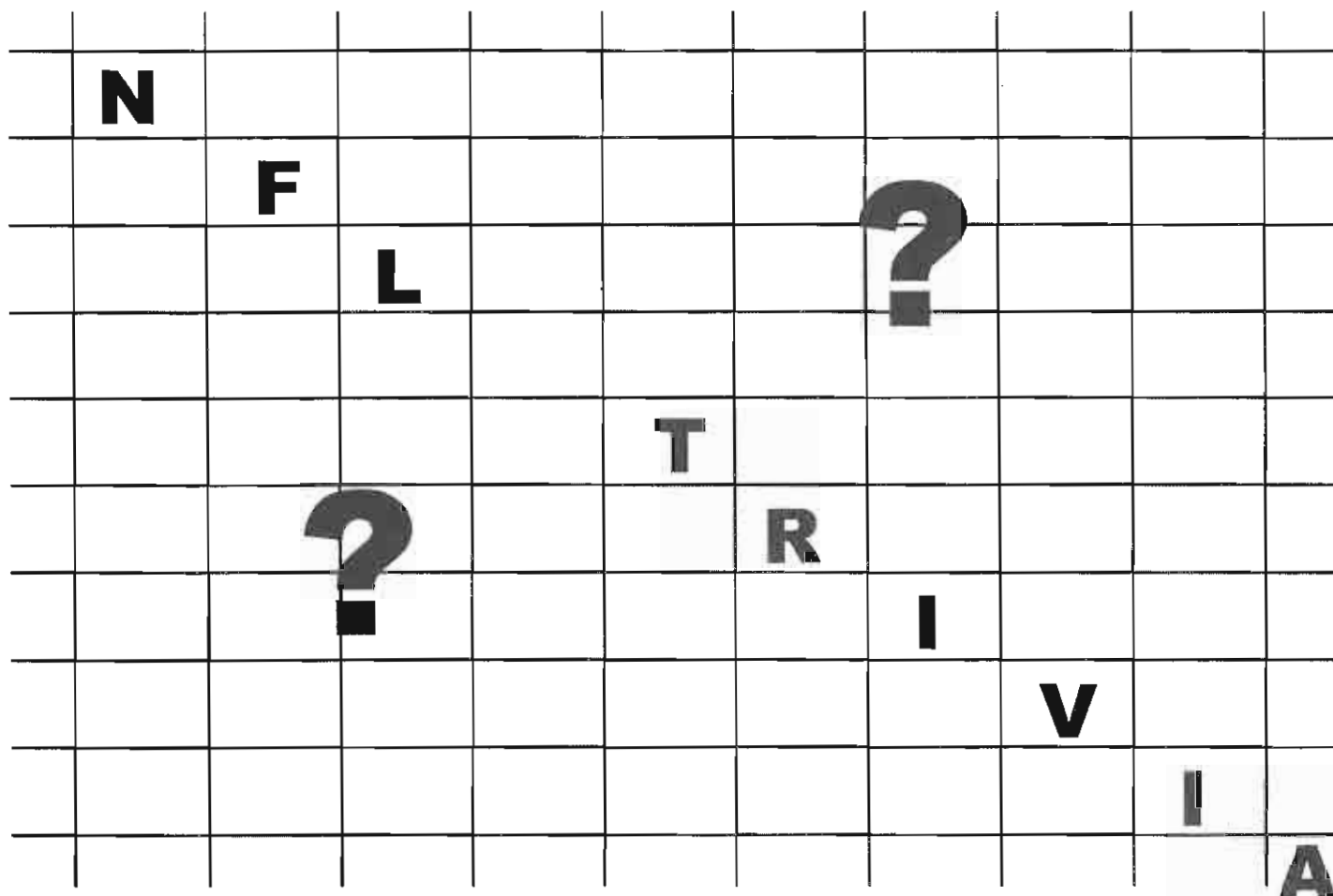
SCHOOL ATTENDED \_\_\_\_\_

NAME OF PARENT/GUARDIAN \_\_\_\_\_

AREA IN WHICH YOU WISH TO BE ENROLLED

(CHECK ONE)

DEBATE	_____
INTERPRETATION	_____
LIMITED PREP	_____
PREPARED SPEECHES	_____



**Test your NFL knowledge.  
Answers found on page 70.**

1. In what year did The National Forensic League begin?
2. Who is the founder of the National Forensic League?
3. How many schools ratified the original constitution and became members of the NFL?
4. Name the college where the first officers of the League were appointed?
5. This Senator obtained NFL membership certificate No. 1. Who was he? (This Senator was Rostrum editor from 1932-1940)
6. What year did the NFL Council authorize the granting of Distinguished Service Awards?
7. In 1931, where was the first national debate and speech tournament held for high schools?
8. What year did the Executive Council found the NFL Hall of Fame?
9. Currently, how many members are on the Executive Council?
10. What NFL Coach is called "Mr. Congress"?

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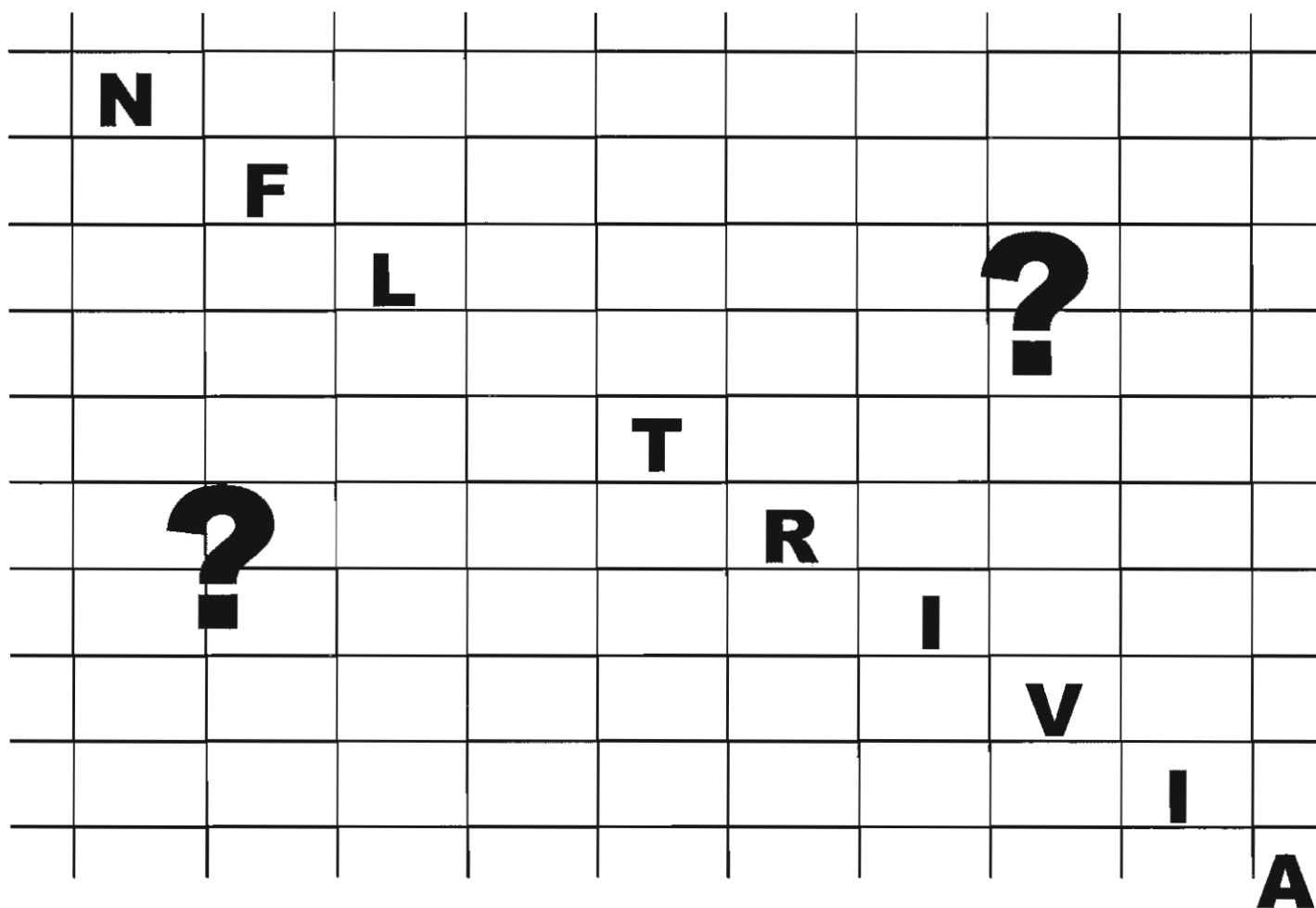
Deadline: May 1, 2000



## **Date: Saturday, June 24, 2000**

**Place:**

**Fr. Ryan High School,  
Nashville,  
Tennessee**



## Answers to the NFL Trivia questions on page 68.

1. The National Forensic League was founded in 1925.
2. Bruno E. Jacob is the founder of the National Forensic League.
3. There were twenty-four schools who ratified the original constitution and became members of the NFL.
4. Ripon College is where the first officers of the League were appointed.
5. Senator Karl E. Mundt obtained the first NFL membership certificate and was Ros-trum editor from 1932-1940.
6. In 1932 the NFL Council authorized the granting of Distinguished Service Awards.
7. In 1931, the first national debate and speech tournament was held at Ripon College.
8. In 1977, the NFL Hall of Fame was founded.
9. Currently, there are 10 members on the Executive Council.
10. Mr. Harold C. Keller is known throughout the NFL as "Mr. Congress."



# Tiger Debate 2000

- **Low student-to-teacher ratio** – Last year was approximately 3:1. Many different teaching formats, including lectures, discussions, and individual instruction, are offered.
- **State-of-the-art research facilities** – Forsyth Library, access to the Internet, Lexis-Nexis, and other research methods are available to students. We will keep you on the “cutting edge” of tomorrow’s research techniques.
- **Comprehensive high school debate instruction** – Our pedagogy ranges from traditional perspectives to more contemporary approaches. We are just as committed to teaching stock issues as we are kritiks.
- **Enthusiastic, knowledgeable, and concerned staff** – Our staff includes college students, as well as high school and college coaches. This group has had competitive success on both the high school and collegiate levels.
- **Balanced curriculum of research, theory, and debating practice** – This enhances your chances of success. We want you to win more debates and have more fun.



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Session	Campus	
	On	Off
10 Day	\$600	\$350
18 Day	\$950	\$550
Coaches	\$200	\$100

Contact:  
Bill Shanahan  
Tiger Debate Workshop  
Communication/FHSU  
600 Park Street  
Hays, KS 67601-4099

[wshanaha@fhsu.edu](mailto:wshanaha@fhsu.edu)  
(785) 628-5859

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July 28 - August 6, 2000 @ Indiana University  
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Daniel Tyree, Plymouth  
Scott McDermott, Glenbrook

Jane Nelson, Plymouth  
Adam Krupp, Plymouth

Catherine Keane, Chesterton  
Elizabeth Kenny, Plymouth

### Extemporaneous

Don Fortner, Munster HS

### Policy Debate

Jim Cavallo, Chesterton

Christ Stepp, Ben Davis  
Marlissa Hughes, Evansville North

### Oratory

Bob Kelly, Chesterton HS  
David McKenzie, Northfield

### Lincoln-Douglass

Carol Biel, Chesterton

### Camp Director

Charlotte Tyree, Plymouth

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*Champion* from  
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Katie Tyree & Ethan Ax,  
*Duo 5<sup>th</sup> 1999 NCFL Tournament*  
from Plymouth HS

For registration information  
contact

Charlotte Tyree:  
Plymouth High School  
# 1 Big Red Drive  
Plymouth, IN 46563  
H: 219-936-5992  
S: 219-936-2178 ext. 241  
F: 219-936-4276  
[ctyree@plymouth.k12.in.us](mailto:ctyree@plymouth.k12.in.us)

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*(Gibron from page 63)*

the negative paints an unfair portrait of a much maligned event. Looking at the big picture, the whole picture, one sees the reasons coaches and students stay involved. In all things, it is said, we must take the bad with the good. Just because it seems there is so much bad in TD doesn't lessen the good inside.

So, the next time a team dumps 30 cards on-case in the 2NC, or when they kick out of a TD argument in the 2NR, remember the little moments. When they speed through evidence like you've inherited Superman's ears, or confuse fact with opinion, think of those small wonders. They are the cornerstones of the speech and debate experience.

*(Bill Gibron coaches at the Academy of the Holy Names (FL).*

## Recording Student Names

Because of the Y2K computer conversion, NFL was forced to make some changes in the process we use to enter the new students' names. The computer will not allow the spelling out of students middle names (example shown below). Additionally an initial for the first name then a middle name (example shown below) is not possible.

If a student has either a two word first name or a two word last name you must include the hyphen or the computer will put the middle name as an initial.

Betty Jo Smith **must be** either  
Betty J. Smith or Betty Smith

H. Robert Jones **must be** either  
H. R. Jones or Robert Jones

You may send in a student's name with a middle initial but you may also send in a students name with no middle initial.

*THANK YOU* for everyone's understanding!



# THE EXECUTIVE COUNCIL MEETS

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## Your NFL Council:

Tate, Sferra, Ferguson, Crabtree, Keller, Sterner, Brannan, King, Roberts,  
(standing Secretary Copeland)  
(Photographed by Councilor Ted Belch)



President Tate intently follows  
the debate.



Harold "Mr. Congress" Keller  
ponders a point.



Tate, Sferra, and Ferguson  
debate an issue.



Secretary Copeland records  
the minutes.

Submit pictures of  
events  
and activities to:  
Attn: Sandy  
NFL  
125 Watson St  
Ripon, WI 54971

## NFL'S TOP 50 DISTRICTS

(as of February 1, 2000 )

Rank	Change	District	Ave. No. Degrees	Congress Trophy Contender	Rounds
1.	+7	Northern Ohio	156.09	Niles-McKinley	87
2.	--	Northern South Dakota	152.22	Watertown	47
3.	-2	East Kansas	151.77	Shawnee Mission West	84
4.	-1	Heart of America	150.88	Kansas City-Oak Park	78
5.	--	Rushmore	147.70	Sioux Falls-Washington	59
6.	-2	East Los Angeles	136.66	Alhambra	76
7.	-1	New York City	136.57	Bronx HS of Science	67
8.	+3	Northwest Indiana	136.00	La Porte	67
9.	-2	Kansas Flint-Hills	127.70	Topeka	78
10.	-1	Sunflower	124.58	Wichita-Heights	71
11.	+2	Show Me	124.13	Raytown	73
12.	+2	San Fran Bay	122.40	Miramonte	71
13.	-3	South Kansas	122.09	Field Kindley	71
14.	+1	Florida Sunshine	119.50	Tampa-Jesuit	64
15.	-3	West Kansas	118.85	McPherson	48
16.	--	Central Minnesota	110.00	Apple Valley	77
17.	--	California Coast	104.38	Lynbrook	73
18.	+1	Florida Manatee	102.25	Nova	69
19.	+2	West Los Angeles	99.30	Marshall	37
20.	+2	Montana	98.88	Bozeman	86
21.	+2	Hole in the Wall	98.06	Cheyenne-Central	34
22.	+3	Eastern Ohio	97.09	Canton-GlenOak HS Career Ctr.	73
23.	+1	Northern Illinois	96.78	New Trier Twp.	77
24.	+3	Nebraska	96.69	Millard-North	39
25.	-5	Carver-Truman	95.40	Monett	51
26.	+4	Southern Minnesota	92.57	The Blake School	47
27.	-9	Illini	92.00	Downers Grove-South	42
28.	--	Hoosier Central	91.80	Brebeuf Jesuit	95
29.	+23	Colorado	87.58	Mullen	77
30.	+8	New England	87.00	Shrewsbury (MA)	58
31.	-5	South Carolina	86.30	Riverside	53
32.	+7	West Iowa	85.30	West Des Moines-Valley	42
33.	-4	Hoosier South	83.91	Evansville-Reitz	84
34.	-1	Northern Wisconsin	83.71	Appleton-East	83
35.	+1	North Coast	82.85	St. Ignatius	54
36.	-5	Western Washington	82.45	Puyallup	59
37.	-3	Northern Lights	81.50	Grand Rapids	84
38.	+22	Rocky Mountain-North	79.37	Skyline	55
39.	+14	Eastern Missouri	78.72	Parkway-Central	78
40.	-5	Southern Wisconsin	77.84	Marquette University	50
41.	+10	Sierra	76.64	Fresno-Bullard	62
42.	-1	Heart of Texas	76.42	Westlake	26
43.	-6	Southern California	75.50	Yucaipa	34
44.	--	Michigan	75.28	Portage-Northern	76
45.	-13	Chesapeake	74.33	Calvert Hall College	8
46.	+4	East Texas	73.88	Klein	53
47.	+10	Utah-Wasatch	73.72	Ogden	46
48.	-1	Valley Forge	73.12	Truman	58
49.	-9	Southern Nevada	73.00	Chaparral	26
49.	-7	New Mexico	73.00	Taos	45

# NFL DISTRICT STANDINGS

Rank	Change	District	Ave. No. Degrees	Congress Trophy Contender	Rounds
51.	-8	Tennessee	72.86	Nashville-Overton	63
52.	+3	Eastern Washington	72.10	Mead	44
53.	-4	Rocky Mountain-South	71.58	Golden	68
54.	-8	Pittsburgh	71.55	North Hills	77
55.	+7	South Texas	71.45	Lamar Consolidated	48
56.	-8	South Oregon	71.16	Ashland and Eagle Point	44
57.	-12	Big Valley	70.38	Modesto-Downey	69
58.	+3	Ozark	70.33	Springfield-Parkview	80
59.	--	North East Indiana	69.31	Fort Wayne-Northrop	52
60.	-4	Carolina West	67.84	High Point-Central	69
61.	-7	North Oregon	66.00	Glencoe	41
62.	-4	West Oklahoma	65.86	Norman	66
63.	+1	Nebraska South	65.07	Omaha-Mercy	26
64.	+1	Sundance	64.44	Hillcrest	62
65.	+6	Great Salt Lake	64.20	Salt Lake City-Skyline	63
66.	+9	Western Ohio	63.52	Centerville	72
67.	+1	Gulf Coast	63.25	Corpus Christi-King	75
68.	-1	Idaho	62.13	Idaho Falls	43
69.	-3	East Oklahoma	61.60	Sapulpa	65
70.	-7	Big Orange	61.42	Cypress	34
71.	+2	North Dakota Roughrider	61.05	Fargo-North	80
72.	-2	Lone Star	60.73	Plano Sr.	100
73.	+4	Georgia Northern Mountain	60.33	Calhoun	65
74.	+7	Colorado Grande	58.04	Doherty	54
74.	-2	Louisiana	58.04	St. Thomas More	84
76.	-7	New York State	57.69	Albany	37
77.	+12	East Iowa	57.29	Davenport-West	71
78.	+2	Wind River	57.00	Rock Springs	61
79.	-3	Deep South	56.93	Homewood	43
80.	-7	Greater Illinois	56.83	Belleville-West	51
81.	-2	Pennsylvania	56.75	McKeesport Area	56
82.	+1	North Texas Longhorns	56.50	Plano-East	83
83.	-5	West Virginia	55.80	Wheeling Park	4
84.	--	Arizona	54.53	McClintock	40
85.	-3	Maine	53.12	Thornton Academy	25
86.	-1	New Jersey	51.56	Randolph	51
87.	-1	Mississippi	50.69	Hattiesburg	72
88.	-1	Central Texas	50.25	San Antonio-Lee	67
89.	+5	Georgia Southern Peach	48.83	Carrollton	25
90.	+1	Kentucky	48.33	Scott County	51
91.	-3	Sagebrush	47.87	Reno	27
92.	--	Capitol Valley	46.09	Sacramento-Kennedy	30
93.	--	South Florida	45.00	North Miami Beach	82
94.	-4	Tall Cotton	44.60	Midland-Lee	41
95.	--	Mid-Atlantic	44.41	Winston Churchill (MD)	40
96.	--	Puget Sound	38.25	Mercer Island and Newport	26
97.	+2	Iroquois	33.77	Madrid-Waddington Central Sch.	13
98.	-1	Tarheel East	32.75	Enloe	48
99.	-1	West Texas	29.36	El Paso-Cathedral	43
100.	--	Hawaii	27.12		
101.	--	Patrick Henry	25.41	First Colonial	29
102.	--	Guam	6.50		



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Applications are due by May 15, 2000. All application inquiries should be sent to Lynn Goodnight at USC Summer Seminars Office, ADM115, University of Southern California, Los Angeles, CA 90089-4019. All curriculum questions should be directed to David P. Damus (E-mail at: [Damus@aol.com](mailto:Damus@aol.com).) For more information about the University of Southern California, try our web-page at [www.usc.edu](http://www.usc.edu).

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