

COUNTER-WARRANTS: A METHOD FOR TESTING TOPICAL JUSTIFICATION
IN CEDA DEBATE

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CEDA debate is evolving theoretically and practically. No better example can be found than in an apparent evolution of affirmative approaches to CEDA topics. Recently, there has been much less emphasis on the resolution and more on specific examples of the resolution. Because of this, it is necessary to reexamine the utilization of counter-warrants in CEDA debate as a method for testing the topical justification of affirmative cases. This article will comment on the evolution of example specific affirmative approaches to CEDA topics. Then the authors will forward a two-fold analysis on the utility of counter-warrants as a strategic tool in the analysis of topics and as a strategic approach to topical justification for the negative. The authors will then rebut a few common objections to the use of counter-warrants and finally comment on how we feel a counter-warrants debate round should be evaluated.

The Evolution of Example Specific CEDA Affirmatives

The original focus of debate in CEDA was no doubt intended to be quite different than NDT debate. In CEDA, the debate was to take place at the level of the resolution:

CEDA has encouraged approaching the debate topic in a direct manner. Debates should deal with the resolution as a whole rather than one specific (albeit significant) aspect. This does not mean teams shouldn't stress some particular aspects, but the resolution as a whole must not be relegated to only a minor part of the debate.¹

In other words, in CEDA it is the duty of the affirmative team to debate and defend the whole resolution not some affirmative case which is merely an example of the resolution. As Rowland states:

The function of the resolution/in NDT/ is no longer to state the policy to be considered, but to set the boundaries for the dispute.... By contrast, in CEDA the entire proposition is debated. The CEDA topics have implied a broad set of policies all of which must be defended if the affirmative is to win. In this way the CEDA topics are far closer to the types of resolutions found in traditional texts on argumentation and debate than are the NDT topics. In CEDA, the truth of the resolution as a whole is still at issue. By contrast, in NDT, whether because of custom or specific wording, the function of the resolution is no longer to state a policy to be tested, but to define the scope of what may be debated.²

Ironically, however, CEDA teams have mirrored their NDT counterparts and drastically moved in the direction of debating examples of the resolution. With this move away from debating the resolution and toward case specificity there has been an increase in the number of affirmative teams debating extreme, insignificant and generally unrepresentative examples of the resolution. Cases

involving one million dollars in U.S. aid for equipment and uniforms to Mozambique or a few million dollars for Coast Guard assistance to fight Latin American drug smuggling as supposedly representative of all U.S. military assistance come to mind from the Spring 1985 CEDA topic. With this departure from debating the resolution to debating mere examples, negatives found themselves at best ill-prepared and at worst in a state of confused frustration.

Consequently, it is now time for a reexamination of the utility of counter-warrants in CEDA debate. Once we accept the idea that CEDA functions at the resolitional level and not at the level of a particular case, we find that CEDA is ideally suited for counter-warrants as a method of testing topical justification. As Rowland suggested: "The distinction between the types of topics used by CEDA and the NDT is also important because it suggests that the counter-warrant may be a perfectly appropriate strategy for CEDA, but not for NDT debate."³ It will be the thesis of this article that counter-warrants should serve a dual purpose in CEDA debate. First, counter-warrants should serve as a tool for the analysis of the resolution. Second, counter-warrants may serve as a legitimate negative strategic tool at the level of topical justification to prevent extreme, insignificant, unrepresentative and non-resolitional affirmative approaches in CEDA debate.

Counter-Warrants: A Tool for Analysis of the Resolution

Austin J. Freeley defines inductive reasoning as "the process of reasoning from specific cases to a generalization."⁴ This is in essence what some CEDA affirmatives are doing. As Paulsen and Rhodes observed: "The entire affirmative presentation, viewed in macrostructure, may be appropriately seen as an inductive generalization."⁵ Whenever inductive reasoning takes place there is the eminent risk of the inductive hazard, i.e., the fallacy of hasty generalization on the basis of too few examples. Rieke and Sillars argue, "Where the examples are inadequate in number or unrepresentative of the area to be generalized an arguer may be charged with hasty generalization."⁶ What can be concluded, therefore, is that if the affirmative example(s) isn't representative or significant, then regardless of the veracity of that particular example, the arguer cannot generalize to the resolution.

If one wishes to avoid committing the fallacy of hasty generalization, it is important to develop a way of thinking about and analyzing arguments. The authors contend that counter-warrants provide a way to think about arguments. By employing counter-warrants one has a tool for analysis of the resolution, for only when one considers negative examples can one avoid the fallacy of hasty generalizations. This is especially true when affirmatives select a

particular example or examples to debate rather than even claiming to debate the resolution as a whole. The question becomes are the affirmative examples typical of the resolution and the most significant examples that could be argued or are there more typical examples or more significant examples of the resolution that would lead to an opposite conclusion?

An area of argumentation related to hasty generalization is "topical justification." Topical justification suggests that should an affirmative present and win an example of the resolution, it still might not prove the resolution true. Rather, the affirmative example only would have been proven to be true and some subcategory of the resolution only might be true. In other words, the case could well be subtopical. In considering topicality burdens, Beverly Kelley points out "a topicality argument in CEDA rests with the affirmative's ability to entirely justify the resolution."⁷ The key consideration here is that one cannot justify the topic with a narrow, insignificant or unrepresentative affirmative case. Rather, topical justification requires a broader, representative, and significant test of the resolution.

In CEDA debate counter-warrants provide a method for topical analysis. By forcing the debater to consider many examples of the resolution, counter-warrants avoid the fallacy of hasty generalization by avoiding cases based on atypical or insignificant examples. Similarly, counter-warrants can help assure complete topical justification by avoiding subtopical cases.

Counter-Warrants: A Strategic Tool for the Negative in Topical Justification

A completely independent justification for the use of counter-warrants in CEDA is as a strategic negative tool in topical justification argumentation. As mentioned earlier, CEDA has witnessed an evolution in affirmative approaches to CEDA topics. It is now typical for affirmatives to "justify the resolution" through a carefully selected example(s). Berube points out, "As CEDA and non-policy debating become more popular, we can expect a natural increase in programs which debate to win. As such, tactics which may include the introduction of crafty examples to prove the resolitional statement true will abound."⁸ It is precisely because of this phenomena that we should be skeptical of affirmative claims of representativeness and significance. Paulsen and Rhodes succinctly point out:

It would be naive to suggest that affirmative teams search for the most representative "example of the resolution" obtainable. Rather, they search for the best case area possible, with the sole intention of winning the round—giving an observer every reason to suspect that the advocate has not chosen the most representative instance available as part of an altruistic search for truth.⁹

Unfortunately, when affirmatives select an example rather than debating the whole resolution it biases the debate in favor of the affirmative. Berube suggests, "The affirmative has chosen to debate examples of the resolution for many reasons; it gives the affirmative a competitive edge by restricting discussion to an area which the affirmative is particularly competent...."¹⁰ Because of the evolution towards debating particular examples of a resolution, it is important to provide the negative with a strategic tool with which to address this new affirmative approach. This is the very reason Paulsen and Rhodes developed the idea of counter-warrants. They noticed that NDT debaters abandoned the resolution in favor of narrow affirmative examples and, as a result, were winning a disproportionate number of debates. Rhodes explains, "The counter-warrant, then, resulted from a desire to provide another weapon in an anemic negative arsenal of arguments, a weapon that might conceivably do something to redress a perceived imbalance of affirmative victories due largely to the element of surprise."¹¹ He continues, "we envisioned the counter-warrants as an effective argument only against cases in which the affirmative team had singled out a very narrow example of a broad proposition."¹²

When one thinks of counter-warrants in this manner, "as a way of arguing," their utility becomes quite obvious. Counter-warrants are a very logical response to the new example based CEDA affirmatives. When affirmatives in CEDA abandon the resolution in favor of narrow, atypical, insignificant examples of the resolution, counter-warrants provide a tool to redress and balance the situation. Counter-warrants give CEDA negatives an analytic and thoughtful way to demonstrate strategically that the affirmative has not justified the resolution. Counter-warrants combine the arguments of hasty generalization and subtropicality into a substantive example specific methodology whereby the negative can both theoretically and pragmatically demonstrate that the affirmative has not justified the resolution.

Objections to the Use of Counter-Warrants

Many have criticized the use of counter-warrants in debate.¹³ Their objections center on three issues. First, they suggest that counter-warrants decrease clash. Second, critics argue that counter-warrants promote superficial analysis. Finally, opponents contend that counter-warrants give an unfair advantage to the negative team. A close look at each criticism will reveal that these criticisms, while not without some merit, should not prevent experimentation with counter-warrants in CEDA debate.

Clash

Clash does not mysteriously disappear from a debate in which the negative team decides to run counter-warrants. True, clash decreases at the level of the case specifics of the affirmative. However, clash simultaneously increases at the more appropriate level of the resolution. In fact, there may be more real clash in a good counter-warrants debate than would otherwise be the case because the negative is able to put up a good fight at the level of argumentation theory and at the level of the resolution. As Rhodes suggests:

...the negative using the counter-warrant can increase clash in this debate by shifting that clash to the resolitional level. Rather than 'rolling over and playing dead,' which would involve no clash at all, or attempting inadequately to find something to say about this squirrel on its own level...¹⁴

It seems that if people are really interested in clash then negative teams that run counter-warrants against affirmatives who have chosen a narrow example of the resolution should be applauded rather than chastised. Without the counter-warrants there would most likely be little or no meaningful clash. By demanding that the affirmative's examples be shown to be typical and significant versus representative and meaningful specific counter negative examples, the negative really brings substance to the topical justification area of argumentation. It seems that this could be advantageous for debate as it would be most unfair to require negatives to directly refute an unrepresentative affirmative case. Additionally, counter-warrants add substance to what otherwise is an entirely theoretical topicality and hasty generalization argument.

Superficial Analysis

It is ironic that negative teams who choose to run counter-warrants often get blamed for superficial analysis when the problem really reflects more on the affirmative choice of case area. Rhodes points out, "although the counter-warrant might exacerbate an already bad situation, it certainly did not initiate that situation. Nor is it a unique factor in continuing that situation. Again the problem reflects more on the affirmative choice of a narrow interpretation of a broad resolution."¹⁵ Counter-warrant argumentation does not have to be superficial. At a theoretical level, the debaters should be debating about the very nature of inductive reasoning and, at a resolitional level, the debaters should be arguing the specifics of typicalness and thus of categorization in general and of significance. Such issues can hardly be called superficial and it is probably only because unsophisticated debaters have indiscriminately utilized counter-warrants that superficiality is associated with counter-warrant debates.

Unfair Negative Advantage

Of all the possible criticisms of counter-warrants, the criticism that counter-warrants give the negative team an unfair advantage must be the most hypocritical. Counter-warrants do not give the negative an advantage, rather they restore a sense of equity between the negative and the affirmative. Affirmatives must only run broad representative and significant cases and the counter-warrant option is eliminated. If affirmatives use counter-warrants themselves in their analysis of the resolution and in construction of their affirmative cases, the negative won't have the counter-warrant strategic option in the actual debate situation.

Judging Counter-Warrant Debates

Perhaps the most obscure aspect of counter-warrants is how a counter-warrant debate round should be judged. At the outset, it should be stated that judges should not vote against counter-warrant strategies simply because they fear abuse of the strategy or because they fear counter-warrants will destroy debate. Judicial intervention of this sort hurts debate more than any abuse of counter-warrants ever could.¹⁶ Still, there should be some fairly clear criteria whereby a critic-judge can evaluate a counter-warrants round of debate.

We would suggest the following. First, counter-warrants should be used only against affirmative teams that have selected narrow unrepresentative or insignificant case areas. Second, counter-warrants should meet the very same criteria that the negative team is claiming the affirmative team is not meeting. This means that counter-warrants should be typical of the resolution, i.e., counter-warrants should be representative examples of the resolution. The negative team should intuitively see the sense of running representative counter-warrants — it lends credence to their argument that the affirmative is atypical or unrepresentative. Next, the counter-warrants should be significant. Again we should require the same thing of the negative as we do of the affirmative, and, if the affirmative must provide significant positive examples of the resolution, the negative must provide significant negative or counter examples. Only by providing significant typical counter examples or counter-warrants, can the negative demonstrate that the affirmative has not proven the resolution true and that it very well may in fact be untrue as based on a hasty generalization or subtopical and therefore unjustified.

With these criteria in mind, it is now possible to examine more closely just how a judge-critic would evaluate a counter-warrants debate round. Step one would be to look at the affirmative case and decide if it was unrepresentative/atypical or insignificant. Step two would be to look at the counter-

warrants to see if they have met their "prima facie" burden of being representative and significant. Negatives should not be allowed to be equally as guilty as affirmatives and run atypical, insignificant, esoteric counter-warrants. The final step would be a typical on balance judgment. If the negative counter-warrant argumentation is more representative or more significant, then the negative should win. As Rowland states:

According to counter-warrant theory if the negative wins the counter-warrants they should win the debate because they have proved the affirmative to be guilty of hasty generalization and thus denied any justification for the resolution. If the counter-warrants are true, then the resolution is not justified even if the affirmative plan is a good idea. Counter-warrant theory seems well suited to CEDA where the truth of the general policy implicit in the resolution is disputed.¹⁷

Thus, the debate comes down to an on balance judgment of affirmative case impacts versus the negative counter-warrants. This is the kind of decision that debate judges are accustomed to making and explaining in their critiques.

Conclusion

CEDA debate is evolving theoretically and practically. The evolution of example specific CEDA affirmative cases demands a theoretical and practical negative CEDA response. Counter-warrants can be that response. Counter-warrants provide a theoretical means to analyze the proposition checking cases for topical justification vis hasty generalization and subtopicality. Counter-warrants also provide a pragmatic tool for CEDA negatives to substantively as well as theoretically demonstrate that specific example affirmative cases are not topically justified. The common objections to the use of counter-warrants vis clash, superficiality, and unfair negative advantage are refutable. Judging a counter-warrants debate boils down to an on balance judgment of the typicalness and significance of the affirmative example versus that of the negative. This is not an unusual judgment for a debate judge, and thus, counter-warrant debates, in those instances where justified, should not frighten or frustrate anyone. Counter-warrant debates have the potential to be challenging encounters in the hands of sophisticated, prepared debaters and critics. Counter-warrants provide a theoretical and substantive methodology to argue topical justification in CEDA debate.

ENDNOTES

¹James E. Tomlinson, "CEDA as an Alternative," Forensic (Fall, 1981), p. 15.

²Robert Rowland, "The Philosophical Presuppositions of Value Debate," in Argument in Transition: Proceedings of the Third Summer Conference on Argumentation, ed. by David Zarefsky, Malcolm Sillars, and Jack Rhodes (Annandale, VA: SCA, 1983), p. 825.

³Ibid., p. 826.

⁴Austin J. Freeley, Argumentation and Debate, 5th ed. (Belmont, CA: Wadsworth Publishing Co., 1981), p. 115.

⁵James W. Paulsen and Jack Rhodes, "The Counter-warrant as a Negative Strategy: A Modest Proposal," Journal of American Forensic Association (Spring, 1979), pp. 205-6.

⁶Richard D. Rieke and Malcolm O. Sillars, Argumentation and the Decision Making Process (NY: John Wiley & Sons, Inc., 1975) p.91.

⁷Beverly Kelley, "An Alternative to NDT Debate," CEDA Yearbook, 1981, p. 10.

⁸David M. Berube, "Debating Hasty Generalization," CEDA Yearbook, 1984, p. 58.

⁹Paulsen and Rhodes, p. 206.

¹⁰Berube, p. 54.

¹¹Jack Rhodes, "A Defense of the Counter-warrant as Negative Argument," in Dimensions of Argument: Proceedings of the Second Summer Conference on Argumentation, ed. by George Zieglmueller and Jack Rhodes (Annandale, VA: SCA, 1981), p. 485.

¹²Ibid.

¹³See esp. Pat Ganer, "Counterwarrants: An Idea Whose Time has not Come" in Dimensions of Argument: Proceedings of the Second Summer Conference on Argumentation, ed. by George Zieglmueller and Jack Rhodes (Annandale, VA: SCA, 1981), pp. 476-84 and Rich Simon "The Case Against Counterwarrants in Value Proposition Debate," CEDA Yearbook, 1984, pp. 48-53.

¹⁴Rhodes, p. 489.

¹⁵Ibid.

¹⁶Paulsen and Rhodes, p. 210.

¹⁷Rowland, p. 826.