

## JUDGMENT AFTER TABULA RASA: DEFENDING "LEAST INTERVENTION"

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As Aaron Bunch's recent essay, "Beyond Tabula Rasa," illustrates, the struggle over the appropriate role of the critic-judge in intercollegiate debate refuses to disappear. The disputes over judging paradigms that took place during the early 1980s no longer fill our journal, but the detritus of those disputes thrives in judging philosophy statements and anecdotal critiques of judging practices. The conceptual schemata used by judges for evaluating debates have been uniquely susceptible to student complaint and academic scrutiny over the last two decades, and Bunch's essay, along with several other recent articles (e.g., Bartanen; Swanson; Winebrenner, "Reaffirming the Role"), indicates that such scrutiny has not faded away.

While policy-making, judicial, stock-issues and other conceptual frameworks for judge decision making have played an important role in the discussion of judgment, I wish to impose relatively narrow limits on the scope of my analysis for this essay. The two concepts at the center of contemporary disputes over judgment in intercollegiate debate are the tabula rasa judging approach most often associated with Walter Ulrich ("In Search"; "Debate as Dialectic"), and the idea of judge intervention. At the risk of oversimplification, many critics have rejected tabula rasa in favor of some version of intervention (e.g., Howe 19; Winebrenner, "Reclaiming Citizenship" 36-37), while others have argued for non-intervention and some version of tabula rasa (e.g., McGee and Simerly 92-94). James Hallmark would claim in 1990 that tabula rasa was "the most popular paradigm in CEDA," despite the assumption into the early 1990s that CEDA judges were more prone to endorse some kinds of intervention than their NDT counterparts and, hence, less likely to accept tabula rasa (Hallmark 5; see Brey 69). A year after Hallmark's comment, T. C. Winebrenner

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described the dominant paradigmatic dispute over judging in CEDA as taking place between "tabula rasa judging on the one hand, and interventionist judging on the other" ("Evolving Approaches" 5). This essay concurs with Bunch that tabula rasa as propounded by Ulrich is not sustainable. However, *contra* Bunch, it argues that judgment in intercollegiate debate optimally requires a set of commitments I label *least intervention*, an approach that accepts the inevitability of intervention constrained by the best of tabula rasa.

### Rejecting Tabula Rasa

The tabula rasa approach to judging debates is the brainchild of Ulrich, who proposed as early as 1978 a "blank slate" metaphor that he described as an approach to judgment that provides superior pedagogical advantages to other perspectives (see Ulrich, "In Search" n. 2). Ulrich argued that, to the greatest extent possible, judges should put aside their preconceptions in the evaluation of debate arguments. In other words, a tabula rasa judge should ground win-loss decisions only in issues or factors explicitly discussed by the debaters, and allow "rules" for assessing the debate to be developed to the greatest extent possible in the individual round. While Ulrich's primary focus was on making "debate theory . . . debatable in an individual debate round" ("Debate as Dialectic" 89), subsequent proponents of tabula rasa have argued that judges also should avoid imposing their predispositions about the substance of arguments, no matter how utopian or counter-to-intuition the arguments made by students. In defending tabula rasa, Ulrich specifically denounced judge intervention -- a term he did not explicitly define -- since "intervention does not aid in teaching theory; it removes any requirement that debaters understand the reason behind debate theory" ("Debate as Dialectic" 93).

Given that the critique of judge intervention is explicit in Ulrich's defense of tabula rasa, many of the arguments for some version of judge intervention have been arguments against Ulrich's position. For example, Robert Rowland's criticism of tabula rasa is grounded in his belief that the importance of some procedural questions should not be subject to debate ("The Relevance"; "Response to Ulrich"; Rowland and Fritch). As a consequence, Rowland's position could be characterized as an invitation to intervene when, for example, an affirmative argues that the negative should not win a debate on topicality. While Rowland argues that judge predispositions against certain arguments should be explained to debaters prior to the debate in order to discourage debaters from wasting time with unconvincing arguments, an advocate of tabula rasa might maintain that *a priori* intervention

is still intervention, albeit a form of that practice that is substantially more fair than the *post hoc* variety.

In a thoughtful and important essay, Bunch argues that the guiding metaphor for *tabula rasa* judging -- the idea of the "blank slate" -- ultimately is unsustainable. According to Bunch, the "purist conception" of the blank slate does not work (Bunch 175). Arguments about the nature of argument are inherently circular, since the arguments themselves already presuppose an understanding of the character of argument. Therefore, to make any sort of progress possible, disputants must share some agreement on core rules of argumentation to which they can appeal. The blank slate metaphor is even further corrupted by conventions peculiar to the practice of academic debate, such as the *de facto* rule about the burden of rejoinder that equates silence with consent. Since some rules must be shared, no blank slate can ever exist where judge assumptions are concerned.

Bunch notes that contemporary proponents of *tabula rasa* judging have been willing to concede the problems with the metaphor, while arguing that intervention can and should be minimized. To answer this, Bunch reverts to a careful examination of Ulrich's description of debate as dialectic (see Ulrich, "Debate as Dialectic"). According to Bunch, a fundamental assumption of Ulrich's perspective is that academic debate is a dialectic between the debaters, that merely is observed by the critic-judge. For Bunch, however, the critic cannot function as judge without participating in the dialectic: "The implication . . . that the mind can function as a blank slate, is inconsistent with contemporary theories of human understanding. . . . The judge necessarily relies upon her preconceptions to interpret the competitors' claims" (Bunch 179). In other words, to borrow from media effects research, the audience for intercollegiate debates participates intellectually in those debates and is *active*, rather than passive.<sup>1</sup> For Bunch, "Contrary to the *tabula rasa* perspective, the primary

<sup>1</sup> I am not referring here to Winebrenner's distinction between judicial passivism, where the debate critic "assumes the role of uninvolved observer," and judicial activism, where the critic "assumes the role of third-party participant" ("Evolving Approaches" 9-10). While Winebrenner's position provides one way to distinguish between those who have debated the utility of *tabula rasa* and interventionist approaches, I use the word "active" here to refer only to the sense-making process described later in this essay. The judge inevitably is an active participant in the making of meaning, as both Balthrop and Bunch have argued. Where this essay is concerned, the point of Winebrenner's active/passive distinction is that a judge who engages in evaluative or content-based intervention is, relatively speaking, *more* active than a least intervention critic.

dialogue occurs not between opposing teams, but between each team and the judge" (180). In other words, if *tabula rasa* judging requires audience passivity as a marker of neutrality, then the approach is in a great deal of trouble. Bunch considers his critique of *tabula rasa* sufficient to dissolve "the *tabula rasa* imperative against intervention," and he defends the practice of judges voting against "implausible arguments," presumably including those cases where opposing debaters have not answered those implausible arguments (181). However, rejecting *tabula rasa* judging does not entail embracing unconstrained intervention.

### Understanding Intervention

What is meant by references to judge intervention in intercollegiate debate? Admittedly, open and energetic endorsement of intervention is relatively rare in the CEDA and NDT communities. Even an advocate of judge intervention knows that such advocacy will surprise many of her or his colleagues (e.g., Frank 88; Cox 112), though defenses of intervention sometimes are made using labels like "critic of argument" (Balthrop 1) or "judicial activist" (Winebrenner, "Evolving Approaches" 9-11) that are perceived as less pejorative. Despite the regular and continued use of such labels, one of the difficulties in the long-running conversation about judgment in academic debate has been the lack of consensus over the definition of essential terms in this conversation. In general, I define intervention as any judge choice that grounds a win-loss decision in interpretive work or criteria for argument evaluation not explicitly discussed by debaters. Specifically, I perceive that at least three different senses of the term "intervention" are employed regularly in the lifeworld of academic debate.

*Sense-making Intervention.* Initially, as both William Balthrop and Bunch have explained in separate essays, judges necessarily interpret and attach some sort of understanding to a debate as it unfolds. This interpretative work is dependent in part on the life experiences and competencies of the judge but is also constrained by the interpretative options made more or less attractive by the debate itself, the "text" that is "read" by the judge. As Balthrop explains when he describes the hermeneutic circle, the "critic and the phenomenon . . . exist in a 'life relationship' with one another through their mutual participation within a given community" (3-4). This active process of making meaning, which is unavoidable in judging practice, I label *sense-making intervention*. Judges must make sense of the debates in which they participate, and their active attempts to do so are a kind of "intervention" into the debate. Sense-making intervention involves the judge's

efforts to make sense for herself or himself of what the debaters say, and where the debaters are silent, to fill in the interpretive gaps where the debaters have omitted important information.

Some debate rounds require more sense-making intervention than do others because vagueness or ambiguity on the part of debaters sometimes demands a considerable effort on the part of a judge to sort through and compare arguments. Also, some "close" debates between talented teams can present a judge with two narratives that seem equally compelling. Such debates occasionally require a great deal of work on the part of the critic to select the winning team. In these debates, the comparison sometimes needed to make sense of opposing arguments goes beyond the mundane construction of meaning and requires more work of the critic.

A particularly difficult example might illustrate this variety of intervention. In a final round I once judged, the teams presented me with two fairly compelling and contradictory narratives concerning a causal chain of events. The only criterion suggested to me by the teams for choosing between the two narratives was to "read the evidence" and assess the debate for myself. When I did so, I found the evidence for both teams to be distressingly similar in quality and quantity. My eventual choice was to rely on a judgment about the timeframe in which the disputed event might take place, since, despite the fact that neither team mentioned timeframe, I could find no other satisfactory way to discriminate between the two arguments and the debaters had agreed that every other argument in the debate ought to be irrelevant to my decision. While I would have preferred to employ a standard for argument assessment advanced by one or both of the two teams in this debate, I could not otherwise choose between the competing narratives. Making sense of the arguments in this case required that I go beyond merely understanding the arguments to ask questions about such matters as sufficiency of proof. Fortunately, in many debates a criterion suggested by student advocates will be sufficient to permit a choice between competing arguments.

There are two other, stronger varieties of intervention, however, that go beyond sense-making. Both of these varieties are dependent on the perception of judges that they have an educational mission to perform when making the win-loss decision. As Winebrenner explains about one perspective on intervention, critics who choose to engage in these varieties of intervention "view themselves [as] instructors in the classroom. As specialists in the techniques of public argument, critics are trained to distinguish between sound and unsound argumentation techniques, and are pedagogically obliged to use their decisions and

their comments to reinforce good arguing" ("Evolving Approaches" 6). Many advocates of the second and third varieties of intervention rely on this classroom metaphor to describe their judging practice. While advocates of the *tabula rasa* approach also defend their judging practice as educational, they typically do not describe the process leading to the win-loss decision as similar to the process used in grading, for example, student essays.

*Evaluative Intervention.* The second form of intervention I call *evaluative intervention*. This type of intervention evolves from a perceived obligation to evaluate the quality of individual arguments in accordance with what the judge knows about argumentation theory, even in cases where argument quality is not disputed by the students. This evaluative intervention concerns the *form* of the argument more than its content. While such evaluation certainly could and does influence ballot comments and speaker points, it becomes intervention when it influences the win-loss decision. For example, intervention takes place when a judge's decision is influenced by her or his determination -- without the aid of arguments to this effect advanced by debaters -- that the evidence offered in support of a claim is not consistent with that claim, when the judge concludes that an evidence source lacks the qualifications to come to a specific conclusion, or when the judge maintains that a crucial link in a causal chain of reasoning is missing from an argument.

As the discussion of sense-making intervention already has suggested, judge assessment of argument deficiencies is required in some cases to make any sort of win-loss decision. However, only in a circumstance where evaluation of argument quality is *required* for sense-making purposes does the distinction between these first two types of intervention collapse. An example should illustrate this point. Balthrop discusses the 1981 Final Round of the National Debate Tournament and compares his own written critique to that of judge Ralph Carbone (8-9). In discussing one piece of inferior evidence, Carbone indicates that he was reluctant to interject an argument not introduced in the debate, since the opposing team did not point out the problems with that evidence, and presumably did not allow his personal reaction to that evidence to affect his decision because he could understand and render a decision in the debate without intervening. In contrast, Balthrop admitted his willingness to include his assessment of the evidence in his decision-making calculus, despite the fact that this evidence was not directly challenged by the opposing team. In this case, Balthrop engaged in evaluative intervention. He was able to make sense of the debate as it unfolded, and could have reached a decision *without* evaluating argument quality absent the students making argument quality an explicit issue.

*Content-based Intervention.* While form/content distinctions are admittedly difficult to maintain, a third variety of intervention concerns instances in which judges permit their skepticism about specific argument types and/or substantive positions to influence win-loss decisions independent of arguments made by students in the debate. In other words, such intervention concerns the *content* of the argument rather than its form. For example, in a debate round I once observed, the judge indicated in mid-debate that he would not vote on a topicality argument since the affirmative case was clearly topical to him after the first affirmative constructive speech. In doing so, this judge was not complaining that the negative topicality argument was poorly constructed; instead, he maintained that the argument was inherently unreasonable, and he wished to discourage it for pedagogical reasons, even though the affirmative team never argued that the judge should take this action.

Debate scholarship provides other examples of content-based intervention. Jack Howe explicitly encouraged content-based intervention by judges. Howe argued that judges "must be far more active in discouraging squirrel cases than we have been" if a case involved an abusively narrow interpretation of the topic (19). Contrary to popular opinion, content-based intervention is not practiced exclusively by conservative, "regional-circuit," or "buffalo" judges (see McGee 152-155). Citing examples of judging philosophy statements from the 1994 CEDA National Tournament, Kenneth Broda-Bahm maintains that many national-circuit judges threaten to reject, and probably do reject, several varieties of theoretical arguments such as the now-defunct "whole resolution" argument (Broda-Bahm 30-31). Whenever an argument or strategy is rejected by a judge absent a *student's* plea to do so, content-based intervention has taken place. Such content-based intervention goes beyond sense-making intervention in that it involves an assessment of the substantive merits of an argument independent of student argumentation.<sup>2</sup>

<sup>2</sup> Winebrenner describes interventionist critics exclusively in the sense of evaluative intervention, apparently dismissing the possibility of content-based intervention: "Interventionist critics intervene with a sense of academic purpose rather than predispositions about what is right or wrong regarding the substance of the resolution. Interventionist critics are prepared to accept claims supported by adequate evidence and reasoning even when claims contradict personal beliefs" ("Evolving" 8). While I agree with what I take to be Winebrenner's insight that evaluative intervention is more easily defended than content-based evaluation, there appears to be anecdotal and other evidence for the existence of some content-based intervention in academic debate. The problem here is definitional, since Winebrenner would label content-based intervention *judicial malfeasance*, rather than intervention *per se*.

As described here, few contemporary debate critics are likely to object to sense-making intervention, since such intervention seems both necessary and unavoidable. Whether sympathetic with or opposed to tabula rasa judging, sense-making intervention often is required to make a win-loss decision. Critics who call themselves non-interventionists typically are making some commitment to avoid evaluative and content-based intervention. While still pointing out flaws in argument construction, for example, such judges believe that the win-loss decision should be made without engaging in the stronger varieties of intervention and adjust their judging practice accordingly. For such critics, the inevitability of sense-making intervention does not entail an endorsement of evaluative and/or content-based intervention, since the need to make some sense of a debate ideally does not require assessments of argument quality or legitimacy never raised by the opposing debate team.

#### The Least Intervention Alternative

As Bunch notes, the claim that non-intervention is impossible is hardly new. In one way or another, tabula rasa proponents always have reverted to defending *less* as preferable to *more* intervention in the decision-making process, rather than defending some unattainable state of absolute non-intervention. In my experience, critic-judges who call themselves tabula rasa usually concede when pressed that some minimal intervention -- what I have called sense-making intervention -- is unavoidable and, in truth, necessary (see also Winebrenner, "Evolving Approaches" 7). The locus of the controversy over the tabula rasa critic-judge has been the following: Once the "active audience" sense-making status of the judge has been accepted by all participants in the dialogue over judging, how should we respond to the impossibility of non-intervention? One response is that implied by Bunch and others who seem to believe that almost any level of judge intervention might be justifiable. If we cannot *not* intervene, then the debate community ought to live with all versions of intervention and adopt norms that encourage certain forms of it. Bunch seems to take this position in the final paragraphs of his essay.

Perhaps the problem here is with the tabula rasa label itself, since the metaphor of the blank slate encourages opponents and advocates of non-intervention to misunderstand and mischaracterize one another's advocacy. However, if the core of the position of those opposing unrestrained intervention is sound, as I maintain that it is, then we always should talk about judge intervention as a matter of degree rather than describing a false dichotomy embodied in a choice between no intervention at all or embracing unlimited intervention. As

a consequence, we should abandon the *tabula rasa* metaphor as inherently misleading. Stripped of the *tabula rasa* metaphor, the basic insight of those who have employed this metaphor is the judging philosophy of *least intervention*.

Least intervention is an orientation to judgment that aims to minimize, though not eliminate, judge intervention in hopes of maximizing fairness and education. Specifically, least intervention critics hope to engage in the minimum amount of sense-making intervention necessary to come to an informed win-loss decision, while acknowledging that some sense-making intervention is unavoidable in order to understand the debate and make an informed decision. Further, such critics aim not to allow evaluative or content-based judgments to influence the win-loss decision in all but the most extraordinary situations. While some least intervention judges undoubtedly will fail to attain the ideal from time to time, they should adopt a particular set of procedural commitments to guide their judging practice: Least intervention judges should aim to listen carefully to all the arguments made by the debaters in a given round, consistently apply the procedural commonplaces of the debate community, and make the decision that best reflects the arguments made by the debaters in a given round.<sup>3</sup> Specifically, the least intervention judge makes a commitment to let the speech acts of the debaters, to the maximum degree possible, determine who will win the debate. The guiding question for a least intervention approach to judging is: *For a given debate, what win-loss decision requires the least intervention on the part of the judge?* Again, this approach requires judges to minimize their sense-making intervention in order to avoid a slippery slope to evaluative intervention, while refraining from deliberate evaluative and content-based intervention in all but the most unusual circumstances.

What distinguishes the least intervention approach from some earlier discussions of *tabula rasa* judging is that least intervention judges explicitly maintain that all interventions are not created equal. The least intervention approach admits that judges are necessarily participants in the making of meaning in intercollegiate debate rounds, and some debates will require more sense-making intervention than others. However, this approach asks judges to

<sup>3</sup> Such procedural commonplaces should truly be commonplaces that are not considered controversial. For example, while offering a counterplan in the second negative constructive speech is generally considered an illegitimate choice in the debate community, a few community members probably would maintain that such a counterplan could be warranted in special cases and insist that the affirmative team has the burden to argue that this negative strategy should be rejected on grounds of fairness.

avoid doing the students' work for them where argument analysis is concerned, at least in making the win-loss decision. Instead, judges should rely on the accounts of the student advocates as much as possible in coming to a decision. This demand is consistent with Balthrop's insistence that one check on "rampant" judge subjectivity is to "conduct the dialogue with the debate itself with as much faithfulness as possible to the text -- the linguistic utterances of the debaters" (9). This could mean, for example, that a judge would resist the urge to read evidence in cases where one team provided a clear explanation of a scenario, while the other team offered a competing scenario that was not clearly explained. Assuming that the judge did not suspect debaters of being dishonest, reading evidence in this case could lead to more sense-making intervention than was required to render a fair decision.

Least intervention judging does not make the judge a pen-wielding automaton. Of course, judges must process and make sense of the information presented to them as active participants in the debate round. Of course, judges can and should make judgments about the relative merits of arguments, strategies, and delivery practices, and judges should share those judgments with debaters in one way or another. Least intervention does not preclude using speaker points, oral feedback, or ballot comments to discourage certain practices. Further, as Broda-Bahm points out, coaches, judges, and at least some debaters are well able to use other venues to argue that such practices are undesirable for the debate community (28-31). But this approach argues that, in all but the most extraordinary of circumstances, the win-loss decision primarily should be a function of the assessment of student speech acts rather than an assessment of whether or not student speech acts satisfy judge standards for argument relevance or veracity with which the debaters might not be acquainted. For example, a least intervention judge might vote for a negative "anarchy" counterplan she finds unrealistic or foolish because the opposing team has not provided a compelling answer to the counterplan and she does not wish to engage in content-based intervention, while another judge without least intervention commitments might discount or ignore the counterplan altogether because of his hostility to the argument, perhaps on grounds of counter-intuitiveness.

Why would an intelligent critic characterize an argument as poorly constructed or implausible in an oral critique only moments after voting for that same argument? Two justifications for least intervention are particularly convincing for me. First, this approach maximizes fairness for students. Obviously, judges have direct control of the rewards

structure for academic debate. In general, judges do not write many topic-specific arguments, and they typically do far less topic-specific research than do debaters, even if those judges are active coaches. Yet judges have a great deal of power in rewarding some argument practices and punishing others. Both the win-loss decision and the awarding of speaker points are in the hands of the judge. But, given this enormous power vested in critic-judges, they should impose some constraints on themselves. Specifically, while respecting the need for judges to make a qualitative assessment of individual performances via the awarding of speaker points, debaters should hope that *their own* arguments will have the maximum influence on the win-loss decision itself. If this hope is consistently disappointed, students will rightly begin to wonder why they do extensive research to provide support for arguments that may be discounted or even ignored at the discretion of the judge. Debaters usually have to debate under the presumption that their in-round discourse will constitute the vast majority of the evidence from which a judge chooses to justify her or his decision. Linking the decision to the exchange between the students in a given round -- as far as is possible -- rather than to the judge's sense of what qualifies as good reason will maximize student perceptions of fairness, especially when judges reject evaluative and content-based intervention altogether.<sup>4</sup>

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<sup>4</sup> Those who argue for some version of intervention that goes beyond least intervention recognize the importance of fairness in judgment. For example, in their discussion of the audience-centered debate judge, Gotcher and Greene argue that such a judge should explain her or his judging philosophy and particular idiosyncrasies. For Gotcher and Greene, "It is imperative that special care should be taken to insure fairness during times of judge interventions" (93). However, such pre-debate discussions with interventionist critics, while very helpful, do not guarantee fairness. The distinct possibility exists that students may perceive that the argument(s) they believe will best serve them when debating a particular opponent are the arguments that an interventionist judge has ruled out before the debate. A pre-debate discussion with the judge may prevent debaters from making arguments that will not be compelling for that judge, but this consequence may seem no more fair to the students who are involved. Also, one reviewer of an earlier draft of this essay maintains that some acts of intervention could increase fairness by discounting large quantities of underdeveloped and relatively unintelligent arguments designed primarily to overload first affirmative rebuttal speakers. However, nothing prevents the overloaded speaker from articulating standards for minimum argument quality and arguing herself or himself that such arguments should be discounted, without relying on the judge to do this work for the overloaded team (see Ulrich, "Debate" 90).

Second, those familiar with the tabula rasa perspective know that student education is often cited as a justification for giving students maximum freedom in argument selection and development. The usual explanation is that such freedom encourages students to select arguments that interest them and to research those arguments thoroughly. Further, students will be forced to find the best reasons to reject or accept unpopular arguments, rather than merely assuming that such arguments will always be off-limits. From this perspective, we should have a presumption against censoring the speech acts of students by engaging in content-based intervention without a very good reason for doing so, since such censorship harms the pedagogical function served by participation in intercollegiate debate.<sup>5</sup> For example, as Ulrich notes, "By requiring that debaters be able to defend argumentation theory we require that they understand argument. If we impose one standard of argument on students, they may very well conform to that standard, but they have no reason to learn why that standard exists" ("In Search" 7). Rejecting evaluative intervention also has educational benefits. Avoiding such intervention will make it clear to student advocates that they must notice and inform critics of problems in their opponents' argumentation, rather than relying on judges to do so for them. While judges can and should call attention to these failings, they normally should involve such a deficiency in the win-loss decision-making process only when students point out the problems themselves. I appreciate the classroom metaphor employed by some advocates of evaluative and content-based intervention, but it is not

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<sup>5</sup> One reviewer of an earlier draft of this essay asked whether or not a least intervention judge could justifiably intervene against a team arguing that "blacks are inferior." My sense is that content-based intervention against an obvious act of hate speech could be defended with little difficulty as a necessary exception to least intervention commitments, especially given the objections to hate speech expressed in such documents as the CEDA Constitution. In this case the community, rather than the individual judge, has decided that such speech acts require the strongest possible sanction. However, even here a judge should be *very* careful to ensure that her or his perception of a student speech act as hate speech is warranted. While such an exception might appear to open the door to content-based intervention "for the good of the activity," least intervention only places a heavy presumption against evaluative and content-based intervention, rather than an absolute prohibition against such intervention. The alternative to absolute non-intervention is not necessarily a world in which all interventions are created equal. A judge who regularly makes exceptions to her or his alleged least intervention commitments cannot and should not use "least intervention" to describe herself or himself.

obvious to me that the teaching function they wish to perform requires the enforcement mechanism of the ballot.

Finally, in explaining least intervention, I believe that we should understand it as a meta-paradigm. In describing *tabula rasa*, Ulrich maintained that it was an "approach" to judging rather than a paradigm per se ("In Search"). While Ulrich preferred that standards for judgment evolve within each debate, least intervention describes an orientation to judgment that is potentially commensurable with some other judging. For example, Brian McGee and David Romanelli suggested recently that intercollegiate debate might usefully be conceptualized as the creation of utopian literature, a perspective that is not inconsistent with least intervention. Within the constraints imposed by their preferred paradigm, judges might adopt a least intervention orientation to evaluating arguments.

#### Testing Least Intervention

I can imagine several practical concerns that might be voiced about least intervention. Initially, how should least intervention judges describe themselves to students? After all, this approach admits that judges have some predispositions. If judges wish to advertise their adherence to least intervention, they are obliged to some extent to explain their presumptions, predispositions, and quirks to debaters, whether in written judging philosophies or in comments prior to the round. For example, I could imagine two judges who differed on the question, "What counts as an argument?" As long as those judges make their respective positions clear to debaters, there would be no problem with their different positions where least intervention is concerned. Such a discussion might actually improve the quality of debate, since debaters almost never discuss this fundamental concern during debate rounds. While debaters might argue about such concerns, judges need default assumptions about such matters.

Another concern about least intervention might be that this approach privileges argument content over public speaking form. In other words, least intervention gives far more weight to what arguments are advanced than to how those arguments are presented, so long as the presentation meets minimum standards for comprehension. True, least intervention is not compatible with a public speaking orientation to judgment in which argument quality is less important than the delivery skills of the debaters. Nonetheless, this approach could be used by a judge who promises to reward good delivery (however described) with high speaker points. Also, least intervention could be adopted by a judge who professed little interest in a

rapid rate of delivery and promised to ignore any argument that did not meet her or his minimum requirements for comprehension. As long as these minimum comprehension requirements were clear to the debaters and comprehension checks with the judge were possible during the round, these adaptations would be philosophically consistent with least intervention. While Robert Weiss has characterized judge warnings about incomprehensible delivery as "intervening," least intervention's admonitions about argument evaluation are not logically related to tolerance or intolerance of various delivery practices (337). Of course, judges might disagree on whether to permit student arguments in favor of delivery practices not ordinarily preferred by a given judge.

Further, an opponent of least intervention might argue that this approach would encourage judge cowardice in opposing undesirable argumentation practices and endorse an "anything goes" attitude where argument selection and student discourse are concerned (Hallmark 6). From this perspective, least intervention merely describes a continuation of the judging tendency to "reward irrational practices" criticized by Rowland and Deatherage (247). However, least intervention advocates do not necessarily endorse an anything goes approach to the debate round. Such judges would insist that, rather than involving the win-loss decision, many alternative avenues exist for rewarding some debate practices and discouraging others. Using the win-loss decision as a deterrent to certain behaviors should be a last resort for such a judge, although circumstances may exist where such a deterrent is required (i.e., student fabrication of evidence). However, I have no desire to disfranchise coaches and judges in the ongoing discussion of what a desirable debate practice should be, though least intervention obviously encourages judge restraint where the win-loss decision is concerned.

In a related vein, one might object that least intervention, like *tabula rasa*, replaces an audience focus with "a focus on the arguer, thus subordinating the audience's notion of argument to that of the debaters" (Trapp 25). Robert Trapp maintains that such subordination is counter to the evolution of argumentation theory in the late twentieth century. In response, I suggest that the least intervention perspective gives the judge considerable leeway to announce minimum thresholds for argument prior to the debate, and such an ability to set standards gives the judge considerable influence. Further, this objection does not account for other ways in which judges respond to debaters, such as post-round critiques and the awarding of speaker points. Given the resources at the judge's

command and the desire of students to win debate rounds and earn high speaker points, the judge is hardly likely to have her or his notion of argument marginalized.<sup>6</sup>

Finally, debaters, especially in "critique/kritik" debates, will sometimes argue about the judging paradigm to be employed by judges and, on occasion, will even suggest that judges should engage in evaluative and/or content-based intervention. While much of the extant literature on critiques has provided taxonomies of critiques (see Berube; Broda-Bahm and Murphy) and/or examined the theoretical legitimacy of this relatively new argument form (see Hasian and Panetta), far less work has been published concerning how the role of the judge is altered in a debate that includes one or more critique arguments. Briefly, my sense is that least intervention judges are obligated to treat the argument for judge intervention like any other argument. Such judges should make a decision about whether or not intervention is warranted by the arguments advanced in the debate and act accordingly. In other words, while the least intervention judge has a presumption against evaluative or content-based intervention, that presumption can be overcome if a debater provides a compelling explanation for why such intervention, which clearly goes beyond *least* intervention, is necessary and desirable. In other words, the least intervention approach is most receptive to intervention if it is undertaken because student advocates have invited such intervention and have offered compelling reasons for doing so.

### Conclusion

Least intervention represents an orientation that tries to find a middle path between a level of intervention that many community members find distasteful and an absolute non-intervention that only poorly informed *tabula rasa* adherents would espouse. Even the most forceful critics of *tabula rasa* recognize the need to place constraints on their behavior as

<sup>6</sup> The extent of divisions over judging practice in the debate community is illustrated by the reactions of reviewers to earlier drafts of this essay. On this point, one reviewer complained that speaker points and ballot comments do not provide a sufficient incentive to engage in some behaviors and to avoid others. Another reviewer worried that the use of speaker points in this fashion is potentially inconsistent with least intervention, since low speaker points can prevent a team from advancing to elimination rounds. From this second reviewer's perspective, using speaker points to encourage certain argumentation practices and to discourage others is "a milder form of censorship, but censorship nevertheless." Whether my own arguments in this essay represent a "reasonable compromise" or a "fallacy of the middle position" I leave to the reader.

judges in order to be fair to student competitors. Least intervention provides one approach by which judges might place such constraints on themselves without engaging in any pretense that a "blank slate" judgment without interpretation is possible. Further, least intervention maximizes student perceptions of fair play and the educational experience of debating, without preventing judges from performing their duties as educators. While least intervention does not always provide a "bright line" that distinguishes between least intervention and greater levels of intervention -- different judges will even disagree on what constitutes least intervention in some difficult cases -- it describes an approach or attitude that judges might adopt in an effort to impose principled constraints on their judging practice.

People of good will differ on how critic-judges should perform their duties, and the importance of differences over approaches to judgment is magnified when scholars announce that intercollegiate debate is unhealthy and blame judging practices in part for that poor health (e.g., Rowland and Deatherage; Trapp). My aim in this essay has been to explain an approach to judgment that maximizes student education and perceptions of fairness, while describing a judging philosophy that might accommodate many of those now regularly judging at intercollegiate debate tournaments. My suspicion is that many judges already practice something like least intervention at tournaments across the United States, and my hope is that naming and explicating this practice will have the positive effect of encouraging judges to reflect further on their own commitments where judgment is concerned.

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