This month we take up a procedural issue that was much disputed in policy debates at the Harvard University tournament. In fact, several of the elimination rounds were decided solely on the basis of this issue. And next year’s topic on renewable energy promises even more controversies about this issue. What is this important and controversial issue? It is whether the affirmative plan is topical only by its effects or only indirectly -- the "effects topicality" argument.

As long as we choose to debate resolutions that describe what action should be taken according to some desired end -- programs to reduce juvenile crime, policies to increase use of renewable energy -- rather than according to some desired means -- trying juvenile offenders in adult courts, requiring the use of renewable energy sources by government agencies -- we can expect this question to become a major source of clash. Affirmative teams have the incentive to develop case approaches -- such as searching for deadbeat dads or eliminating legal discrimination against juveniles -- that produce unusual advantages and evade or turn the link stories to the most popular disadvantages -- such as Clinton and federalism. Negative teams feel unprepared to withstand the challenges skilled affirmative debaters make to the unevincing assertions against those advantages and for the disadvantage links. So the argument is extended that the plan -- deadbeat dads or bans on legal discrimination -- is not a program to reduce juvenile crime, but only reduces juvenile crime as an incidental effect.

Topicality arguments are most persuasive when they include interpretations of the words and phrases of the topic, explanations of why the plan violates those interpretations, and reasons why the violation justifies a decision for the negative. Let us discuss one example of how the effects topicality argument might be launched against an affirmative plan that searches for deadbeat dads. In this instance, the phrase "programs to substantially reduce juvenile crime" would be interpreted as efforts intended by government officials to target juvenile crime. The search for deadbeat dads violates this interpretation because the action is intended to target child support, not juvenile crime. The violation justifies a negative ballot because the negative cannot be expected to be prepared with analysis and evidence to clash with the entire realm of social policy proposals, but only those that crack down on juvenile crime. Also, cases that address juvenile crime only as a side benefit fail to give meaning to "establish a program to" -- the resolution could be worded RESOLVED: THAT THE FEDERAL GOVERNMENT SHOULD SUBSTANTIALLY REDUCE JUVENILE CRIME -- and this grammatical imprecision undermines the communicative training that the activity of debating should encourage.

A careful rereading of the previous paragraph reveals that the argument relies on several exercises in drawing lines or boundaries of distinction among concepts. First, there is the distinction between an intended goal and an unintended effect of reducing juvenile crime. Second, there is a boundary between juvenile crime programs and child support programs. Third, there is a line between preparing to debate social policy generally and juvenile crime policy in particular. Finally, there is a comparison of the resolution with and without the phrase "establish a program to".

As Bill Davis observed in the March Rostrum, many judges do not enjoy drawing lines or making subtle distinctions when the result rewards the negative with a decision not based upon the estimation of the probable costs and benefits of alternative policies or even upon arguments that seem "specific" to the context of a particular affirmative plan. But that feeling of discomfort does not deny either the possibility of making appropriate distinctions or the impossibility of avoiding distinctions when judges must decide who has won.

How does the judge evaluate costs and benefits or other competing arguments on a particular plan without engaging distinctions of meaning? If the negative says that their Clinton link evidence should be given great weight because it is specific to deadbeat dads, and the affirmative says that the evidence should be discounted because it is not specific to deadbeat dads, how does the judge decide? If the affirmative argues that their evidence supports their claim that enforcing child support judgements will reduce juvenile crime by enabling juveniles to be fed, housed, and educated, and the negative argues that the evidence does not support that claim, how does the judge decide?

More elaborately reasoned assertions can be made by both sides as the debate progresses, but when a round between technically-skilled debaters is over, the alternative to resolving claims of distinction is to credit the argument in full to the last speaker, the second affirmative rebuttalist. Would many judges or debaters be comfortable with this decision?

So the rhetorical problem with the effects topicality argument is not so much defending the possibility of making linguistic distinctions as it is connecting the process of making such distinctions to the judge’s beliefs about the educational purposes of the debate itself. When the negative extends the argument, the most productive emphasis is on claims that explain how to apply the distinctions to distinguish topical from nontopical plans and how the failure to credit the negative with the distinction decreases the quality of the debate. The topicality argument becomes more specific to the affirmative plan and explains why the usual process of comparing policy alternatives breaks down in this debate.

The question of distinguishing topical from nontopical plans is sometimes called the "bright line" or "face of the plan" test. How does the negative develop this distinction later in the debate? If the bright line standard is that there must be a statement of intention on the part (Hingstman to Page 36)
A JUDGE'S DECISION

by Sonia Mathew

To spew or not to spew - that is the question:

Whether 'tis nobler in the judge's mind to take

That we have ever judged.

For who could argue as well as the negative team just did,

'Th' negative team was wrong though, the team's arrogance,

The rudeness displayed towards the other side, the team's ignorance,

The acceptance of this attitude by the other team.

This is just not right, they are unworthy of this win.

But, did they argue better with their rude attitudes?

The affirmative team did not make themselves clear enough,

But the final speech mentioned arguments that had been forgotten,

The discovered argument put a twist into the round

Where now we cannot decide who won; it puzzles the mind

And makes us look to our paper to analyze the situation

Than to blindly make assumptions.

Thus conscience does help us make the correct decision

And thus the negative team does win the round

Even though they did not deserve to because of their rudeness.

With this regard we are unsure of the conclusion we have made

And hope that it was the right one.

(Sonia Mathew debated at Portage-Northern (MI) HS)