

COUNTERPLAN PERMUTATIONS: THE BASICS

by David M. Cheshier

The most basic burden for a counterplan -- a negative proposal defended as an alternative to the affirmative plan -- is that it must compete. That is, for the counterplan and its advantages to count against the benefits of voting affirmative, they must constitute a reason to reject the plan. Although we have a tendency to think of competition (and even to teach it) by using the language of "competition standards" (which would obviously include the standards of mutual exclusivity and net benefit) the basic idea is more easily grasped by making an analogy to other concepts, and three in particular have had popularity. These are the ideas of opportunity cost, alternative worlds, and the disadvantage metaphor.

What Makes a Counterplan Competitive?

The opportunity cost idea is borrowed from basic economic theory. When we say a particular course of action creates certain opportunity costs, we are acknowledging that the total price of something is not captured simply by looking at its price tag. Beyond the list price, we must add up the costs of the foregone alternatives and count them as well. The total cost of a summer vacation, for example, includes the direct out-of-pocket costs one runs up (the airplane ticket, hotel, food, and so on) but it also includes opportunities made impossible by taking the vacation (such as the income one would have earned at a summer job by staying at home.)

The language of opportunity costs has always seemed appropriate to the counterplan competition question because the proposed alternative (e.g., having the states do the plan instead of the federal government) is not normally a direct cost of the plan -- that is, there is usually no indication the states are plotting to do the plan and will be diverted from their efforts by federal action. Instead, when run as a counterplan, state action presents decisionmakers with an explicitly named opportunity cost, since (if the evidence is to be believed) federal action tends to co-opt and subvert state incentives to act.

The competition question can also be understood as a kind of thought experiment where the status quo is imagined as one "world," and the status quo as modified by

the plan is imagined as another, slightly different world. Using such language, we can test whether the counterplan is a reason to reject the plan by asking a question: In the world as adjusted by the plan, should we or can we adopt the counterplan? Or we could put the question another way: In the world as adjusted by the counterplan, should we or can we adopt the plan?

Finally, the competition burden can be understood by analogizing the counterplan to a regular disadvantage. Although the vocabularies seem different, both disadvantages and counterplans specify costs of adopting the plan. Tracking the analogy out, one could say the disadvantage impact corresponds to the counterplan advantage, and the disadvantage link corresponds to the counterplan's competition claim. In the same way link evidence requires the negative to specify the connection between the plan and the negative consequences enumerated in the disadvantage impact, competition evidence forces the negative to connect their counterplan advantages (such as federalism or global federalism modeling) to the plan. If such a comparison seems artificial or forced, imagine the cards one would hear in a debate where federalism was run as a disadvantage, compared to the cards one might read in a state counterplan debate: the link and competition cards would be the same.

All three of these models raise interesting questions about the nature of counterplan debating. The opportunity cost metaphor forces us to attend to the nature of the counterplan choice: is the choice offered by the counterplan a genuine cost of the plan, or simply contrived? The plan/counterplan "worlds" approach leads to different issues. Some years back Harvard debate coach Dallas Perkins argued counterplans were unfair to the affirmative and should be banned, basing his argument on this perspective. His point was that the counterplan competition question (to rephrase it again: "having adopted the counterplan, does it make sense to adopt the plan?") is never a winner for the affirmative, since the negative can always rig the world (with their counterplan) to make the plan either irrelevant or foolish. Finally, the

"counterplan as disadvantage" theory (championed many years ago by Bates debate coach Robert Branham) raises this issue, among others: if the link matches competition, and impact matches counterplan advantages, then what is the match for uniqueness? The answer, of course, is that the disadvantage uniqueness burden is magically solved by fiat. In a federalism disadvantage debate, the negative has to prove state action is happening now; when they counterplan with state action the magic wand of fiat produces instantaneous fifty-state action. Some have used this feature of the disadvantage-counterplan analogy to argue against the legitimacy of counterplans, on the view that negatives should have to prove an actual and not a rigged trade-off.

As counterplan strategy evolved, a very particular problem arose to which so-called "permutation theory" offers a cure. The problem was that some teams grew very adept at rigging their counterplans so they appeared to pose a genuine forced choice, when in fact the choice was artificial. One counterplan which enjoyed a brief popularity essentially stole the plan's funding. The text would read something like: "All money newly allocated to (fill in the blank with the plan's mandates) will be diverted to famine relief." The counterplan sounds like a genuine forced choice: after all, you can't spend the same money twice, and if the negative could read evidence that famine relief should be our greatest priority, they seem to have a winner: a counterplan both mutually exclusive (can't spend twice) and net beneficial (famine deaths > education reform).

But is famine relief really an opportunity cost of educational reform expenditures? Obviously in the political world of everyday budgeting the two items do not intersect except in the most unusual circumstances (as in a case where the educational expenses envisioned are so huge as to trade off with everything else.) Only the introduction of the counterplan creates or, some might say, trumps up, the choice. Or consider this even more blatantly artificial counterplan: "The federal government will develop a cure for AIDS. The affirmative plan is outlawed." Again, we seem to have a perfect counterplan: mutually exclusive

(can't pass and ban the plan at the same time) and net beneficial (AIDS cure > making kids read *Gone With the Wind*). But the choice presented by the counterplan is not genuine; in fact, it is completely contrived. How can the affirmative persuade the judge this is so?

The Permutation Alternative

The language of permutation theory gives affirmatives a vocabulary they can use to reveal the artificial competition of abusive counterplans. Permutations entered college debate competition during the mid-1980's; the idea was first written up in an essay by Boston College debate coach Dale Herbeck, in an article he wrote for *Argumentation & Advocacy*, the research journal of the American Forensic Association.

The term "permutation" can be a little confusing, since its usage in debate does not precisely mirror its use in mathematics. When an affirmative answers a counterplan by naming and defending a permutation, they are basically asking the judge to participate in a thought experiment. A permutation is an imagined policy combining the plan with some part of the counterplan to reveal why the counterplan's benefit claims should not count against the plan. So, were a team debating the two abusive counterplans just described, they might respond to the first with: "Permute -- Do the plan and pay for famine relief." Or, with reference to the second: "Permute -- Do the plan and develop an AIDS cure."

One must be clear on what is being said when these words are spoken in a round. The affirmative is not defending a revised plan, or an amended proposal. Nor are they embracing the counterplan or any part of it (it is consistent for the 2AC to respond both with a permutation and by running disadvantages to the counterplan). A permutation is simply a thought experiment which reveals why the counterplans net benefit claims should not count as reasons to reject the plan. By offering a potential combination that gets the "best of both worlds," as it were, the affirmative illustrates why the counterplan is not a reason to reject its proposal.

In a certain sense, and this is a difficulty for some, one could say the permutation actually is advocated. After all, the thought experiment, though not literally defended by the affirmative as a 2AC plan amendment, does alter the judge's decision (*Cheshier from page 50*) making calculation. Now, instead of comparing the plan alone with the counterplan

alone, and voting for the one which produces the greatest benefit, the judge compares the permutation to the counterplan alone. If the permutation looks like the better of the two alternatives, she votes affirmative, since endorsement of the permutation thought experiment is also an endorsement of the plan it contains. If the affirmative defends the permutation as net beneficial, and the judge is only able to vote affirmative based on such a defense, could we not say it has been advocated? We'll return to this question shortly.

In the early days of permutation theory, Kentucky debate coach Roger Solt laid out a preliminary matrix of permutation types. Although he has modified this list in the years since, his first list lays out some of the important types still in use. The first type of permutation Solt called a "mechanical permutation." Here, a permutation is nothing more than a mechanical combination where the whole plan is attached to some part of or all of the counterplan. There is very little theoretical objection to such a combination, since in its purest form the mechanical permutation still requires the affirmative to defend their whole plan, and because it most plainly reveals the artificial nature of obviously abusive counterplans.

A second type Solt referred to as the "logical permutation." The logical permutation is necessary when the negative has artfully worded their counterplan so that a piece of its text cannot be simply lifted and attached to the plan (as with the "steal their funding" example). A counterplan which says "the affirmative's funding will be diverted to famine relief" cannot be mechanically attached to the plan since the wording presents no way to, say, lift the noncompetitive mandate and leave the other behind. And yet, although this counterplan appears to perform one clear move ("steal their money"), logically speaking it actually does two things. First, it steals the plan's money, then second, it puts money into famine relief. The logical permutation allows the affirmative to dissect the single mandate into its logical parts, and then attach one or more of those logical pieces to the plan. There is little objection to this sort of permutation either, since it is necessary to avoid the most sleazy counterplan texts.

In the third type, which one might call an "intrinsicness permutation," the affirmative combines their plan not with a piece of the counterplan, but with something entirely different, shall we say "pulled out of thin air." Imagine the plan builds nuclear

power plants, and the counterplan bans them, with the net benefit of slowing global nuclear weapons proliferation. The affirmative might try to permute with: "do the plan and convene a global disarmament conference." They might argue that this attachment to the plan solves the net benefit edge the counterplan appears to have over the plan, thereby proving the counterplan is not net beneficial. But they have done something arguably illegitimate by pulling their plan addition out of the air, rather than out of the counterplan text. Solt and many others believe this kind of permutation is unjustified theoretically: (1) like so-called "intrinsicness arguments" sometimes run by affirmative against disadvantages, they are arguably unfair to the negative, since potential net benefit claims could always be "fixed" with a plan amendment; (2) intrinsicness permutations are arguably unfair since they cannot be anticipated by the negative -- how could they ever know what to expect as a 2AC addition?; and we could add to this list with the other objections routinely made against disadvantage minor repairs.

Some permutation Issues to Consider

Every so often, someone will make an attempt to discredit the entire idea of permutations by offering some theoretical objection to the concept. For the most part, these arguments have not been found persuasive. Some have argued affirmatives cannot "advocate" permutations because they are essentially unfair plan amendments, which make the plan a moving target. Others have objected on the grounds that permutations are essentially extra-topical plan additions.

The common answer to both of these concerns have been to stress how permutations are not really advocated by the affirmative. They are simply "tests" of competition, or, using my earlier language, "thought experiments." And, following language, most believe permutations are never actually defended by the affirmative: the 2AC can name and defend as many as s/he likes, and neither the 1AR or 2AR bear any responsibility for future permutation advocacy.

The "it's only a test" logic has proved persuasive, although it is not entirely airtight. Consider how the "test" rhetoric may mask what actually is hypothetical or conditional affirmative advocacy. What does it mean, after all, to say a debater advocates something? One way we could reply is to say a policy is advocated when a student

specifies a plan of action and then argues its net beneficiality. By such a definition, permutations are "advocated" -- debaters name a policy and say why the net benefits exceed those of the counterplan alone. And since the judge can only vote affirmative by imagining herself to vote for the permutation, is not the practice of permutations a kind of advocacy? Consider this as well: why couldn't a negative running twenty hypothetical or conditional counterplans use the same "test" language to justify his extreme practices? After all, how can we distinguish between the "conditional advocacy" offered for permutations from what might be said for multiple counterplans, where the negative might defend himself by declaring "each of these counterplans is simply a test of the plan's net desirability"? These questions are too often glossed over in the rush to embrace the often-useful, even necessary, permutation tool.

Some other issues, in my view more serious, have arisen as the use of permutations has grown. Consider these questions:

It is necessary that the permutation include the entire plan, or is it sufficient if it merely contains part of the plan? The consensus has been to oppose these so-called "severance" permutations, on the grounds that the affirmative is obliged to defend their entire plan throughout the debate, regardless of the counterplan under consideration. Such a view essentially nullifies the use of permutations against "exception" counterplans, where all but some tiny piece of the plan is implemented ("do the plan everywhere but on Native American lands"). But is this consensus justified? If the permutation is simply a "test," then might not the test be sufficient if any topical action survives the onslaught of the counterplan? And is it consistent to require the affirmative to defend their plan in its entirety and against all possible alternatives, when the negative's advocacy may only be conditional or dispositional?

Are time frame, or order of adoption permutations legitimate? Debate here is more divided. A time frame permutation is one where the plan and counterplan are sequenced, as in "implement Holocaust education for five years, then devolve it to the states afterward." Or we might consider the opposite sequencing, where the counterplan is done first, followed by the plan. Some believe time frame permutations destroy all counterplan ground (after all, even the most obviously contradicting policies can be made consistent through se-

quencing). But this objection is weak, since it ignores the obligation of the affirmative to specify the permutation net benefit, and coming up with a credible net benefit to the permutation of "banning, then mandating" can be quite difficult. A weightier objection is that some versions of time frame permutations are essentially intrinsicness permutations in disguise. Consider the case of a permutation which does the state counterplan first, and then follows it up with the federal plan mandates later. The net benefit might be that such sequencing sends the best-ever federalism signal (since the state action is seen as so brilliant even the federal government is persuaded to follow suit). But is the whole and original plan being defended, or has it been modified in the sequencing? And does the addition of the sequence end up adding a mandate contained neither in the plan nor the counterplan?

Many other issues might be raised about the limits of defensible permutation advocacy: Is there a limit on the number of permutations an affirmative can run? Does the affirmative ever have the right to defend permutations including anti-topical action? Can a permutation be defended as net beneficial, and kept "alive," even after the counterplan has been discarded? Does the net topicality of the permutation ever matter? Are there ever circumstances where a negative can force the affirmative to defend their awful permutations (e.g., if the negative only responds by running disadvantages to the permutation, can they stick the affirmative with it, in the same way affirmatives force negatives to defend dispositional counterplans by only arguing disadvantages against them?)?

For all these questions, the practice of permuting counterplans is by now well accepted. In fact, this acceptance has extended so far as to now justify the extension of permutation theory to critiques. As a result, debaters who hope to survive the exploding use of agent of action and exception counterplans must master the intricacies of permutation theory as well.

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