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AUTHOR McCroskey, James C.
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ABSTRACT

In intercollegiate debate, negative debaters must be prepared with a variety of approaches to differing affirmative cases and must adapt to particular affirmative cases they meet. Successful negative debaters cannot determine their strategy until the presentation of the first affirmative speech or, in cross-examination debates, until after questioning the first affirmative speaker. Because of the somewhat mistaken predilection of most judges, however, negative teams must attack both the need for the affirmative plan and the plan itself. That is, even if the need for the affirmative plan is refuted, negative debaters should go on to refute the affirmative plan as well. Persuasiveness, language, style, delivery, and other aspects of oral expression influence judges, but, for negative teams, the need and the plan must be attacked for victorious presentations. (CH)

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the essence of negative debating

by James C. McCroskey

Although the affirmative has received most of the attention from writers in recent journals, it is the opinion of this writer that students supporting the negative and their coaches — face the more difficult problem as to what should be done in educational debate. The purpose of this paper is to present an analysis of negative argument in an attempt to make this problem more easily surmountable. While this paper is written with primary emphasis upon *educational* debate, the basic lines of negative argument should apply equally well for *substantive* debate.¹ Where the writer recognizes a significant difference it will be indicated.

Since the first step in developing a negative attack is adapting to the affirmative, it is important to understand the crucial points of the affirmative position. These are generally accepted to be:

1. Is there a problem in existence which is serious enough to require action to alleviate it?
2. Is this problem or the cause of this problem an inherent part of the status quo?
3. Would the action suggested by the resolution as interpreted by the affirmative eliminate the problem?
4. Is it reasonable to assume that the resolution as interpreted by the affirmative could be implemented if it is found to be desirable?
5. Would the affirmative proposal be free from serious detrimental side effects if it were put into effect?
6. Is the resolution as interpreted by the affirmative the best way to eliminate the problem?

To the above questions the affirmative is expected by most judges and audiences to answer, "yes!" Some judges do not agree that the affirmative must uphold all of these points. The problems for the negative which arise because of this discrepancy will be considered later.

Since the affirmative is expected to affirm each of the above questions, it is assumed by some that the negative is expected to oppose each one. This is definitely not the case. The negative must choose at least *one* crucial point at which to say "no" to the affirmative position, but to contest each point in educational debate would be undesirable in terms of the time available.

Let us now examine each of the crucial points of the affirmative position and consider what opportunity each presents to the negative.

CRUCIAL ISSUE I

The first crucial issue is the existence of a significant problem. In most educational debates the affirmative has little difficulty demonstrating that there is something less than desirable in the status quo. The reason for this is that if there were nothing that was quite obviously wrong the topic would not have been chosen. Thus, for the negative to contend the reverse of the obvious is useless. However, the negative can challenge the affirmative on the grounds that the problem is not serious enough to demand action or that what the affirmative calls a problem is in reality a desirable situation. Some affirmative teams, of course, do not even demonstrate the existence of any problem. The negative should certainly attack them on this basis when it occurs.

To exemplify the negative's choice on this crucial issue we may take the topic concerning discontinuance of direct economic aid to foreign countries. Many affirmative teams pointed to what they called waste in our aid programs. They told of our technicians teaching Arabs to grow tobacco in the desert where there was no water for irrigation. They described "highways to nowhere" built with aid dollars. They described the building of a hospital where there were no doctors. For the negative to say that

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these situations did not exist was useless, for they were cited in official government documents. However, the negative quite often supported the position that these examples of mismanagement were isolated instances and made up only a small fraction of our total aid dollars. Thus, they contended that this did not justify eliminating a program that had done and is doing a great deal of good. Other negative teams contended that these examples of waste were in reality not waste at all. They cited sources which explained why a hospital was built where there were no doctors. These sources explained that the recipient nation agreed to let us build an air base on their territory if we built the hospital. Thus, the negative contended that we received more than our money's worth from the aid dollars.

The negative may choose to present their entire attack on this crucial point of the affirmative position. If they can establish that there is no problem *which demands action*, there is no need to take issue with the affirmative on anything else.

A negative case which centers in its entirety upon one crucial issue may be referred to as an "eggs-in-one-basket" case.² If the negative wins this issue, they should win the debate. However, if they lose the issue, they lose the debate. Consequently, most negative teams in educational debate prefer to challenge the affirmative on more than one crucial issue to offer themselves more chance of winning. This is true to an even greater degree in substantive debate.

CRUCIAL ISSUE 2

After the negative has decided whether or not to challenge the affirmative on the first crucial issue, they must consider crucial issue number two — inherency. The negative may contend that the problem the affirmative describes is *not* caused by a factor which is inherent in the status quo and, as a result, modifications of the status quo (which the negative suggests) would eliminate the problem. Thus, there is no reason to adopt the action suggested by the resolution.

Usually this attack is used when the negative admits the *first* issue. It is not a very strong attack to say that the problem does not exist *and* that it is not inherent. A negative using this attack would be saying in effect on the foreign aid question that there is no waste and that this waste (which exists) is not caused by an inherent factor in the status quo. Even a casual listener would detect this inconsistency. The negative team that wishes to challenge the affirmative on both of these issues usually uses what may be referred to as an "even-if" case.³ They say in effect, "There is no problem; but, even if there were, only minor changes or modifications could eliminate it."

A negative attack on inherency may be exemplified by the argument on the guaranteed annual wage topic. Affirmative teams often contended that companies laid off men during slack periods and that this caused severe economic hardship for these men and their families. Thus, they contended, the companies should provide a guaranteed annual wage for their employees to avoid this hardship. Many negative teams countered that since the only problem was one of money while a man was without work, the status quo system of providing for these men through unemployment compensation was basically sound. They contended that if more money were needed the program could be expanded to meet the need and challenged the affirmative to show an inherent reason why it could not be done. A negative case of this type is referred to as a "repairs" case, which means to "repair" the status quo.

CRUCIAL ISSUE 3

The negative may choose to attack the third crucial point of the affirmative position, whether the action suggested by the resolution as interpreted by the affirmative would eliminate the problem. This attack may be used in either the "eggs-in-one-basket" or the "even-if" type case. They may admit the existence of an inherent problem which suggests action, but contend that the affirmative proposal will solve nothing. For example, in the debate on recognition of Red China the negative may admit that the re-

sults of our present policy of non-recognition are undesirable, but contend that recognition will be no better, for the basic problem is an attitude of the communists which will not be affected by either policy.

The negative on this topic could choose to contend that the present system does not require a change but "even-if" it did, the affirmative suggestion of recognition would not improve the situation. This is *one of the most common negative approaches* and one which meets with favorable reaction from most judges and audiences. This approach gives the negative at least two chances of winning, for if they demonstrate that there is no problem they should win and if they demonstrate that if there were a problem the resolution would not solve it they should win. They may win one issue and lose the other, but in winning the one issue they have demonstrated that the resolution should not be adopted.

An important consideration at this point is whether the affirmative will have a plan or not. There is some controversy among writers in the journals as to whether or not a plan is a must for the affirmative. It is the opinion of this writer that the whole controversy is based upon a misunderstanding of what a plan may be.

On some topics the affirmative plan must be detailed to some extent. Affirmative positions on such topics as the ones concerning a guaranteed annual wage, a substantial increase in foreign aid, and compulsory health insurance are not clear without a fairly detailed plan. However, the affirmative positions on such topics as the discontinuance of direct economic aid to foreign countries, the de facto recognition of Red China, and placing labor under anti-trust legislation can be very clear with a bare minimum in the plan area.

This does not mean that the affirmative in some cases will have a plan and in some cases will not have. *The plan is merely what the affirmative proposes to solve the problem they have indicated exists*, hence it is impossible for the affirmative not to have a plan at all. A thorough definition of terms will sometimes in-

clude the plan. In most cases, however, the affirmative will definitely state what their plan is.

CRUCIAL ISSUE 4

Sometimes an affirmative team presents a very well documented need and a plan which appears on the surface to be very good. The negative may find it best in this event on some resolutions to attack the affirmative on the fourth crucial issue. In this attack the negative contends that although the plan of the affirmative is fine in theory, it cannot be put into practice. This attack hinges on the interpretation of the term "should" in the resolution. Since this negative attack says in effect that the resolution "cannot" be implemented, it is important to determine whether this is a legitimate position.

In their argumentation text McBurney, O'Neill, and Mills state that, "the consensus of experts is that *should* implies *could* but obviously not *would*."⁴ (Italics mine) In *Competitive Debate* Musgrave states that *should* "does not in any way obligate the affirmative to show that the necessary approvals *could* be obtained."⁵ (Italics mine) Before we attempt to clarify these two statements, let us look for a moment at the problem of legality in debate, as the two problems are similar.

Most argumentation texts indicate that legality is not a legitimate argument in debate since the law could always be changed. While this writer would wholeheartedly agree that to argue that a resolution should be rejected because it is presently illegal is not a legitimate position, he does not believe that this excludes all points concerning law or constitutionality. In the 1960-61 collegiate topic on compulsory health insurance an interesting argument was brought up by one negative team. They argued that to require *all* citizens to be involved in such a program would be unconstitutional for there are segments of our society who are religiously opposed to medical care. They argued that this would be an obvious violation of the first amendment — freedom of religion. They pointed out that the constitution would

need to be amended and challenged the affirmative to present the amendment they would propose. They followed this up with an argument that freedom of religion was more important than free medical care that we could not have both.

This type of argument, to this writer, is legitimate. It differs from the type to which the blanket rule refers in that the issue is not the *legality*, but rather what the effect would be *if the law were changed* to enable the resolution to be put into practice.

The problem of *should* is similar to that of legality. While it would not be legitimate to argue whether enough congressmen could be convinced to vote for a certain action, it would be legitimate to argue whether the action *in itself* is possible.

To exemplify, if an affirmative team would suggest that rather than using conventional spying techniques the United States should orbit a large number of spy satellites to keep tabs on the Soviet Union, it would be reasonable to argue that at present the United States cannot orbit these satellites because they do not exist. Or if an affirmative team suggests a "completely impartial board of authorities in the labor-management field" to arbitrate all labor disputes, it would be reasonable to argue that the formation of such a board would be impossible because no man who is an authority on labor-management relations is "impartial".

To generalize then, "should" means that the affirmative is obliged to demonstrate that the proposal is intrinsically possible, but is not obliged to demonstrate that enough people could be expected to approve it to enable it to gain acceptance.

Because there is some confusion on this point in many judges' minds, it is the opinion of this writer that it is an unwise negative which bases its case on this crucial issue in the "eggs-in-one-basket" approach. However, using it in the "even-if" pattern with attacks on other crucial issues would eliminate the danger of misinterpretation by the judges.

The problems of "should" and legality are peculiar to educational debate. In substantive

debate the negative may, and often does, use both constitutionality and the possibility of obtaining necessary approvals as valid attacks.

CRUCIAL ISSUE 5

The fifth crucial issue of the affirmative is a favorite choice of negative teams on almost every resolution. This attack charges that the adoption of the proposal as interpreted by the affirmative would have serious accompanying results which would outweigh any advantages which the affirmative could demonstrate. The negative on the compulsory health insurance topic used this attack frequently. They charged that the adoption of the resolution would destroy the doctor-patient relationship, that it would cause a run on the hospitals for free services, that it would cause our standard of medical care to degenerate, and all sorts of other problems.

The negative attack on this crucial point of the affirmative lends itself well to either the "eggs-in-one-basket" or the "even-if" approach. The entire negative attack can be directed *on this point*; for, if the negative can demonstrate that the adoption of the resolution would do more harm than good, this certainly demonstrates that the resolution should be rejected. Since usually it is difficult to prove conclusively that the results would be so detrimental, it is a wise negative which couples this attack with attacks on other crucial points.

CRUCIAL ISSUE 6

The final crucial point of the affirmative is one that is not debated in the majority of debates on any resolution. In this attack the negative contends that the resolution is not the best way to solve the problems of the status quo. They may agree that the affirmative has diagnosed it correctly or they may contend that the affirmative has *not* realized the real cause and proceed to demonstrate what this real cause is.⁶ The negative then proceeds to present a plan to eliminate the problem. This is usually referred to as a counter-plan or a counter-proposal. It is important to remember

that this negative plan must be different from any action implied by the resolution. If it does not meet this criterion, the affirmative need only to agree to it and show that it constitutes a concession by the negative that the resolution should be adopted.

On the high school topic concerning a substantial increase of governmental regulation of labor unions, many affirmative teams contended that labor disputes resulting in strikes were a serious threat to the security of our nation and, therefore, suggested a compulsory arbitration law to eliminate these strikes. One negative team agreed that these strikes were detrimental but countered that the real cause of the problem was union insistence on make-work rules which management would not accept. They then proposed a plan to outlaw make-work rules. While this argument sounded strong and in fact won several debates, an affirmative team needed only to point out that a law which makes make-work rules illegal is a substantial increase in the regulation of labor unions and thus constitutes a negative admission that the resolution should be adopted.

To exemplify a legitimate counter-proposal we may turn to the collegiate topic concerning placing labor unions under anti-trust legislation. When the affirmative contended that labor is "restraining trade" when they strike and that this hurts our economy and thus propose anti-trust legislation, the negative could admit the entire need issue but contend that anti-trust legislation is not the best way to solve the problem. They then could offer compulsory arbitration as a counter-proposal as it is not part of the present system and is not anti-trust legislation.

Another example of this attack can be found in the debate on medical care for the aged. The American Medical Association and the Republican party agreed with the administration that elderly people needed assistance, but suggested that welfare grants on the basis of need administered by the states would be a better way to solve the problem than the social security method.

When the negative chooses this line of at-

tack the debate may center either on (1) both what causes the problem and which plan will be most desirable as a solution or, (2) if the negative and affirmative agree on the cause, just the relative merits of the two plans.

Since the two plans are the bases of the majority of the argument, most judges suggest that in educational debate the negative counter-plan should be introduced in the first negative constructive speech.⁷ If the negative agrees as to the cause of the problem, little else can be done for it would be absurd to spend ten minutes telling why there is agreement or refuting something that would later have to be admitted. When the negative redefines the cause of the problem, some judges will permit them to introduce the counter-plan in the second speech. Since many, if not most, judges do not subscribe to this view, it is a wise negative that introduces the counterplan in the first speech regardless of the circumstances.

It should be mentioned in passing that there are judges who dislike the use of the counter-plan. Further, as we all know, many of the judges in our tournaments are most kindly described as "lay" judges. While these people know little enough about the general principles of educational debate, the typical "lay" judge knows even less about the basis for decision when a counter-proposal is introduced. A negative considering the use of this attack must decide whether they wish to take the risk of this bias or ignorance defeating them. These problems of construction and judging, of course, do not apply to substantive debate.

THE COMPARATIVE ADVANTAGES CASE

Recently substantial support has been evidenced for an affirmative approach usually referred to as the "comparative advantages" case. This type of case differs from the traditional affirmative approach in that the affirmative does not necessarily even try to show that there is a "need" in the usual sense. The basis of the affirmative argument is that their proposal would bring about a more desirable situation than that we have under the status quo.

The negative in this type of debate should avoid placing too much emphasis on their arguments against crucial issues one and two -- significance and inherency of the problem. The affirmative may simply answer that they are concerned with improving society not with specific "needs." If they show that their plan will accomplish this objective, most reasonable people will accept their position -- particularly in substantive debate.

In "advantages debating" the negative can use any of the types of arguments previously mentioned, but the more they emphasize the plan arguments and the less they stress the need arguments the sounder their position will tend to be.

SUMMARY AND RECOMMENDATIONS

The negative, therefore, has first to choose their overall approach in the debate. They may choose the "eggs-in-one-basket" attack against any one of the six crucial points of the affirmative case. Since "a majority of judges will vote against an affirmative team which loses any one of the stock issues . . .,"⁸ this is a valid negative attack.

Or they may choose the other overall approach, the "even-if" attack. In this attack the negative challenges the affirmative on two or more crucial points. The general attack is that the affirmative is wrong on point A; but, "even-if" they were right on this point, they are wrong on point B. Since a "significant minority"⁹ of all the judges will allow the affirmative to lose one of the issues and still win the debate, it would appear that this is the safest approach for the negative to choose.

This writer would recommend that in educational debate the negative attack the affirmative on at least two crucial issues to some degree in every debate, one in the need area and one in the plan or advantages area. Many of this writer's students have returned with losing ballots which criticized them for not attacking the plan even though they had overwhelmed the need. This is not a valid position for a judge to take -- but many take it. This problem would

rarely arise in substantive debate. The twofold attack, therefore, is not essential in this type of debate.

Negative debaters are cautioned that the above choice of overall approach may be made tentatively before the debate. The final decision, however, should be made during the presentation of the first affirmative speech. In cross-examination debate debaters may even delay the choice until after questioning the first affirmative.

The well prepared negative will be prepared to develop several different "eggs-in-one-basket" attacks as well as a variety of "even-if" approaches. While the affirmative can succeed with only one case, the negative with only one case faces almost certain failure, because their first responsibility is to adapt to the affirmative and with only one case this, in some instances, may be impossible.

The problem of the negative then is twofold: 1) they must thoroughly understand the variety of approaches open to them; and 2) they must be prepared to use whatever approach would be most effective against the particular affirmative they face.

Before concluding it must be mentioned that, while the entire context of this paper has been directed toward argument in debate, argument is not the only factor influencing decisions in either educational or substantive debate. Persuasiveness, language, style, delivery, and many other factors also influence the audience. Thus, while one team may have the better arguments the other team may succeed in convincing the audience to the contrary.

Thus, to be an outstanding debater, one must have sound arguments *and* be able to convey them to his audience.

REFERENCES

1. In this paper the writer will consider all debate carried on by high schools and colleges as "educational" debate. All other debate will be referred to as "substantive." For a complete discussion of educational and substantive debate see: Austin J. Freely, *Argumentation and Debate*, Wadsworth Publishing Co. (San Francisco, 1961), pp. 293-298.

2. Harrison B. Summers, Forest L. Whan, and Thomas A. Rousse, *How to Debate*, H. W. Wilson Co. (New York, 1950), pp. 125-127.
3. Henry L. Ewbank and J. Jeffery Auer, *Discussion and Debate*, Appleton-Century-Crofts, Inc. (New York, 1951), p. 417.
4. James H. McBurney, James M. O'Neill, and Glen E. Mills, *Argumentation and Debate*, The MacMillan Co. (New York, 1951), p. 23.
5. George M. Musgrave, *Competitive Debate*, H. W. Wilson Co. (New York, 1957), p. 15.
6. It should be mentioned in passing that Austin J. Freeley, op. cit., pp. 185-186, contends that the negative must *always* redefine the need. This writer could find no other author who supports this view.
7. Herbert L. James, "Standards for Judging Refutation," *The Register*, Vol. IX, No. 2 (Spring, 1961), p. 23.
8. *Ibid.*, p. 25.
9. *Ibid.*

PROFILE OF JAMES C. McCROSKEY

James C. McCroskey is Assistant Professor of speech at Michigan State University. He received his B.A. from Southern State College in South Dakota, his M.A. from the University of South Dakota, and his Ph.D. from Pennsylvania State University. He is a member of SAA, Central States Speech Association, American Forensic Association, and the National Society for the Study of Communication. He has held offices in the Legislative Assembly of SAA, Pi Kappa Delta, and Phi Kappa Phi. Professor McCroskey has contributed numerous articles to state, regional, and national publications, as well as allied journals such as the *Journal of Social Psychology*. His book entitled, *Introduction to Rhetorical Communication* was published by Prentice Hall, Inc., and he also has done a *Basic Debate Handbook* in collaboration with a faculty member from the University of Hawaii where Dr. McCroskey was previously associated.