A Defense of Critique Arguments: Beyond the Resolutional Question

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he definitional issues of the resolutional question are *non sequitur* to what we're
iscussing which is the framework and the procedure that you established for us
s thinkers in this room and the judge and the panel and for what we're supposed
) debate. We are arguing that the framework that you present . . . is
bjectionable (Brey 1989, 22-23).

The final round at the 1989 CEDA National Tournament featured a negative team
cing the argument that an objection to the affirmative's legal framework of
retation mattered more than an answer to the resolutional question. Since this time,
ients labeled "critiques" have become increasingly prevalent and have extended debate
id the issues of resolutional truth and falsity. Such arguments have recently included
Amendment objections to the use of "public understanding" as a standard for
rmance of the national news media on the Fall 1993 CEDA topic,[1] and language-based
sm of the use of geopolitical security discourse in the Spring 1994 CEDA topic.[2] In
of these arguments, the negative had taken no position on the veracity of the affirmative
ind instead had argued that the framework for the debate was inherently flawed. Is such
ategy legitimate? On what basis could it be a voting issue against the affirmative?
rdless of what we would think about their substantive merits, it is clear that arguments
as these would violate many of the debate community's common presumptions about the
of the resolution. Scholars of debate generally have assumed that, because the
osition is the starting point of debate (Brey 1993, 203; Murphy and Murphy 6) relevant
ments are limited to the issue of resolutional truth. This essay seeks to expand the
eption of relevance beyond that assumption. Specifically we will argue that while debate
rally takes as its focus the task of answering a resolutional question, at times it may be
fied to instead focus on the legitimacy of the resolutional question, the ability to answer
resolutional question, or the normative effects of arguments or practices within the

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is work.

framework of the debate. This essay will advance a definition of critique, develop a general
defense of critiques, forward a taxonomy of critiques, and offer a more specific defense of
several forms of critique.

The Meaning of "Critique"

Current usage of the term "critique" is vague enough that it may cover a wide array of
arguments. This essay should not be considered a defense of all such positions. In an
attempt to clarify our focus, we define a critique as any argument which does not provide an
answer to the resolutional question[3] but which does provide a reason for superseding the
resolutional question in importance. The essence of the critique is a justification for some
non-resolutional argument to be considered in lieu of the resolutional question. This essay
focuses on critiques which obtain their link at the level of advocacy rather than in the
resolutional terms which are the subject of evaluation (in fact/value resolutions) or the action
called for (in policy/quasi-policy resolutions).

To say that critiques do not answer the resolutional question is not to say that critiques
have nothing to do with the resolution. In some cases, the critique will focus on the practical
possibility or normative value of answering the question. In other cases, the critique will
focus on the climate in which debate on the resolution is occurring. In all cases, however,
focus on the climate in which debate on the resolution is occurring. In all cases, however,
the critique as we view it will offer a reason why another specific concern must come before
our need to answer the text of the resolution.

Critiques may additionally be characterized based on what they are not. Rosen, for
example, has noted that on the Spring 1993 CEDA topic[4] some negatives obtained an
unwarranted strategic advantage by labeling their argument that "the Universal Declaration
on Human Rights entrenches Western culture" a "critique." Based on our definition, this
argument would supply a reason for negating rather than superseding the resolution (we
should not implement the Declaration because it entrenches Western culture) and as such it
would be a disadvantage rather than a critique. Only if the argument provided a reason to
avoid debate on the resolution (for example, if it claimed that we in the West should not put
ourselves in the position of discussing what is best for the world) could it be seen as a
critique. Aside from separating them from disadvantages, critiques may also be distinguished
from topicality and justification which seek to reinterpret, rather than reject, the framework
for the debate.

One further defining characteristic of critiques is that they, like topicality and
justification, claim *a priori* status as voting issues. If a critique succeeds in justifying the
claim that the resolution either cannot or should not be used as the basis of decision, then the
critique itself becomes the decisive issue. While this may be seen as violating "argument
equality,"[5] it seems more appropriately viewed as a consequence of the sequential nature of
argument: some claims must necessarily be resolved before other claims. Most judges
consider procedural arguments, such as topicality, to require evaluation prior to the

firmative's case. Disadvantages are also sequential in nature since a judge must consider
e links prior to the impacts and, if the links are not valid, then the evaluation of the
sadvantage goes no further. Similarly, the critique argument is sequentially a voting issue.
the framework for the debate is flawed, then it makes little sense to enter that framework
order to evaluate arguments. You must know whether a question is worth answering
fore you answer it. For a large number of critiques, it would be senseless to engage in a
nple weighing of the consequences of affirmative and negative arguments. On the Spring
94 topic, for example, a judge would not be able to weigh the advantages of an air strike
Bosnia against the disadvantages of militaristic discourse or sexist language. The critique
uld be evaluated first, and only if the critique were rejected would the judge be able to
nsider the value of the air strike.

While many of the examples so far have focused on the critique as a tactic of the
gative, they are not exclusively the negative's ground. Affirmatives have an equal ability
develop a critique against a framework for the debate imposed by the negative. Critiques
: more commonly seen as a tool of the negative only because current practice tends to
ord the affirmative a broader interpretive ability.

As a final characteristic, critiques are best seen as comprehensive strategies. In this
se they are more likely to be broad encompassing positions than isolated acts of rejoinder.
ere is a natural tension between arguing that a flawed framework justifies superseding the
olutional question and making other arguments which seek to answer that question and in
process presume the value of answering it. The concept of the "waiver" which Murphy
iculated in the context of topicality argumentation seems to apply here. If a negative offers
ritique suggesting that advocacy over the resolutional question, in general, is harmful and
n proceeds to generate substantive arguments against the affirmative, they are equally
ceptible to the critique. At that point, the negative could be judged to have waived their
ique position.

A Preliminary Defense of Critiques

All propositions can be seen as containing two levels of meaning. The first, and most
iliar, level is propositional truth: is the proposition true or false? Addressing the level
propositional truth presupposes that we have decided that the proposition is worth
ressing. The second level, the level of propositional legitimacy, is the realm of the
ique. Critique focuses on the worth or the consequences, not of the proposition, but of
discussion itself. Should we be having *this* debate over *this* proposition? All that is
uired in order to accept the concept of critique is to accept the possibility that at times a
stion of propositional legitimacy might override a question of propositional truth.

The ability to potentially focus on the worth of the debate can be justified.
mmunication educators acknowledge the benefits of introducing students to critical issues
arding language and advocacy. The development of an awareness of the social

construction of experience through language, the relationships between language and power,
and the connections between speech and action are seen as integral to a collegiate education
on communication. The development of critique argumentation in debates would provide an
educational laboratory for the consideration of these questions. As believers in the benefits
of the debate process, we feel that these issues should not be addressed simply by coaches,
but should be explored by placing them in the dialectic of the round which, despite its
limitations, remains the central laboratory of our educational activity.

Many contemporary communication theorists recognize a multitude of factors relevant
to the communication process that extend well beyond the simple question of the truth or
falsity of a proposition. Eloise Buker notes that an emphasis on language is becoming
increasingly important: "Contemporary social analysis has turned to linguistic analysis as a
way to understand the basic structure of social/political action. With this linguistic turn,
citizens have become more aware of how language shapes their daily lives and how language
and speech empower certain actors and inhibit others" (70). Likewise, many theorists can
be marshalled to demonstrate the importance of a broad conception of the variety of
communication influences at work in a given argumentative setting. Edwin Black, for
example, notes the effect of language in creating a persona in auditors which should be
subject to evaluation. "In all rhetorical discourse," he notes, "we can find enticements not
simply to believe something, but to *be* something. We are solicited by the discourse to fulfill
its blandishments with our very selves" (119). Simon Dalby argues that U.S. military
discourse, a field for many debate impacts, has effects of its own. "It is precisely these
discourses of security," Dalby notes "that define and delimit the bounds of political
discussion, acting to reproduce the militarization of culture and politics" (181). Focusing on
law, another frequent arena for debate arguments, Lance Selva and Robert Bohm exhort us
to consider not just the truth-value but the effects of legal discourse. The imperative is to
"challenge the discourse that mediates the perception of the way people feel and think about
social reality" (255).

In the context of a widespread academic recognition of the important effects contributed
by discourse style, a debate forum requiring an exclusive focus on the simple truth-content
of the resolutional question seems to preclude many important avenues for analysis.
Following G. Thomas Goodnight and David Hingstman, we feel that debate should bear a
closer relationship to communication theory. Providing the forum of the debate round with
a fair way to consider issues related to discourse and advocacy would allow debaters to
confront the critical issues of communication philosophy. This highlights another practical
benefit to allowing critiques: their inclusion would align the debate community with a more
contextualized and contemporary view of communication. This is an important benefit, since
academic debate as an institution often is perceived as being at odds with the communication
departments that sponsor it.

Independent of the pragmatics of a focus on communication in the debate forum, the
value of such a focus must also stem from the realization that advocacy has consequences.

any rationalize debate practices with the statement, "nothing happens at the end of the und." Such a position, however, fails to account for the effects of advocacy on both vocate and auditor. Whether in a laboratory setting, such as competitive intercollegiate bate, or in a real-world context, the act of advocating is a real act with consequences. deed, as the only non-hypothetical element in a debate round, advocacy could be seen as ing the area of effects most worth talking about.

Most importantly, if we believe that our advocacy is real and has consequences, and if : believe that the debate format can be a vehicle for addressing the conditions and nsequences of real advocacy, then we should admit the possibility of raising legitimate tique arguments in the debate forum.

A Taxonomic Defense of Critiques

As arguments that do not answer the resolutional question but instead provide a reason : superseding the resolutional question, critiques can be differentiated based on their reason : superseding the resolutional question. We see two general reasons which could be portant enough to overcome the need to answer the resolution: the rejection of a given :urrence in a debate round, and the rejection of the resolution as a flawed framework. The st form, which we will term *normative critique*, regulates the norms for acceptable action thin the debate context. The second form, which we will term *resolutional critique,* allenges the worth of operating within a resolutional framework. This distinction is not ant to be all-inclusive, but is instead intended to differentiate between two major reasons argument could focus debate away from answering the resolution. We will explain and)sequently defend each of these critique forms.

rmative Critiques

The normative critique is based on the assumption that in order to be productive and nane, a debate should function within certain norms. At a minimum, a debate should take ce in an environment which is at least relatively free of behaviors which would oppress silence the dialogue of participants. A major premise is that while coaches, judges, and larger community all have a role to play in maintaining or revising these norms, the ate round itself should be a potential forum for invoking or challenging the acceptable iditions of dialogue.

rms of Normative Critiques

The creation of a normative framework for the debate can focus on factors related to itext as well as to specific arguments.

Context critiques. Critiques of context advance the position that some element of the argumentative situation is important enough to require attention in a manner more basic than the resolutional question. A common context critique is that the use of sexist-language by a team should constitute a voting issue (West). Other conceivable context critiques would include racist speech or dehumanizing delivery. One context critique which is widely accepted, if rarely used, relates to evidence challenges. The charge of evidence fabrication or taking evidence out of context has status as a voting issue in the minds of many judges. If a team committed such an offense, but still managed to prove or disprove the resolution with unchallenged evidence, few judges would vote for them. The reason for voting against a team that fabricated evidence is based, not on a failure of the team to live up to their obligation with respect to the resolution, but on their failure to live up to their obligation with respect to the process.[6] Most members of our community seem to feel that a charge of evidentiary dishonesty is a legitimate critique, provided it can be substantiated, and an argument which would supersede the resolutional question in importance. The charge of evidentiary dishonesty can thus be viewed as a normative critique of context by highlighting the principle that the violation of trust matters more than any answer to the resolution. A context critique related to sexist-language use would similarly posit that the violation of egalitarian interaction matters more than any answer to the resolution. The impact of the argument differs, but not its fundamental form.

The effect of these arguments, if successful, is to generate discursively mediated "rules of the game." A team against which a successful challenge is made loses the debate, regardless of the truth or falsity of the resolution. This *a priori* status stems from the impossibility of evaluating normative critiques in comparison to other arguments in the context of the debate. How, for example, could a judge weigh a sexist-language critique against the claimed risk of nuclear war solved by affirmative's hypothetical policy? Necessity requires that the arguments be evaluated separately, and the sequential nature of the critique requires that the context be evaluated first. Only if the context is judged to be fair for debate should evaluation proceed to the resolutional question.

Argument critiques. Critiques against particular arguments advanced in the debate also have the potential to challenge or establish norms for acceptable practice. Argument critiques advance the position that the rejection of a particular argument is important enough to supersede the resolutional question. Examples of argument critiques might include an affirmative position which suggests that a negative position on "Islamic Fundamentalism" plays to racist stereotypes (Ahmed 229), a position which argues that the use of John Birch Society sources and conspiracy theories fosters anti-semitism, or a position stating that arguments based on racial differences encourage genocide. In each of these cases, whether such an argument is a critique must be assessed by reference to its function. If the purpose of the argument is simply to defeat the affirmative argument, then it is refutation rather than critique. If, on the other hand, the function of the argument is to establish itself as an issue more fundamental than the resolutional question, it would be a critique.

/hile there tend to be strong norms in the debate community which typically prevent
:oduction of highly offensive claims, exceptions remain. The benefits of patriarchy,
th of biological determinism, and the advantages of AIDS have all, to a greater or
legree, been advocated by debaters in recent memory. The 1991-1992 NDT topic for
le, allowed for some clearly offensive cases such as overruling a Supreme Court
n which permitted interracial marriage.[7] The argument critique is based on the
e that some arguments degrade the forum enough that more than simple refutation is
ted.

ense **of Normative Critiques**

Jormative critiques are not hypothetical arguments. They are based on the possibility
. and immediate harm resulting from allowing a specific action to continue. Sexist
ge, for example, would be grounds for a critique, not based on just the abstract claims
iors but based upon its effect in creating a hostile environment in which the value of
ued debate over the truth of the resolution would be negated. This level would not
arily be met by the use of a generic "he" in a quote. The persistent use of demeaning
.ge by a debater in a round, however, could create an environment in which the value
her debate on the resolution would be outweighed by harm to the participants. More
y, persistent hostile language could result in a situation in which productive debate on
solutional question would be impossible.
Real and immediate harm can also be measured based on damage to the debate forum
i the impossibility of reasoned choice when the forum becomes the vehicle for racist,
or demagogic arguments. In our view the normative critique plays a valuable role in
vering debaters to create, advocate, and enforce self-regulating norms for humane
ient and behavior in a debate context.
This is not to say, however, that we believe that all attacks on a team's behavior or
ients would constitute potential critiques. Clearly, preventing infinite regression is a
concern in advocating normative critique. What would keep a team from arguing that
ipponents should lose a debate because of their failure to use recycled paper, which
butes to the destruction of the environment? Or that a team should lose because they
wearing watches made in China, thus supporting human-rights violations? What gives
que such as the use of sexist-language greater importance that these examples?
The distinguishing feature of normative critiques is their norm-generating function. In
:e, they create "rules of the game." Normative critiques would only become infinitely
sive if the debate community permits them to. This is unlikely. The success of the
-language critique seems to represent a collective judgement by the debate community
enderized language is a problem which is serious enough to warrant correction.
Normative critiques should also be distinguished from simple *ad hominems*. The
ate of a normative critique must show not only that a bad effect results from a given

argument or practice, but that a climate is created (such as a sexually harassing climate) or
that a harm is created in the debate round (such as the conscious use of racist stereotypes)
which would negate the benefits of further consideration of the resolutional question. A
challenge to the opposition's practices (their choice of paper or watches) can be true without
being a critique. The essential ingredient is a justified reason why the challenge would come
before the resolutional question in importance.

In advocating the potential critique of specific practices and arguments, we want to
clarify that we are not advocating censorship or a "politically correct" silence on certain
issues. We are advocating that objectionable speech should be met with more speech.
Actions or claims that are oppressive should be openly challenged with reasoned discourse.

Resolutional Critiques

Critiques which are more germane to the resolutional question, but which still supersede
rather than answer that question, can be termed *resolutional critiques*. Resolutional critiques
are fundamentally challenges to the possibility or the worth of debate on the resolutional
question. They are based on the assumption that the resolution, as a framework for the
debate, must be both worth discussing and capable of being discussed. A resolution which
could not foster valuable debate would be rejected *a priori*.

Forms of Resolutional Critiques

The resolution can be rejected as an inappropriate framework either because a flaw in
the resolution renders it incapable of proof, or because a legitimacy question renders the
resolution unworthy of proof.

Resolutional-flaw critiques. Critiques based on a resolutional flaw contend that the
resolution is incapable of proof. They advance the argument that the existence or absence
of a given state of affairs renders proof impossible. A hypothetical example of a resolutional-
flaw critique might be generated with the resolution, "Resolved: that red ducks fly." If the
negative is able to prove that no red ducks exist, the resolution cannot be proven true.[8]
More realistic examples of potential resolutional-flaw critiques stem from the Spring 1994
CEDA topic. Some negative teams attempted to critique this proposition by arguing that the
Cold War had not yet ended, or that democracies cannot be fostered.

Due to their absolute nature, a skepticism regarding the status of the resolutional-flaw
as a voting issue may seem justified. We could make the assumption that because a topic has
been chosen for debate, it is necessarily capable of proof. Or we could posit that some parts
of the proposition can be *assumed* to be true as in "assuming we are in a post-Cold War
world, is military intervention justified?" The pragmatic desirability of this position is often
captured in the adage that, if the resolutional flaw were true, "all teams would have a .500
record."

On the other hand, this skepticism fails to resolve the difficulty in handling a topic that has been proven to be unprovable. If there are no red ducks, what ducks do we debate? And how can we assume ducks are red for the purpose of debate if no red ducks exist?

This form of critique obviously carries a very high standard of proof. It is one thing to say that a resolution is problematically phrased and quite another to say that it cannot be proven true or false under any interpretation. At a conceptual level at least, however, the argumentative possibility of a true resolutional flaw remains.

If a resolutional flaw, such as the non-existence of red ducks, was demonstrated in such a way as to prove the resolution false, then it would constitute a refutation rather than a critique. If, however, the resolutional flaw renders the resolution as ambiguously neither true nor false (based on, for example, a strict avoidance of the fallacy of argument from ignorance), then a critique based on the resolutional flaw would seem warranted. Assuming that it can be proven, the resolutional-flaw critique is justified as an *a priori* issue based on the claim that the affirmative carries a unique burden to prove the resolution, including all of its constituent elements. If the resolution cannot be proven true, then affirmation is impossible and negation becomes the default option.

Resolutional-legitimacy critiques. Critiques based on resolutional legitimacy suggest that the resolution is not worthy of discussion based on the claim that debate using the resolution as a framework would result in some specified harm. These critiques are at times language based, for example focusing on "race or gender" as inappropriate categorizations in the proposition. These legitimacy critiques argue that the meaning created by terms in the resolution engenders negative effects or sets a harmful precedent (Bahm). Often, legitimacy critiques are institution based, for example focusing on the harms of an exclusive focus on governmental solutions to environmental problems. These legitimacy critiques argue that debating within the institutional framework specified by the proposition carries a negative value.

The basic philosophy of the resolutional-legitimacy critique is illustrated by the resolution, "Resolved: That a chick should be President."[9] In a technical sense, it would be possible to "prove" this resolution by arguing that "chick" is slang for "a woman" and that a woman should be President. A more intuitive response to this proposition, however, would be to argue that its oppressive language destroys the legitimacy of the claim, and the critique of legitimacy is more important and more valuable than any argument relating to the truth of the proposition. While this proposition is clearly debatable, one should question whether it is worthy of debate, given its pejorative labeling, and one should also be concerned about the precedent which would be set by engaging in debate on such a question.

While few would dispute the lack of legitimacy in this proposition, recent topics debated by CEDA and NDT pose similar, yet more subtle, questions. Past CEDA topics, for example, have included evaluative terms such as *foreign* (Spring 1991), *censorship* (Fall 1990; Spring 1984), and *terrorist* (Fall 1985). While these terms come out of specific fields and carry complex meanings, it remains possible to argue that the terms, in context, carry

meanings and effects which are unnecessarily pejorative. The term "terrorist," for example, is easily characterized as a label which is selectively applied to criminal acts and frequently is based on one's opinion of the political persuasion of the criminal. Aside from the specific terminology, it is also possible to argue that the larger field of discourse, for example militarism (Dalby; Enloe), in which a proposition is embedded taints the value of debate on that proposition. In addition, the institutional framework in which a resolution is debated can be subject to a legitimacy critique. All policy topics, whether NDT or CEDA, seem to work within existing political institutions and frameworks and to see them as the solution to societal ills. While counterplans such as socialism and anarchy could be seen as denying the value of the affirmative's agent, it is also conceivable that such arguments could be forwarded as resolutional-legitimacy critiques if, for example, debate on the resolution precluded the discussion of these alternate solutions. In describing Rich Edwards' position on such utopian counterplans, John Katsulas, Dale Herbeck, and Ed Panetta note: "He perceives debaters who today are advocating anarchy, socialism, world government, authoritarianism, and technocracy to be engaged in a type of *criticism* which is analogous to the utopian literary criticism offered by Thomas More in the *Utopia*" (97, emphasis added). The expansive notion of fiat advocated by Edwards in response to his critics seems to encompass the possibility that, at least in policy debate, utopian counterplans operate outside the boundaries of the resolution. This represents a shift away from the view that "fiat limits affirmative and negative teams to advocating only incremental shifts away from existing policy" (114).

Resolutional-legitimacy critiques focus on the negative consequences which might arise from advocacy within a resolutional framework. A successful critique in this case would function as an *a priori* voting issue based on the premise that a challenge to the resolution as a framework would require adjudication separate from, and prior to, adjudication of arguments within that framework.

A Defense of Resolutional Critiques

Resolutional critiques permit a more complete focus on the argumentative task involved in justifying a proposition. Questions regarding the possibility and desirability of resolutional debate are not arbitrarily excluded or decided by other authorities; they are entrusted to the debate round. At this level, resolutional critiques should appeal to those who believe that both sides in a debate have an obligation to equip themselves with a contextual understanding of the resolution. A close analysis of many resolutional critique arguments shows that they impose and enforce just such a burden on affirmative and negative teams by encouraging them to gain a complete knowledge of the resolution prior to debate. In this manner resolutional critiques serve a valuable function in improving the quality of debate.

While we recognize problems regarding resolutional-flaw critiques, and consider true resolutional flaws to be rare, we are unwilling to reject arguments over what may be important components of a resolution. While debatability may be preserved by holding

ɔnal-flaw critiques to a comparatively high standard of proof,[10] we believe that a
may additionally lie in more appropriately considering some critiques labeled
ɔnal-flaw critiques as actually resolutional-legitimacy critiques. The argument on the
1994 CEDA topic positing that the resolution is incapable of proof because the Cold
s not over, or because there never was a Cold War, might be more accurately viewed
utional-legitimacy critiques. The reason many foreign-policy analysts reject the Cold
ɔel seems to have less to do their descriptive view of the world than with their
ive assessment of the effects of the Cold War label on policy decisions. The critique
seen as saying, in effect, not that the Cold War doesn't exist, but that it is harmful
ite within a Cold War mindset.[11] Relabeling this critique, and all others which
on an evaluative rather than descriptive assessment of the resolutional framework,
have the effect of improving the ground for the affirmative by permitting them to
the evaluation.

common criticism against both resolutional-flaw and resolutional-legitimacy critiques
they penalize affirmatives for something that is essentially beyond their control: the
ɡ of the resolutional question. On its face this seems to be a persuasive criticism. As
ɪsly noted, however, the tendency for resolutional critiques to be argued most
ɪtly against the affirmative stems from the affirmative's presumptive power to interpret
ɔlution. Many resolutional critiques, thus, occur with affirmative complicity: the
ɪtive's use of their power to interpret brought about the critique, or could have been
, avoid the critique. An additional response to this criticism is that it is not unique to
ɛ positions: affirmative is also bound to issues of resolutional truth in a way which is
l their control. Why should the affirmative be responsible for proving the resolution,
t responsible for whether the resolution can be proven true or is worth proving true?
ligation to defend against the critique can be seen as part of the affirmative's ground:
ɾal consequence of their participation in advocacy of the resolution.

Conclusion

ɔritique arguments appear to be an emerging strategy in intercollegiate debate. The
ɪe of this essay has not been to defend any critique argument in particular. Individual
ɛs are often controversial at a substantive level since they frequently seek to question
ɪtional practices. This essay has sought to advance a theoretic taxonomy and rationale
ɪtiques, so that their substantive merits might be more clearly discussed in debate
ɪs. While we have long assumed that the only issue in a debate is resolutional or
ɪlar truth, critique arguments demonstrate that there may be other relevant issues in a
ɪ. Those issues include whether the resolution is a worthy and capable subject for
ɪ, and whether some event or argument has real effects which are important enough to
ɪd preeminent evaluation. With appropriate development, critique arguments have the
ɪial to serve valuable argumentative and normative functions.

Notes

[1] "Resolved: that the national news media in the United States impair the public's understanding of political issues."

[2] "Resolved: that United States military intervention to foster democratic government is appropriate in a post-Cold War world."

[3] We use the term "resolutional question" with the understanding that it has become accepted practice to affirm the resolution with reference only to an affirmative's parametric case. Given this, the resolutional question would most often manifest itself as the truth or falsity of the affirmative's case.

[4] "Resolved: that United Nations implementation of its Universal Declaration on Human Rights would be beneficial."

[5] This criticism was suggested by Jeremy Rosen of Cornell University through the CEDA Listserve.

[6] In Sandoval v. Martinez, for example, the New Mexico Court of Appeals held that a district court may dismiss a plaintiff's lawsuit as a response to the plaintiff lying in interrogatories. Their justification for the decision had nothing to do with the merits of the case; they held that the rationale for dismissal was the plaintiff's disruption of the discovery process.

[7] The topic was "Resolved: that one or more United States Supreme Court decisions recognizing a constitutional right of privacy should be overruled." Some judges, in fact, recused themselves from judging on this topic for reasons that argument critiques may address.

[8] Philosophers might refer to such a statement as "trivially true." Due to the non-existent nature of the subject (and the resultant non-falsifiability), it would be technically valid to say that "red ducks fly," but equally valid to say that "red ducks cannot fly."

[9] We use this term with the understanding that its conventional use is insulting; we use it to demonstrate that some propositions clearly are more deserving of legitimacy critique than refutation.

[10] Most debate arguments are probably evaluated according to a preponderance of evidence standard (Which position is most likely true?). Perhaps a stricter standard, such as clear and convincing proof, could be applied to resolutional-flaw critiques. Higher standards of proof are already recognized in other contexts (such as the argument that the affirmative must be proved "100% non-topical" in order to lose on that issue).

[11] This seems to be a central thesis in Toffler and Toffler's War and Anti-War. They seem to argue that thinking in post-Cold War terms entrenches a Second Wave mindset, rendering us unable to develop Third Wave peace strategies.

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The Justification of Counterplans in Non-Policy Debate: A Skeptical View

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CEDA debate began in the 1970s as an alternative to NDT debate. From the beginning, members of the Cross Examination Debate Association insisted that CEDA debate did not necessarily equate with value debate; propositions of policy, fact and value were all possible choices (Tomlinson 2). The failure to exclude policy arguments in CEDA has led to the eager acceptance of all forms of policy argumentation by several in the debate community. While this trend was noted in the literature as early as 1982 (Bartanen 19), this was most evident during the Spring 1993 topic ("Resolved: That United Nations implementation of its Universal Declaration of Human Rights is more important than preserving state sovereignty"). It became commonplace in some areas of the country to interpret this topic as a resolution of policy, with the agent (U.N.) and its mandate (implementation of the U.D.H.R.) the focus of the debate. Consequently, widespread use of the counterplan as a negative strategy occurred. Even in rounds where the affirmative did not interpret the resolution as one of policy, negatives demanded and often received the ground to run counterplans.

This essay will argue that the acceptance of counterplans in CEDA lacks theoretical focus or justification. After first reviewing the growing trend toward the use of policy arguments in CEDA, this paper will argue that current counterplan use in non-policy debate lacks theoretical justification and is not warranted. Instead, the CEDA membership should recognize that the growing acceptance of policy arguments, including counterplans, demands the use of policy topics.

The Growing Acceptance of Policy Arguments

Despite whines of "this is CEDA debate, not NDT" to the contrary, the history of CEDA indicates that policy arguments always have been a part of the argument repertoire available to the CEDA debater. A review of the earliest editions of the *CEDA Yearbook* finds theorists prodding CEDA toward the acceptance of policy or policy-type arguments. Zarefsky's article in the 1980 *CEDA Yearbook* categorizes propositions for non-policy debate. Among the choices offered were propositions of quasi-policy. These resolutions don't advocate "a specific plan of action, yet one is implicit within the statement of the

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