

Judges Ballots 2008

Wake Forest (Alex Lamballe & Seth Gannon) vs.
Dartmouth College (Josh Kernoff &
Kade Olsen) 5-0 Aff. Wake



Ryan Galloway, Samford University

“The kids, buddy...”
Galloway’s 2008 NDT Final Round Ballot

About twenty minutes before the start of the 2008 NDT, I ran into Scott Deatherage, the debate community’s favorite water-fowl. In the conversation, I asked “the Duck,” “so, what are you going to miss the most?” He replied, “the kids, buddy...it’s why we do what we do.” I said, “That’s a damned good answer.

And it really is.

As the five judges watched the final round, Will Repko asked us to write some comments down about what we were thinking at the time. The first comment I wrote down was how classy these two teams truly are. You could really feel the emotion when they thanked their coaches, their teammates, and their opponents. Four finer representatives of the tournament have rarely debated in the final round of the NDT.

Volumes have already been written on the legendary coaching careers of Ken Strange, Ross Smith, and Al Louden. However, the way in which the four debaters competed in this debate may be one of the finest illustrations of the successes of their coaching careers. I saw a real respect for one another coming from these debaters. One could sense the values of hard work, respect for others, and respect for the activity from these students. Every experience I’ve had judging Seth, Alex, Josh, and Kade all confirm these traits. These students provide a prism through which the values and greatness of the programs involved can be viewed. The “kids” are both extensions and mirrors of our community. Through them, we can see who we are. Seeing these four debaters on stage, fighting with respect, honor, and decency for one of the greatest prizes the activity has to offer speaks well of our community. It is no wonder so many can work so hard for these “kids.” It really is “why we do what we do.”

I voted **Affirmative** for Wake Forest. I voted on “Permute: Do the Counter-plan.” The two key issues in the debate were that Wake Forest won the argument from the 1ar that “the counter-plan ultimately agrees 100% with the plan” and won that “offer” should be interpreted to mean to allow for the right to change the policy which is offered. The 1ar also makes a nuanced distinction that adding functional competition to textual competition would prevent “bad counter-plans” that “align themselves 100% with the plan.” Even if the counter-plan somehow “functionally”

competed with the notion that an offer somehow *implies* that other offers are rescinded, it does not textually compete with the “offer” of the plan due to the fact that offer can be interpreted to mean “allowing for modifications.” Thus, because the plan contains the word “offer” the plan allows for modifications to the original offer (this is the definition provided of the word “offer” in the 2ac along with the permutation).

This melding of textual and functional competition is a wrinkled nuance that the 2nr fails to adequately address. The 2nr needed to go back to the earlier arguments about how the counter-plan excludes certain “worlds” of the plan action, and needed to do a better job illustrating why counter-plans that add a condition are core negative ground. While I am unsure about how these theory arguments play out in an ideal debate world, in this debate, the 1ar convinced me that this counter-plan 100% aligned itself with the plan, and therefore was not a reason to reject the plan. The 2ar illustrated that such counter-plans would make it almost impossible to be AFF since the Negative could always counter-plan to do the AFF and then something else which provided the lever of a net benefit.

I’ll now discuss the 2nr arguments on this issue. The 2nr’s functional competition good arguments ultimately beg the question as to why the combination of textual & functional competition would not provide adequate ground for the negative while providing the offensive net benefit of eliminating counter-plans that agree 100% with the plan, and thus don’t provide a reason to reject the plan. Wake might have been well-served to hearken back to an old-school argument that the counter-plan is “artificially competitive” because the net benefit does not stem from a disadvantage to the plan, but merely an advantage to the counter-plan.

The 2nr also briefly extends their counter-interpretation of the word “offer” meaning to “accept or reject.” The 2nr also does argue that while “offer” can mean to allow for modifications, that the negative’s theory arguments are reasons why the word “ought not be interpreted” this way. I admit that this fine technical debating by the 2nr made the debate much closer than it would otherwise be. The problem is, however, as the 2ar points out, that the negative does not go to the T violation and prove any topicality rationale (grammar, ground, etc.) for why offer should mean anything different than the affirmative’s interpretation. Thus, the “offer” debate really gets wrapped back up in the question of whether or not counter-plans that align themselves with the plan should be legitimate to begin with. In addition, the 2ar argues that offer “does not imply” that the plan can’t be changed in a reasonable way, illustrating why the notion that the counter-plan functionally competes is problematic. If the counter-plan merely competes based on an implied assumption that the plan forgoes minor modifications, the notion that offer can be interpreted in a different manner illustrates that such is not the case.

While in the past I have been skeptical of the true distinction between textual and functional competition, if the counter-plan only competes because of the implicit assumption that “other worlds are precluded by the plan,” then both the plan wording (offer) and the meaning of the plan (allowing for minor modifications) means that nothing is severed from the plan action of “offer[ing] the government of Lebanon a significant increase in monetary aid if the government of Lebanon agrees to transfer Mohamed Hammdi [sp?] to the custody of the United States.” It seems that basing counter-plan competition solely on the implicit assumption that the plan might forego the “added condition” of the counter-plan allows for counter-plans that “agree 100% with the plan” and therefore give the affirmative virtually no ability to generate offense versus the counter-plan, as articulated in the 2ar

Two other issues in the debate that I feel the negative won were the issues of a “credible net benefit” and the issue of

the 2nd permutation “condition the freezing of financial assets on other issues.” The negative convinces me that the latter permutation is illegitimate because it is intrinsic, and the negative could “never generate offense versus this.” The negative successfully counters this argument by defeating the “it’s logical” claim in the 1ar by merely illustrating that this is unfair, and by arguing that “logic isn’t a useful standard in debate”. While the 2ar does a pretty good job on the notion that this type of permutation proves that there is no link to the net benefit because the net benefit doesn’t stem off of the plan action, those arguments are not articulated in the 1ar, and the fairness claim seems to trump them. More explanation from Wake in the 1ar is needed on this question.

The other issue, that of the credible net benefit, I sided with the negative on because I felt like the counter-plan action would send a greater signal against international terrorism than the plan action alone. However, the recognition of this fact created a feedback loop to issue #1 in the debate: the counter-plan’s competition. The reason why the counter-plan would send a stronger signal against international terrorism is because of the “extra action” it takes against terrorism, by conditioning the funding of the plan on financing of designated terrorist organizations.

In so doing, the counter-plan’s reason for rejecting the plan is not anything that has to do with the plan itself, but merely because the counter-plan action provides an “added boost” separate from the plan to combat terrorism. The coherent response is to merely do both: “condition the funding on the return of Hammadi AND the freezing of financial assets of organizations designated as terrorist organizations by the United States.” The notion that the counter-plan does not provide any reason why the plan action is problematic (the counter-plan does not illustrate a disadvantage or a case turn to the AFF—merely an additive solvency net benefit) means that the counter-plan doesn’t compete. The Affirmative should be allowed to take both actions, which in this instance means, “Perm: do the counter-plan.” Allowing the counter-plan to compete would mean the negative could merely do a counter-plan that aligned itself 100% with the plan and tack something else on as a net benefit, which creates a world in which the AFF basically can’t win.

Three additional comments should be addressed. The first is the notion of “tang.” Brian Lain’s philosophy mentions the notion of “tang” as “that special quality, or unique twist that makes an opponents arguments just a little less applicable or yours just a little more credible.” The 1ar arguments that “this justifies counter-plans that agree 100% with the plan” AND “you can combine functional and textual competition” had TANG. These arguments caused me to view these kinds of counter-plans in a different light—as ones that don’t truly provide a reason to *reject* the Affirmative plan. While I still feel like this theory question is open for debate, Seth’s 1ar on the question caused me to view the debate in a new way through an argument that contained an intangible quality we could describe as “tang.” Thanks to Ross in a post-debate discussion for illustrating how Lain’s philosophy illustrated my feeling toward the 1ar argument. The point is that unique explanations of arguments that are adapted to the debate MAKE A DIFFERENCE in the minds of the judges. Before this debate, I was fairly convinced counter-plans like Dartmouth’s compete—yet the in-round debating by the “kids” convinced me otherwise. Debate isn’t all just lines and arrows on a flow—it is about making those intangible connections with judges.

Second, theory doesn’t have to be decided in an ideal world. In other words, judges should not feel they are deciding all debates for all times in a theory debate. I get the sense that debaters feel there are “camps” on theory—some judges are functional theorists, some are textual theorists, some think certain counter-plans compete and others do

not, etc. This debate illustrates that we can make contingent theoretical decisions based on what happens in a round. Judges should not let others try and label them into camps or feel shame because they voted on “theory” in a debate. I sense that voting on theory has a bad rap in the community, and while it is the case that I’m not looking forward to judging a million debates on textual and functional competition in the upcoming years, sometimes theory is a necessary part of both sides’ arsenals. The answer is not merely to ignore theory or to “err neg” on all theory questions. The answer is to decide the debate as it happens and let the debaters convince you of the best world view for that debate.

Finally, one of the reasons some of the reasons why theory debates are often hard to decide were absent in this debate. For one, all of the debaters were CRYSTALLINE CLEAR. It was very easy to follow the theory arguments from both sides because the debaters just flat out spoke clearly. Instead of burying their heads in long, complicated theory blocks, they made nuanced and distinguished theory arguments specific to the debate itself. If we are entering a world where more debates will be decided on theory, then this debate provides an excellent role model for debaters to follow.

In conclusion, this was an excellent final round debate that truly illustrated the characteristics that make the Dartmouth and Wake squads so strong. I sense our community is going through a time where previous norms of the activity are being challenged: either in minor theory debates, discussions about the scope of topics, and even the nature of the activity itself in terms of perceptions of exclusion and in efforts to create diversity. Some of these disputes will be minor, some will seem like big deals but actually be minor, and others may make major changes in the landscape of the activity. Through all of this, I hope we remember that at their core—all of these disputes should be about and for the kids—for it truly is why we do what we do.

I echo all the sentiments of others who have said goodbye to our great seniors, those who are retiring (I mentioned the Duck a lot, but JW also deserves a hearty round of applause) and all those who have passed on.

Sincerely, *Dr. Ryan W. Galloway*, Director of Debate, Samford University

Jarrold Atchison, Trinity University

I had the honor of judging the final round of the 2008 National Debate Tournament. On the affirmative, Wake Forest University was represented by Alex Lamballe and Seth Gannon. On the negative, Dartmouth College was represented by Josh Kernoff and Kade Olsen. It is always a privilege to judge the final round of the NDT and I thoroughly enjoyed this debate. Congratulations to both teams for outstanding seasons and outstanding NDT performances and special congratulations to Wake Forest for winning the tournament.

I voted affirmative on two arguments. First, I believe the affirmative won that the plan alone was sufficient to solve the case advantage and that the counterplan’s additional solvency was not a reason to vote negative. The groundwork for this argument was laid in the first affirmative rebuttal when Seth Gannon articulated that the solvency for the affirmative rested on the retrieval of one terrorist suspect and that if both the counterplan and the plan achieved this result then there was no net-benefit to the counterplan. Although the war on terrorism could certainly benefit from the financial conditions set forth in the counterplan (the negative’s evidence was great on this point), the negative was

missing a solvency takeout for the affirmative's claim that this one individual represents such a strong symbolic victory in the war on terror that the counterplan's extra-solvency was irrelevant.

Second, the affirmative won their interpretation of the word "offer" in the resolution which provided the affirmative with a basic permutation. Perhaps permutation is the wrong concept here. Perhaps "minor repair" is a better phrase, but I am not sure since I did not debate or judge when minor repairs were more common. Either way, the affirmative's interpretation that the word "offer" is not simply proposing a deal for acceptance or rejection, but includes an element of reasonable changes that resolved the negative's primary objection to the permutation, that it was severance, because the counterplan's conditions could simply be added since the plan's offer is negotiable. The negative did have an interpretation of "offer" (contrary to Alex's 2AR characterization), but the lack of explanation of how their interpretation that offer means "accept or reject a deal" compares with the affirmative's interpretation leads me to suspect that the negative did not see the full implications of the affirmative's argument during the debate.

8 Things I learned from this debate

1. The 2NR is still the hardest speech in debate. Kade did a fantastic job covering Seth's diverse and efficient 1AR, but I believe that many of the judges resolved this debate on two arguments that were underdeveloped in the 2NR. As a judge, I had the benefit of distance during the debate so I heard Seth working hard in the 1AR to establish the "no net benefit" argument during his speech. In all honesty, I did not see the full implication of the "offer" argument until the 2AR overview. In my opinion, Kade faced a tough 2NR because he had little opportunity to go for anything else in the debate and Seth had extended a dangerous mix of theory and substance on the counterplan. Given the circumstances, I thought Kade delivered a great speech, but this was one of the many instances where the 2AR has the luxury of depth and time rarely afforded to 2NRs. Given this assessment.....

2. The Negative Block should err on the side of protecting the 2NR rather than pressuring the 1AR. In this debate, the negative's extension of two topicality arguments, a Kritik, and a counterplan in the block did more to hurt the 2NR than it did to strain the 1AR. The two arguments the affirmative won on were less about questions of truth and more about theory and execution. In other words, a deeper block that took the time to answer the full implications of the 2AC arguments would have done more to protect Kade's 2NR than it would have helped Seth's 1AR to have to cover fewer issues. From my perspective, a 2NC on the Kritik and the substance of the CP with a 1NR on the CP theory would have created a harder 1AR with a higher threshold for acceptable 1AR extensions. As it was executed in this debate, the T-substantially argument was a tough sell given the affirmative's claim to offer 200 million, the 1NR on QPQ was too underdeveloped with little evidence read, and the theory arguments on the CP that the negative did not have blocks too went underdeveloped in the block. Josh's 1NC and 1NR were super efficient, fast, and clear so if he was stretched thin then the average debater would have stood zero chance of covering. In the end, I am guilty of teaching students to try to put pressure on the 1AR, but this debate helped me to recognize that it may be better to put the 1AR in the position of having to evolve arguments rather than simply extend them. More importantly, against a 1AR like Seth's, where there was good extension and great evolution, the 2NRs only chance may be to use the block to anticipate the 1AR rather than try to react to it.

3. More 2ARs need to judge/coach high school debates. The best 2ARs judge the debate and determine which arguments they need to win and which arguments they do not. This is a skill that is difficult to teach. There are several famous debaters (e.g. Randy Lusky) who have taken time to coach/judge high school debate while debating in college. In the process of judging, they learned that most debaters waste a tremendous amount of time/energy on arguments that are irrelevant to the central question of a debate. When these debaters return to their college tournaments they deliver incredible 2ARs because they have a judge's perspective to the debate. I'm not sure that Alex has ever taken time away to coach/judge high school full time, but his 2AR in this debate demonstrated a keen perception for determining and investing time in the arguments he could win the debate on. Very little of his 2AR was spent on arguments that were irrelevant to my decision.

4. More 2ARs need to "retrace the debate." It is great for 2ARs to identify the critical arguments, but it is a whole different level of comprehension and persuasion when debaters "retrace the debate" for the judges. This is a luxury that 2ARs have and that most 2NRs do not have. When a 2AR identifies a crucial argument that can win them the debate they have the opportunity to work through the evolution of the argument from the beginning of the debate through the 2AR. It sounds something like this: (Note: this is not what happened in this debate..just an example)

"The 2AC #3 on the CP was our interpretation of the word offer. We said that it was more than a simple acceptance or rejection and that it included minor reasonable modifications. The Block misunderstood this argument and simply cross-applied their topicality interpretation without realizing that our interpretation of offer takes out their only offense on our permutation. In the 1AR my partner extended our offer interpretation and said that without a coherent answer to our interpretation of offer we would win the debate because our permutation which includes minor modifications does not sever anything. The 2NR still does not understand our argument and once again simply cross applied their topicality interpretation. This is a round winner for us because the negative has never come to grips with the full implication of our offer interpretation which means....."

Many 2ARs do the last part "This is a round winner for us because the negative has never come to grips with the full implication of our offer interpretation which means....." but the best 2ARs take the time to retrace the debate for the judges. It is difficult to underestimate how powerful this strategy is because in retracing the debate the 2AR frames how the judges will go back and look at their flows. Many times judges invest time retracing the debate for themselves before evaluating the 2NR/2AR on a particular issue. If the 2AR does it for them they have the chance to look down at their flows and listen to the evolution of the debate. Additionally, this carries the persuasive benefit of helping judges to agree with your 2AR assessment and conclusion while the debate occurs rather than their perspective on the topic after staring at their flows for 45 minutes. Alex retraced the debate on the two key issues that I decided on and it was very powerful (He was wrong when he asserted that Dartmouth had no interpretation of "offer" but it was still helpful). Take the time to retrace the debate and it will help the judges understand the full implication of your argument and it will force you to take your argument to its full conclusion.

5. If an affirmative tries to impact turn a kritik, negatives should take the bait. Some debaters and some squads consistently approach kritik debates with an eye towards impact turning the argument. At times I have coached debaters to do this, but I believe that the advantages of the block and the potential quality of the negative evidence make this an increasingly dangerous strategy. In this debate, the affirmative was fighting an uphill battle for a no link

argument against the negative's kritik of the war on terror. Instead, the affirmative consistently argued that the 1AC was an impact turn to the kritik and reiterated this argument with 2AC evidence that defended the war on terror. As a judge, I was thinking during the prep of the 2NC that this was a fantastic opportunity to have a final round debate where the negative stood up and took the fundamental thesis of the affirmative's worldview to task and unloaded a myriad of arguments why the war on terror was ridiculous and the impact claims of the affirmative were outlandish. Instead, much of the 2NC was on the link level and there was little development of the reasons the war on terror is flawed (something made clear in the cross ex of the 2NC). I think this was a missed opportunity to highlight the scantily warranted affirmative evidence/claim that it is better to err on the side of deterrence in every instance because one sign of weakness risks extinction. I mean...the entire affirmative claim was that without capturing one person we send the signal that the United States will roll over in the face of terrorism.

It has been my experience in recent years that affirmatives that try to impact turn Kritiks often read evidence that is written to answer arguments at a different level than what is forwarded by the negative. In the average debate, judges get generic "west is best" or "realism is still inevitable" or "post modernism fails" type of evidence when the negative's evidence speaks to different and often deeper questions. Even in debates where there appears to be a closer connection (like the Cap Good to answer Zizeck debates) the affirmative evidence/arguments are often less sophisticated and more reliant on a risk of a large impact like extinction to outweigh the negative's claims rather than deny them outright. Although the affirmative's defense of the war on terror was more robust in this debate by virtue of the amount of evidence read on the issue in the 1AC, I was surprised when reading it after the debate that it seemed quite reactionary. It carried a tone that suggested "how dare we let this evildoer get away with this...if we give one inch then we will lose the battle, etc..." with little defense of the casualties associated with the war on terror, the racism involved in its creation and execution, the individual liberties sacrificed in the name of fighting terrorism, and the fundamental problem of defining a terrorist, which were all arguments available to the negative.

Until the average affirmative team gets more sophisticated in their responses, I think that great kritik debaters should welcome the 2AC impact turn strategy, but recognize that it will be the 2NRs burden to explain how judges should read generic "alternatives to realism are more violent" evidence in relation to the negative's impact evidence. In my opinion, the transition from a decent kritik debater to a great kritik debater rests in one's ability to quickly and efficiently deal with framework, permutations, and generic impact turn evidence. Once a debater takes away those three components of the average affirmative kritik answer block, they start to win a much greater percentage of their debates. Likewise, rather than investing an entire career trying to make this generic affirmative evidence fit every Kritik, affirmative debaters that research and develop specific turns to prominent Kritik arguments tend to receive better speaker points and bigger wins against great Kritik teams.

On the whole, I appreciate that Wake Forest engaged in the war on terror debate and defended it from the 1AC on with evidence and arguments beyond the traditional "west is best" defense, I just hoped for an opportunity to see the affirmative's arguments tested against the high quality war on terror bad evidence that I am sure that Dartmouth had in the box.

6. The cross examination "Pit of Doom" strategy is so unbelievably strategic that every debater must work on mastering it. Kade's cross examination of Seth went exactly as planned to execute both counterplans which took a

“tougher” approach to the war on terror than the aff. Kade asked simple open ended questions that suggested a kritik of the war on terror was coming, “Why must we fight terrorism in every single instance?” and Seth saw this as an opportunity to wax poetically about the importance of establishing resolve, demonstrating a global signal against terror, telling the terrorist that there was no statute of limitation on terrorism, etc....Although this clearly supported the link to the Kritik, the pit of doom that Seth walked himself into was establishing better solvency for any counterplan that took a tougher stance on the war on terror. The affirmative seemed designed to beat any add a condition CP where the condition was irrelevant to the war on terror, but the 2AC/2AR had little answer to the claim that the counterplan solved *better*. Now, as I mentioned at the top, the 2AR had the luxury of knowing that all he needed to win was that the plan solved just as well, but throughout the debate the affirmative had little coherent argument why the counterplan’s stronger signal on terrorism did not solve better. I think that had Kade invested more time using the cross examination against the aff then it might have been easier for the negative to sell that in the war on terror there is never too much solvency. Something like “Seth’s answers in the first cross examination prove that every little detail in the war on terror could bring drastic consequences so we do not have to win a specific scenario for a net benefit, all we have to win is that he is right that we should never risk anything or lose any opportunity to fight terrorism so vote for the CP because you can never “solve” the war on terror you can only work to prevent another attack as best as you can.” The pit of doom is tough for debaters to back track on and it helps the negative demonstrate a strategic sensibility that is rare outside of the top debaters in the country.

7. Debater Flex is the wave of the future: I would have loved to have been a part of the Dartmouth coaching staff and squad when they were brainstorming a negative strategy for this debate. Although they had an extremely limited amount of time, they had two fantastic debaters in Josh and Kade that could execute a wide range of arguments leaving no option unavailable. In this debate, they had two case specific counterplans, a well developed kritik, two topicality arguments, etc...This debate reminded me that debaters who self identify as “policy” or “kritik” are missing out on a wide range of ways to win. Forget the labels, just think of everything as an argument. Some arguments require more understanding than others, but they are just arguments. If you want to be able to take on a new high tech aff with less than 45 minutes of prep before the final round of the NDT, the last thing that you want to tell your coach/partner is “I can’t argue _____.” Debater flex is the past, present, and the future and I hope that students will see Josh and Kade’s INC as an example of how important it is to be versatile.

8. Open Source Debating may produce a different/better debates? Wake Forest would have still been rewarded for researching and breaking a new affirmative at the NDT, but imagine how different Dartmouth’s preparation may have been for the final round if they would have had access to every argument that teams had run on this topic? How many of you heard WFU’s 1AC and thought about some outstanding argument that you had run this year that would have worked perfectly? Open source may have influenced the way that WFU wrote their affirmative and it may have influenced the options available to Dartmouth. I’m not sure, but I believe increasingly that we have the technological means available to create open source debating and that open source resources radically improve opportunities for smaller programs to participate without sacrificing the rewards for the top debaters that push the topic innovations.

Congratulations, again, to both teams and thank you again for the opportunity to judge this debate.

Sincerely,

Jarrod Atchison, Director of Debate, Trinity University
