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An Evolving Model of Presumption for Non-Policy Debate

BILL HILL

Presumption has long been regarded a fundamental component of debate. In an effort to explain the role of presumption in non-policy debate, theorists divided ground on the primary question of how best to characterize the concept. Some argue that presumption should be viewed as a stipulated convention while others argue that it is predominantly a psychological concept. When I introduced the "holistic" model of presumption, I attempted to demonstrate that the stipulated and psychological characterizations did not depict mutually exclusive "types" of presumption. Rather, they are complementary dimensions; each performs a unique function and both must be included in any theory of presumption in order to have a complete model of presumption in non-policy debate (22).

Recent scholarship (Burnett; Tuman; Winebrenner) demonstrates that non-policy theorists appear to be moving toward agreement on the fundamental assumption of the holistic model—that presumption should be characterized as a multi-dimensional concept. To varying degrees, their essays acknowledge the importance of incorporating some form of stipulated dimension to ensure a fair and pedagogically viable process,[1] and each acknowledges—albeit in slightly different ways—that the psychological dimension is an inevitable component of the decision-making process in non-policy debate.[2] Winebrenner, for example, attests to the inherent presence of the psychological dimension as he describes non-policy debate abstracted as public discussion:

> As in the real-world environment after which academic debate is modeled, debate arguments are constrained by psychological presumptions derived from various associations, that is, with existing institutions, commonly held beliefs, value hierarchies, and so on. Inasmuch as any particular condition is subject to many such associations, there are many possible presumptions about that condition (4).

At the same time, scholars raise significant questions about the holistic model and the role of presumption in non-policy debate. Whedbee questions the core theoretical foundations of the holistic model by arguing that the argumentative analogue is inappropriate for apportioning presumption in non-policy debate and that the stipulated and psychological dimensions are not properly conceptualized. Winebrenner questions the ability of the holistic

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model to account for presumption-shift arguments and argues that this presumed flaw is serious enough to warrant reconsidering the model entirely. Tuman questions the role value hierarchies play in the holistic model and argues that the model should be reconceptualized to include same. Rowland does not question the holistic model specifically, but he does argue that presumption generally is not an important concept for non-policy debate.

Some of these questions arise out of the inadequacies in my original explanation of the model, while others arise out of a misreading of the assumptions of the model and the functions of presumption in non-policy debate. They are, however, legitimate and important questions and addressing them will provide a clearer understanding about how the holistic model might be used to conceptualize presumption in non-policy debate. Because presumption is so inextricably linked to our assumptions about the process of non-policy debate, developing a clear model of presumption, in turn, can inform our pedagogy, clarify the role of advocates, and help explain the nature of decision-making about non-policy issues. Like the questions which lead to the inquiry in this essay, each of these products of the inquiry is legitimate and important.

In this essay, I first will clarify the nature of the holistic model and how it might function in non-policy debate. Second, I will demonstrate that the argumentative analogue is most appropriate for the holistic model and that Whedbee's objections to that analogue and the way the stipulated and psychological dimensions are conceptualized are unfounded. Third, I will illustrate how the holistic model accounts for presumption-shift arguments and demonstrate that the model is completely compatible with Winebrenner's position. Fourth, I will argue that although Tuman is fundamentally correct in advocating that value hierarchies be included in any model of presumption in non-policy debate, they should not be associated with the stipulated dimension as Tuman suggests, but rather that they should be associated with the psychological dimension—as they are in the holistic model. Finally, I will argue that eliminating presumption as a concept in non-policy debate, as Rowland advocates, is neither pragmatically nor philosophically justified.

The Holistic Model: Another Look

The holistic model assumes that presumption is actually a composite of the stipulated and psychological dimensions. These two dimensions fuse together into a unified and complementary working relationship. The stipulated dimension is designed to provide form and structure to the non-policy debate process by designating, *a priori*, a presumption to the negative and the burden of proof to the affirmative. In this section, I will discuss the argumentative analogue which is the foundation of the model, describe the nature of the stipulated and psychological dimensions in some detail, and elaborate upon the relationships between those two dimensions of presumption in the holistic model.

The Analogue

The locus of presumption accorded via the stipulated dimension and the rational for assigning that locus is derived from the analogue one applies to the non-policy debate situation. In the holistic model, the stipulated dimension is apportioned on the basis of the argumentative analogue. The argumentative analogue treats non-policy debate as an exercise in the process of argumentation and apportions the burden of proof and presumption based upon the roles of advocates in the process; advocates of the proposition are assigned the burden of proof, and advocates opposed to the proposition are assigned presumption. Cronkhite describes the nature of presumption and the attendant burden of proof as they are used in the argumentative analogue in the following way:

> The right to do no more than ask "Why?" is presumption; the obligation to respond is the burden of proof. More formally: (1) Presumption is the right of any opponent of a stated proposition to refrain from argument in the absence of a prima facie case supporting that proposition. (2) The burden of proof is the inherent alternative of one who states a proposition (argumentative thesis) either to offer a prima facie case in its support or to see it remain unsupported. (3) The assumption of the burden of proof is thus inherent in the statement of a proposition. (4) The presumption is unavoidably forfeited by one who states a proposition to the occupant of any other position. Therefore the person (or agency) who initially advances an argumentative point of view automatically takes upon himself the burden of proof (274).

Thus, in the holistic model, presumption via the stipulated dimension is apportioned to the negative and the burden of proof to the affirmative.

Among the alternatives one might use, the argumentative analogue is most appropriate for non-policy debate. A non-policy debate resolution can be thought of as an "assertion by the affirmative team" (Winebrenner 6), or more specifically, as a "complex claim" (Patterson and Zarefsky 20). As such, the purpose of non-policy debate mirrors that of the process of argumentation: advocates of the resolution attempt to demonstrate that their claim should be accepted, and the negative, when confronted with *prima facie* reasons offered by the affirmative, are called forth to respond to those reasons or to allow the affirmative to meet the burden of proof and justify assent to the general resolution.

The correspondence between debate and the process of argumentation is further evidenced in the view of those who regard debate as a "laboratory" for argument (Winebrenner). As a "laboratory," one would expect not only that the debate activity be conducted on the basis of the general principles of argumentation but that it attempt to incorporate those principles in as pure a form as possible. Moreover, scholars have demonstrated the importance of aligning the debate activity more closely with the study of

ıment (Goodnight; Thomas) and using the activity to develop and test theories of
ıment (Balthrop; Goodnight; Rowland and Fritch).[3]
Conversely, other available analogues—the legislative, legal, and scientific—do not
vide as sound a basis for the apportionment of stipulated presumption. Each of those
rnative analogues requires that the non-policy debate situation be abstracted as something
ich it is not—a policy-making exercise, a courtroom trial, or a scientific experiment.
thermore, the conventions of non-policy debate differ in significant ways from the process
umptions of those analogues.[4] Others have raised significant objections to using these
rnative analogues to apportion presumption in non-policy debate.[5] Thus, because the
rumentative analogue describes most clearly what the process of non-policy debate is, it
fers the most appropriate basis for apportioning presumption via the stipulated dimension.

ıe Stipulated Dimension

Because the argumentative analogue is grounded in prerequisites of the process of
gumentation, the terms *presumption* and the *burden of proof* take on a distinctive meaning
hen applied to the stipulated dimension. Within the argumentative analogue, presumption
corded via the stipulated dimension prescribes the conditions under which the negative
ngages in the process of argumentation. Because they do not initiate the controversy, the
egative is accorded presumptive argumentative ground. Once the process begins, the
egative will continue to occupy the presumptive argumentative ground until the weight of
he reasons offered by the affirmative is sufficient to dislodge the negative from that
ırgumentative ground.
Presumption accorded via the stipulated dimension is descriptive, not evaluative.[6] To
ıay that the negative occupies presumptive argumentative ground does not mean that the
oosition they support—that opposite of the resolution—is presumed to be more important,
oetter, or more valid than the position advanced in the resolution. Rather, to say that the
ıegative occupies presumptive argumentative ground describes the negative's role vis-á-vis
he process. Within the argumentative analogue, the role of the negative vis-á-vis the process
ıever changes; it remains the same regardless of the content of the resolution, the capabilities
of the advocates, or the context for the interaction.[7] Because presumption accorded via the
itipulated dimension relates to process and remains constant across all non-policy debates,
n the holistic model it is designated as **PRESUMPTION**.
The corollary to **PRESUMPTION** is **THE BURDEN OF PROOF. THE BURDEN**
OF PROOF describes the overall responsibility the affirmative must fulfill to dislodge the
ıegative from the presumptive argumentative ground; they must present reasons which, even
n the face of negative responses to them, are judged to be sufficient to warrant assent for the
·esolution and, thus, overcome the negative's occupancy of the presumptive argumentative
zround. As with **PRESUMPTION, THE BURDEN OF PROOF** is not evaluative since it
s associated with the process of argumentation rather than the specific resolution being

debated. Similarly, **THE BURDEN OF PROOF** remains constant because it describes the
responsibility the affirmative assumes every time they advance a resolution within the process
of argumentation.[8]

The Psychological Dimension

While the stipulated dimension apportions **PRESUMPTION** and **THE BURDEN OF
PROOF**, the psychological dimension also apportions presumptions and burdens of proof.[9]
PROOF, the psychological dimension apportioned via the psychological dimension is not derived from the
Presumption apportioned via the psychological dimension is not derived from the
argumentative analogue and the prerequisites of the process of argumentation. Rather, it
reflects the nature of human decision-making in non-policy debate by helping to explain how
judges process, interpret, and evaluate the arguments debaters present. The psychological
dimension is an inevitable and ever-present characteristic of non-policy debate precisely
because non-policy debate is ultimately a human communication experience.[10] Meaning in
any sort of human communicative activity is a product of the perceptions and interpretations
of the individuals involved in the interaction. How one processes and understands another's
messages is greatly influenced by what one "knows," what one "thinks" to be important,
what one "believes" to be consistent with past experiences, and what one "assumes" the
general purpose of the interaction to be. Such tendencies are not indicative of an inferior
decision-making process, rather they simply describe what it means to say that humans
communicate.[11]
The psychological dimension is operationalized in the holistic model in the following
way. The judge processes arguments in a debate through various perceptual "screens." The
screens might reflect preferences, predispositions, understandings and so on which the judge
has about the subject being debated, the nature of the arguments being presented, or even the
decision-making process used. Each screen identifies a potential psychological presumption
which might affect the decision-making process used by that judge in that debate. A
psychological presumption is accorded when the judge processes an argument, information,
or observation which embodies the concept represented in a screen. For example, assume
that one of the screens reflected a preference for evidence based upon experimental research.
The negative presents a counterclaim to an issue raised by the affirmative and supports that
counterclaim by citing evidence based upon experimental research. The negative's argument
is filtered through the various screens the judge uses and is associated with the screen which
reflects a preference for experimental research, and, thus, garners a psychological
presumption in the judge's decision-making process. The basic process is illustrated on the
following page: model of presumption.
The weight of any such psychological presumption is determined by two factors. First,
the weight is proportional to the strength of the concept embodied within the screen. In the
previous example, if the weight of the preference for experimental research in the screen is
"5," theoretically the weight of the argument corresponding to that screen could be up to
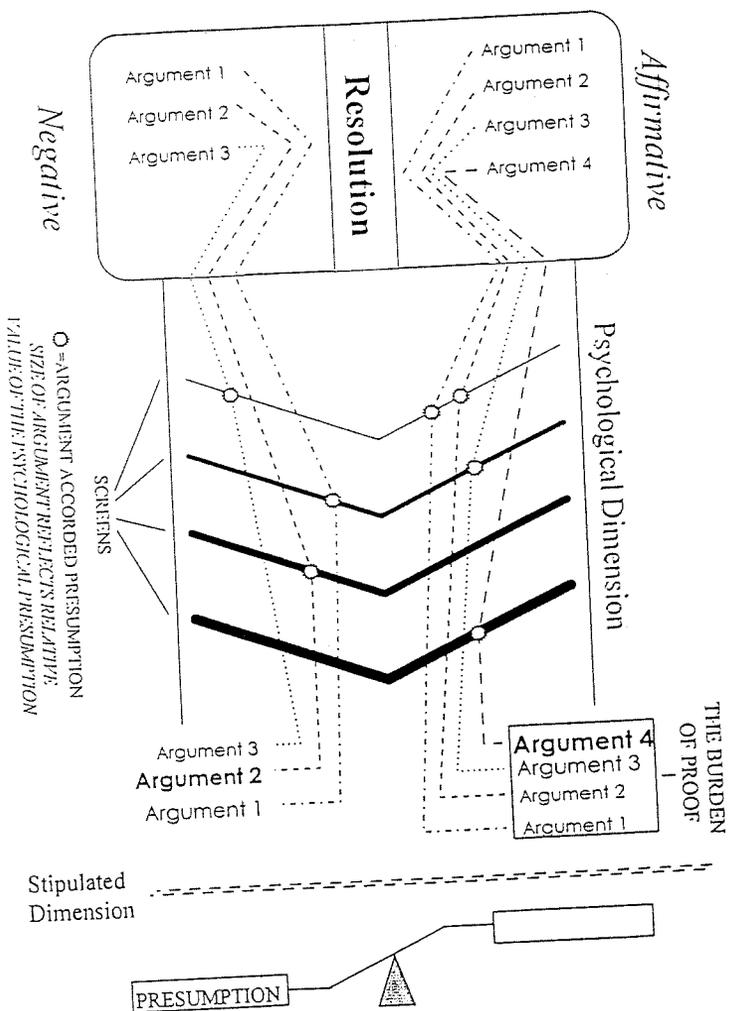
The Holistic Model of Presumption

"5." Second, the weight of the argument is affected by the degree to which the argument directly corresponds to that screen; the more closely the argument replicates the concept embodied in the screen, the more likely it will garner the full weight of that psychological presumption. If the psychological presumption for experimental research has a value of "3," and the judge determines that the argument the negative presents is based upon actual experimental research, it is likely that the negative's argument will garner a psychological presumption of "3."[12] The presumption(s) apportioned through the psychological dimension carry with them a corresponding burden of proof. For example, if the affirmative is accorded a presumption in favor of the competence of the "experts" from which they draw evidence to support a particular claim, the negative would assume a burden of proof to overcome that presumption. The affirmative would retain that presumption until such time that the negative could fulfill that burden of proof. Similarly, if the negative were accorded a presumption for the value it defends, the affirmative would assume the burden to overcome that presumption. The burden of proof corresponding to a psychological presumption is slightly greater than the weight of the psychological presumption. For example, if the psychological presumption accorded to the negative is "3," the affirmative would have to meet a burden of proof slightly greater than "3" to overcome the psychological presumption of the negative's argument. The screens through which arguments are filtered can be imposed by the judge, as in the previous example, or they can be constructed by the debater. For instance, in the previous situation, the judge might have no preference for information generated through experimental studies but the negative debater could construct such a screen for the judge to use by demonstrating why experimental research should be considered more valuable than other sorts of evidence. Of course, the arguments a debater makes to construct any screen are, themselves, filtered through existing screens and can garner psychological presumptions or run contrary to the screens and incur burdens of proof. For example, a debater who attempts to construct a screen which preferences experimental research might garner a psychological presumption if the argument for constructing such a screen is processed through an existing screen which preferences prioritizing by category the types of data presented in a debate. Conversely, the debater's argument might incur the burden of proof if it is filtered through an existing screen which embodies a predisposition against priortizing data by category rather than content.

Relationship Between Presumptions and Burdens of Proof

There are significant differences between presumption accorded via the psychological dimension and PRESUMPTION accorded via the stipulated dimension. There can be many presumptions in a non-policy debate, but there can be only one PRESUMPTION. Either the affirmative or negative may be accorded a presumption, but only the negative can be accorded PRESUMPTION. A debater can retain a presumption and still lose the debate: however, if the negative retains PRESUMPTION they should win the debate.

Similarly there are significant differences between the burden of proof arising out of the psychological dimension and **THE BURDEN OF PROOF** arising out of the stipulated dimension. There can be many burdens of proof in a non-policy debate, but only one **BURDEN OF PROOF**. Both affirmative and negative debaters will likely have burdens of proof, but only the affirmative will have **THE BURDEN OF PROOF**. Either a negative or affirmative can fulfill the burden of proof and still lose the debate. However, if the affirmative fulfills **THE BURDEN OF PROOF**, they should win the debate.

The stipulated dimension is the foundation of the holistic model because it provides form and order for the process of non-policy debate and establishes the primary burdens and responsibilities debaters must meet. Giving primacy to the stipulated dimension is justified for two reasons. First, the psychological dimension only has meaning when considered *within* the stipulated dimension. Presumption(s) apportioned through the psychological dimension are meaningful in non-policy debate only within the context of **PRESUMPTION** and **THE BURDEN OF PROOF**. That is to say, presumption(s) accorded through the psychological dimension to the affirmative can influence the outcome of a non-policy debate to the degree that it affects the ability of the affirmative to fulfill **THE BURDEN OF PROOF**, and presumption(s) accorded to the negative has import to the degree that it helps the negative counter the affirmative's effort to fulfill **THE BURDEN OF PROOF** thereby retaining **PRESUMPTION**. Awareness of this relationship is clear in Winebrenner's recent essay when he writes, "The axiom 'He (or she) who asserts must prove' is unwavering. Thus, inasmuch as the affirmative team is obliged to assert the resolution, the burdens associated with asserting take precedence over the various psychological presumptions associated with the resolution's content" (7).

Second, demands for educational accountability require that the stipulated dimension be given primacy. The clearer the responsibilities and expectations of the non-policy debate process, the greater the educational value of that process is likely to be. Debaters are likely to learn more about the process of argumentation if they know what demands will be placed upon them, and coaches can be more effective educators when they instruct from a core of constant principles about the process.[13] Only the stipulated dimension provides a set of principles about the process—**PRESUMPTION** and **THE BURDEN OF PROOF**—which can remain constant across all non-policy debates.[14]

Are the Stipulated and Psychological Dimensions Properly Conceptualized?

Whedbee argues that the stipulated dimension is not *presumption* as Whately envisioned it. Rather she claims that the argumentative analogue can only be used to impose an arbitrary decision-rule. Her point is best captured in the following passage in which she reexamines Cronkhite's explanation of the argumentative analogue:

At first glance, Cronkhite's analysis seems accurate; but on closer inspection he still leaves a mist hanging over the subject. Vancil provides a very important observation: in the legal setting, and in traditional policy debates, we begin the debate by assigning presumption to one side or the other. Only *after* presumption has been assigned, do we determine the speaking order (240). Cronkhite's proposal reverses this process: first, we assign the speaking order, and *then* we assign presumption. The speaking order provides us with a reason for the assignation of presumption; but what justification do we have for our assignation of the speaking order? To the best of my knowledge, no one has addressed that question. Such silence invites the conclusion that the assignation of the speaking order is purely arbitrary. And since the speaking order is arbitrary, then the assignation of presumption is also arbitrary. Once again, "stipulated" presumption reduces to an arbitrary, tie-breaking rule. One has to wonder what is gained by calling this arbitrary rule presumption (31).

Although potentially damaging, a closer inspection of Whedbee's indictment reveals that it is ill-reasoned. First, it is not the speaking order that provides us with reason for the assignation of the stipulated dimension. Rather, Cronkhite draws the basis for that assignation from assessment of the nature of argumentation *as a process*. Argumentation is widely regarded to be "reason-giving discourse" (Burleson 141).[15] As such, advocates must do more than simply advance claims; they must offer appropriate support for their claims. In fact, it is the act of testing those reasons which defines the distinctive purpose of the process of argumentation. Without support—reasons why a claim should be accepted—nothing can be tested and no argumentation can occur. The mere act of advancing a claim does not place a demand upon those who would oppose it to demonstrate why assent to the claim should *not* be given. That demand only arises when the advocate of the claim presents reasons which, in the absence of response, can stand alone as appropriate support for the claim. Furthermore, until support for the claim has been provided, those who would oppose the claim have nothing with which they could argue, since there would be no reasons for them to test. It is precisely this understanding of the fundamental assumptions of the process of argumentation which Cronkite draws from in explicating the argumentative analogue. And it is because of this fundamental focus on the process that Cronkhite writes, "The obligation is not artificially assigned; it arises from a consideration of the available alternatives. If he does not support the thesis, it will go unsupported. If it is unsupported, the occupant of any other position is hardly obligated to respond with refutation" (274). Thus, apportionment of the stipulated dimension and the corresponding burden of proof are not imposed arbitrarily;[16] they are derived from the fundamental nature of the process itself.

Second, Whedbee's question, what justification do we have for our assignation of speaking order, is easily answered within the argumentative analogue. In order for advocates to engage in the process of argumentation, there must be a controversy; in the case of non-

policy debate, the framework for that controversy is embodied in the general resolution being debated. There is no reason for argumentation—debate—until the resolution has been advanced and reasons have been constructed which demonstrate that there is a "legitimate" controversy to resolve. Thus, assignment of speaking order is not arbitrary either; it flows naturally from our conception of the nature of the roles of the affirmative and negative in non-policy debate. If the affirmative did not speak first and fulfill the responsibilities associated with the advocates who initiate a dispute, there would be absolutely nothing a negative could or should say; there would be neither need nor basis for argumentation.[17]

Third, Whedbee's claim that calling a tie-breaking rule "presumption" confuses what we mean by presumption is only the case if one assumes her major contention that "presumption" should be viewed predominantly as a psychological concept. If we acknowledge that the stipulated dimension is an integral component of presumption in non-policy debate and specify that one of the functions of that dimension is to serve as a tie-breaking device, there should be no confusion. Overall, then, Whedbee's arguments are not sufficiently compelling to disassociate the terms *stipulated dimension* and *presumption*.

Whedbee also questions the way the psychological dimension is conceptualized.[18] Whedbee believes that the psychological dimension more closely approximates Whately's notion of presumption, and that it is important in our model of presumption for non-policy debate. However, she argues that theorists have not conceptualized the dimension properly because they have assumed that the psychological dimension can be used as a tie-breaking mechanism. She argues that the psychological dimension cannot function as a tie-breaking mechanism and bases that argument on a perceptive analysis of the inherent nature of non-policy resolutions. She explains that non-policy resolutions are likely to contain conflicts between "intuitive rules,"[19] and because adherence to these intuitive rules is rooted in psychological presumptions, the psychological dimension is incapable of resolving the conflict between them. As a result, she reasons, one could not use the psychological dimension to apportion presumption and the burden of proof:

> Our problem, then, is to develop a method for deciding between the two intuitive rules when they come into conflict. And, at this point, many debate coaches and argumentation theorists turn to presumption for aid. But to use presumption as a decision rule in this context is to beg the question. It assumes that the conflict between the rules has already been resolved. However the point is that the conflict has not been resolved. To put this another way, we have already established that our inherited belief system includes an internal inconsistency: we cannot agree to both of the intuitive rules at the same time. Given this acknowledged both of the intuitive rules at the same time. Given this acknowledged inconsistency, we cannot then turn around and appeal to our inherited belief system to resolve the inconsistency. The intuitions that gave rise to the conflict are the product of our upbringing and our past experience of decision-making. If these intuitions are called into question, we cannot appeal to them to settle the question.

> Debaters cannot rest on the safe ground of presumption because the status quo is itself unreliable (33).

Whedbee is absolutely correct that presumption accorded via the psychological dimension cannot serve as a decision rule for non-policy debate. However, her argument ultimately has little consequence because the psychological dimension is never assumed in the holistic model to serve as a decision rule. Moreover, her argument demonstrates a compelling need to include the stipulated dimension in the holistic model in tandem with the psychological dimension. That is the case precisely because of the need to have a dimension of presumption that can be associated exclusively with the structural requirements of the process of non-policy debate and not be bound by the inherent conflicts between "intuitive rules" inherent in the subject matter of specific non-policy resolutions. Ultimately, then, the effect of her second argument argues against her first because it demonstrates the importance of the stipulated dimension. As such, Whedbee does not seriously challenge the fundamental assumption that presumption need be considered a multi-dimensional concept.

The larger issue Whedbee raises, and what appears to be a consistent theme throughout her paper, however, is that current conceptualizations of the stipulated and psychological dimension have veered from Whately's original vision. That theories of presumption for non-policy debate have not literally duplicated Whately's original conceptualization is probably correct, for as Whedbee herself notes, Whately's conceptualization is most directly applicable to policy debate. She writes:

> Whately's discussion of presumption is designed specifically for traditional policy debate in which propositions are worded such that the affirmative takes on the role of reformers and the negative plays the role of conservatives by defending the status quo. . . . Given the political climate of Whately's age, he saw debate in terms of a contest between conservatives and reformers. Apparently, it never occurred to him that debate need not be structured that way. Whately never addressed himself explicitly to the possibility that debate propositions might be phrased in such a way that there is no clear cut division between conservatives and reformers. He leaves scholars from the twentieth century to sort out for themselves what role presumption plays in value debate (28).

The essential question I would posit is not whether current conceptualizations have veered from Whately's original treatment, because surely they must if Whedbee's assessment is correct, but whether they have veered so far that it is misleading to say that they were derived from Whately's view or that they are now compatible with it. I believe it possible to demonstrate that the stipulated and psychological dimensions are conceptualized in the holistic model in ways consistent with the spirit of Whately's treatment of presumption. Despite the clear adversarial roles of reformers and conservatives that informed Whately's

tment of presumption, he also spoke of presumption *both* as a rule-based and a
chological concept. The stipulated dimension as conceptualized in the holistic model is
sistent with the perspective that presumption can be regarded as a rule-based concept.
mittedly the *basis* for the rules is different—the argumentative analogue in the holistic
del versus the legal system in Whately's conceptualization—but the stipulated dimension
the holistic model is rule-based in form, function, and justification. It is prescriptive,
ice "inventional," and it is not arbitrary. The psychological dimension, as conceptualized
the holistic model, remains consistent with Whately's vision of presumption as an
luative concept; it is assumed to be auditor-dependent, and it is not treated as a decision
e nor assumed to be invariant across non-policy debates. Sproule believes such
iceptualizations are reasonably consistent with Whately and appropriate for academic
iate. He writes: "Whatelian presumption, which presents psychological principles in
dem with legal ones, is an especially appropriate framework for the analysis of those
iations in which objective assignments of presumption and burden of proof compete against
ijective audience predispositions such as in law or contest debate" (128). In these ways,
ijective conceptualizations of the stipulated and psychological dimensions in the holistic model
certainly informed by and are as consistent with Whately's discussion as one might
sonably expect they could be.[20]

Overall, Whedbee's questions focus our attention on the importance of clarifying the
iic nature of the stipulated and psychological dimensions and incorporating both dimensions
our model of presumption for non-policy debate. In the process, Whedbee reminds us of
need to develop theories and models informed by and responsive to the characteristics of
situations and circumstances in which they will be used.

How Are Presumption-Shift Arguments Addressed in the Holistic Model?

Winebrenner argues that the holistic model is flawed because of its inability to deal with
esumption-shift arguments. He argues that presumption should never be accorded to the
irmative team and that I vascilate on this fundamental principle in the original description
the model. Writes Winebrenner:

> Accordingly, the holistic model neither accepts nor rejects presumption-shift
> arguments. On the one hand, Hill indicates that the holistic model *initially*
> stipulates that presumption lies with the negative team in order to offset the
> procedural advantages accorded to affirmative teams and provide the "ultimate
> decision rule" that ties are awarded to the negative team. On the other hand, he
> allows that, "debaters can work actively to argue for the particular screens, values
> and weights of psychological presumption." The dispute about the validity of
> arguments aiming to relocate presumptive ground is central to the presumption

> controversy. The holistic model's inability to resolve this dispute is its fatal flaw
> (4) (emphasis his).

Winebrenner's conclusion is reasonable given my original explanation of the functions of the
stipulated and psychological dimensions. Particularly problematic is my use of the word
initially.[21] Certainly, using that term implies that presumption assigned via the stipulated
dimension might be subject to change.

As I hope is now clear through explanation provided in this essay, there is no such thing
as a stipulated PRESUMPTION-shift in the holistic model. First, the argumentative analogue
is unambiguously used as the basis for assignment of the stipulated dimension and, thus,
PRESUMPTION. Within the model, the locus of the PRESUMPTION accorded via the
stipulated dimension remains constant; it always resides with the negative, just as THE
BURDEN OF PROOF always resides with the affirmative. Second, by clarifying the nature
of the relationship between PRESUMPTION accorded via the stipulated dimension and
presumptions accorded via the psychological dimension, it is clear that PRESUMPTION is
given primacy. Thus, even when an affirmative is accorded a presumption (or multiple
presumptions) via the psychological dimension, that presumption does not in and of itself
offset the PRESUMPTION accorded to the negative via the stipulated dimension.
Ultimately, such presumptions accorded to the affirmative can help the affirmative fulfill
THE BURDEN OF PROOF and overcome the PRESUMPTION, accorded to the negative,
but under no circumstance would any number of presumptions accorded to the affirmative
eliminate their *responsibility* to fulfill THE BURDEN OF PROOF. Nor would they be
sufficient to transfer PRESUMPTION to the affirmative. Thus, there is no such thing as a
PRESUMPTION-shift in the holistic model and the model appears to be consistent in every
major way with the needs Winebrenner identifies.

What is the Role of Value Hierarchies in the Holistic Model?

Tuman raises an important issue when he challenges the way value hierarchies are
incorporated in the holistic model. He acknowledges the utility of the model insofar as non-
policy questions of fact are concerned, but he challenges applicability of the model for non-
policy questions of value. Essentially, Tuman's objection is rooted in his view that by using
the argumentative analogue to assign presumption, one value position is granted greater
significance than another. He writes:

> Where non-policy questions of value are concerned, however, it makes little sense
> to follow the argumentative analog to justify Hill's fusion of
> stipulated/psychological presumption. Why should the initiator of a value claim
> surrender presumption to the opposite view? If, for example, we debated the
> proposition "freedom of expression is more desirable than national security," why

should the affirmative automatically concede presumption of the significance of the value (freedom of expression) over to the opposite (national security)? Why is one value presumptively more valid than any other? (13)

eliminate this problem, Tuman would reconceptualize the holistic model so that the ıral value hierarchies, rather than the argumentative analogue, would be used to assign ;umption. He explains how such a reconceptualization would work:

> Under the proposed revision of holistic presumption, it, therefore, would become the responsibility of the affirmative either to show how or why this hierarchy should be repriortized with the affirmative team's selected value in the dominant position, or it would be possible for the affirmative team to demonstrate how its value actually fits the existing hierarchy. The latter move, under this scenario, then would shift presumption of the value and hierarchy to the affirmative, thereby disposing the issue—but not the entire debate. The negative side to the debate would protect this hierarchy unless or until challenged by the affirmative. If the affirmative failed in this endeavor, or the debate about values and hierarchies ended in an evidentiary or argumentative tie, presumption of the natural hierarchy would resolve this in favor of the negative—but only upon the issues of value and hierarchy (14).

Although there is admittedly an intuitive appeal in including natural value hierarchies ɔur view of presumption in non-policy resolutions, using them as Tuman suggests would problematic. First, to justify the reconceptualization, Tuman juxtaposes value hierarchies h the stipulated dimension; however, such a juxtaposition is ill-advised. **PRESUMPTION** ɔortioned through the stipulated dimension is inherently *non-evaluative*; it is apportioned the basis of the nature of the **process** of argumentation not upon comparative assessment values, evidence, claims, "intuitive-rules," or any other component of either side of the ıtroversy. That **PRESUMPTION** remains constant across all non-policy debate olutions and across all affirmative interpretations of any particular resolution illustrates its ıaration from subject content and the evaluation of that content. Furthermore, it is ːcisely that separation from content which enables **PRESUMPTION** and **THE BURDEN** ˈ **PROOF** to be principles capable of providing structural constancy and soundness to the ı-policy debate process. Thus, Tuman is correct to ask why one value claim should be ɔulated to be more presumptively valid than any other value claim, but he is incorrect in ːuming **PRESUMPTION** assigned via the stipulated dimension imposes such an evaluation. ˌwever, value hierarchies are inherently evaluative. A hierarchy presumes ordering based ɔn assessment/evaluation of perceived worth. Moreover, although Tuman illustrates ˌarly that advocates can produce lists of hierarchically arranged values, that does not mean ˌt all debate judges will subscribe to the particular suggested list. Fisher has long explored

the relationship of values to argument and illustrates that value hierarchies are themselves subject to dispute and re-ordering. He writes:

> Relative to human communication, the ranking of values suggested by Muller suffers from the inevitable problems of all such generalized orderings. First, how a value operates depends on time, place, topic, and culture. Second, the idea of a binding, general system of values disregards the fact that valuing is a *human action*. As Kenneth Burke said, "*Action* involves *character*, which involves *choice*. Though the concept of sheer 'motion' is non-ethical, 'action' implies the ethical (the human personality)." Humans are not identical with one another, nor are their valuings. Whether through perversity, divine inspiration, or genetic programming, people make their choices freely, and their choices will not be bound by ideal or "perfect" value systems—except of their own making (1987, 114).

Value hierarchies are inherently bound, as Whedbee would say, by intuitive rules. Precisely because they are evaluative, situational and contestable, they cannot be used to apportion, *a priori*, the principles designed to ensure the structural constancy of the debate process. Using them to apportion **PRESUMPTION** within the context of a specific debate would render inept our efforts to instruct debaters about their responsibilities as affirmative or negative advocates because those responsibilities would change from round to round depending upon judges' evaluations of a proposed hierarchy. Needless to say, undermining the structural constancy of the process in such a way would be detrimental to our pedagogy.[22]

This is not to suggest that value hierarchies are unimportant in formulation of the holistic model. To the contrary, there is no doubt that value hierarchies are important in resolving any non-policy dispute about values, and that Tuman's various essays have been instrumental in clarifying that importance.[23] However, because the degree of adherence one grants to any value hierarchy is ultimately a product of individual interpretation and valuing, they are more properly associated with the psychological dimension in the holistic model.[24] They can be used to construct and assign weights to screens through which arguments are evaluated. Ultimately, they illustrate one way the psychological dimension might function and how, through conflicting hierarchical orderings, it is possible to have competing presumptions apportioned via that dimension in non-policy debate.

Second, although Tuman argues that the argumentative analogue is inappropriate for assigning stipulated presumption in non-policy value resolutions, he assumes use of that analogue in his explanation of how the holistic model would function under his revision. Why is it, for example, the affirmative team's responsibility to demonstrate either that the existing hierarchy should be repriortized or that a value is accorded dominant status in the existing hierarchy? Furthermore, why does the negative get to "protect this hierarchy unless or until challenged by the affirmative?" The answer to each of these questions lies in the argumentative analogue: the negative is accorded **PRESUMPTION**, and the affirmative is

assigned **THE BURDEN OF PROOF**. Thus, Tuman uses the assumptions about the process of argumentation upon which the argumentative analogue is built to describe how the process of argumentation under his reconceptualization, presumably absent that analogue, would be conducted. Ultimately, rather than demonstrating that the holistic model can be productively reconceptualized without the argumentative analogue, Tuman illustrates precisely why that analogue is important to our most basic understanding of what the non-policy debate process should be.

Is Presumption Important in Non-Policy Debate?

At this point, we should reconsider the need to have any model of presumption in non-policy debate. Rowland argues that the various purposes of the debate activity would be served better by eliminating the concept of presumption entirely:

> The function of argument in the world is to help us make wise and humane decisions. The function of argument in debate is to teach our students how to make those decisions. In the real world, presumptions play a crucial role in providing useful rule-of-thumb standards for deciding among alternatives. In debate, however, we should not presume in advance that any substantive claim is more likely to be true than any other substantive claim. Rather we should let the debaters debate about that claim. The pedagogical function of debate therefore is best met by eliminating presumption as a key theoretical concept and requiring that both the affirmative and negative meet a burden of proof on every issue under consideration (23).

There are significant problems with Rowland's position. First, his views about the relationship between the purposes and pedagogy of debate are confusing. On one hand, Rowland acknowledges the need to teach "real world" argumentation skills and acknowledges the importance of presumptions in real world argumentation.[25] But, on the other hand, he argues that the pedagogical function of debate is best served by ignoring presumption. How one might make any sort of reasonable reconciliation between these ideas is unclear: Rowland offers no explanation as to why we might better teach "real world" argumentation skills in non-policy debate by ignoring "real world" argumentation concepts.

Second, rather than demonstrating the need for no model of presumption, Rowland's argument demonstrates the need for a multi-dimensional model of presumption such as that incorporated in the holistic model. Rowland clearly assumes that presumption is a unidimensional concept and that it is inherently evaluative; thus, his focus on the inadvisability of "presume[ing] in advance that any substantive claim is more likely to be true than any other substantive claim." If presumption were a unidimensional construct and if assignment of presumption were tantamount to evaluating one of two competing positions to

be "truer" than the other, Rowland's concern would have considerable merit. However, neither condition is the case in the holistic model.[26] **PRESUMPTION** is non-evaluative and does not imply that either position—affirmative or negative—is "truer," more "valid," or more "important" than the other. Presumptions are evaluative; however, they reside with specific arguments and do not alter the burdens that advocates assume as participants in the *process* of argumentation. Third, Rowland also is correct when he states that all debaters should have a burden to prove their claims, but he is incorrect when he assumes a burden of proof is the same as **THE BURDEN OF PROOF** or that apportioning the stipulated dimension and **PRESUMPTION** to the negative in any way relieves the negative of the fundamental responsibility to prove what they assert. To the contrary, the argumentative analogue and its application to the holistic model are based upon the primary tenet that argumentation is reason-giving discourse. Nothing about the holistic model or the way it is operationalized should be construed to condone or justify removal of the "reason giving" from that view of argumentation, assignments of **PRESUMPTION** or presumptions notwithstanding.

Fourth, it is unclear how it would be possible to have an educationally accountable process designed to "let the debaters debate about [the substantive] claim[s]," if we abandon the theoretical grounding for the structural and procedural conventions of our process.[27] One wonders, for example, what procedural guidelines and conditions Rowland would have debaters debate under, and on what basis he would justify selecting and imposing those guidelines and conditions. The holistic model uses the argumentative analogue to apportion **PRESUMPTION** and **THE BURDEN OF PROOF** based upon the fundamental nature of the process of argumentation. Without such an apportionment, the process of non-policy debate would be reduced, at best, to a conglomeration of arbitrary rules and, at worst, chaos. Certainly the risk of either creates a strong presumptive ground for including a model of presumption in non-policy debate.

Summary

Non-policy debate scholars have devoted more attention to the role of presumption in non-policy debate than to any other. After a number of years of fairly hearty debate, most scholars appear willing to accept the notions that presumption is important and that our model of presumption should embody both a stipulated and a psychological dimension. By grounding apportionment of the stipulated dimension in the argumentative analogue, the holistic model provides the structure necessary to ensure that the process of non-policy debate is orderly and educationally rewarding. At the same time, through the psychological dimension the model allows us to incorporate some aspects of "real-world" argumentation and decision-making which is inherent to evaluation in human communicative situations. The model is conceptualized in ways that are both consistent with Whately's original treatment

>resumption and adaptable to the characteristics of non-policy debate. Overall, the model
>ears to offer a viable way to conceptualize presumption in non-policy debate.

Our next tasks should be to illustrate applications of the holistic model to pedagogy in
n-policy debate, and to illustrate how debaters might use the holistic model in constructing
i refuting arguments. Burnett's essay provides a good example of how we might proceed
th the latter.

Notes

[1] A significant amount of scholarship (Brydon; Trapp; Vasilius; Warnick; Young and Gaske) acknowledges, one degree or another, the importance of incorporating some form of stipulated dimension in our conception of esumption for non-policy debate. There is an equally impressive body of literature which substantiates the portance of the psychological dimension (Zeuschner and Hill; Thomas and Fryar).

[2] Certainly Rowland does not acknowledge that both the stipulated and psychological dimensions should be cluded since he argues that there is no need for any model of presumption in debate.

[3] Particularly illustrative of the importance of reuniting debate and argumentation theory is Rowland's and ritch's conclusion that: "For many argumentation theorists, debate is simply a game that they outgrew or perhaps ever attempted. From their perspective, the literature concerning debate theory and practice is particularly tultifying. It might be compared to the literature on a particular war-game. For those who play the game, that iterature may seem fascinating, but to anyone outside the club it seems meaningless. And in fairness, much of the analysis of the theory and practice of academic debate is extremely narrow. However, while debate is a restricted academic game, it can serve as a model for testing important issues relating to a broader theory of argument" (462).

[4] Examples of such differences include the following: in most non-policy debates specific policies are never presented, much less seriously compared to possible alternative policies; strict rules of evidence and procedure are not used in non-policy debate as they are in a courtroom; the debate process does not conform to the scientific method, provide the controlled environment, or in most instances even allow adequate time for investigation as would be the case in a scientific experiment.

[5] Winebrenner (2) offers one of the best examples of such an specific objection. Winebrenner demonstrates that the legislative analog is not appropriate for value resolutions because of the inherent difficulty of determining the "subjunctive" and "existential" ground of value-judgments. According to Winebrenner, the legislative analog can be used to assign presumption in policy debate because policy resolutions always apportion existing or "existential" ground to the negative and cast the affirmative as advocates for change, thus apportioning to them the hypothetical or "subjunctive" ground in the debate. However, because value resolutions need not advocate change, one cannot readily identify the existential ground with which presumption might be associated. For example in the resolution, "Resolved that: promoting economic growth is more important than preserving the environment," one cannot ascertain with any degree of certainty which position—"promoting economic growth" or "preserving the environment"—occupies existential ground, nor which, as the alternative to existing order, occupies the subjunctive environment"—occupies existential ground, nor which, as the alternative to existing order, occupies the subjunctive ground. Winebrenner cites Vasilius' succinct explanation, "Presumption can hardly be assigned to a non-existent status quo" (36), to summarize his position. Vasilius's observation remains a telling indictment of the applicability of the legislative analog to non-policy debate.

[6] Ehninger and Brockriede make this same sort of argument.

[7] Certainly how presumption and the burden of proof are evaluated will be influenced by these factors. However, the critical point is that PRESUMPTION, within the argumentative analog, is not intended to be valuative in nature.

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[8] A concept closely related to THE BURDEN OF PROOF is *prima facie*. Prima facie describes the threshold which support—reasons—offered to gain adherence for the non-policy debate resolution must meet. Generally, in order for reasons to be *prima facie*, they must be of such a strength that, absent any response to them, they would be sufficient to justify assent of the general resolution. Although whether the particular reason(s) offered as support for the non-policy debate resolution are judged to be *prima facie* will vary from situation to situation, it will always be the case that the affirmative must present prima facie reasons both to force the negative to engage in the process of argumentation and to fulfill THE BURDEN OF PROOF.

[9] One should not confuse THE BURDEN OF PROOF, burden of proof, and *a burden of proof*. *A burden of proof* is the responsibility imposed upon any advocate who asserts a claim to provide adequate reasons to support that claim. For example, if the negative argues that random drug tests have little impact on work place accidents, they have a responsibility to provide adequate reasons which suggest that to be the case. Every debater shoulders *a burden of proof* to support his/her claims. THE BURDEN OF PROOF only applies to the overall responsibility to provide adequate reasons to demonstrate why the debate resolution should be accepted. Thus, since only the affirmative advocates the resolution, only they have THE BURDEN OF PROOF for that resolution. Conversely, burden of proof refers to the responsibility of the advocate opposite an argument granted a presumption via the psychological dimension to overcome that presumption.

[10] Some, fearing that doing so would sanction unwarranted judge intervention, have argued that we should be wary of incorporating the psychological dimension in our model of presumption. Balthrop understands the potential for abuse but argues that widespread, subjective intervention by the judge is not likely to occur among debate educators. He writes: "The danger does exist that any given critic will impose an interpretation upon arguments and evidence that assumes a reality quite unlike that envisioned by the text or by the debaters themselves. These dangers appear to be of degree rather than of essence, however, for no judge can avoid the unique values and thought processes which she or he brings to the interpretation of a debate. At the same time however, that subjectivity can be kept within certain bounds by mooring one's interaction in the debate's text and by testing one's interpretation through the 'world disclosure' of critiques and the subsequent interpretation of those critiques by other members of the community" (14).

[11] Several scholars illustrate how this tendency applies specifically to the debate setting. Bartanen and Frank, for example, describe how psychological presumptions might be accorded on the basis of values, types of analysis, evidence, consistency with past beliefs and actions. Because they believe that "It is irrational to assume that a listener, even in a debate round, acts as a 'clean slate' upon which values and beliefs are written," they posit that "Audience held presumptions must always be accounted for" (412). Balthrop makes a similar point when he writes: "Inevitably, despite the best attempts to exclude such factors, the set of experiences and beliefs each participant holds has fundamental importance for the ways reality is perceived, interpreted and constructed. A judge's predispositions may lead to granting greater persuasive presumption to 'rights' arguments, for instance, whereas another may adopt the view expressed in one conversation that, 'If nobody dies, nobody cries'" (4).

[12] I do not assume that the weight of any psychological presumption could actually be measured so precisely. I only use the designations "5" and "3" for illustrative purposes.

[13] That learning advantage becomes even more significant as the demands and principles of the classroom laboratory approximate the "real-world" process because skills learned in the educational laboratory are more readily transferrable to the student's professional and social endeavors.

[14] My intention is not to undervalue the importance of learning about the particular resolution being debated. To the contrary, learning about the particular subjects of non-policy debate resolutions—the province of the psychological dimension—is an immensely valuable educational experience. My concern, however, is that learning about significant contemporary issues is not an outcome which we claim as *unique* to our activity. On the other hand, we can likely make a compelling case that participating in non-policy debate is the only, if not the best, mechanism through which students can learn about the process of argumentation. Thus, ultimately, giving primacy to the process outcomes rather than the specific content outcomes may enable us to develop a more compelling educational justification for our activity. Certainly the model of presumption we use in non-policy debate will not

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>e the sole measure of the educational worth of the activity, but it will be an important indicator of what we value educationally.

[15] Burleson says, "For an argument to be made, it is not enough for a claim or assertion to be put forward; there must also be reasons given for believing it. An argument is composed of a claim and a statement or set of statements adduced in its support. This position defines argument as reason-giving discourse" (1979, 141).

[16] The way Cronkite uses the term "artificial" is similar to the way Whedbee uses the term "arbitrary." Both essentially attempt to communicate the notion that something is done without reason.

[17] A corollary argument here is that one of the attendant responsibilities of the affirmative is to define the ground of the controversy. Certainly, everything we understand about argumentation and problem-solving indicates that interactions are likely to be more productive when definitions precede discussion. It is also obvious that to do otherwise—have the negative speak first—would be patently unfair and create an impossible task. Winebrenner (6) demonstrates this point eloquently.

[18] These two points are drawn from various portions of her essay. They are summarized in the final passage of the essay when she writes: "Stipulated presumption is really only an arbitrary, tie-breaking rule; one has to wonder what we gain by calling this rule *presumption* (emphasis hers). Psychological presumption is closer to Whately's original version of the concept. It cannot function, however, as a decision rule in value debate because the point of value debate is to discuss situations in which our inherited beliefs, attitudes and values are internally inconsistent. To use presumption as a decision rule under these circumstances is a viciously circular process" (34).

[19] For example, in the resolution "Resolved: That protection of the natural environment is a more important goal than the satisfaction of America's energy needs," Whedbee claims that two "intuitive rules" which are products of psychological presumptions, "we ought to protect the environment" and "Americans ought to be self-sufficient in supplying energy needs," come into conflict (32).

[20] There is another concern here: theories frequently evolve and must be adaptable in order to be useful. It is not reasonable to expect that non-policy theorists literally replicate theories which were not developed with the needs of non-policy argumentation in mind. As a field, we have long realized that we cannot rely on the "piecemeal pilfering" from the policy arena to construct suitable theories for non-policy debate. (Vasilius, 40).

[21] Further complicating understanding of my original description is the fact that for some reason(s) of which I am still uncertain, the actual diagram of the model which I had developed was not included with the printing of the text.

[22] Young and Gaske make a clear connection between the need for predictability and structural constancy of the process and effectiveness of our pedagogy.

[23] See Tuman (1989).

[24] Most theorists who speak of the psychological dimension use value hierarchies or value preferences as a primary example of this dimension.

[25] Rowland and Deathrage make a similar statement about the importance of teaching real word argumentation skills. They write: "if debate is to continue to fulfill a valuable educational role for participants, then we ought to strive to teach real world argumentative skills, and those skills require comprehension, explanation, analysis of evidence quality and comprehension of the relative merits of the positions in a debate" (249).

[26] Although not written exclusively with non-policy debate in mind, Rowland illustrated how the psychological dimension might emerge in non-policy debate when he observed that adopting a particular judging paradigm can "actually determine what the judge perceives" (1982, 133). Paradigms do this by establishing preferences for types of argument and imbedded within those preferences are the various psychological presumptions which operationally define, for the judge using that paradigm, what a reasoned judgment is. For example, a judge who subscribes to the "policy making" paradigm would preference arguments about costs and benefits and would tend to discount conditional arguments. If the same judge subscribed to the "hypothesis testing" paradigm, conditional arguments would be presumed to be more valuable.

[27] This concern transcends our most basic structural assumptions. Rowland attempts to address this concern when he states, "the requirements that must be met by the affirmative and negative are determined by the particular resolution under question. The affirmative has to advocate that resolution and the negative must oppose it. Eliminating presumption as a major theoretical term does not change those burdens" (23). *Why* that would be it. Eliminating presumption as a major theoretical term does not change those burdens" (23). Without presumption, or some other term which is functionally equivalent, there would the case is not indicated. Without presumption, or some other term which is functionally equivalent, there would be no readily apparent *reason* for assigning the affirmative the responsibility of advocating the resolution, or the negative the responsibility of opposing it. Nor would there be a *reason* for maintaining traditional speaking orders.

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Cerebral Gymnastics 101: Why Do Debaters Debate?

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Numerous studies have attempted to identify various debater characteristics. Research has examined debater intelligence (Thompson; Hargis; Bradley), debater character (Williams and Webb; Williams, Webb and Clark; Dowling), debater personality traits (Thayer; Douglas; Hetlinger and Hilbreth; Anderson; Burgoon and Montgomery; Wilson), and debater image (Tucker, Koehler and Mlady; King and Phifer; Stewart and Merchant). While these studies provided insight into the characteristics of the type of person who might participate in debate, the question of "*why* do debaters debate?" has received only modest attention. Hill (1982) was the first to address this question. Using questionnaires, Hill asked debaters to list "in order of importance as many reasons as you can that accurately describe your *motivation* for being involved in debate" (80). Hill obtained responses which were coded into six categories: educational, social, competitive, career preparation, miscellaneous and financial. Since Hill's categories were achieved from truncated, non-developed answers, he identified the surface reasons debaters debate but did not identify specific reasons for the motivation behind debater behavior. For example, when Hill identifies debater responses such as "improve communication skills" or "intellectual stimulation" as components of the "educational needs" category (83), no explanation is provided as to why the debater values improved communication skills or intellectual stimulation.

Wood and Rowland-Morin replicated Hill's study using a five-point Likert-type scale for each item presented on the questionnaire (85). In addition to replicating the Hill study, Wood and Rowland-Morin also tested to see if motivational influences shifted over time (they did not), if there was a difference in motivation reported by novice verses varsity debaters (very few), and if there was a difference between NDT and CEDA debaters (CEDA debaters appeared to value education and learning more highly than did NDT debaters) (90-94).

However, as with the Hill study, the Wood and Rowland-Morin study was restricted by the methodology. While a Likert scale can be beneficial for indicating one preferred motivation over another, the method does not allow for an in-depth response by the debater indicating why a particular motivation was important to her. Furthermore, the authors claimed that "the conclusion of the study needed to be confirmed or modified over time" and