

MARK TWAIN'S SPEECH CODES A RESPONSE TO LARRY SMITH

by James Talley

As a card-carrying apprentice debate curmudgeon (one must serve a minimum of 20 years with the activity to attain full title), I read with interest Larry Smith's "Curmudgeonly Thoughts on the State of Policy Debate" (*Rostrum*, January 1998). It just goes to show there are divisions even within the ranks of cranky traditionalists, as I found as much in Smith's article to disparage as to applaud.

Faulty Claims

As much sympathy I have for Smith's curmudgeonly views, his argumentation leaves much to be desired. Smith makes several claims, admittedly "from a strictly biased and personal position" that don't really hold water, despite their appeal to our intuitive leanings. Much of what he writes seems true in pessimistic moments, but hopefully the debate community has the courage to put aside bleak moods and analyze these claims more objectively.

Smith falls into a common error in his opening line: "The overarching assumption regarding competitive debate ought to be that the activity is an educational one." Further, he backhandedly defines "educational" as having "as its end result some applicable knowledge or skills...teaching [students] the methods and skills required in real life decision making...a training ground for future leaders."

The problem here is that Smith foists his view of "education" on the entire community, when the culprits he cites as responsible for debate's demise (university debaters, institutes, games theory, theory *in toto*, et al) simply view the term differently.

Ask any debater fond of critiques and topicality run in the way Smith decries, and you'll hear an earful of how "educational" these practices can be. They expose the debater to philosophical and moral reasoning, one hears. They instruct the debater in precise language use and rigorous logic. They constitute an introduction to semantics. All cutting edge at the university level.

What's more, can we really draw a line in the sand and say that policymakers, educators and attorneys in the "real world" never focus on language use and appropriate speech? The Claremont Institute for the Study of Political Theory and Statesmanship (whose mission is to promote leader-

ship and clear political reasoning) certainly thinks deconstructionism is worth attention. Quite simply, if we could definitively nail down the meaning of "educational", all would be calm and bright in debate-land.

Next, Smith blames games theory for debate's demise, offering as proof an alleged decrease in the number of programs nationally. Whether the activity is losing popularity, I cannot say, but it is a bit hasty to generalize and point to university-inspired game-playing as the sole cause. Lack of local funds for co- and extra-curricular activities may be responsible. Wild antics of a squad may prompt cutbacks. Lack of available coaches could signal the death of a program. Simply, it's not that simple.

Smith also writes "this public perception of the activity [by professional critics] is not what the forensic educational community would like to broadcast." He's referring, of course, to the shock and horror of lawyers and teachers who consent to judge debate only to encounter delivery speeds in the hundreds of words-per-minutes, jargon to intimidate a physicist and arguments culled from Adorno and Foucault.

While this phenomenon is real, it implies that an improved "educational" debate would pander to the assumptions and preferences of whomever happens to be in the judging pool, lest debate be proven to have sinned and fallen short of the glory of its roots. Public perception is not an adequate measure for gauging the health of the activity. Debate trains its judges as well as its debaters inevitably.

Smith cites as his specific, and usual, suspect in the crime the university summer institute. It is here, he claims that the seeds of games approaches take root, only to flower back home in competition. The weeds so grown naturally strangle rigorous, presumably stock-issues/policymaking paradigmatic considerations, resulting in debate that is increasingly untethered from anything tangible or sober.

The problem with this view is that it closes the investigation before finding the real culprits. Institutes do not spring spontaneously from test tubes. They meet a demand. Somewhere along the line, a student must decide to attend an institute, and a parent and a coach must give sanction at

some level.

This is the same tired complaint we see leveled at evidence handbooks: if you think they promote bad debate, don't buy them. "Ah, but we must keep up with the kids at Jones HS, and they use handbooks. If we want to compete, we need to accept handbooks as a necessary evil." Untrue. If curmudgeonism is a call for a return to the virtues of debate's distant past, then some measure of moral responsibility is implied. Scapegoating college instruction is easy. What's not so simple is refraining from participating in that instruction even at the cost of more losses on the circuit.

Among other Smith overstatements, I find the assertion that "no judge should ever decide a debate round on the basis of who did or did not use 'offensive' language choices." What of the decidedly traditional prohibition on *abusive ad hominem*? Or a team screaming racial epithets at its opponents in lieu of debating the issues? I know few debate "educators" who would fail to give such a team a punishment loss there and then, and rightly so, I feel.

Smith also declares critiques to be "nothing more than an attempt to avoid the real issues in policy debate." I think of Kansas governor Bill Graves' opposition to a proposed "English as official state language" proposal, on the grounds that it was subtly and inherently racist. Are official English statutes something other than "real issues" in "real-world" policy debates? Is Republican Graves a PCer in GOP clothing? Is he not a "real" policymaker?

Smith also asks us to "imagine any legislative body...having to consider whether or not implementing the policy would lead to environmental collapse." Okay, let's do so (I suspect the Sierra Club would jump for joy at the prospect). The climate summit comes to mind. Or perhaps, "slippery slope" is the mindless argument. Yet we find it in scholarly, legislative, judicial and theological debates on assisted suicide and abortion.

On the Other Hand

That said, I have to confess that I find much of merit in Smith's article, though I think, overall, he succumbs to a conservative failing: viewing a world defiled and opting for simplistic and ultimately counterpro-

ductive cures suggested by hasty and superficial analyses of the problems. Nostalgia, sadly, just ain't what it used to be.

Here I, too, enter into op-ed mode. My only defense is that our clamoring for definitive proof within a debate round is not so productive or easy when discussing the fate of the activity overall, necessitating some speculation sooner or later. I second five trends Smith denounces: Questionable Appropriateness of Critiques, Debasing of Topicality Argumentation, the Impoverishment of the Case Side Debate, Idiocy of Disadvantages, and a General Demise of Critical Thinking in Competition.

Questionable Appropriateness of Critiques

I admit, I hold to the view that a team can have my ballot on a critique when they pry it from my cold, dead fingers. Critiques are interesting academically, provocative intellectually, but of dubious value to students ages 14-18. If Smith's article contains some hasty generalizations, critique debates appear to have poured the mold for that error. I shudder to imagine veteran philosophy and semantic PhDs claiming a firm grasp on the many authorities cited in critique wards, let alone students who, in their down time, must concern themselves with Retin-A and driver's ed. Forgive me; that was terribly ageist.

More seriously, what concerns me about critiques goes to the root of the university-institute problem overall, namely, that the rate of turnover from college to high school is accelerating. Call it theoretical future shock. University programs and educators revel in the cutting edge, appropriately so, pushing it ever further towards the horizon. My sense is that the connection between high school and college has always existed, but that what was once a trickle-down of ideas and practices has now become a rushing torrent. Something called "plan-plan" makes an appearance on the CEDA listserv, then suddenly springs fully-formed from the mouth of an eleventh-grader the following weekend in competition.

The fact is, *nobody* can assimilate cutting edge theory, much less evaluate its nuances and implications on the many elements of high school debate's "mission statement," in so short a time. To an extent, the analogy to the atom bomb seems appropriate: we develop a new rhetorical technology before we understand its moral (educational) ramifications. Our science moves faster than our conscience.

Lest college critics protest, I've lost

count of similar comments from such judges after rounds: "They tried a gender kritik, but ended up just hurting themselves with it." What more can we expect from high school students, many of whom struggle for the entire first year to grasp basic stock-issues approaches? We seem to be teaching interdimensional travel before we've established that students can walk to the corner.

In sum, critiques are fascinating, arguably "real-world" despite Smith's objections, but too newfangled to welcome uncritically into the pedagogical fold of high school debate training. Let's see how these applications fare in an environment where they can be tested more rigorously. Let high school debate remain conservative, cautiously changing, rolling at glacier-speed if need be, until we have a better sense of what new rhetorical technologies portend so as to avoid "hurting ourselves" with these high-tech weapons.

Debasing of Topicality Argumentation

Smith's weapon against topicality is a shotgun, and some of his pellets strike pet aspects of the argument for me.

Structure seems anathema to Smith, though structured positions usually have better odds of covering all bases required by common sense and rigorous logic than slopped-together rants and whines. Simply put, "They're not topical; here's a definition" falls far short of what even curmudgeons should hope for than a position articulating and supporting a negative interpretation of the resolution and specific terms, definitional support for that interpretation, procedural reasoning highlighting the affirmative violation, and some impact statement bringing it all together.

Is it true that structure can mask ignorance, especially in topicality debates? Of course. Is this necessarily so? Of course not. Does arguing a finer nuance of a word damn a topicality argument as picayune and a "time suck"? I would argue not, and here I break ranks with curmudgeonly comrades.

The notion that a judge has an intuitive knowledge of the topic's parameters is a subtle call for intervention. A plan may look, sound and smell topical upon cursory examination, but curmudgeons champion something deeper than cursory glances. That deeper level of analysis can and should be provided by a scrutiny of the words, phrases and contexts of the resolution. If this means going down a maze of interpretations of the term "substantially," so be it. What it should *always* mean, however, is a sincere attempt to get to precision and rigor

in thinking about the round and each sides' burdens. This view would necessarily prohibit "time-suck T" run out only to be punted later in an obvious move. Topicality has a legitimate place in the pantheon of voting issues; insincere manipulation of the argument to distract the opposition and discourage clash is, in some way, sacrilegious.

A rule of thumb (as opposed to Smith's more curmudgeonly "rules," period): Evaluate the quality of any position on whether or not it encourages or discourages clash. If the debaters take even a picayune topicality issue seriously, devoting speech time, thought and evidence to its adjudication, we have clash and the application of critical intelligence. If the disads drop in importance as a result, we still have what the dictionary calls "debate."

None of which disputes Smith's attacks on prefab briefs penned by college debaters and sophisticatedly read by students with little real grasp of the fundamentals and history of topicality argumentation itself. The danger here is the substitution of soundbytes and slogans for true advocacy and substance, and we already see too much of that in "real-world" politics for it to be of much value in academic debate.

The Impoverishment of the Case Side Debate

Smith is right when he notes that 1Ns have effectively given up their traditional ghost to the siren song of weighty disads. There is much spurious reasoning to be found in this development, too much to address here.

As my arteries harden, I find that I abide by a simple judging philosophy: I vote for or against the first negative speaker. If he or she drops the ball on case-side, I can usually bank on the disads being too Jules Verne for sober consideration. If he or she actually mounts a respectable attack on traditional case-side issues--including procedurals, both topicality and prima facie demands--then my money is on the affirmative being so blindsided by these traditional (and thus forgotten) techniques as to completely fall apart.

The fact is, in too many quarters, the mere mention of inherency produces a stifled chuckle from judges. "Give me nuke war," they cry. "Show me dead bodies." Well, bully for them. None of which refutes the fact that inherency is a valid component of every judging philosophy I have ever encountered, the notable exceptions being game-playing and the extremely hypothetical (read "table-top fusion") *tabula rasa*.

What troubles me more of late is the reappearance of inherency, only much misunderstood. A national qualifying round I judged recently found the negative claiming that if I liked renewable energy, I should uphold the status quo, as it is transitioning to such fuels already. In other words, the topic is true, so vote against the advocates of the topic.

In contrast, in the same round, the affirmative claimed that, because negative had offered no proof of the present system extending Section 29 tax credits on methane reclamation from landfills (affirmative plan), inherency was a non-issue and firmly in the affirmative's camp. No, no, no, children. Inherency/uniqueness is a question of the harms/benefits alleged by the case. If the status quo is ameliorating the harms or achieving the advantages, *using whatever policy it wants*, those harms/benefits are not inherent/unique. Negative need not prove that the status quo is adopting the plan as we speak. Such seems to be the intellectual fruit of a long vacation from inherency argumentation.

Likewise, traditional case-structure analysis is more or less a dodo at a time when older case structures are being returning to limited vogue. At qualifiers, I judged a straight-up need-plan case and a textbook criteria case. Yet no questions about the subtleties of these different organizing logics emerged. For example, "What do you have to do to justify the resolution: prove that plan better meets criteria or win other substantive issues?: was never heard. Absent that clarification, affirmative could have claimed victory because renewables were more environmentally benign, despite solid disads proving plan would cause, say, six million human deaths: Save the plankton by nuking the world.

Idiocy of Disadvantages

I've nearly given up listening to disadvantages. My ideal would be to see one with a clear link to plan, solid internal links cards that met their taglines, clear thresholds or proof of linear trade-offs, weighty impacts, and at least one author supporting the entire predicted chain of events--all according to a somewhat plausible scenario and all presented by a debater who seemed to understand how the world works.

What I hear instead falls into three categories: one-card disads, eight-minute disads stretch PlasticMan's imagination, or some hybrid thereof. When a disadvantage approaches "real-world" resemblance, it usually has to do with economic policy, and

the resulting narrative by the 2N proves beyond doubt that more Americans recognize the name Tiger Woods over Alan Greenspan. Intrinsicness flies out the window, as policy actors, even whole nations, are depicted as mindless drones with only binary options for action. I recently heard an almost adequate disad impacting to a few hundred thousand people thrown out of work. Apparently the speak does not read the business news. That many folks get downsized annually in the United States.

Now, in our rush to use something approximating a comparative-advantage structure on affirmative, we have seen cases metamorphose into disads against the status quo--lacking all the sense and solidity formerly associated with negative disadvantages. Used to be, an affirmative had to have its ducks in a row on inherency, and uniqueness on disads was a major research and thinking effort. Now, the world hangs by a thread on both sides of the resolution, and green judges must surely leave rounds afraid to twitch lest they bring down the sky around them. When we let affirmative run disads against the status quo, we hoped to find solid causal reasoning, hopefully bleeding into the consciousness of negatives, prompting them to reform their positions. It worked in reverse: sloppy disads from the 2N infected comparative-advantage, and now we have sloppy disads against the present system. The best laid plans....

My disgust has peaked at the point where I have advocated a theory of negative prima facie for all stock issue positions, but particularly for the disad and the topicality argument. What's good for the goose: if negative has the ability to dismiss an inadequate affirmative with a procedural objection, let affirmatives wipe away sloppily conceived and constructed disads in like fashion.

General Demise of Critical Thinking in Competition

All of the above combines into a kind of depressing Sargasso sea of pseudo-argument where the game is really more about parroting opponents than strategically opposing them.

See a fairly traditional affirmative with a smattering of knowledge about topical counterplans. See them hit with one of these beasts in a final round. See them hop on the Mach 12 bandwagon, taking as axiomatic all the theoretical assumptions necessary to allow a topical counterplan into the round. The hapless affirmative has fallen into the trap laid, leaping straight for the

evidence boxes and the Chloraseptic instead of pausing a few beats to really think about the rigor of the attack.

I'm finding more and more of these cutting edge practices quite vulnerable to responses found in the 1977 edition of Prentice and Hensley's *Mastering Competitive Debate*, not to mention even older texts. It is one thing to stand on the shoulders of giants. It's another to arrogantly bury those giants under a ton of trendiness and imagine that we stand higher today than they did in the olden days.

In our haste to run out time-suck topicality, we forget that some still believe--and can defend--the notion that topicality is a prima facie consideration, not a press for newer and better cards showing how plan meshes with topic. Even I grant that counterplans are legitimate, but I still cling to a view of resolutorial justification via induction, which raises a few obstacles for topical counterplans. (I like counterplans in theory. I've just never heard a good one). Even good old incrementalism needs re-teaching, given the shoddy understanding of civics and economics and international relations I'm seeing in rounds today.

Or history: what better ground for uniqueness arguments can be found? Uniqueness isn't just a question of whether or not a similar program in the status quo *also* threatens nuclear annihilation. It's also a search for past examples showing where the alleged doomsday scenario *did not occur*. Believe it or not, I find such basic amnesia common, especially in rounds where counterplans are run "to provide uniqueness for the disads." Oh, I could go on: the idea that inherency and disadvantages can never appear in the same negative position or philosophy, the snubbing of debate history implied in "no impact anyway, since they never told you topicality's a voter", *et cetera ad nauseum*.

What Can't Be Done

Nausea is not conducive to reform, however. Nether are additional regulations on the activity--Smith's proposed solutions. Among his new rules.

1. Require institutes to restrict their curricula to "traditional rhetorical theory. "(By what decree? By whose authority? Definition of "traditional"?)

2. Ban decision rules. (Rather like a PC hate-speech code advocated by Mark Twain. Say "D-rule" and automatically lose. Sounds strangely like a judge deciding the round on the basis of "offensive" language choices.)

3. Base topicality challenges on phrases rather than individual words. (Thus denying negative a change to object when affirmatives substantially changed United States foreign policy towards Zimbabwe rather than China a few years back.)

4. Go back to 4x6 "cards" instead of briefs/blocks or limit teams to two tubs. (I have a warm place in my heart for all my old cards--back when "cards" meant CARDS. But shall we examine files for evidence that gets pasted front and back? Can't we shrink the font and squeeze a short brief onto a 4x6. What shall be the approved physical dimensions of the permissible two tubs? Shall these measurements round up or down, be in metric or standard?)

5. Extend first rebuttals; limit last rebuttals to summary only; and remove the negative block. (Remove the only structured negative strategic counterweight to affirmative's first- and last-word privilege? To their ability to frame the debate by choice of plan and case? And how shall we define "summary"? Perhaps a list of *verboten* non-summarizing words? See above on Twain and hate-speech.)

6. Require negative to argue inherency and significance or announce the grant. (Under penalty of? Pro forma at best, no real motive to change the emphasis on plan-side deification, just to admit up front the imbalance.)

7. Prohibit debater questions regarding critics' paradigms. (I must check the Curmudgeonly Constitution. I swear that "adaptation" was in the preamble.)

8. Allow judges cite personal knowledge (unargued in the round) as a valid reason to allow/disallow positions. (Please mark the border between "beliefs" and "knowledge" in yellow highlighter.)

Perhaps Smith was being sarcastic. It's tricky to gauge, coming from a fellow curmudgeon. It is also quite possible that some tournament directors who share Smith's views, his disgust, and his simplistic scapegoating, will actually implement these "rules" at individual meets. Some may even view Smith's article as a call for a breakaway league, one based on the delusion that one can presciently legislate away every conceivable form of naughtiness. Unfortunately, entropy is a natural phenomenon (as are laziness, ethical slips, and win-at-all-cost mentalities), one that can't be bottled up any more than one can capture a river in a Ziplok baggie.

What Must Be Done

Rather than help more rules and regs

on what is, at base, a marketplace of ideas, why not practice what we preach? We claim that debate and discourse are saving graces of society and the individual. Put them to use.

Instead of blaming "college people," camps and handbooks for what our own students do each weekend (except it's never *our* kids, always someone else's), we need to focus on a reasonable approach to solutions. Dialogue with local college debate programs. Express your concerns that your students are not yet prepared for the sultry siren songs of listserv ruminations; they need to master the basics first. College instructors will understand, so long as they are not pilloried as marauders of high school debate integrity. Brainstorm for ways to control the flow of ideas from institutes and friendly CEDA/NDT advisors.

Reassert coach authority as a filter. Smith advocates this policy with regard to institutes: he annually "de-programs" his students on their return from camps. "De-brief" may be more polite phraseology, but we all know of which he speaks.

Don't send students to camps until you've thoroughly researched the philosophical approach, the backgrounds of the staff. Make the camps provide such information for you if they want your money, and insist they stand by their claims. (Picture a state attorney general filing a class action, truth-in-advertising fraud case against an institute for accepting Rebecca of Stock-Issue Farm and churning out a raging Greek Sophist. Do we really want to descend that far?)

Quit whining about handbooks. Either buy them carefully or refuse to do so entirely, then reap what you sow either educationally or competitively. If you buy, buy wisely, despite the dearth of reliable comparative consumer information about them. There seems little else that can be done.

And remember the most important lesson any educator can ever reach. A law no one sees as legitimate will be broken as soon as the watchers look away. You cannot be in every one of your students' rounds. If you have not shared your vision of what debate is, was, should be, and can be again--inspiring them, persuading them of the attractiveness of that ideal--you have little grounds to expect them to advance that vision in competition. Goethe wrote: "Let every many sweep in front of his own door, and the whole world will be clean."

Oh, rats, "Man" and "his." Sigh. Bring on the gender critique.

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