THE ROLE OF VALUES IN POLICY CONTROVERSIES

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I am troubled by our tendency to debate value propositions as if they were policy propositions minus a plan. Regardless of the nature of the particular value proposition[1] many CEDA debaters journey through the debate discussing "pre-policy issues," "value objections," and "topicality," rather than analyzing the nature and merit of value statements, which is commonly asserted to be the province of propositions of judgment.[2] While recognizing the inevitable and necessary interrelationships between values and policies in political decision-making, the excessive reliance on institutional policy-making as the guide for the practice of academic debates about value propositions needlessly limits the issues we debate and detracts from the educational utility of the activity. My purpose is to discuss the relationship between policy controversies and value debates by examining three subjects: the role of values in public decision-making; the problems implicit in limiting CEDA debates strictly to the institutional decision-making model; and to suggest concepts contained in the theory of agenda-building as a useful guide for debating on the negative in CEDA rounds.

Walter Fisher recently contended that when debated abstractly, values are the province of philosophy and religion.[3] In such a context, dialectic rather than rhetoric is the best means for evaluating the truthfulness and applicability of the value. Fisher acknowledges that disputes over values are present in political disputes. There can be no doubt that policy decisions reflect the acceptance or rejection of certain values; represent attempts to implement values into policies; or at least reflect the frequent difficulty of arriving at consensus about the status of particular values. Perhaps this later function explains the tendency of institutions to engage in incremental rather than sweeping changes.[4] When considering the relationship between values and policies, however, I believe it is important to recognize the differences between <u>institutional</u> and <u>social</u> decision-making.

Political scientists Roger Cobb and Charles Elder content that issues in public disputes are best described in terms of their appearance on either an institutional or systemic (social) agenda.[5] Institutional agendas consist of those issues considered in formal policy-making channels. This contrasts with the broader systemic agenda defined by Cobb and Elder. The systemic agenda is:

> always. . . more abstract, general, and broader in scope and domain than any given institutional agenda. Moreover, the priorities in this systemic agenda will not necessarily correspond with the priorities in institutional agendas. In fact, there may be considerable discrepancy between them.

> It may be offered as a general hypothesis that the greater the disparity between the two types of agendas, the greater the intensity and frequency of conflict within the political system.[6]

The discrepancy between institutional and systemic agendas, exacerbated by the time lag between the perception of an issue needing solution and the inclusion of the issue on the institutional agenda creates an inevitable degree of social conflict in all political systems.[7] Controversies over values play a central role in the conflict between systemic and institutional agendas. Values serve three purposes: they define community interests in a controversy, assigning presumption; they contribute to public acceptance of political institutions; and they help trigger institutional decision-making.

Community values reflect the interests and concerns of the public.[8] Milton Rokeach argues that values may be one determinant of community behavior.[9] Values and clusters of values assist the community in assessing particular issues that are perceived important and provide the framework for the effective functioning of society. For example, belief in the value of democratic decision-making provides the framework for the political system, government meetings open to the public, and representative government. Any policy proposal is necessarily considered within the context of generally held societal values. These values may provide the means to locate presumption in any dispute, since social values tend to be stable over time and provide the context by which the public evaluates reasons for change.[10]

A second role of values is as a means of maintaining and legitimizing social and political institutions. Values and value debate have a symbolic role in providing citizens with a means of involvement in political and social affairs. Every day, a considerable amount of space is devoted in the letters to the editor column to public discussion of such value-laden issues as gun control and abortion. The advocates do not confine themselves to analyzing the workability of an issue, but urge the reader to be persuaded about the righteousness of the advocates' position. Murray Edelman and Robert Merelman[11] both contend that much political behavior is symbolic, serving as a means of validating public acceptance of political institutions. The public may lose confidence in institutions which fail to address the values being debated as part of the systemic agenda. Ronald Reagan, for example, has been criticized by the New Right for failing to move quickly enough to act on their agenda items: banning abortion, limiting busing, and promoting stricter social morality, to name a few. Institutions which consistently ignore systemic agenda items run the risk of losing popular support, creating the climate where political and social upheaval can occur.

A third role of values and value debate is to trigger decision-making in institutional channels. Cobb and Elder contend that institutions only consider issues they perceive to be necessarily acted upon. A problem may exist without becoming a source of political conflict. There is rarely a need to defend an existing state of affairs or even present proposed changes until some "triggering

device" brings the problem to the attention of some decision-maker.[12] Triggering devices may include natural or man-made disasters (such as the crash of a DC-10 motivating public concern about airline safety); political assasination (such as the Kennedy assasinations causing public and institutional debate over gun control); and the redefinition of the salient values in a controversy. It is this latter method of triggering that has the most relevance for values debate. One need only recall the importance of Rachel Carson's book Silent Spring to find an example of an arguer able to inspire institutional attention to an issue by linking social values favoring a clean environment with the perception that some action should be taken to mitigate pollution rather than accepting pollution as a natural consequence of industrial society.

The definition of issues is also important in inspiring institutional attention of a systemic agenda item. Arguers use definitions to control the public perception of issues. The process of defining issues is a large part of the actual subject matter of substantive debate.[13] Definitions necessarily reflect value judgments being made by arguers. Defining abortion, for example, as the murder of the fetus, naturally implies acceptance of a particular set of values. Similarly, defining the alleged attack on a naval vessel in the Tonkin Gulf as an act of war demonstrates the capacity of the value judgments contained within definitions to trigger consideration of an agenda item by institutional decision-makers. E. E. Schattschneider contends that the definition of issues is a critical variable in either encouraging or discouraging public interest in an issue.[14]

Values are frequently the substance of issues making up the systemic agenda. Before suggesting more attention to the concepts of agenda building as a model for CEDA debate, I should make clear my specific objections to relying on contemporary policy debate models for use in debating value propositions. There are several weaknesses of these models.

First, policy-oriented academic debate necessarily focuses upon institutional and not social agendas. Academic debates on policy propositions spend considerable amounts of time and energy on the feasibility of the plan. Institutional policy makers must naturally be concerned with the workability of a policy, as well as its efficacy in solving a problem without incurring undesirable financial or other costs. When the public debates an issue on the systemic agenda, such as gun control, rarely are they constrained by worrying about the actual feasibility of trying to write and implement a particular piece of legislation. Presumably, once an issue is triggered from the systemic to the institutional agenda, the role of representatives to create, debate, pass, and implement legislation comes into play.

Second, the "rhetorical truth" of a proposition may underestimate the role of value debate in motivating consideration of particular policies. A value statement need not be considered either true or highly important by a majority of the population to serve this function. If highly motivated "true

believers" are able to exert influence on a particular institution such as the U.S. Senate, they can trigger institutional consideration of a value without the consensus of a wider public. Pressure groups and lobbyists play a significant role in consideration of issues which is far in excess of their numerical size or degree of public acceptance of their set of values. Measuring the degree of social acceptance of a value is no indication of the likelihood of translating that acceptance into tangible legislative action.

Third, using a pre-policy model for value debates make these debates both unrealistic and counter-productive. Treating a value proposition like a policy proposition encourages the affirmative to narrowly draw their case so as to negate the likelihood that the negative will find workability flaws in their analysis. The negative is also frequently given an unjustified strategic advantage in the debate. The negative may choose the most unlikely scenario for the implementation of a value into a policy, and then attack that scenario. Examples of this strategy occured when debating whether illegal immigrants were detrimental to the United States. The negative claimed that the policy implication of accepting the affirmative values was that illegal immigration would have to be curtailed, and then proceeded to show that the border could never be effectively shut-off, etc. They claimed to defeat the affirmative values claim by showing that it would be unworkable when translated into a particular policy, creating, in effect, a "straw man" fallacy.

CEDA debates utilizing the standard policy debate model are also counter-productive for debaters. This is demonstrated through consideration of the role of the second negative in the debate. Perhaps no area is as frustrating to coach, debater, and critic alike as trying to figure out what is supposed to happen during the second negative constructive. Our argumentation and debate literature, of course, supply little assistance. One perspective on debate theory asserts that theory follows practice, and that given enough time, debaters will manage to devise a workable strategy for debate situations. Unfortunately, this "workable strategy" seems to exist almost exclusively in the form of presenting "value objections" despite the fact that there is little understanding of what value objections entail as far as their presentation or refutation. Value objections frequently may be classified as psuedo-disadvantages of implied plans. The most basic objection to this strategy is the realization that frequently the public comes to accept a certain value only to discover that the value is not capable of being implemented. Dismissing value arguments simply because a policy is not workable negates the importance of value debate as a legitimizing tool. If political institutions dismissed consideration of values on workability grounds alone, their political viability would be extremely short lived!

The final area of this paper is to consider the alternatives to the standard policy making model in analyzing value debate, particularly from the perspective of the negative side. The negative has several legitimate grounds for argument, using the

theory and tools of agenda building in political science theory. The negative may concentrate their attack on the affirmative definitions, the justification of premises, and the criteria for need.

Definitions. Definition of issues is the key starting point for values debate in actual controversies. Cobb and Elder contend that the more broadly an issue is defined, the larger the potential number of interested parties to the dispute. The incentive in academic debate, on the other hand, is to narrow the dispute to the fewest possible issues. Success in doing so allows the affirmative to effectively control the direction and grounds of the debate. Unlike policy debate, where the negative can permit the affirmative the leeway of "reasonable" definitions, since they are likely to concentrate their attack on areas such as the disadvantages of the plan, the negative gives up too much ground in a value debate by failing to press the affirmative to present the broadest definitions possible. The negative should make the definitions a key issue in the debate. Institutional decision makers are more likely to consider an agenda item if many people are affected by the problem area. If the affirmative chooses a narrow case area predicated on narrow definitions of terms, they should be expected to justify why their definitions represent adequate cause for general acceptance of the underlying values. Claiming to be merely reasonable, is actually unreasonable, since one important purpose of values debate is to determine whether an issue should be deemed important enough for institutional or social discussion and decision.

Justification of premises. Decision-makers, whether institutional or public, have only limited amounts of time and energy to devote to considering social decisions or policies. For an issue to be granted agenda status, not unlike being granted judicial standing, the public must perceive an exigence. While any value may be debated esoterically or hypothetically, until a need to act is established, agenda status must be withheld. The affirmative has the responsibility to justify the premises of their analysis of the issues. This justification takes two forms. First, the affirmative should be required to describe the system in which their value statements are grounded. Craig Dudczak explains: ". . .fact and value assumptions of a policy are subject to challenges of verification before any consideration of effects can be made. All claims of effect are contingent upon the adequacy of a system description. Failure to justify the description of the system invalidates the claims based upon it."[15] It is impossible to evaluate the significance or effects of values without knowing the nature of the system in which they operate. Second, the affirmative should be required to demonstrate the intrinsic significance of the value statement within the system. For example, when debating the spring 1982 CEDA resolution, the affirmative should be responsible for describing the part of the criminal justice system they are indicting, as well as showing the harmful effects which result from overemphasizing the rights of the accused within that system.

Criteria for need. Only through the philosophical dialectic process can value statements be considered abstractly. In practical disputes, value statements are weighed against each other through the presentation of criteria for their acceptance or rejection in a particular circumstance. For example, if the debate concerns whether the judicial system overemphasizes the rights of the accused, some criteria for evaluating what acts constitute overemphasis and how those acts should be weighed must be provided. The negative may choose to provide alternate criteria for describing and measuring values. The presentation of alternative criteria arguments seems well suited for the second negative speech, as the process involves the comparison of at least two sets of criteria. This is similar to the role of the disadvantage, which frequently compares the costs and benefits of two policies. The negative, in presenting alternative criteria, assumes the burden of proof to justify their criteria and to demonstrate the superiority of those criteria when compared to the affirmative.

The negative, of course, always retains the option of direct refutation of the arguments, assumptions, and evidence presented by the affirmative. It is conceivable that the first negative speaker could concentrate her attacks on the definitions and the justifications of premises, while the second speaker could present counter-criteria arguments. Such an approach might clarify speaker duties and provide the negative with a coherent, defensible position from which to argue.

What is sketched here is far from a complete paradigm for value debate. My intention is to suggest rather than relying on paradigms better suited for the particularities of policy debate, debaters might look to the opportunity to use the well-established tools of agenda building in search of a paradigm which is better suited to value debate. If we confine value debates to fitting into boxes supplied by policy debates, we do not offer students an alternative, but a frustrating and confusing experience.

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[1]David Zarefsky, "Criteria for Evaluating Non-Policy Argument," in Don Brownlee, ed. Perspectives on Non-Policy Argument (Cross-Examination Debate Association, 1980), pp. 10-14.

[2]Cf. George Ziegelmueller and Charles Dause, Argumentation: Inquiry and Advocacy (Englewood Cliffs: Prentice-Hall, 1975), pp. 149-152.

[3]Walter Fisher, "Debating Value Propositions: A Game for Dialecticians," in George Ziegelmueller and Jack Rhodes, ed. Dimensions of Argument: Proceedings of the Second Summer Conference on Argumentation (Annandale: Speech Communication Association, 1981), pp. 1017, 1022-23.

[4]The perspective of incremental change and its relationship to policy debate is provided by Michael Pfau, "The Present System Revisited Part One: Incremental Change," Journal of the American Forensic Association XVII (Fall, 1980), 80-84.

[5]Roger Cobb and Charles Elder, Participation in American Politics (Baltimore: Johns Hopkins Press, 1975).

[6]Cobb and Elder, p. 14.

[7]E. E. Schattschneider, The Semi-Soverign People (New York: P. F. Collier, 1960), p. 12.

[8]Joseph Wenzel, "Toward a Rationale for Value-Centered Argument," Journal of the American Forensic Association XIII (Winter, 1977), 150-158.

[9]Milton Rokeach, The Nature of Human Values (New York: Free Press, 1973), p. 24.

[10]The role of presumption in public debate is examined by this author elsewhere. Michael Bartanen, "The Theory and Application of Presumption in Public Debate," dissertation, Univ. of Southern California, 1981.

[11]Murray Edelman, The Symbolic Uses of Politics (Urbana: U. of Illinois Press, 1964). Robert Merelman, "Learning and Legitimacy," American Political Science Review, 60 (1966), 553-61.

[12]Cobb and Elder, pp. 82-83.

[13]Bartanen, pp. 75-77.

(continued on page 31)