

CHAPTER 7

Pros and Cons: Solid Points and Powerful Cases



Coming Up!

The heart of top-notch debate is a great case by both teams. In this section, you'll learn how to engineer strong, intelligent arguments centered around compelling themes. You'll also see how to present your points in a way that leaves your judges impressed and your rivals facing an uphill battle.

BUILDING A CASE FROM THE GROUND UP

The foundation of a first-rate performance is a strong case. A case is a collection of individual arguments that push for or against the resolution. Your team is responsible for presenting a case that articulates your side of the issue clearly and effectively. What are the ingredients of a case that's tough enough to withstand attack?

Consistent. The arguments you present must fit well with one another. The need for consistency applies both within your speech and between you and your partner. Without this coherency, your case will be easy to refute and hard to defend.

If the arguments are *independent*—each one, standing alone, helps build your case—they must never be contradictory. Say that your partner argues, “Economic globalization is good because of the benefits associated with greater international trade.” Then, you stand up and present the argument, “Information globalization is good because the spread of knowledge allows countries to produce more locally, making them less dependent on foreign imports.” These two independent arguments are inconsistent.

If, however, the arguments are *interdependent*—they're linked and support each other—the relationship must make sense. For example, if you talk about the “shortage of doctors in developing countries” and proceed to call for “sending more medical equipment to solve this problem,” you have a consistency problem. What good is more medical equipment if there aren't enough doctors to use the equipment?

Explained. It isn't enough simply to state strong, focused points. You have to explain completely *why* they're correct. Say you're the Affirmative team and you're debating on the resolution, “Be it resolved that the entertainment media has a negative influence.” One of your arguments is, “Many children commit violent acts because of what they see on television.” Don't stop there. Why is television the cause? How severe is the problem? Is the problem widespread, or are we talking about a small number of shows? Do the harmful shows overshadow the positive ones? Always leave your audience with a complete sense of what each argument means.

Supported. If your explanation isn't enough to make an argument convincing, you may need to draw on evidence to support your claim.

Say that in arguing post-secondary education should be free, you talk about how “many people can’t access it because they don’t have enough money.” Really? How many people are you referring to? What proof do you have that making it free for everyone is even necessary, when the government could simply increase grants and loans? As discussed in Chapter 3, be sure to use credible sources and strong examples.

Organized. How you lay out your case is extremely important. Don’t just randomly state argument after argument. Think about how to split the arguments *between* speeches and how to organize them *within* a speech. A well-organized case is easy to follow, which also makes it easier to secure the agreement of your judges.

There are many different ways to organize your points, and the method you should select depends on the resolution. Refer back to Chapter 3 for a discussion of the more common structures. One possible way is to start with the need and then to describe the solution. For example, you could start by explaining why environmental pollution is a growing problem, and you could continue by presenting a number of initiatives. Or, perhaps it makes sense to organize your case by themes. For example, you could talk about the security reasons for engaging in a war, and your partner could talk about the human rights reasons. While there’s no ‘right’ way to organize a debate case, think carefully about how to make it logical and easy to follow.

Complete. Make sure that you cover the key angles of an issue to the extent that the definition requires. If you’re arguing that the government should subsidize community league sports, you could argue that the primary reason is to improve health and wellness. But what about the positive impact on the community? While you could make a great case on the healthy lifestyle issue alone, your case would be stronger if you covered several key advantages. However, a word of caution: don’t cover every angle at the expense of depth. Make sure that you have enough time to cover every key area of your case with sufficient logic and sound explanations.

Relevant. Seems common sense, right? You would be surprised at how often intelligent people make intelligent arguments that don’t get to the heart of the issue. Say you’re arguing that Supreme Court judges should be elected. One of your points could be that the court is deeply divided on several key issues and that a shakeup of the system is in

order. But would electing the judges actually change that? Is it even relevant to the competing principles that are at the core of the debate? Make sure that all of your points support your case directly.

THE RIGHT ANGLES: ANALYZING THE ISSUE

We'll soon get into the specific types of arguments that you can use to support your case. First, it's important to understand how to go about analyzing an issue. While there's no 'one size fits all' framework for this endeavor, there are five key areas to look at when learning about a topic: *Political, Economic, Social, Cultural, and Moral*.

Political. Think about issues in terms of how they play out in the public arena. What are the implications for diplomatic or security relations between states? What does the state of the national political dynamic mean for society?

Economic. This angle of analysis deals with material well-being. Some of the relevant issues include trade, unemployment, standard of living, taxes, investment, and subsidies.

Social. Examine the impact of the issue on relations between people in society. Specifically, what are the main implications for families, schools, workplaces, and communities?

Cultural. This area of analysis relates to a society's sense of identity and character. Some of the key areas include the arts, media, languages, and multiculturalism.

Moral. An analysis of the issue's moral dimensions involves 'right vs. wrong' questions. For example, is it ethical to lie about a medical condition in order to prevent fear? Or would it be morally acceptable for a doctor to remove a dying patient's life support system?

A THEME TO SET THE SCENE

Debates with scattered, disorderly arguments lack a sense of direction. Granted, the definition should do a fairly good job of making the scope of the debate clear. But you need to go a step further in order to

have a well-focused round. Your team needs to have an overall theme that unifies the entire case. Sometimes, it may make sense to have two themes, as long as it's necessary and they fit well together.

What is a theme?

A theme, simply put, is an 'umbrella' statement of what your case is about—*what* you're setting out to accomplish and *why* it matters. Good themes are short and easy to remember. Even if the judges forget some of your more specific arguments, explanations, and evidence, they should always remember your theme.

Success Tip!

Focus your arguments around core themes.



How do you use it?

Used effectively, a theme can be a powerful communication tool that makes your case seem connected and focused. The real value comes not in stating the theme over and over again, but in applying the theme to distinct parts of your case. Here are some of the times when using your theme may be helpful:

Near the beginning of the first speech. Don't make your theme a mystery to be discovered as the debate progresses. A good place to introduce your theme as the Affirmative is right after you've defined the terms or, if you're the Negative, at the start of your first speech. State it clearly and completely at this point, letting everyone know exactly where you'll be going with your case. For example, you could say, "The central theme of the Affirmative's case is that, on balance, television advertisements obscure our ability to make sound, rational decisions about the pharmaceutical products we buy."

At the end of a constructive point. Concluding each point by repeating the main argument isn't very interesting. And restating your theme repeatedly will bore the audience after a while. What you should consider doing is explaining briefly how the point ties back to and supports your central theme. This way, you've reminded everyone of the theme in the context of a specific point. For example, you could argue, "This second point about the tools that companies use to appeal to

our instincts shows how advertising makes it harder for us to make sensible medical decisions.”

At the end of a constructive speech. Tying your speech together by addressing how you’ve proven your theme can be an effective strategy. But make sure you do so concisely, especially if you’ve used your theme at the end of each constructive point. For example, you could conclude your speech by saying, “My first argument about human psychology and my second argument about advertising techniques collectively prove that television advertising of drugs has a negative influence on consumer buying habits.”

As a central focus of the rebuttal. Since the rebuttal is supposed to focus on the competing themes of the debate, it only makes sense to say how you’ve argued your theme effectively and how that makes your case superior to your opponent’s case. You could explain, for instance, “Today, we’ve demonstrated that our theme, namely that advertising gets in the way of making sound, rational drug purchasing decisions, has prevailed over our opponent’s theme of informing consumers on available treatment options.”

ENGINEERING HIGH-PERFORMANCE POINTS

If a theme is the foundation and frame of a debate, arguments are the bricks and mortar. The strength of your team’s arguments will make or break your case. Without strong arguments, you can’t support your theme effectively. If your contentions are weak, it’s tough to explain the logic behind them and the evidence supporting them.

There are many angles that you can take when developing arguments. Discussed in this section are some of the areas to consider, grouped into four categories: *Justification*, *Systems*, *Perception*, and *Behavior*.

Watch Out!

Avoid arguments that are widely accepted or uncontestable.



Arguments on Justification

Legitimacy. An argument can be based on whether one practice legitimizes another practice. Usually, a parallel can be drawn between different circumstances. In a debate on the whether parents have a right

to spank their children, you could argue, “Allowing spanking provides a sense of legitimacy to other forms of violence that could also be used to discipline young children.”

Morality. Issues of morality consider whether a practice is ‘right’ or ‘wrong’ from a values perspective. Since such judgments are personal in nature, making an argument on moral grounds can be challenging. But appealing successfully to a common belief and explaining why it’s a worthwhile value may strengthen your case. On the issue of foreign aid, you could argue, “Increasing our monetary commitment to international development is the right thing to do, because it advances our society’s concept of universal human dignity.”

Consistency. If a practice related to the issue has been firmly established, you can argue that that your view is a justified extension of this circumstance. Say you’re arguing that American citizens born abroad should be allowed to run for President. You could argue, “Our democratic system trusts foreign-born Americans with important, high-responsibility positions, such as Governor of California, and sensitive national security roles, such as Secretary of State. Allowing them to run for President would be consistent with these principles.”

Remedies. If an injustice has occurred in the past, you can argue that the victims are justified in demanding compensation or another remedy. For example, you could say, “Reserving a set number of places in medical schools for students of aboriginal ancestry is justified, because aboriginal peoples were denied a fair opportunity in the past.”

Rights. You can justify a principle on the grounds that it’s a fundamental right or freedom. The crux of such an argument is that the right at stake is too important to be taken away simply because of a particular circumstance. It’s helpful to explain why limiting the freedom is harmful. In a debate on restricting hate speech, you could say, “The right to speak freely is undeniable, even if it’s used in a way that’s morally objectionable. We shouldn’t be trying to draw an arbitrary ‘line in the sand’ when it comes to this cornerstone principle of a free society.”

Norms. Your point can appeal to one’s sense of what’s considered normal or commonplace. But don’t forget that a norm to one person may not be a norm to another. Only use this tool if virtually every-

one in society accepts the norm that you're thinking of evoking. For example, you could claim, "This practice infringes on the parent-child bond, which is the most fundamental relationship in our society."

Historical. Citing historical reasons can help you justify either upholding or rejecting a current practice. Using history as an argument to maintain a current practice can be risky, as it begs the reaction, "That was in the past. This debate is about what's justified in the present." More often, a team will argue that a historical reason is no longer sufficient justification. For example, you could argue, "Many of the historical reasons for protecting a citizen's unrestricted right to bear arms don't exist today. We now have well-established police forces to protect everyone in society, so it's no longer appropriate for citizens to take the law into their own hands."

Precedent. You can argue that a certain practice sets a precedent for future actions. Although sometimes there is a positive precedent, a dangerous, 'slippery slope' precedent is the type most often cited in debates. For example, one could argue, "Censoring school library books sets a dangerous precedent for academic and literary freedom. The logic used to justify censoring library books can also be used to justify censoring newspapers, textbooks, and other information sources readily available within the walls of a school."

Arguments on Systems

Enforceability. It's all fine and well that a system is brilliant in theory. But if it can't be enforced fairly and effectively, you can make an argument relating to this problem. Say the debate is on whether there should be a law against parents smoking at home in the presence of their children. You could argue, "The sheer difficulty of enforcing such a law makes it unworkable and weak."

Effectiveness. Even if a system has worthy goals, it may not be effective at meeting its goals. You can argue for or against a system based on how well it carries out its stated mandate. Say you're making the case for trade sanctions against a dictatorship that's abusing the human rights of its citizens. One of your arguments could be, "Diplomatic sanctions and United Nations resolutions have proven ineffective, so we need to take a harder line." On the other hand, your opponent

could argue, “Imposing trade sanctions wouldn’t be an effective solution, because it wouldn’t weaken the grip of the country’s leadership on the military and police forces.”

Feasibility. A proposal is worthy of praise only to the extent that it’s practical to implement. You can make an argument supporting or opposing a system on the basis of its feasibility. If you’re debating the issue of Internet regulation, you could say, “The problem with trying to form a global Internet ‘watchdog’ is that its excessive costs and bureaucratic hurdles would overshadow any potential benefits.”

Abuses. Even if a system has worthy goals and is easy to operate, you can argue against it on the grounds that it’s prone to abuses. Take a debate on the right of prisoners to communicate privately with the outside world. A possible argument is, “Granting this right leaves the door open to abuses, such as prisoners conducting criminal activities through unfettered communication with their associates.”

Results. One of the most common ways to judge a system is to evaluate its outcomes, either positive or negative. These benefits or harms can relate to one or more of a variety of groups, such as families, communities, companies, countries, or the world. For example, you could argue, “As a result of insufficient environmental regulations on factories, the unacceptably high level of urban smog pollution is negatively impacting human health.”

Arguments on Perception

Image. You can make an argument relating to the reputation of a person or group. To strengthen this type of point, explain *why* having a good image actually matters. In a debate on school discipline policy, one could argue, “A zero-tolerance policy would improve the reputation of the city’s public schools in the eyes of parents. This would lead to greater trust and a more cooperative relationship between parents and school administrators.”

Signals. An argument can be based on the signal that an activity or circumstance sends to other people. It’s helpful to take this type of point a step further, explaining *how* the signal has either a positive or a negative impact on society. An example of this technique is, “Allowing

prisoners to vote in national elections sends the message that they're a full part of our democratic system, which would lead many people to question the integrity of the electoral system."

Attitudes. A policy or situation can impact how people *think* about an issue, and what people think can impact what they *do*. Say the debate is on the merits of graduated, multi-stage driver licensing. One side could argue, "Adding steps to the process would help dispel the care-free attitude that many teenagers have toward driving. It would cause more young people to recognize that driving is a dangerous activity requiring responsible behavior."

Culture. An argument on culture is similar to one on attitudes, except that it deals with the overall *mood* rather than what a segment of the population *thinks* about an issue. For example, you could say, "Modern magazines paint a harmful stereotype of the 'perfect' body image. This creates an unfavorable culture in which teenagers are judged by their peers according to this standard."

Arguments on Behavior

Influence. You can argue that a circumstance has a positive or negative impact on human actions. The goal here is to establish a cause and effect link. One could argue, "The television entertainment media has a negative influence on children because much of its programming encourages violence in schoolyards and neighborhoods."

Intent. A point can be based on the intent of a person or group as it behaves in a certain way. This intent may either be positive or negative. It's important to explain the link between *intent* and *result*. For example, you could make the point, "Tobacco manufacturers intended to target a young audience so that they could establish an early base of loyal consumers. This ended up increasing the percent of teenagers who smoked cigarettes."

Role. Points based on role consider *who* is carrying out an action. You can argue that the person or group playing the role should or shouldn't be doing so. If looking at an individual's role, one could make the point, "It's the role of parents, not teachers, to encourage students to eat healthy foods." If analyzing a role from a non-personal

standpoint, you could argue, “Acting as a ‘global police force’ and stopping humanitarian crises is a necessary role for the United States of America, which is the world’s only superpower.”

WEAK AND WOBBLY ARGUMENTS

Each argument should be a clear, direct reason for the judges to agree with your side. Unfortunately, many debaters use inappropriate tools to build a case, meriting a discussion of the most common pitfalls:

Claiming that public opinion is on your side. A debate isn’t about whether a view is *popular* or *unpopular*. It’s about whether a view is *right* or *wrong*. Of course, a majority of the public will agree with one side or the other. If popularity could be used to make a point, debates would be decided before they even started. For example, don’t say, “In a national poll, 68% of the public agreed with our perspective” or “The re-election of the present government shows that most people agreed with the war.” Such statements do nothing to advance your case.

Using evidence as an argument. While evidence should be used to *support* arguments, it shouldn’t be used to *form* arguments. Examples and statistics provide backup for key points, but they aren’t contentious points themselves. If what you’re saying is a fact, then it isn’t debatable. And if it isn’t debatable, then it isn’t an argument. Stating, “The Affirmative’s first argument is that there were 1,250 murders in the city last year, which is up 11% from the year before” is a piece of evidence, not an argument.

Evoking a famous person’s views. Certainly, the views of a statesman or a celebrity may be acceptable if they add reasoned, substantive support to an argument. Unfortunately, this technique is often misused. For example, some debaters will make a statement like, “The Negative’s case is correct because in 2004, our perspective was endorsed by ...” So what? For the same reason that public opinion shouldn’t be employed, endorsements don’t have a place either. Remember, a debate is about how you argue for or against the resolution, not what someone else happens to think about the issue.

Basing a point on legality. Some debaters will use laws, particularly constitutions, to argue the validity of the *principle* behind an argu-

ment. However, rules and regulations aren't substitutes for reasoned arguments. Except if clearly stated in the resolution, a debate isn't about the legality of a particular practice. Even if a practice is illegal, the debate could focus on whether it *should* be illegal. It's possible to make principled arguments for both sides of a law. For example, you shouldn't say, "The Negative's second argument is that Section 9.3a of the national constitution implies that media censorship is wrong."

Supporting a practice because it's a choice. Just because a practice is an option, it doesn't make it more right or more wrong. Say you're debating that governments should allow public-private partnerships for national parks management. It would be poor form to argue, "The government gets to choose on a case by case basis whether a partnership is a good idea. If it's good, there will be a partnership. If it isn't, there won't be a partnership. Since it's a choice, our opponent's harms can't possibly exist." You should have argued that, on balance, these partnerships *are* a good idea, not that they *may* be a good idea.

Building a chain of arguments. Developing points as a series of progressive reasons, each argument building on the previous argument, is a tempting tactic. It allows you to show the logical development of your perspective. Unfortunately, it's often very risky. If you construct a chain of arguments and your opponent is able to break a single link in the chain, your entire case may fall apart. Don't feel that you shouldn't ever use dependent arguments, but think carefully about this risk before you do so.

POINTS ARE BRANDS, AND BRANDS HAVE LABELS

How does a company take a product with many features and benefits and present it in a way that's easy to for consumers to grasp? It creates a brand, and then it labels the product so that it instantly catches your eye. Debating points should be treated in a similar way. You may have spent several minutes talking about the reasons, support, and implications concerning a point. How is a judge to recall exactly what argument it was or what it meant? Simple: label it.

Success Tip!

When you 'brand' your points, make the labels easy to remember.



Suppose that your second constructive point explains how creating a new education agency would lead to major staffing problems, wasted resources, and countless delays. This is your “messy bureaucracy” point. Or, say your argument is that television shows and magazines have created unhealthy and socially harmful views of how a young girl should look, leading many teenagers to have poor eating habits and low self-esteem. This is your “image stereotype” point. Not only does this strategy make it easier for others to digest and remember what you’ve said, it also makes it easier for you to refer back to your points later on in the debate.

THE POLICY PROCESS

If you’re the Affirmative team in a policy debate, you have to establish *why* there needs to be change and *what* you plan to do about it. If you’re the Negative team, your case will usually include arguments in favor of the current system.

In practice, a plan is a thorough set of procedures and rationales that takes many hours or hundreds of pages to explain. Unfortunately, you’re considerably limited in a debate. Your challenge is to present a plan concisely, while communicating the key aspects effectively. Here are some strategies for building strong plans:

Stick to a few steps. Just as it’s tough for judges to digest more than a few arguments, it’s equally difficult to comprehend a plan with too many steps. Usually, having three parts in your plan is a good rule of thumb, perhaps one more or one less if the situation warrants. If your plan has five or six points, you’re likely to confuse the judges. Stating only one step makes your plan seem incomplete.

Strike a good balance between general and specific. Granted, this is tricky. You don’t want to speak in such generalities that nobody knows what exactly you want to do. At the same time, it’s not necessary to get into small details. Say you’re calling for graduated, multi-stage driver licensing. Here’s a comparison to illustrate the concept of balance:

- *Too general:* “We would have tests for each stage of licensing.”
- *Too specific:* “At Stage 1, we would implement a 25 question multiple choice knowledge test and a 30 minute road test focusing on five key

areas of driving proficiency. In addition, the following six conditions would be placed on Stage 1 drivers under the age of 18 ...”

- **Good balance:** “At Stage 1, there would be a written knowledge test and a practical road test. At Stage 2, there would only be a road test, but it would be more challenging and more comprehensive than the previous road test.”

Fit the plan with the needs for change. Your plan should be an extension of your needs for change, solving directly and effectively the problems that you brought up. Many debaters present plans that are very solid in their own right, but with advantages and rationales that are significantly different than the needs for change discussed previously. When you state your plan, it’s helpful to explain exactly how your proposal solves the problems in the present system.

Success Tip!

Keep your plan simple and easy to follow.



Use language that’s easy to comprehend. Presenting a plan shouldn’t be akin to playing the role of a lawyer. You should avoid using complex, legalistic language that sounds like formal legislation. Make sure that your judges will be able to understand your plan easily and quickly.

Don’t spend too much time on it. Although a plan is an important part of policy debate, it should rarely become the central focus. Overly technical debates centering on implementation issues get very dry. The primary focus should be on why the system needs to change, and the plan should largely clarify how, in a broad sense, you would go about carrying out the changes in an effective and efficient way.

CRITERIA TO LAY DOWN THE YARDSTICKS

In most instances, the definition does a reasonably good job of clearing up what the debate is about. By defining the terms how it chooses, the Affirmative team is explaining what it has to prove and telling the Negative team that it has to show the opposite.

However, a team can setup criteria to examine more specifically what each side needs to prove in order to win. There are two main goals that a team may want to achieve by using criteria:

Goal #1: To provide a ‘litmus test’ for the judges. In many values debates, two teams may argue very persuasively why a resolution is true or false, but both have entirely different interpretations of what needs to be proven. One or both teams may find it helpful to lay out the criteria by which the judges should decide who won.

Suppose that the debate is on the resolution, “Resolved: the United Nations is a failure.” The Affirmative defines the topic as “the Security Council failing to deliver international peace and security.” How do we know what’s considered a “failure.” What do we mean by “peace and security?” The Affirmative could set two criteria: *solving* crises it could have solved, and *discouraging* wars and civil conflicts.

Goal #2: As a high-risk strategy to stake out the core issues. Ideally, the debate will center around your preferred issues. Most teams will say from the outset what they think the debate is about, and they’ll plead their case again in the rebuttal speech. Laying out criteria is the most explicit way to mark your territory. However, it also paints a big target on your back. If the other team can show the judges that you haven’t met all of the criteria that you created, it’s far less likely that you’ll win the debate.

Say you’re the Affirmative team for the resolution, “Be it resolved that the law society should select federal judges.” You could claim that there are two criteria for deciding the issue: the process must be *objective*, and the selection must be based solely on legal *merit*. Clearly, you feel that your team has the upper hand on both accounts. However, if the Negative team can raise enough doubt about the law society’s objectivity, the judges may decide that you lost the debate even if your overall case was strong.

Your decision on whether to use criteria should be based on how confident you are that you can meet them. There’s nothing worse than proposing a set of criteria, only to see your opponent use your own words against you. Here are some strategies to follow if you decide to go with this case strategy:

Present them at the beginning of your first speech. It’s only fair that your opponent knows your version of the criteria at the outset. This allows its speakers to clash with your case accordingly or to argue for a different set of criteria.

Don't confuse criteria with arguments. A set of criteria is a tool with which to *evaluate* your arguments, but they aren't actually arguments themselves. Using the judge selection example discussed previously, it would be weak to say, "Our first point is that the law society is more objective, which addresses our first criterion." There's no distinction here between the criterion and the argument. On the other hand, you could say, "The Affirmative's first argument is that the law society would not receive any direct benefit as a result of its choices, which meets our criteria of *objectivity* and *merit*."

Use only a few criteria. Stating two criteria is typical, and three criteria should be the maximum. The more criteria you use, the more angles of attack you give to your opponents and the more you have to prove. If you use greater than three, you'll be complicating the debate and making it difficult for you to show how your points collectively meet all of the criteria. Imagine asking your judges to understand how five constructive points each meet four criteria! You would confuse even the most experienced judge.

Link your arguments back to the criteria. Many teams will boldly state a set of criteria, and then will never refer back to them during the remainder of the debate. The criteria will become less and less relevant as the debate continues. Worse yet, the judges could remember the criteria (they probably wrote them down), but be left wondering if you actually met them. As you deliver arguments and present your rebuttal, it's important you show that what you're saying is directly meeting the criteria you put forth initially.

Prove each condition in each speech. It's usually not a good idea to divide your case based on criteria. For instance, you shouldn't have the first speaker address the first measure and the second speaker prove the second one. The criteria are markers by which your *entire* case will be judged. Therefore, both speakers should refer to the full set of criteria in their respective speeches.

COUNTERING WITH A COUNTER PLAN

In a policy debate, it seems common sense that the Negative should refute every point brought forth by the Affirmative. Namely, it should clash with the professed needs for changing the system and the Affir-

mative's plan for carrying out the changes. Some teams, though, prefer to use one of the most risky tactics available: the counter plan.

What exactly is a counter plan? It's case strategy in which the Negative team agrees with the Affirmative's needs for change, but argues for a different plan to act on the deficiencies in the present system. The debate focuses not on the principled arguments for or against change. It focuses instead on which team has a more effective plan to deal with the situation.

Not all judges like counter plans. Rather than creating debates on competing principles, counter plan cases often become technical, speculative cases on which proposal would be more suitable. For this reason, counter plans are the most misused type of Negative case strategy. If you're thinking of using a counter plan, there are two requirements that it must meet:

Requirement #1: The counter plan must be significantly different from the Affirmative's plan. A debate is supposed to be between two opposites. If you've already conceded that the Affirmative's needs for change are correct, the gap between the two teams has been narrowed considerably. A counter plan that merely enhances or presents minor differences to the Affirmative's proposal is inappropriate. It must be fundamentally distinct from the Affirmative's plan so that there's a clear gulf between the two sides.

For example, let's take a case on whether the United Nations should impose sanctions on a country that's abusing human rights. The Affirmative team discusses the severity of the crimes committed and recommends a series of economic sanctions. Here's a poor counter plan strategy: "We agree that the United Nations must deal with these human rights abuses, but we believe that political sanctions in addition to economic sanctions would be a more effective plan." This counter plan isn't all that distinct from the Affirmative's case.

A more effective Negative strategy could be the following: "We will show you why economic sanctions are insufficient. We will instead propose the threat of military force if the abuses are not stopped immediately." Is this risky? Certainly. But it would be valid counter plan because you now have a contentious debate between economic and military solutions.

Requirement #2: It must be significantly more practical or effective. Sounds obvious, right? Unfortunately, many Negative teams present

a counter plan that may be very different from the Affirmative's plan, but that reaches a relatively similar outcome. It's not enough to say that your plan "will get us slightly closer to the desired results" or "is less risky and less prone to abuses than the Affirmative's plan." You must be able to prove that your plan is the *only* one that will work effectively and that the Affirmative's plan will fail outright.

A counter plan has major implications for the Negative's responsibility in the debate. In a typical debate, the burden of proof lies largely with the Affirmative. The Affirmative must prove that its needs for change are valid and that its plan is effective, whereas the Negative can technically win if it raises sufficient doubts concerning the Affirmative's case. If a counter plan is employed, both teams are on an even footing when it comes to burden. The Negative is now required to prove the effectiveness of its proposals. In fact, even though both teams carry this burden, most judges will expect more from the Negative, because it chose to take the unorthodox strategy of presenting a counter plan.

The decision to use a counter plan should be considered very carefully. It's highly recommended that only experienced debaters try this approach. There are simply too many pitfalls for a beginner to venture into this uncharted territory.

If you feel that you're ready to take up the counter plan, make sure that the situation is ripe for this risky strategy. The best instance to use a counter plan is when the Affirmative's needs for change are so strong that you would be at a disadvantage trying to debate them. By conceding that the stated needs are common sense, you're essentially telling your judges that the Affirmative hasn't presented anything bold or insightful in its first speech.

A counter plan can be effective at throwing off your opponent. The second Affirmative speaker usually has to discard most of his or her speech and come up with a new one on the fly. Used effectively, a counter plan can add a dimension of surprise and sophistication to the debate. Used poorly, it can leave the judges shaking their heads at your failure to hit the core issues of the round.

HAVING A GOOD (CASE) BREAKUP

You've developed four to six powerful, well-developed arguments. Now the challenge is to divide the points between the two constructive speeches. The way that you 'split' your arguments is an important

decision from an organizational and a strategic perspective. A sound division enhances the structure and coherency of your case. It also has implications for how the debate unfolds.

Hasty and Hazardous Splits

Let's start with what *not* to do when dividing your points between speeches (they've been done far too often to ignore):

First speaker outlines, second speaker expands. Wouldn't it be easier simply to let the first debater present the entire case, so that the judges have a clear picture right from the beginning? Sure, if you want to let the other team stab away at poorly supported arguments. While it's a good idea for the second speaker to defend against refutation of your team's fully developed points, it's a tall order to depend on your partner to defend or expand on an poorly supported point that's already been torn apart.

Arguments are divided randomly. Your strategy should be deliberate and thoughtful. A random split between partners leaves your case looking scattered. It makes as much sense as a sports team randomly deciding who should play each position.

Each person delivers his or her favorite points. It's certainly tempting to let each team member deliver the points that he or she likes the most. Logically, you may be more effective if you're passionate about the points. While it may help you make excellent *arguments*, it will probably also lead to a poor case. Like a random split, if there's no logical basis for the type of division selected, the risk is that your case will appear disorganized.

The 'meat' is left to the second speaker. Even though both team members should work together to build a case, each speech should *independently* support your side of the resolution. Say you're arguing that the Olympics are too commercialized. The first speaker talks about the extent to which they are commercialized, and the second speaker says why this level of commercialization is bad—the heart of the case. This is called a 'hung case' because the first speaker has not said anything explaining why the Olympics are "too commercialized."

The Best Breakups

Now that you know how not to split your case, what is the best split strategy? Usually, it involves dividing your case into themes or categories of your central theme. Since every case is different, each one requires a unique, tailored approach. Here are a few good options:

National and international. Many cases have implications both at home and abroad, such as international economic, military, and legal issues. Say you're debating whether your country should sign a particular environmental treaty. One speaker could focus on the impact within your nation's borders, and the other speaker could emphasize the international benefits or why signing the agreement fits with your nation's place in the world.

Short-term and long-term. If the debate is on a values topic, you could split your points between the immediate and future harms of the circumstance. For example, the first speaker could discuss how spanking a child causes short-term harm, and the second speaker could describe the long-term impact on a child's development.

If the debate is on a policy topic, it may make sense to split the arguments based on short-term and long-term outcomes. If you're debating whether a particular country should be attacked, the short-term theme could be the 'peace and security' impact, and the long-term theme could be the 'democracy and human rights' impact.

Society and individual. This type of split is particularly useful when a situation or policy impacts both an individual's life and the way society operates. If the debate is about banning the use of cell phones while driving, one speaker could discuss the positive impact on an individual's ability to drive carefully, and the other speaker could focus on how everyone would be safer as a result.

Economic and social. While the 'society and individual' split is based on who is affected, this split technique focuses largely on what aspect of society is impacted. This same concept works for military and political, cultural and economic, and a variety of such combinations. Let's take a case in favor of government subsidies for the arts. The first speaker could focus on social benefits, such as increasing community enjoyment of museums and theatres. The second speaker could focus

on economic benefits, such as keeping struggling industries alive and saving thousands of vital jobs.

As mentioned previously, don't rely solely on these common splits. They're noted primarily to spark some ideas. The best splits are case-specific. These are a few examples of more narrow splits that apply to particular debate cases:

- **Violence on television:** young children and school environment
- **Mandatory minimum sentences:** criminals and victims
- **Media concentration:** editorial slant and information diversity
- **Televised trials:** right to know and ability to scrutinize
- **Required vaccinations:** public health and personal health

Once you've decided on the split, which one comes first? While there's no definitive rule, think about which theme forms the foundation of your case. If the main thrust of your case is the impact on individuals, and the impact on society is an *extension* of the influence on people, you should probably put the 'individual' theme first. It's tempting to leave your key points to the end, allowing less time for your opponent to refute them. However, there are three reasons why presenting them earlier is usually the best option:

Set the tone for the debate. By presenting your most important arguments first, you're signaling to the judges that they are the core, deciding issues of the debate.

Maintain attention throughout. When you present an argument early, it's more likely to be refuted and defended several times. This creates a logical extension into the rebuttal, when you can show how your core arguments have won the round.

Be seen as hitting the key issues. On any topic, most judges will have at least some expectation of what the most important issues are. You don't want it to seem that you've missed the crux of the debate.

ORDERLY ORGANIZATION

Thoughtful organization is essential to the success of your case. Without a strong structure, your case is simply an assortment of points

that lacks a clear sense of direction. You'll be more effective if you present the points with a carefully designed arrangement.

Within each point, the "Claim, Comment, Cite, Conclude" rule discussed in Chapter 4 is a good rule of thumb to follow. It allows you to address, in order, the four elements that a judge wants to hear: a brief *statement* of what the argument is, an *explanation* of why it's correct, some *evidence* to backup the explanation, and a *closing* that reinforces the impact of the argument.

As for the overall speech, it's helpful to follow the rule also explained in Chapter 4: "Tell them what you're going to tell them, then tell them, then tell them what you told them." The "tell them" part is simply your arguments, and the "tell them what you told them" part is a brief wrap up of your arguments and a tie back to your theme at the end of your speech. When you "tell them what you're going to tell them," make sure that you're not too general. The more clearly you state where you plan to go with your speech, the more your judges will understand and look forward to what you have to say. Then again, you don't want to give away your entire case before you've delved fully into the arguments. Here's a comparison:

- *Too general*: "First, I'm going to refute what the first Affirmative speaker said. Second, I'm going to present the Negative's case." You haven't told the judges anything tangible. Rather, you've told them in the most general sense how you'll be organizing your speech.
- *Too specific*: "First, I'm going to refute the Affirmative's case by citing a 2003 report which invalidates its first point, then I'm going to explain the faulty cause and effect relationship in the example used to support its second point ..." You'll get to all of these details when you actually refute the points. This is far too specific for the judges to digest at the opening of your speech. Your goal should be to provide an *overview* of what you're going to say.
- *Good balance*: "First, I'm going to refute the Affirmative's case by explaining how its proposal to elect judges would weaken the impartiality of the legal system. Second, I'm going to introduce the Negative's case by telling you why appointed judges are less beholden to any political or interest group." This level of detail paints a clear picture of where you're going, without completely revealing the specifics.

CHANGING ON THE FLY

It's every debater's worst nightmare. The topic has been announced months before the tournament. You've prepared extensively for both sides of the debate. Then unexpectedly, as the debate begins, the first Affirmative speaker presents a perfectly reasonable definition that makes your case irrelevant.

What should you do? Many debaters will decide to argue against the definition. They do so not because it's unfair, but so that they can fit their long-prepared case into the round. There's a sense—a false sense—that as long as they present exceptional arguments, they can get away with their own definition of the resolution. As discussed in Chapter 6, this tactic should be avoided at all costs. If the Affirmative's definition is reasonable, you have to follow it.

Other debaters will just ignore the definition altogether and continue with their case anyways. This only marginalizes the Negative team, as the judges will be perplexed that it's debating a significantly different issue. There will essentially be two separate debates going on, and an astute judge will assign blame to the Negative team for trying to bypass the definition.

The best teams will swallow their pride and forget their long nights of preparation. They'll take comfort in realizing that their preparation was a great learning experience, and that it made them familiar with the issue. And then they'll abandon much or all of their case. Yes, the most effective teams will *abandon* their case only minutes

before their first speaker is due to present. Adapting your case on the fly is a gusty, challenging move, but doing it well can pay off. Sure, your arguments won't be as polished, but it's superior to making polished arguments that don't matter to the round.

If you've made the decision to change your case on the fly, you have to act quickly and decisively. Within the span of a few minutes, you need not only to listen carefully to your opponent's speech, but also to come up with new constructive arguments. How can you adapt confidently and effectively?

Success Tip!

If your case doesn't fit, fix it or nix it.



Don't panic. Many debaters spend valuable time fretting about the seemingly daunting task that lies ahead. They say to their partner,

“Oh my, what on earth are we going to do about this?” You should be thinking, “We can do this, now let’s figure out *how*.”

Start with refutation. Don’t stop listening to what’s being said. Keep on using your flow sheet and thinking about how you’ll refute the Affirmative’s points. If you blank out completely and can’t think of constructive points, at least you can clash with your opponent’s points for the majority or all of your speaking time.

Turn refutation into construction. If you can’t think of original arguments, try basing them on your refutation. When you’re clashing with a point, you’re taking a stand saying that a principle is *wrong*. Logically, then, you believe that something else—likely the opposite perspective—is *right*. And arguing for what you think is right is the starting point for constructive matter. Use this thought process if you find yourself stuck at the last minute.

Divide responsibilities. The second Negative speaker doesn’t have to worry about clash right away, so he or she can focus on coming up with constructive arguments. This allows the first Negative speaker to listen carefully to the first Affirmative speaker and to plan effective refutation. Late in the first Affirmative speech, the second Negative speaker can ‘pass on’ the proposed arguments to his or her partner.

“SWOT” YOUR CASE

Once you’ve developed a case, it’s a good idea to take a step back and think about how you can improve it. When you were building the case, your perspective was that of a *constructor*. After you’ve done so, analyze your case with an eye of a *renovator*. Your task is to take what’s already prepared and to enhance it. The most effective way to strengthen your case and to plug any gaping holes is to do a “SWOT” analysis: *Strengths*, *Weaknesses*, *Opportunities*, and *Threats*.

Success Tip!

Strengthen your case by asking a friend to criticize it.



- **Strengths.** What arguments have you developed well? Evaluate your points and think about which ones are the most convincing, effectively explained, and appropriately supported. These are your strengths—

the pillars of your case. You should emphasize them in your speeches and ensure that they become the deciding issues of the round.

- **Weaknesses.** Do you have any arguments that aren't particularly convincing or that have insufficient explanation and support? If so, one possible response is to get rid of the points entirely, especially if the argument itself is weak. If the argument happens to be strong but the detail surrounding it is weak, spend some time expanding on the point and clarifying its rationales.
- **Opportunities.** What haven't you said that could be effective? Think about the case from different angles. Brainstorm more ideas. If you've missed an opportunity that would boost your case, make the necessary additions or modifications.
- **Threats.** Are there arguments that have obvious and potentially damaging counter-arguments? Of course, no constructive point is beyond criticism. But if in the process of critiquing your points, you find yourself struggling to defend them against possible counter-arguments, you need to take action. Think about what you would say in response to refutation, and don't hesitate to discard an argument completely if you can't find a solid defense.

'CASE' STUDY: WAR CRIMES TRIBUNALS VS. TRUTH AND RECONCILIATION COMMISSIONS

In this section, we're going to take a look at both an Affirmative case and a Negative case on the resolution, "Be it resolved that Truth and Reconciliation Commissions should be favored over War Crimes Tribunals." A War Crimes Tribunal aims to bring the perpetrators of war crimes to justice following a civil or international conflict. Examples include the International Criminal Court (ICC) and the International Criminal Tribunal for Rwanda (ICTR). A Truth and Reconciliation Commission strives to help society heal, without exacting punishment on the offenders. Examples include the 1995 South Africa commission and the 2002 East Timor commission.

Let's start by taking a look at how the Affirmative could build a case. To start the case development process, it's a good idea to identify the core themes. The first theme could be the *practical effectiveness* of

a Truth and Reconciliation Commission in uncovering the truth. The second theme could be the positive *impact on people*, including individuals and families affected directly by the conflict and society as a whole. These pillars also serve as an appropriate way to split arguments between the two speakers. Here's a possible structure and series of arguments, including labels, for the Affirmative's case:

Affirmative Speaker #1

Theme: "Practical Effectiveness"

1. *Uncovering facts.* Truth and Reconciliation Commissions are more effective at developing a factual account of the truth, because victims and perpetrators alike have incentives and opportunities to tell their stories. In War Crimes Tribunals, defendants often seek to hide information and to distort the truth.

2. *Greater feasibility.* Truth and Reconciliation Commissions are more feasible to implement than War Crimes Tribunals. Nations ravished by war usually don't have a strong, independent judiciary and legal system for the purpose of prosecuting wartime offenders.

3. *Useful recommendations.* The commissions are effective at producing useful recommendations to ensure that such situations don't occur in the future. War Crimes Tribunals are concerned primarily with punishment, not with education and improvement.

Affirmative Speaker #2

Theme: "Impact on People"

1. *Emotional healing.* Revealing the truth is essential to the psychological healing process. People need to know what happened and who was responsible, so that they can reach a feeling of closure. War Crimes Tribunals can be adversarial to the point of sparking anger.

2. *Social unity.* Truth and Reconciliation Commissions aim to unify society, whereas War Crimes Tribunals may be seen as instruments of revenge. This unity also aids in the establishment of a new, democratic government with the legitimacy and credibility necessary to represent everyone in society.

Now that we've mapped out a possible Affirmative case, let's turn our attention to the Negative side. Like the Affirmative, it's best to start with the core themes of the case. The first theme could focus on the *immediate* benefits of a War Crimes Tribunal. The second theme could emphasize the *overall* impact. Below are some of the arguments that could be brought forth as part of the Negative's case:

Negative Speaker #1

Theme: "Immediate Impact"

1. *Disband aggressors.* War Crimes Tribunals serve to disband and diminish the power of the militant groups that committed the violent acts. This makes it far more difficult for them to resume or continue their wartime atrocities.
2. *Sense of resolution.* Victims of wartime atrocities will only feel a sense of resolution when those responsible for the war crimes are found guilty and punished. It's important for victims to know that blame has been assigned to specific individuals.

Negative Speaker #2

Theme: "Overall Message"

1. *Deters future abuses.* War Crimes Tribunals send an overall message to potential future offenders that such acts will not be tolerated. Without such tribunals, there won't be sufficient disincentive against these types of criminal actions.
2. *International standards.* War Crimes Tribunals are a move toward internationally recognized standards of human rights, such as the International Criminal Court. Therefore, they send an overall signal that those who commit wartime atrocities will be punished irrespective of national boundaries or differing legal standards.
3. *Moral obligation.* In general, there is a moral obligation to punish war criminals, in accordance with basic principles of humanity. Allowing amnesty violates fundamental human values, essentially condoning or ignoring such crimes.

You probably noticed that there's a partial match between the themes of each team's first speaker. They focused largely on the practical impact and effectiveness of the respective systems. However, the second speakers had fairly different themes, which is quite normal. Each team is trying to focus its arguments and the split of these points between partners in a way that it feels serves its interests.

This chapter discussed how to develop strong, convincing arguments around clear and logical themes, regardless of the type of resolution you're debating. It also mentioned important tips to remember when you're dividing points between partners. If you follow these guidelines, your debate cases will be significantly stronger.

Chapter 7: Keys to Success



✓ **Build your case around strong themes.** A case shouldn't seem like a scattering of points, even if the points are independently strong. Your arguments should center around one or more themes, which are the core ideas of your case.

✓ **Make strong, distinct points.** A convincing argument starts with a bold statement focusing on a single issue. Think about the different types of arguments you can make, such as points relating to justification, systems, perception, or behavior.

✓ **Label your arguments.** Once you've presented the argument, everyone else has to be able to remember it. Labeling or 'branding' each of your arguments is a great way to make your points stand out and be remembered, and it allows you to refer back to them more easily.

✓ **Divide points between speeches in a sensible way.** Once you've identified your team's arguments, there should be significant thought put into how to organize them. Consider the core themes of your case, and split the points between the two speakers accordingly.

✓ **If necessary, change on the fly.** If you're the Negative team and you get hit with an unexpected definition or case, come up with new arguments during the first Affirmative speech. Don't try to fit an irrelevant or weak case into the debate just because you've prepared it already.

✓ **Evaluate your case carefully.** Do a "SWOT" analysis, looking at the Strengths, Weaknesses, Opportunities, and Threats. Use the analysis to think about how you can strengthen your case.