A BIG TENT FOR LINCOLN-DOUGLAS DEBATE

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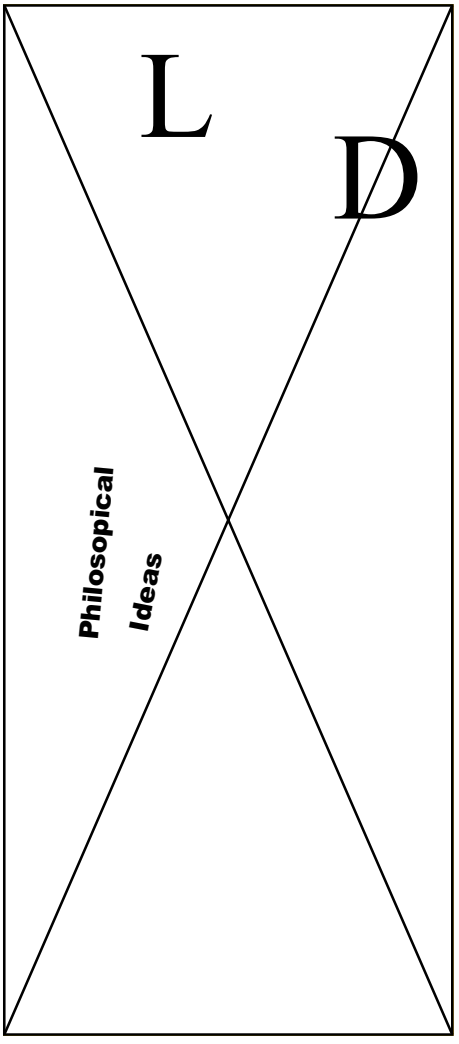

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Few could deny the phenomenal popularity and growth of Lincoln-Douglas Debate since its NFL debut in 1979. As the event approaches its 20th anniversary, it seems appropriate to reflect on its evolution, and to assess whether that evolution has been an entirely positive one. I believe that Lincoln-Douglas Debate has begun to develop both theory and practice which needlessly narrows the range of debate. LD theory (as I have read it expressed in this journal, in other reference works, and from coaches and students at various levels of local and national competition) now defines a set of limiting implied assumptions about appropriate philosophical paradigms and strategies. This development has had two major effects. First, it limits the intellectual scope of research and topic analysis. Second, and more importantly, implied, but very real, burdens of proof now exist in LD.

To remedy these deficiencies, I propose that LD develop into a "big tent" (to borrow a phrase from the GOP), where multiple philosophical schools and decision rules contend. Let this tent not be a circus, where chaos and confusion dominate, but rather a true marketplace of ideas, in which the voices of the past and modernity can make their case.

Coaches and judges frequently groan about "how many times must I hear 'social contract' in one round?" The concept is perhaps the most used philosophical paradigm in LD debate. Sometimes it is used adequately with erudition and insight, and sometimes it is employed poorly with little genuine understanding. It is not that social contractarianism, Lockean rights theory, or the Enlightenment liberal tradition is inappropriate for LD. Our national creed embodies such principles. The language of rights and liberties is one easily understood by student and coaches alike. The question is: Is the Enlightenment sufficient in LD?

When was the last time you, as a judge or coach, heard a thoroughly Platonic explanation of the ends of the state, and the role of the individual in the state. What has been the real effect of Aristotelian ethics and political theory on LD? The Romans were among the greatest lawgivers in Western history, yet Justinian or any of the Byzantine or medieval commentators on Roman law (and its concomitant concept of the state and the individual) are invisible in modern LD. Thomistic philosophy (which, contrary to what some debaters I have heard claim, is <u>not</u> the same as Thomistic theology) is trotted out when just war or the right to rebellion is debated, but otherwise the great scholastic and Renaissance political theorists are left to the side.

It almost goes without saying, lest I be thought to be solely a winsome antiquarian, that feminist, socialist or (gasp!) Marxist analysis is out of the question. One simply doesn't get to final rounds marching with a class-conscious proletariat! Postmodern thinkers like Derrida and existentialists like Sartre are similarly non-starters. The Enlightenment, liberal tradition of a contractarian society (rooted in 17th century English commerce as much as high ideals of English liberty) and the adjudication of rights claims is the usual bill of fare in LD. Competing notions, when they are introduced, as like exotic desserts, which one eats only sparingly, at risk of indigestion.

It is a commonplace of historians that (as Herbert Butterfield argued in *The Whig Interpretation of History*) history viewed as an endlessly rising tide of progress towards the sunlit uplands of the present is a fallacy to be urgently avoided. Current LD theory and practice is, unfortunately, unaware of its own positivist folly.

LD should have larger scope than the most recent 30 years (actually the period between 1650 and 1900). Even contemporary thinkers most frequently used in LD (John Rawls, Robert Nozick, Michael Walzer, Ronald Dworkin) are still encompassed within the Enlightenment, liberal concept of modernity. They are highly original variations on a theme first played when Charles II reigned in England. As a result of this intellectual narrowness, LD rounds frequently becomes sterile and irresolvable rights conflicts.

An alternative underlying anthropology, an idea of what it means to be human, is what is needed to break out of these tail-chasing scenarios. The authors of antiquity, Marx, and post-modernism offer us just that. Welcome these ideas and their creators into this big tent. Don't allow the Enlightenment to win by default. If the classical liberal's anthropology (and consequent political and social, political, and economic theory) is true, let it be shown through clear analysis. Far more fruitful and rewarding debate will result when we dethrone Locke, Kant, and Rawls, and make them compete for pre-eminence with Aristotle, Plato, Marx, and Sartre. If nothing else, we will demonstrate to our students the extraordinary power of the Enlightenment liberal tradition, inasmuch as it has successfully weathered the critiques of such alternative schools of thought.

The second significant difficulty of contemporary LD theory is the emergence of implied burdens of proof and decision rules. When I debated over 10 years ago, there were a multiplicity of methods by which both sides could establish a link between the resolution (or its negation) and one or several values, whose worth it was seen as necessary to establish as a part of one's care. Today, the value premise/value criterion paradigm is the reified mode of value analysis in case development. This approach is a powerful analytical tool, one that has advanced the quality of LD greatly.

However, as with the virtually unquestioned dominance of Enlightenment political theory, this creative advance paradoxically inhibits creativity in the development of alternatives. If a debater doesn't have a clearly labeled value premise/criteria, and instead attempts to prove the resolution true by upholding two, three, or four independent values, that debater is often disadvantaged immediately. One can have brilliant analysis within such a framework, yet easily lost to an inferior debater, because the latter can claim that "my opponent has no value premise." Yes, but that doesn't mean that the opponent in question doesn't sustain values in his or her case. The two are not synonymous, but they are usually taken as such.

A "big tent" approach to value analysis would avoid such problems, and allow for a wider range of paradigms to emerge within the event, and to have credibility in competition. Some might argue that such discontinuities between debaters would make reasonable debate and adjudication impossible. Far from it; it would compel each side to justify its methodology, which requires far more careful thought and research that simply recycling the same value or values endlessly because it is felt that no alternative approach can succeed. If the value premise/criteria approach, or some other method, is superior, then the debater who runs that approach should be able to demonstrate as much, and make that a decision rule for the round.

The issue of decision rules is the most important area where LD theory need some reevaluation. The NFL's rather brief rules on LD, and its instructions to judges printed on its ballots, make it clear on a plain reading that burdens of proof are not pre-determined in LD, and that the standards by which the round is to be judged are fair game in the debate. Many debaters and coaches interpret this as applying only to voting issues, usually reserved for the end of the 1NR or the 2AR. I believe that this goes much deeper than voting issues, and again, current practice has excluded all but a narrow range of options. Moreover, it has imposed an implicit set of burdens of proof, particularly for the negative.

Most resolutions fall into one of two categories. The first makes the proposition that "A ought to be more valuable than B, when they are in conflict." The second proposes that "A is justified/good/moral." In either case, the basic task of the affirmative is to prove the resolution true, and for the negative to prove it false. The problem lies in the fact that only some approaches to negating the resolution seem to be prudent, while others are excluded *a priori* as "creating an unreasonable ground for debate." This creates an implied burden for the negative, which is patently unfair and which degrades the nature of the event.

The due process/pursuit of truth topic used at the 1998 Gateway Nationals is a good example to analyze. It falls into the first category of resolutions I noted above. Grammatical analysis of the resolution yields the following: there are no qualifying terms in the resolution, and the use of the word *ought* implies some kind of moral obligation to valorize due process above the pursuit of truth when they conflict. Simply put, one's moral duty to make the affirmative value choice is unlimited, and by extension, absolute, in all circumstances. This is an admittedly difficult, but not impossible task. It is not, *a priori*, an unreasonable interpretation of the resolution.

The negative has a number of options. One could argue the contrapositive (B ought to be valued above A, within the same constraints noted above), or one could argue that the statement as written is false because some of its essential parts are unsustainable. Possible versions of the negative position are: A ought to be more valuable than B in certain circumstances, but not absolutely; it is impossible to make such a value hierarchy claim outside of circumstances in particular cases; both values have equal philosophical weight and a hierarchy is impossible in any circumstances. This last option is the dreaded and scorned "balance negative": the values in question cannot be ordered in the way the affirmative claims. This approach is derided as unfair to the affirmative, for not providing grounds for reasonable debate.

Sherlock Holmes noted in *The Hound of the Baskervilles* that the important thing in solving the crime was not that the hound barked, but that it didn't. The key flaw in the critique of the balance negative is a similar silence. There has simply been no sustained and persuasive explanation of exactly why such a negative position is unreasonable. Its alternative, the currently reigning paradigm of the negative burden of proving the contrapositive, leads to as much irrationality in debate as the alternative it edges out, and, to this author, perhaps more than its alternative.

The irrationality of forcing both sides to prove the contrapositive of the resolution is exposed in the endless debates over extremes of the resolution. In the due process resolution, affirmatives showed how untrammeled policy state terrors are only checked by protecting due process. Negatives retorted that murderers and thieves go free because Officer Krupke misfiled his petition for a warrant. Neither position is terribly reasonable, both are extreme interpretations of the resolution, and yet both are the ineluctable result of the

grammatical fundamentalism of the reigning interpretive theory.

Debaters search in vain for some means of excluding these extreme cases, and many simply resort to running an observation at the top of case that such positions are not reasonable grounds for debate. Affirmatives frequently argue that the resolution is a general principle, in order to exclude bizarre or extreme cases where the simple device of *reductio ad absurdum* shows the resolution untenable. If the affirmative can do so by abstracting from the text, and asking a meaningful question about the resolution's meaning for a reasonable person, then the negative should be given equal liberty in interpreting the resolution in a way that gives him or her the widest possible range of strategies to prove the resolution false. Just as with the call for a "big tent" of philosophical ideas discussed earlier, such a liberality of method would require each interpretation of the resolution to justify itself as valid. It does not grant an imprimatur to any one scheme of interpretation, and thus avoids creating implicit burdens of proof.

Anything else creates prescribed burdens, however informal that may be. Such burdens do LD a great disservice. LD debaters and coaches would do well, in this sense, to learn from our policy debate colleagues. A multiplicity of strategies for negating the resolution is the norm in team debate. Paradoxically, the event which tried to distinguish itself by prohibiting prescribed burdens and a large body of theory has become much less innovative and far more tracked into a single paradigm than policy debate is.

LD is at its best when it is a liberating intellectual experience, when the fullest possible range of ideas and strategies can have play in a round. For LD to remain bound by the self-imposed constraints of the Enlightenment consensus and a set of implied decision rules, is for the event to grow increasingly barren as a field of genuine inquiry, discovery, and free and full debate. An expansive notion of acceptable philosophical categories, and of overall affirmative and negative strategy, will be the best way for LD to preserve the vitality and freshness which has made it so popular and meaningful as a forensic art form.