

ACADEMIC DEBATE AS A DECISION- MAKING GAME: INCULCATING THE VIRTUE OF PRACTICAL WISDOM

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Abstract: This essay argues for a pedagogical renewal in the academic debate community, which currently lacks a clear telos. Practical wisdom, as defined by Aristotle in the Nicomachean Ethics, is proposed as the final cause of academic debating. Practical wisdom is identified with the process of good decision-making. Controversies in the theory of disadvantages, counterplans, and critiques are evaluated. In order to realize the final cause of practical wisdom, debate theory needs to be restructured according to a common-sense understanding of decision-making. The authors advocate a more rigorous and systematic approach for debating and evaluating theoretical arguments.

If we take seriously the proposition that debate is not merely a contest to be won but also an activity that enriches all of its participants, whether they win or lose, we ought to determine the substance of that enrichment. In the *Nicomachean Ethics*, Aristotle (c. 330BCE/1941a) avers that all activity has an end:

Every art and every inquiry, and similarly every action and pursuit, is thought to aim at some good... What then is the good of each? Surely that for whose sake everything else is done. In medicine this is health, in strategy victory, in architecture a house, in any other sphere something else, and in every action and pursuit the end. (#1094a 1-3; #1097a 18-22).

Debate is clearly an art, an inquiry, an action, and a pursuit—toward what good ought it aim? Many common answers to this question—research skills, activism, general persuasion skills, competition itself, policy education, etc.—are troubling, as there are better, more efficient ways to reach each of those ends. The old historical paradigms found the end of debate extrinsically by analogy: in law (stock issues); policy (comparative advantage policy-making); or science (hypothesis-testing). The current gaming paradigm, in which the rules are actively negotiated and renegotiated by the debaters in each debate/game, finds the end of debate intrinsically (Snider, 2003).¹ Gaming suggests only a very generalized pedagogical *telos*—the purpose of debate is roughly ‘education,’ but this only begs the question, since no activity is justified solely for its own sake. We contend that debate is not merely a game, but a decision-making game, and its end is the inculcation of the virtue of practical wisdom.

In the first part of the essay, we clarify the meaning of practical wisdom and defend it as the essential *telos* of academic debate. What should students get from debate? What virtues should debate foster? Why is debate so special? We then seek to determine how debaters, critics, and coaches ought to view some of the basic controversies in debate theory. Methodologically, we evaluate contemporary practices of the three basic negative argument genres (disadvantages, counterplans, and critiques) under the assumption that the final cause of debate is practical wisdom. We then apply the same assumption to contemporary practices of debating about the controversies identified in the second section (‘going for theory’). We aim

¹ Though some scholars take issue with a normative or prescriptive formulation of the ‘gaming paradigm,’ the paradigm as articulated by Snider (2003) is descriptive. In any event, the paradigm has achieved saturation in the debate community, accepted by virtually all active participants, students and coaches alike. For a more detailed treatment of this issue see *Contemporary Argumentation and Debate*, volume 24, which is devoted to reflections on the gaming paradigm, featuring Professor Snider’s most recent essay on this subject, several essays written in response, and Snider’s responses to each.

to show that by viewing debate as a decision-making game the theoretical legitimacy of substantive arguments is related to the practical legitimacy of theoretical arguments, and this relationship is profoundly ethical. Fisher (2000) contends that “ethical communication is imbued with good reasons that derive their grounds from values that constitute various forms of human relationships” (p. 2). The central argument of this essay is derivation requires the consideration of agency and decision-making, and for academic debate, this entails certain constraints on negative fiat, as well as a more favorable view of theory debating than is currently held by many in the NDT-CEDA community.

Practical Wisdom

Since the inception of modern academic debate, much of the praise it has received for educating students has focused on the real-world skills acquired in the processes of research, argumentation, critical thinking, and policy analysis. Students develop these skills and apply them to jobs, politics, fields of study, and their personal lives. Indeed, in every decision, trivial (‘Where should I eat dinner?’), and non-trivial (‘What college should I attend?’ ‘Who should I marry?’), we evaluate all of the relevant advantages and disadvantages, consider possible alternatives, and come to some conclusion. Apologists for policy debate often champion the increased critical thinking skills taught by the activity that are necessarily used to work through these kinds of choices, particularly under rigid time and speech constraints. If this is truly the desired goal of policy debate, one would think that the way in which debates are framed, discussed, and adjudicated should closely resemble the process of deliberation that everyone, from the highest government officials to the most inconsequential members of society, uses.

Aristotle (c. 330BCE/1941a) argues that this decision-making process combines desire and reasoning in the act of deliberation focused on some end. The ability to make good decisions (and to follow through with them) is associated with the virtue of practical wisdom:

Practical wisdom... is concerned with things human and things about which it is possible to deliberate; for we say this is above all the work of the person² of practical wisdom, to deliberate well, but no one deliberates about things invariable, nor about things which have not an end, and that a good that can be brought about by action. The person who is without qualification good at deliberating is the person who is capable of aiming in accordance with calculation at the best for humanity of things attainable by action. Nor is practical wisdom concerned with universals only—it must also recognize the particulars; for it is practical, and practice is concerned with particulars. (#1141b 6-16).

This underlies our contention that practical wisdom is the final cause of debate. Practical wisdom is broad, provides coherence and unity in a non-arbitrary way, and is value-neutral with respect to the growing divide between the policy-focused and the critically-inclined. Non-practical ends are not helpful – as Aristotle (c. 330BCE/1941a) argues:

The origin of action—its efficient, not its final cause—is choice, and that of choice is desire and reasoning with a view to an end... Intellect itself, however, moves nothing, but only the intellect which aims at an end and is practical; for this rules the productive intellect as well, since everyone who makes makes for an end, and that which is made is not an end in the unqualified sense. (#1139a32 – 37).

Practical ends that are not unqualified—e.g., Mitchell's (1995) 'outward activist turn,'—are not necessarily bad aims, but the interests of many participants lie outside the circumference of those ends, while practical wisdom in general addresses the broadest possible range of decisions.³ Some people debate in order to hone skills as an

² The translation has been modified to retain the more universal meaning of the Greek *ἄνθρωπος*.

³ It should be noted that the revised model presented in Mitchell's (1998) article, contra the more partisan model appearing in 1995, has many features that are both consistent with and reinforcing of the model we

activist, others for social purposes, and many just believe it is fun. These and other motives for participation certainly are relevant considerations for individuals deciding to join a debate team. As theorists attempting to discover the *telos* of our activity, however, our concern lies in finding a framework for debate that educates the largest quantity of students with the highest quality of skills, while at the same time preserving competitive equity.

The ability to make decisions deriving from deliberation, argumentation or debate, is that key skill. It is the one thing all humans will do every day of their lives aside from breathing and other automatic processes. Practical wisdom transcends boundaries between categories of learning such as 'policy education' or 'critique education,' it makes irrelevant considerations of whether we will eventually become policymakers, and it completely overshadows questions of what substantive content a debate round should involve. The implication for this analysis is that the critical thinking and argumentative skills offered by real-world decision-making are comparatively more important than any educational disadvantage weighed against them. It is the skills we learn, not the content of our arguments that can best improve all of our lives. While policy comparison skills are necessarily learned through debate in one way or another, those skills are useless if they are not grounded in the process actually used to make good decisions. This means that whenever any proposition of policy is considered the appropriate decision-maker(s) must be identified:

The appropriate *decision makers* are those necessary to the ultimate implementation of the decision. You may win adherence of fellow students to the proposition that the midterm exam should count less than the final paper in grading your class, but if the professor says no, little is gained... It is important

defend here. Nevertheless, the concept of 'reflexive fiat' is defended "along the lines of a traditional agent counterplan," and is thus premised on a model of decision-making that we contend is, in essence, incoherent.

for... [arguers] to recognize who the appropriate decision makers are. (Rieke & Sillars, 1993, p. 2).

Since policy debate aims at determining whether a particular course of action is expedient all arguments which misapprehend the appropriate decision maker(s) are red herrings and interfere with true rational deliberation.

Academics from outside the contest debate community make this argument in different ways in discussing their own research. Richard Fulkerson (1996) explains that “Argumentation... is the chief cognitive activity by which a democracy, a field of study, a corporation, or a committee functions. . . . And it is vitally important that high school and college students learn both to argue well and to critique the arguments of others” (p. 16). Stuart Yeh (1998) concludes that debate allows cultural minority students to “identify an issue, consider different views, form and defend a viewpoint, and consider and respond to counterarguments...The ability to write effective arguments influences grades, academic success, and preparation for college and employment” (p. 49).

We could have defended our thesis in any number of ways without invoking the Philosopher, of course, yet we chose to do so for three reasons. First, Aristotle’s practical philosophy provides a frame of reference for other debate theorists to see how our thought developed and to have a better sense of our precise meaning. Second, Aristotle emphasized a common-sense approach to philosophical inquiry. This is something we want to highlight as a corrective to some of the currently dominant practices of the debate community. Finally, Aristotle’s concept of practical wisdom is associated with the good life, characterized by happiness and excellence. This reflects the attitude we hold toward academic debate. If we had chosen some other intellectual framework instead (e.g., Nietzsche’s iconoclasm, as in Shanahan [2004]), the tone and attitude of the essay would be different.

Theory of Debate Practice

If we accept that academic debate ought to foster practical wisdom among its participants, debate theory itself

must reflect this. It is precisely because it is rooted in real-world practice that debate has value. Kuhn (1992) explains this by stating that “no other kind of thinking matters more-or contributes more-to the quality and fulfillment of people's lives, both individually and collectively” (p. 156). Thus, we argue that the principles of good decision-making must be present in debate arguments. This means, first and foremost, that all decisions posed by debate theory must account for the decision-maker. In the real world, decision-makers can choose only from the options open to them, not from all possible options they can imagine. Aristotle (c. 330BCE/1941b) argues: “Concerning things which exist or will exist inevitably, or which cannot possibly exist or take place, no counsel can be given... Clearly, counsel can only be given on matters about which people deliberate; matters, namely, that ultimately depend upon ourselves, and which we have it in our power to set going” (1359a32-39).

While decision-making would be much easier from the position of a universal, omnipotent decision maker, real decision-making situations are contingent on the decisions made by others, decisions which cannot be counted on to change. Recognition of this is a marker of emotional and cognitive maturity, a sign that one is ready to make adult decisions. Although people might occasionally think about problems from the position of an ideal decision-maker (c.f. Ulrich, 1981, quoted in Korcok, 2002), in debate we should be concerned with the type of argumentative thinking that is the most relevant to real-world intelligence and the decisions that people make every day in their lives, not academic trivialities. We demonstrate how this argument resolves problems in debate theory by examining three genres of negative arguments: disadvantages, counterplans, and critiques.

Disadvantages

Though the theory behind disadvantage debating is largely established by a broad consensus in the debate community, there are two theoretical questions that are not completely settled, and in each case we argue that consideration of the virtue of practical wisdom suggests

possible solutions. First, what should be assumed about the plan aside from what is in the plan text? Second, must disadvantages be intrinsically linked to the plan? Before answering these questions, consider the following examples. 1. A graduate student (GS) is thinking about signing up for a desired course (A). That course is scheduled to meet at the same time as another course (B) for which GS has already registered. Both A and B have a mandatory attendance policy, and so GS decides not to sign up for A. 2. An undergraduate student (US) is thinking of signing up for a desired course (C), but the course is notoriously hard for students who do not own their own computers, and US has not yet decided to buy a computer.

In the first example, the plan is to enroll in A, and the disadvantage (and perhaps case turn) stems from the inability to enroll in A and B simultaneously. This example seems silly unless there is a reason not to drop B. Indeed, we might consider dropping conflicting courses to be the 'normal' way one goes about registering for a course. In the second example, the plan is to enroll in C, and the disadvantage stems from hardship associated with not owning a computer. It is probably not the case that purchasing a computer is a 'normal' part of registering for a course. The disadvantage is not *intrinsically tied* to enrolling in the class, and could be avoided by buying a computer.

The dominant view in the debate community is that plan texts need not specify anything that would necessarily occur were the stated mandates of the plan to be enacted normally. There is no need, for example, to specify that the president would sign the bill, or that Congress would allocate funding. The affirmative team is, of course, required to defend the consequences of all of these normal but unspecified mandates. Infrequently, affirmative teams will attempt to avoid disadvantages which are not intrinsically linked to the plan by proposing some (unspecified, not 'normal-means') mandate, but this is for the most part seen as illegitimate. Yet, in our second example, it seems like it would be reasonable for the student to consider the decision of buying a computer when considering the decision to

enroll in C. Should NDT-CEDA judges accept this kind of argument?

Probably not. ‘Non-intrinsic’ arguments only matter from the perspective of the agent of the affirmative’s plan, not the judge. The judge is not role-playing as any particular individual; he or she is a third party who brackets off the status-quo decision-making process of the United States Federal Government (USFG) in order to be an impartial intellectual. While we insist that the judge cannot adopt the position of a universal decision-maker, we believe the judge can (and probably should) adopt the position of a *universal audience*. Adopting the perspective of such an audience, composed of all reasonable and competent members of humanity, provides “a norm for objective argumentation” (Perelman and Olbrechts-Tyteca, 1969, p. 31). In other words, debaters should not assume that the judge is the representative of any particular audience that would evaluate the relative desirability of any course of action in terms of its own private interests. Though a debate may focus on the question of whether the USFG should undertake some course of action, the debaters should defend their positions on the basis of the overall common good. The question is not whether the plan is desirable from the perspective of the agent of the plan, but in the more general case. The decision to restrict the question of the debate to the desirability of actions carried out by a single decision-maker has no bearing whatsoever on the decision to ignore arguments that appeal not to the general common good but instead to some particular audience's interests. At the end of the round, it is the judge, and not the USFG, who decides whether (and how) the USFG should act. This is why separating the judge from the decision-maker is vital. Arguments therefore should be designed to be persuasive to the judge, rather than to be the kind of arguments that would be persuasive to the USFG. Debaters and critics can attend to the process of good decision-making and at the same time not evaluate arguments as if they were policymakers. There is no reason a critic of argument ought to feel compelled by requirements that links be intrinsic to the plan.

Additionally, one large difference between public and private deliberation is that while the latter can be carried out by a single person, the former requires a collective decision. A group cannot be sure it will agree on one issue while considering another. This problem happens whenever a decision-maker is not entirely sovereign. Imagine a compulsive gambler considering whether to visit a friend who lives in Las Vegas. The disadvantage, obviously, comes from the financial loss that probably would occur were the gambler to enter a casino. That disadvantage is not intrinsic to visiting the friend in Las Vegas, but it certainly is not as simple as deciding not to gamble. The probability that this decision will not be made must be considered. Likewise, the U.S. Congress must (and does) consider the possibility that it will fail always to make the best decisions.

Furthermore, non-intrinsic arguments may be rejected on the grounds that they are unfair, and such a determination is entirely consistent with our position that negative fiat ought to be limited to the agent empowered to enact the plan. Debate is a decision-making *game*. Debaters deliberate over issues of public policy because those issues can be researched. The resolution provides prior notice about what public policy issues will be the subject of debate so that the participants can prepare themselves to make the best arguments possible. Thus, plan mandates must be derived from that resolution, and teams must prepare for all possible plans, including everything that falls under the normal-means category. Non-intrinsic arguments, not being derived from the resolution, are not predictable. Affirmative teams are free to make arguments like: "If Congress were to pass the plan, they would be very likely to pass X legislation also which would solve the link to the disadvantage." Negative teams, however, are equally free to dispute the probability of that claim.

The final unsettled area of disadvantage theory relates to agent specification, since link arguments often depend on a particular agent. Resolutions typically follow the form: "The USFG should change X policy." Affirmative plans must specify the nature of their policy change; some negative teams argue that they must specify which branch of

the USFG enacts the plan. Should affirmatives have to do this? How important is agent specificity when deliberating about a decision? Generally, the agent should be as specific as necessary to evaluate the decision. Does the agent make a difference? Imagine that a group of friends hanging out together becomes hungry. The group deliberates whether to go to the store to buy food. Is the store far? How much money is available? What kind of food will they buy? These questions all are important. Does it matter who is going to drive the car? Maybe, but probably not.⁴ Debates about agent specification should be resolved by considering the degree to which the specification is important to the specific decision posed by the plan. Yet if you ask the average debater her opinion about agent specification, her reasoning about it, regardless of whether she likes the argument or not, very often will be divorced from the concerns of rational decision-making.

Counterplans

Like all arguments in the negative's arsenal, counterplans have the burden to be relevant to the question posed by the affirmative plan (disadvantages accomplish this by having a compelling 'link'). For this reason, counterplans must be *competitive* but we argue that competition is necessary but not sufficient to demonstrate relevance. Lichtman and Rohrer (1975) observe that negative fiat should have a limited scope, relating to the logic of who is making the decision:

It is assumed, of course, that decision-makers being addressed have the power to put a counterplan into effect. An individual or governmental unit can reasonably be asked to reject a particular policy if an alternative promises greater net benefits. If, however, a counterplan must be adopted by another individual or unit of government, the initial

⁴ Of course, it *might* matter if, for example, one of the possible drivers might be intoxicated. Our point here simply is to show that in a typical decision-making scenario, the issues of substance tend not to be related to questions of the agent.

decision-maker must consider the probability that the counterplan will be accepted. Debate propositions often affirm that a particular policy should be adopted by the federal government. Even if adoption of this policy by the individual state governments would be more beneficial, a reasonable critic would still affirm the resolution if state adoption were highly unlikely. The federal government should refrain from acting only when the net benefits of state and local action, discounted by the probability that such action will occur, are greater than the net benefits of federal action. (p. 74, footnote 13).

Expanding upon this common sense approach, Korcok (2002) reasons that advantages and disadvantages relating to political ramifications, resources, policy effectiveness, enforcement, and so on, all depend upon whose task it is to take the desired action. Therefore, questions of the substantive desirability of the affirmative, along with questions of the educational value of learning general governmental processes, are incoherent without first specifying who is making the decision.

Virtually every policy resolution over the past 40 years has asked affirmatives to defend a new policy system enacted by the USFG. The affirmative's job is clearly to craft a normative argument in favor of all or part of the USFG taking action. Arguments that other countries, international organizations, or agents within the United States should act are irrelevant, because they circumvent questions of probability (Lichtman & Rohrer, 1975; Korcok, 2002). Along similar lines, Solt (2004) observes: "If the affirmative says that 'the state should do X,' a negative response that 'activist strategy Y would be the best way to persuade the state to do X' does not seem competitive. It supplements what the affirmative says, rather than disagreeing with it" (p. 48). Thus, it only makes sense to analyze the desirability of the affirmative's action from the lens of available alternatives open to the (topical) actor advocated by the affirmative.

Consider what it means when a judge votes affirmative or negative. Supposing the affirmative has presented a topical plan, the judge votes affirmative when the plan is shown to be net-advantageous when compared to the status quo or a competitive alternative, and the judge votes negative when the plan is shown to be less desirable than the status quo or a competitive alternative. If testifying before Congress, this judge could reasonably say: “Based on the arguments I have heard over the last hour and a half, it would be better for you to do X than Y.” In other words, after the debate is concluded, one entity could make a decision based on the information presented. This is not to say that Congress (or anyone else) should make decisions based on the outcomes of scholastic debate rounds. What matters is that the debaters will have made an informed decision. This is utterly impossible if the negative advocates action by some agent other than the affirmative’s. Since the point of fiat is to bracket off questions of ‘would’ in order to focus completely on questions of ‘should,’ questions of probability never get discussed (Broda-Bahm, 2002). From the perspective of the agent identified in the plan, the probability is 100%: if the agent decides to adopt the mandates of the plan, there is an absolute guarantee that it will in fact do so. Yet, if the plan is compared to a counterplan in which Japan, rather than the United States, attempts to solve the advantage(s), there is never a situation where the United States could make a decision based on a 100% probability that Japan would take action if the United States did not. Thus, if Congress failed to consider the chance that that decision-making body would not in fact take the desired action, it would hardly be engaging in what Aristotle (c. 330BCE/1941a) calls “correctness of thinking,” the substance of practical wisdom.

We agree with Korcok’s (2002) conclusion that “the appropriate scope of negative fiat is the scope of the authority of the decision-maker choosing whether to adopt the affirmative plan” (p. 253). Korcok clearly identified that this interpretation of negative fiat was the only way to access the decision-making logic that is so valuable. He leaves as an open question, however, who exactly constitutes the

decision-maker who chooses to adopt the affirmative plan. Is this decision-maker the entire resolutive agent? Is it the judge deciding whether or not to endorse the plan academically? We propose that the decision-maker should be limited to the topical agent chosen by the affirmative, which we contend is the logical extension of Korcok's reasoning, and has applications both in dealing with plan specification issues and with kritik theory beyond further clarifying the limits of negative fiat.

The most common objection to this line of reasoning is that agent counterplans are the only way to test the agent, and the affirmative must be prepared to defend all parts of their plan, including the agent. We find this argument disingenuous: disadvantages, not counterplans, are how parts of the plan are tested. A counterplan always will lose unless it has a net benefit, and it is the net benefit itself that tests the agent. None of the net benefit literature, however, has been written with the peculiar choice of the plan vs. the counterplan in mind. Of course, literature can be found that generally compares two agents on broad policy questions. In some cases, literature may exist that seems to compare two courses of action that resemble the plan and the agent counterplan. Nevertheless, the comparative assumptions in this seemingly relevant literature are so different from those operating in the debate round that the literature cannot serve as evidence for the relative desirability of either the plan or the counterplan.

Incommensurability exists for two reasons: first, it is logically impossible for any policy comparison in the literature to consider a universal decision-maker when there are in fact two independent decision-makers; second, policy comparisons in the literature necessarily assume relative non-certain probabilities, while comparisons arising from alternative agent fiat depend on non-relative certain probabilities. The actor in an agent counterplan is explicitly posited as one that has no authority to reject the plan, just as the actor in the plan is explicitly posited as one that has no authority to reject the counterplan. Since in the real world, the world addressed by the allegedly relevant comparative literature, neither of the two agents in question may consider

action by the other agent as an alternative, one should not expect to find arguments in the policy literature which provide such comparisons. What purpose would such literature serve? Why would someone write such literature? Since no universal-decision maker exists, one would have to wonder who the intended audience of such comparative literature might be. It seems to us very unlikely that an expert in policy comparison would publish an argument that ostensibly serves no real-world purpose, evaluating a hypothetical decision that bears no resemblance to the actual decisions that real policy-makers must consider. Certainly, anyone relying on such literature in a debate round should have to explain why someone would bother to publish such an apparently useless comparison.

Since no literature will be written that examines the problem from the perspective of a universal decision-maker, all that is left is literature that, explicitly or implicitly, makes arguments for or against either the plan or the counterplan. Any attempt made by the authors of this kind of literature to compare the plan and the counterplan will be tainted by assumptions that necessarily fail to hold for the decision faced by a judge who imagines herself to be a universal decision-maker.

In the real-world, decision-makers invariably consider the possibility that others might act to solve shared problems. When policy analysts write arguments in the context of this very real decision-making environment, they must always regard the decision to enact the plan as entirely independent of the decision to enact the agent counterplan. The agent of the plan may very well make their decision in light of the possibility that the counterplan may be enacted—but whatever that probability is, it is a constant, rather than variable and contingent on the decision to enact the plan. In other words, the decision-maker empowered to enact the plan may base her decision on any of an almost limitless set of reasons, a set that includes the possibility that some independent agent may choose to enact the agent counterplan, but at no point may she regard the counterplan as an alternative to the plan. She may decide either to do nothing, or enact the plan, or enact something different than

the plan, but she may never base her decision to enact the plan on the relative undesirability of the counterplan. In other words, assuming that the plan and counterplan are both inherent, there is no certainty that either will be enacted that status quo. In debate rounds in which alternative agent fiat is the basis for comparing the plan to the counterplan, that comparison can only be made under the assumption that the potential probability that either the plan or the counterplan will be enacted is 100%—yet any literature that compares the plan and the counterplan must implicitly (if not explicitly) consider relative non-certain probabilities. For this reason, no literature exists which compares anything like the plan to anything like the counterplan under the basic conditions of comparison that exist in a debate in which the negative is granted alternative agent fiat.⁵

Thus, literature that compares the plan and the agent counterplan simply does not exist, since in the real world, whether the plan and the counterplan are enacted always depends on two independent decisions, and no credible policy literature assumes otherwise. Literature directed to an activist audience, however, seems to be an exception to the general rule posited by our first argument; after all, an activist must choose between independent decision-makers when considering to whom she should direct her activism. In this case, however, the force our second argument becomes overwhelming; above all else an activist must consider whether her activism will find a sympathetic audience or, alternatively, fall on deaf ears. Likewise, literature that withstands the objection of our second argument might exist,

⁵ One might object to this line of reasoning by attempting to show a *reductio ad absurdum*, arguing that no literature exists which assumes a potential probability of 100% that the plan will be enacted. Yet this is not true – any time anyone advocates anything (in the policy literature and in any other context), they do so by describing the advantages of a world in which their desired course of action were enacted. The theory of affirmative fiat is an unavoidable abstraction in deliberative argumentation, and its validity is a matter of common experience. Alternative agent fiat, on the other hand, is an abstraction that is unique to the policy debate community and its validity is utterly alien to the real world of deliberative decision-making.

if, for example, the potential advantage either agent may hope to obtain by following a particular course of action is unaffected by the other agent's decision to act, for in this case the relative probability that the other actor will act becomes irrelevant to the decision. Yet in this case our first argument is especially salient because if one agent's decision to act is unaltered by the other agent's decision to act, their separate rationales for acting must be entirely distinct and relative to each decision-maker. Such rationales are hardly dispositive to the decision of one who represents neither agent but must make a decision with respect to the general utilitarian good.

If no evidence can logically exist which meaningfully compares the plan and the agent counterplan, it is difficult to see how such a counterplan serves to 'test' the agent of the plan. Indeed, the combination of an agent counterplan and a 'net-benefit' seems to be less of a test of the plan's agent than if the 'net-benefit' was simply presented by itself. As we hope is clear at this point, the most basic concern an agent should evaluate when deciding whether or not to attempt to solve some problem is the likelihood that the problem will be resolved in the status quo, either on its own or as a result of the action of some independent actor (i.e., the stock issue commonly called inherency). Advocates of agent counterplans ask us to ignore this most important consideration. Rather than being key to testing the agent, they make testing the agent impossible.

Critiques

Practical wisdom has important repercussions for the theory of the critique genre as well and because the critique's evolution in debate is so nascent, the theoretical literature's discussion of critical alternatives in terms of negative fiat is sparse. This is disappointing because framework debates are particularly fertile grounds for the application of decision-making theory. One of the central questions addressed by critical debates is whether the role of the ballot is to evaluate policymaking, micro-political action, or something else entirely. Even when the links to a critique are not rooted in an indictment of policymaking, the

alternative usually entails some kind of change in the way in which individuals think. This sets up contradictory decision-making frames and fundamentally puts critiques in the same category as alternate agent counterplans.

The theoretical legitimacy of critical frameworks is an area in which Korcok's (2002) analysis is incomplete. This topic has been discussed extensively in recent years; our discussion will be limited to the relationship between critical frameworks and decision making. Our view that the appropriate scope of negative fiat is limited to the topical agent chosen by the affirmative might exclude all critique alternatives or, at the very least, increase the level of specificity required in order for the judge to consider them legitimate. This is true because the affirmative's agent, derived from the resolution, must be an actor within the United States federal government. The affirmative's actor is not the debate critic. This distinction makes it obvious that for the negative's criticism to have any relevance it must ignore the constraints upon the decision maker's authority. Alternatives that have the judge endorse a nebulous rejection, rethinking, or criticism of a particular axiology, epistemology and/or ontology represent precisely the forms of universal decision-making authority that do not exist in the real world. For example, it would be great if every terrorist rejected violence, every criminal embraced love, or every capitalist ended his or her desire to dominate others, but the probability of any of these is approximately zero. This is 'object fiat' at its worst and, as such, devastates the affirmative's capacity to develop offense.

Negative claims that the exclusion of critical alternatives is detrimental to education are not persuasive when decision-making logic is taken into account. Critical intellectuals and policymakers both take into account the probability that their actions will be successful. Fiating that individuals alter their method of thinking circumvents these questions of probability and thus not only taints education about policy-making but offers a flawed approach to activism (or any other purview of action/philosophy the negative is advocating). Intellectuals and activists have many important considerations relating to resources, press

coverage, political clout and method. All of these questions are related directly to who is taking action.

Practice of Debate Theory

The foregoing discussion of the theoretical legitimacy of alternative agent fiat is purely academic by itself because the judge determines the ‘rules’ of debate based on deliberation that occurs in the round. The larger aim of this essay is to demonstrate that current approaches to debating theory are themselves flawed. Many judges believe that appeals to theory are inferior to appeals to substance. There are many reasons for this; perhaps most relevant is the commonly held sentiment, as Solt (2002) puts it, that “Debate has a substantive intellectual content which... is far more worthwhile to learn about than... debate theory” (p. 9). In this section, we hope to demonstrate that the divide between theory and substance is a false dichotomy. While it is interesting to learn about the possible solutions to various foreign and domestic policy problems, it is only worthwhile if that knowledge can inform decision-making processes that debaters will employ throughout their lives.

The way in which theoretical disputes are handled in actual debate rounds often is muddy and shallow. Frequently, the Second Affirmative speaker will read a quick, jargon-filled list of complaints about the debate practice in question, and then, in the Negative Block, an equally quick list of defenses is read in response. Rarely is a cohesive interpretation which ties all of the arguments together offered and compared to a counter-interpretation, as topicality debates are often treated. Standards are often debated in a vacuum and not compared to an alternative vision of debate, which is usually merely implied. We regard this as unfortunate, and perhaps a reason why negative teams all too frequently win theoretical disputes, regardless of the issue. Nevertheless, in an ideal debate each team will defend competitive visions of negative fiat power and organize their arguments in terms of offense and defense. There are two impacts to all of these arguments: competitive equity and education. We have already explained the educational benefits of adopting our interpretation. Affirmative teams

will have to be prepared to answer claims like: “It is especially educational to research about the Congress or the President,” but because this kind of education is not exclusively accessed by agent counterplans, we do not regard them as serious challenges to our argument presented above. Therefore, we shall deal here with the issue of competitive equity.

First, we must note that the terminal impact to all questions of competitive equity is ultimately participation in debate itself, which is good because debate is fun and, obviously, educational. Therefore, if it is the case that the single most valuable benefit one can gain from participating in debate is that it improves decision-making skills then the educational benefit of rejecting an illogical fiat scheme would outweigh competitive equity concerns that were not absolute. Therefore, unless the negative can show that agent counterplans are absolutely critical to preserve participation in debate (for example, if the affirmative would win almost every debate without agent counterplans), claims that they are “not that bad” do not prove that they are necessary. It is the negative’s burden to justify its use of alternate actor fiat, not the affirmative’s burden to de-justify all agent counterplans. Unfortunately, debates normally do not play out this way.

The connection we have already identified between practical wisdom and the proper limit of negative fiat has implications for competitive equity as well, which gives affirmative teams further offense to convince judges to not consider alternate agent fiat. One method used by negative teams to handle theoretical objections to their counterplans or kritiks is to minimize their opponents’ ability to win offensive impacts by crafting clever counter-interpretations that simultaneously allow the particular strategy chosen by the negative but disallow similar, but perhaps more egregious, strategies. For example, suppose the negative advocates that the President, instead of the Congress, should take some action. When the affirmative team argues that the judge should reject alternative agent fiat, the negative might offer a counter-interpretation that they should be constrained to the decision-makers in the resolution (i.e., some part of

the USFG), or even worse, that the negative should only be allowed to fiat the particular decision-maker used in their counterplan, the President. The most egregious abuses of negative fiat would be avoided by this counter-interpretation, the negative would claim, and the judge should certainly allow their reasonable, predictable counterplan. If the counter-interpretation chosen by the negative only allows the exact counterplan that they chose to run, it would certainly be very easy for the affirmative since that is the only counterplan they would ever have to deal with! Why should the judge vote against the counterplan for theoretical reasons if the negative has an interpretation that is very favorable for the affirmative?

We believe that this kind of strategy, while persuasive to some, is intellectually bankrupt. Affirmative teams occasionally respond similarly to topicality arguments by offering the counter-interpretation that only their plan is topical, and negative teams have figured out by now that these kinds of counter-interpretations are highly arbitrary. We contend that just as an interpretation of what is topical ought to be grounded in some non-arbitrary literature, interpretations of what the negative ought to be allowed to fiat also should be non-arbitrary. The current repertoire of interpretations that debaters use focuses primarily on distinctions like public vs. private actors, domestic vs. international decision-makers, multi-actor fiat and object fiat, but these categories miss the mark, because they have nothing to do with the foundation of negative fiat, the process of good decision-making.

An examination of the question of fiating the object in particular makes this even clearer. Except for those who believe in 'negative flexibility' as a god term, most people in the community agree that the negative should not be able to fiat the object of the affirmative plan; otherwise its win percentage would skyrocket at the expense of the affirmative. Imagine an affirmative plan in which the United States government provides condoms and educational assistance in order to reduce the transmission of HIV/AIDS. What substantive reply would win against a negative team advocating that all people infected with HIV become

celibate? That this is improbable, to say the least, is irrelevant if the negative only has to prove that it *should* be done, and thus, for some reason, the plan should be opposed. For a more likely scenario, imagine the affirmative supports a plan in which the United States government intervenes in some foreign conflict to stop an ongoing genocide. Here, a counterplan to have the culpable government cease killing people certainly solves better than the United States government ever could, and without linking to any domestic politics or spending disadvantages.

These negative strategies are intuitively unfair, making it impossible for the affirmative to generate offense, but what theoretical principle would we adopt to preclude their discussion? Perhaps the negative should not be able to fiat a decision-maker who is affected by the plan. Even if there were some non-arbitrary way to decide what and who the plan affects, it is unclear if even this rule would suffice. Consider affirmatives who argue that the World Health Organization is making something worse, perhaps by offering defective medicine or equipment, and so propose that the United States increase public health assistance in order to offset the poor assistance in the status quo. A counterplan to have the WHO change its policy solves the whole case and the plan does not actually act on the WHO, so our previously identified principle is insufficient for excluding this. When alternative agent fiat is allowed, there really is no non-arbitrary method of preventing object fiat. Since every harm area is a consequence of no one solving it, every alternative agent counterplan is at least a little bit object fiat. While some counterplans are clearly more unfair than others, if we can agree with the general principle that object fiat harms competitive equity, then the only true solution is to prevent all alternative agent fiat.

One possible answer to this line of reasoning is that while it is the case that no real world decision maker would decide between the plan and the counterplan, debate is not the real world, and the judge is the one singular decision maker who decides to accept the plan or the counterplan and endorse one or the other as the 'best idea.' Certainly the

critic is a singular decision maker with respect to the ballot,⁶ and the only real decision he or she must make is determining which team did the best debating. This seriously begs the question, however; the critic must have criteria for making this decision, and the fact that he or she is a unitary decision-maker does not obviate negative teams from justifying the particular policy they are advocating vis-à-vis the plan. For the most part, teams defending alternate agent counterplans still would like the judge to evaluate the debate within a traditional policy framework, voting either for the topical plan, a competitive policy option, or the status quo. If they defend a competitive policy option which does not test the opportunity cost of the agent of the plan, they still want the judge to decide that the counterplan is better than the plan, which means they still have to come to grips with the basic thesis of the single decision-maker argument.⁷

⁶ Most of the time; the University of Louisville, however, has counterplanned other judges into its debates.

⁷ Agent counterplans fail to test the opportunity cost of the plan. Opportunity cost refers to the most valuable forgone alternative to an action. Branham (1989) describes the applicability of this concept to debate best:

The counterplan is...an important factor for all decision-makers, whether personal or governmental. When we choose to take one course of action, we choose, at least implicitly, not to take others. These roads not taken are, in essence, counterplans, and have received considerable attention in the fields of policy analysis and economics. The logical operation and weight of the counterplan are best explained by the economic concept of 'opportunity cost,' an evaluation of a course of action according to foregone alternatives. (pp. 246-247).

In debate, we test policies based on their direct costs (disadvantages that will result) and opportunity costs (competitive counterplans or kritik alternatives which may enjoy a comparative advantage). A counterplan does not represent an opportunity cost merely by being competitive, for competition is a necessary but not sufficient condition to prove that one policy represents a legitimate opportunity cost of another policy. It is critical that the two policies be enacted by the same agent, because otherwise it is impossible to say that the opportunity to exclusively enact one policy was lost for any particular policy-making body. This is a key distinction because, as the quotation from Branham makes clear, every decision that people make involves measuring opportunity cost, which means that comparisons of policies which do not represent mutual

This is not the only possibility, however. The negative team could posit that the judge is similar to an activist deciding which policy to endorse. The real question, then, is not which policy is the best in a vacuum but, rather, which policy is most worthy of an activist's support. Unfortunately for defenders of alternate agent counterplans, this argument offers them no security. One of the most critical questions activists must consider is whether or not they will be listened to, i.e., whether their activism will work. It might be a worse policy for the Congress to pass legislation than for the Court to issue a ruling, but at the same time it might be nearly impossible to lobby the Court successfully. Because alternate agent fiat intentionally ignores questions of probability, it is never a useful tool for informing activists in which organization they ought to place their trust. Ironically, most negative teams who make this counter-interpretation subsequently ignore the question of activism when reading solvency evidence for their counterplan or disadvantages to the plan. Other possible iterations of the role of the judge as a decision-maker are discussed in more detail below, when we turn to the application of this theory to critical framework debates.

Separate from the question of the logic of fiat-ing an alternate agent, other serious fairness concerns have been overlooked. These concerns, relating to predictability, are not entirely separate, of course; fiat is a decision-making tool, not an exercise in imagined omnipotence. When I decide if I am going to get up when my alarm rings, or hit 'snooze' instead, it is totally reasonable for me to imagine both waking up and hitting snooze at a probability of 100%, but in neither case would it make any sense for me to consider a possible world in which my friend covered all of my daily duties so that there would be no disadvantage to getting some extra sleep.

opportunity costs invokes a kind of thinking totally foreign to any actual decision-making and is therefore problematic for all of the reasons we have outlined.

In policy debate, in order to debate topics that everyone can research equally, we debate public actors rather than private ones and we need to find literature to support acting in one way or another. Just as it would be unreasonable for me to consider things other people could, but probably would not, do it is unreasonable for rigorous policy analysts to write evidence comparing the equivalent actions of two different agents. To be sure, some literature compares different public actors, but what passes for quality evidence here is generally terrible. Negative teams will read cards that say that “the Courts are good at X” or “the EU is decent at Y” or even “Japan is good at [insert specific mandates of the plan].” Never, however, are there cards that say “if one had to choose between Japan or the United States doing X, Japan would be better,” nor, naturally, the inverse. The reason should be obvious: no one ever would make this kind of decision. Evidence stating that Japan is better than the United States or visa-versa in the general affirmative harm area should not pass, because it is not written in the context of policy choice. At best, evidence of this sort misrepresents the comparison because implied probability concerns are intentionally bracketed off with the magic wand of fiat. That one agent is not likely to act more often than not is the reason that another agent is ‘key.’

Why is this important? If we are willing to engage in a system of informal logic that does not consider *ignoratio elenchi* to be a fallacy, perhaps the fact that the solvency evidence is slightly out of context is not the worst crime. Yet this cuts to the heart of the matter: if evidence that compares two agents taking action on the question of the plan is quoted out of context because probability issues are talked around, the kind of evidenced-based, rigorous policy analysis that is the mark of the best rounds of debate becomes impossible. No one rebuts the claim that, say, Japan, rather than the United States, should fight the Taliban in Afghanistan, because this initial claim is not a genuine opportunity cost of U.S. action. People who write articles analyzing policies usually do so for a reason—they would like to encourage policy-makers to behave in one way or another. This means that there is an examination of possible courses of action

with respect to a single agent; an ideal policy and one or more alternatives, all of which come at the cost of enacting the first policy. Action by alternate agents fails to represent an opportunity cost to the agent of the plan, and therefore is never going to be the subject of rational public policy discourse. Since a good literature base is the sine qua non of fair subject matter for policy debate, alternate agent counterplans should be excluded.

Debates about critique alternatives likewise often become frustrating because the debaters (on both sides) poorly identify the agent. Plan texts have a subject, objects, and a verb in the indicative mood; critique alternatives often are written in the imperative mood, with no stated subject. Consider the recently popular Nietzschean alternative to ‘do nothing.’ Who is it that the negative wants to do nothing? Does the USFG do nothing? The debaters? The judge? Every individual, or just individuals in the Middle East (or wherever) that have to do with the affirmative’s harm area? These questions directly implicate the desirability of the alternative and, thus, the education that we can receive from this mode of debate. Alternatives like ‘vote negative to reject capitalism,’ ‘detach truth from power,’ or ‘embrace an infinite responsibility to the other’ fall prey to similar concerns. This inability to pin the negative down to a course of action allows it to be shifty in the Second Rebuttal, and to sculpt its alternative in a way that avoids the affirmative’s offense. Rather than increasing education, a critical framework often is a ruse that allows the negative to inflate its importance and ignore crucial decision-making considerations.

Several other arguments can be leveraged by the affirmative team in order to insulate themselves from negative claims that critical debate offers unique and important education that the affirmative interpretation of fiat excludes. The first, discussed above, is that the most important benefit to participation in policy debate is not the content of our arguments but the skills we learn from debating. Because the ability to make decisions is a skill that activists and intellectuals must use as well, decision-making is a prerequisite to effective education about any subject.

Further, debate is a decision-making game that requires debaters to ‘switch sides.’ Consequently, debaters enter each debate knowing that at some point they inevitably will be forced to argue against their own convictions. Participants all realize that a vote for an argument in a debate does not reflect an absolute truth but merely that the team making that argument did the better debating. When it comes to education about content, particular arguments seldom change personal convictions because everyone knows that debate is a game. On the other hand, to truly inculcate the virtue of practical wisdom, repetition and habituation is vital. The best way to strengthen decision-making skills is to have students practice them in intense social settings like debate rounds. Moreover, much of the decision-making process happens in strategy sessions and during research periods, where debaters hear about a particular affirmative plan and are tasked with developing the best response. If they believe that alternate agent counterplans or utopian philosophical alternatives are legitimate responses, a vital teaching opportunity will have been lost.

Much in-round argumentation and theory literature on framework debates, notably O’Donnell (2004), has focused on the subject of ‘affirmative choice.’ As explained above, the affirmative clearly gets to choose its plan/case, and thus without question also gets to choose its agent. Champions of ‘affirmative choice’ contend that just as affirmative teams get to choose a (topical) plan, they get to choose the ultimate (topical) relationship between the plan and the ballot. Is the plan a proposition of policy that should be taken at face value? Is it a statement that activists should endorse? Is it a satirical statement that should be appreciated by rhetorical critics?

The way in which ‘affirmative choice’ gets deployed in the status quo is correct, but irrelevant, for two reasons. First, the fact that the affirmative chooses to answer the question ‘whether the affirmative’s policy option is superior to the status quo or competitive policy option’ is not a reason why the negative’s framework is not competitive. The sides disagree about the question that is being asked in the debate, just as they disagree about what branch should be acting.

Since the negative still will win links to disadvantages to the affirmative's framework, it is able to prove why that choice is undesirable. Very often, critical debaters incorporate links that apply not just to the plan but to the logic of policymaking, framework choice, and fairness as well. This makes it easy for the negative to prove that 'affirmative choice' is not a reason for the affirmative to win, because they indict the assumptions behind the affirmative choice and offer a competitive framework.

Currently, the 'affirmative choice' response to critiques is essentially the same as responding to a Supreme Court counterplan by arguing: "We chose the Congress, so action by the Supreme Court is not relevant." The real reason why 'affirmative choice' is a devastating response to many critiques is that the negative team's critical framework necessarily entails an alternative that involves action by a different actor than that of the plan. This is the logical underpinning behind 'affirmative choice' arguments that has been missing so far. As explained above, action by actors other than the USFG may be competitive but, because it does not test the opportunity cost of the plan's agent, it is not a cogent response to the speech act presented in the first affirmative constructive.

Sometimes, the negative attempts to explain its framework as a reason why the judge's intellectual endorsement of the resolution is a consideration separate from whether the decision-maker should act. Korcok (2002) argues that separating the judge from the decision-maker opens up a discursive space for critical arguments. Clearly the judge then has authority to choose to endorse an idea that is distinct from and competitive with an intellectual endorsement of USFG action. Unfortunately for the negative, this is a separate question from the one the resolution asks and does not provide a reason to reject the affirmative. This begs an important question, however: what is the central question posed to the judge by the debaters, and how is it related to the resolution?

The affirmative does not get to choose simply any frame of interpretation for its (topical) plan. This is an important point that Korcok's analysis ignores, because it

leaves open the possibility that an actor besides the USFG could be the decision-maker. This is not to say that Korcok endorses non-topical action, but taking into account the fact that the affirmative's actor has to be topical allows us to narrow down the range of possible decision-makers and to make a conclusive answer about what question the affirmative is attempting to answer in order to win the debate. Obviously, in a policy debate, the Congress, the executive, and the judiciary all are possible decision-makers that are examples of the resolution. But in the context of framework debates, the resolution gives us only one question to answer. Every year, the resolution contains the introductory Resolved, which is followed by a course of action by the USFG. A colon separates the two parts of the resolution from each other, indicating that we as a community in each round have to "express an opinion by resolution or vote" about the normative question of USFG action (*Words and Phrases*, 1964, p. 478). Individual participants in the debate round are not the agents of the resolution, but the ones coming to an affirmative or negative conclusion about the question of whether it would be good for the United States federal government as a decision-maker to act. Each debate critic and individual debater is clearly separated from the decision-maker by the resolution. Negative interpretations that turn the judge or the debaters into a second decision-maker thus attempt to change the question that the resolution is asking in order to evaluate the opportunity cost of their localized action.

Considering the topical agent identified in the plan to be the decision-maker with respect to the debate, rather than the judge or the debaters, has three additional benefits. First, ethical questions relating to intellectually endorsing the affirmative and other areas of literature that are not traditionally discussed in the context of policymaking can still be discussed under this decision-making framework, but in a more productive manner. A negative strategy that includes a counterplan that uses different assumptions to solve the affirmative and says the affirmative's approach is morally bankrupt is a reason why the affirmative should be ethically rejected. Even absent a counterplan, ignoring

implications for the judge and excluding her ability to individually endorse alternative moral frameworks forces negative teams to make their criticisms more specific to the plan. If they want to say that the affirmative case is unethical, they should be forced to engage the traditional arguments in the teleology/deontology literature, e.g., ‘moral purity has unintended consequences.’ This would mean that the negative’s alternative for the judge to reject the affirmative’s unethical course of action would have to be much more specific and engaging on the question of whether it is possible to predict consequences or embrace moral absolutism in the context of the affirmative’s advantages.

Second, identifying the topical agent of the plan as the decision-maker prevents debate from being about role-playing. Many critical teams’ objection to policymaking is that the debaters are not the Federal Government and should not pretend otherwise. Since our argument merely is that the judge’s range of fiat is constrained by the authority of a single decision-maker, rather than that the judge should be the decision-maker, debaters or judges do not have to accept uncritically the USFG’s authority or way of thinking.

Finally, identifying the topical agent of the plan as the decision-maker is the only way to limit affirmative or negative frameworks. Just as it is unfair for the negative to change the question of the debate, the affirmative should have a predictable way of proving the resolution is a good idea. O’Donnell (2004) persuasively describes the ideological chasm that has and will continue to tear the debate community apart absent an end to the proliferation of unpredictable frameworks.

Conclusion

While we believe we delineate the best paradigmatic view of NDT-CEDA debate, we see three limitations to our approach. First, Shanahan (2004) argues that the resolution interpolates debaters as affirmative debaters. To the extent that this is a bad thing (when resolutions describe thoroughly morally repugnant actions), the relationship between the decision-maker and the resolution seems insufficient to remedy the problem. Second, our theory offers no definitive

statement about style, which is problematic given that, as Solt (2004) observed, differences in style deeply divide our community. Further theoretical essays could identify other possible final causes for our activity, and work out the relationship between those ends and the theory and practice of academic debate. Additionally, future theoretical work should discuss these ends with reference to other controversies in debate theory, including negative conditionality, plan-inclusive advocacy, and emerging concerns in the new body of performance theory.

Third, though our thesis establishes conditions that may be *necessary* to obtain our stated end, i.e., the promotion of the virtue of practical wisdom, we have not shown that these conditions are *sufficient* on their own. For example, one might channel Plato, whose critique of sophistry in the *Gorgias* is, like so much of his work, extremely relevant today. Along these lines, one might criticize switch-side debate, noting that it encourages debaters to defend contradictory positions from round-to-round, thus discouraging the debaters from adopting the firm convictions they need to make good decisions in life (see, for example, Greene & Hicks, 2005, who argue that the practice of constantly switching sides conceals an ideological bias in favor of democratic liberalism). While a full response to this argument is beyond the scope of this essay, we strongly believe that the mark of practical wisdom is not the presence of firm convictions regarding matters of public policy; rather, it is the ability to discern the best course of action one should take when facing a decision that is relevant to one's own life. Thus, it is not about discovering *good reasons* for or against some particular policy proposal, but about discovering what makes a reason in any given situation a good reason.

We argue, consequently, that as debate teachers, we should encourage debaters to engage in practices that reflect coherent models of decision-making, which excludes certain argument types (such as agent counterplans). It is also for this reason that we argue that 'theory debating' is relatively undervalued in the status quo; we contend that debate teachers should reconsider the strength of the currently held

preference for 'substantive' debate arguments over 'procedural' debate arguments, since the latter more readily translate to the real, substantive decisions facing debaters over the course of their lives. Finally, against the suggestion that our model might be flawed because it discourages the development of firm convictions regarding particular public policy positions, we would strongly and passionately argue that this is a feature, not a bug. Firm ideological convictions tend to *interfere* with good decision-making, and we are extremely suspicious of any model of debate that fails to encourage debaters to question their convictions constantly.

Absolutely central to our thesis is our contention that there is an essential connection between the practice of 'theory debating' and the development of practical wisdom in the Aristotelian sense. A strong 'theory debater' is able to identify the most compelling justifications for or against a particular argumentation practice, and is able to explain why those justifications are compelling in light of the best arguments in support of the opposite position. Argument practices are, in essence, decision-making practices. If we can train our students to understand exactly what is at stake when one chooses any particular decision-making methodology, we will have given them the very best education. Does this mean that we would like for debaters to consider 'practical wisdom' an impact, comparable to other impacts one might come across in a 'theory debate,' such as 'competitive equity' or some other relevant concern? On the contrary, we argue that practical wisdom may be obtained by debaters who become good at winning 'theory debates;' we do not contend that 'practical wisdom' ought to become another two word phrase carelessly uttered at the end of a list of meaningless bumper-sticker arguments quickly and mindlessly read before getting to the 'real' arguments.

For Aristotle, *phronesis* is not one of the categorical topics of argument, but an end of good argumentation. Thus, when we argue throughout that competitive equity is a means to the end of practical wisdom, and not an end unto itself, we do not mean to imply that debaters should argue that 'practical wisdom' is the impact of their theoretical positions, and that, as per our thesis, this impact outweighs

their opponents' stated impacts of 'competitive equity' or 'fairness.' Since competitive equity is a necessary (but not sufficient) condition for the attainment of our *summum bonum*, we want to encourage debaters to consider the relative fairness of the argumentative practices they encounter in contest debate rounds. But we want to call attention to the fact that in many 'theory debates,' certain debate practices are defended entirely on the basis of whether they make it easier or harder for a side that, allegedly, suffers from some sort of structural deficit. We find utterly abhorrent the idea that any given debate practice might not reflect a coherent model of decision-making, but still might be justified because it effectively provides 'affirmative action' to an otherwise disadvantaged side of the resolution. In short, we would like for people to consider the relationship between competitive equity, on the one hand, and coherent models of decision-making, on the other. Rather than view 'practical wisdom' and 'competitive equity' as dialectically opposed ends, we would rather debates about 'competitive equity' to be considered on both sides from the perspective of practical wisdom. A correct reading of our argument should result in more meaningful debates about competitive equity, rather than a dismissal of competitive equity as an impact outweighed by 'practical wisdom' or 'phronesis' or any other essentialized reduction of our *summum bonum*.

Given the terrible lines of division in the debate community, our call for reappraisal of the final cause of academic debating is urgent. We have argued that practical wisdom is the appropriate goal point, and have articulated the consequences this has for debate theory. One may disagree with our arguments about those consequences and still agree in principal with our call for pedagogical renewal. We believe practical wisdom is a worthy goal for our community, even if it cannot offer certain clear-cut prescriptions; as Goodnight (1982) observed, "If public argument can yield no more than a probable answer to questions of preferable conduct, it can offer no less than an alternative to decisions based on authority or blind chance" (p. 214).

References

- Aristotle (1941a). Nichomachean ethics, (trans. W. D. Ross). In R. McKeon (Ed.), *The basic works of Aristotle* (pp. 928-1112). New York: Random House. (Original work 'published' c. 330BCE).
- Aristotle. (1941b). *Rhetoric*, (trans. W. R. Roberts). In R. McKeon (Ed.), *The basic works of Aristotle* (pp. 1325-1454). New York: Random House. (Original work 'published' c. 330BCE).
- Branham, R. J. (1989). Roads not taken: Counterplans and Opportunity Costs. *Argumentation & Advocacy*, 25, 246-255.
- Broda-Bahm, K. T. (2002). Counterfactual possibilities: Constructing counter-to-fact causal claims. In K. Broda-Bahm (Ed.), *Perspectives in controversy: Selected essays from Contemporary Argumentation and Debate* (pp. 153-170). New York: International Debate Education Association.
- Brovero, A. (1994). SOP, there it is. In R. E. Solt & R. K. Smith (Eds.), *Immigration regulation: Borderline policies, Debater's research guide*. Winston Salem, NC: Wake Forest University Press.
- Bruschke, J. (2004). Debate factions and affirmative actions. *Contemporary Argumentation and Debate*, 25, 78-88.
- Fisher, W. R. (2000). The ethic(s) of argument and practical wisdom. In T. A. Hollihan (Ed.), *Argument at century's end: Reflecting on the past and envisioning the future* (pp. 1-15). Annandale, VA: National Communication Association.
- Fulkerson, R. (1996). *Teaching the argument in writing*. Urbana, IL: The National Council of Teachers of English.
- Goodnight, G. T. (1982). The personal, technical, and public spheres of argument: A speculative inquiry into the art of public rhetoric. *Argumentation & Advocacy*, 18, 214-227.
- Greene, R. W., & Hicks, D. (2005). Lost convictions. *Cultural Studies*, 19, 100-126.
- Korcok, M. M. (2002). The decision-maker. In K. Broda-Bahm (Ed.), *Perspectives in controversy: Selected essays from Contemporary*

- Argumentation and Debate* (pp. 241-264). New York: International Debate Education Association.,
- Kuhn, D. (1992). Thinking as argument. *Harvard Educational Review*, 62, 155-178.
- Lichtman, A. & Rohrer, D. (1975). A general theory of the counterplan. *Journal of the American Forensics Association*, 12, 70-79.
- Mitchel, G. R. (1995). *Time for an activist outward turn in academic debate*. In R. E. Solt & R. K. Smith, (Eds.), *Playing the China cards, Debater's research guide*. Winston Salem, NC: Wake Forest University Press.
- Mitchell, G. R. (1998) Pedagogical possibilities for argumentative agency in academic debate. *Argumentation and Advocacy*, 35, 41-55.
- O'Donnell, T. (2004). And the twain shall meet: Affirmative framework choice and the future of debate. In S. Bauschard & J. P. Lacy (Eds.), *Blue helmet blues: United Nations peacekeeping and the United State, Debater's research guide*, Winston Salem, NC: Wake Forest University Press.
- Perelman, C., and Olbrechts-Tyteca, L. (1969). *The new rhetoric: A treatise on argumentation*. Notre Dame, IN: University of Notre Dame Press.
- Riecke, R. D., & Sillars, M. O. (1993). *Argumentation: Critical decision making*. New York: Harper Collins.
- Shanahan, W. (2004). Twilight of the topical idols: Kritik-ing in the age of imperialism. *Contemporary Argumentation & Debate*, 25, 66-77.
- Snider, A. C. (2003). Gamemaster: Is it you? *Contemporary Argumentation and Debate*, 24, 17-30.
- Solt, R. (2002). Theory as a voting issue: The crime of punishment. In S. Bauschard & J. P. Lacy (Eds.), *Mental health policies: Escape from bedlam? Debater's research guide* Winston Salem, NC: Wake Forest University Press.
- Solt, R. (2004). Debate's culture of narcissism. *Contemporary Argumentation and Debate*, 25, 43-65.
- Yeh, S. S. (1998). Empowering education: Teaching argumentative writing to cultural minority middle-school students. *Research in the Teaching of English*, 33, 49-83.

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