

A Coach's Notes¹

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Connecticut Debate Association

Darien High School and Glastonbury High School

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Resolved: In the US, state-sponsored gambling lotteries should be abolished.

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Introduction

This is the sixth edition of the 2007-08 CDA season. If you would like to receive the previous editions of these Notes, please email me and I will send them to you.

Accompanying this document are my notes from the final round in two formats, transcript and flow chart, and a copy of the packet from the tournament. I try to email these to CDA coaches within two weeks of the tournament.

These notes are intended for your benefit in coaching your teams and for the students to use directly. I hope that you will find them useful teaching tools. Please feel free to make copies and distribute them to your debaters.

I appreciate any feedback you have, good and bad. The best comments and suggestions will find their way into subsequent issues. I would also consider publishing signed, reasoned comments or replies from coaches or students in subsequent issues. So if you'd like to sound off on some aspect of the debate topic or the CDA, send me an email.

Ten Tips for Finals

With State Finals in less than two weeks, I have some suggestions based on the rounds that I've judged this year. Let me offer my congratulations to all of you who have qualified, and I wish you the best of luck on 29th at Amity.

1. Read the resolution Carefully

On the Affirmative, you need to convince the judge to accept the resolution, nothing more, nothing less. On the Negative, you need to convince the judge to reject the

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resolution. Make sure that you read, discuss and understand the resolution before you move on to the rest of the packet during prep time. Decide what the core issue is, why this topic is worth debating. Think about what the best solution to the problem might be, then compare this to the solution implied by each side of the resolution. Consider whether there might be different possible interpretations of the resolution. If you have a good preliminary grasp of the topic it will help you select the most useful parts of the articles to build your cases.

2. Debate the resolution, Not the Packet

Debaters have a tendency to adopt the attitudes and arguments of the articles in the packet.² It's important to remember that while the articles in the packet were assembled to provide you with enough background information to debate the resolution, the articles were not written with any thought to the resolution that you have to debate. The positions taken and the arguments made are related to the topic area, but may not precisely support or deny the resolution.

When you read the packet, you need to keep the resolution in mind. Select the information you need to build your case for or against the resolution. Don't end up as a captive of the arguments made in those articles. Rather adapt them to your own interpretation.

Make sure that the contentions you develop directly support or attack the resolution, and that they are not simply a repetition of an argument in the packet that is not on point. During the debate, pay attention to your opponents' contentions. You don't have to defeat a contention that is simply a good argument but isn't relevant to the resolution. A perfectly legitimate reply is to point out that the argument, while nice, does not make your opponents' case and should therefore be disregarded.

3. Listen to What Your Opponents Say

In my experience most debates are won because one team listens carefully to what their opponents say and takes advantage of their opponents' mistakes. It may be an inadvertent admission in cross-ex, a weakness in a contention, or an inconsistency between two arguments. The most effective argument you can make to a judge is to cite what your opponents say, turn it against them and respond in detail.

Debate is about clash. Clash only occurs when you talk about your opponents' arguments. The only way that you can clash effectively is to listen carefully to what your opponents say. Most of the time the other team will give you all the ammunition you need to defeat them, if only you hear it and take advantage of it.

I've also seen many debates where a team goes astray precisely because they did not listen carefully. They present a brilliant argument that has only one flaw: it is based on a misinterpretation of what their opponents said. When you mischaracterize your opponents' arguments it is very obvious to a judge. When that mischaracterization is pointed out not only will you lose that argument, but it tends to cast doubt on all the other arguments you've made.

Listen carefully—make sure you get what your opponents say right!

² See "A Coach's Notes," January 2008.

4. Take Good Notes

I don't believe it's possible to listen well if you don't take notes. In any serious conversation, meeting, class or debate that lasts more than a few minutes we tend to lose track of precisely what was said. Even retaining an accurate impression of what the major points were can be difficult. In some situations you can't take notes, but in a debate you can, so take advantage of it. The corollary to listening to your opponents is to take good notes while you do.

How do you know if you're taking good notes? After every tournament I am sure that you read through the ballots and try to understand the judge's decision. You are taking good notes if you can recreate what was said during the debate accurately enough for you, your partner and your coach to evaluate the quality of the ballot. Your notes and the ballot are the only record you will have of most debates. If those notes permit you to review who said what in which speech you can usually make sense of what the judge decided.

Your notes should also record what you and your partner say, as well as what your opponents say. The columns in the flow chart for your own speeches provide a place to outline what you plan to say, and for you to record what your partner says. Your notes should indicate the things you said and the things you intended to say but either skipped or were unable to get to. You and your partner should flow each other's speeches to provide an alternative view of what each of you actually accomplished.

5. Use Your Prep Time Wisely

Whenever I see a debater rise to speak immediately after his opponents have finished it makes me scratch my head in wonder. I mean no offense, but you just aren't that good! I'm not that good! There are very few debaters who can give a speech that could not be improved by taking an extra minute to consider what they are going to say, what order they are going to present it in and how long to spend on each point. Even if you win, you are just reinforcing a bad habit that will come back to hurt you some day.

Each team has six minutes of prep time, and three times when they have to rise to speak immediately after their opponents. For the Affirmative these are the Second Affirmative Constructive, and the First and Second Affirmative Rebuttals. For the Negative these are the First and Second Negative Constructives and the First Negative Rebuttal. That gives you two minutes for each. You should always take at least one minute.

Saving your prep time for your last rebuttal never pays. If you've used your prep time and your speeches wisely, you should be in a good position to win the debate. If you haven't, the chances that you can develop a brilliant, debate-winning rebuttal in four minutes of prep time is very unlikely.

6. Coordinate Your Speeches

Extemporaneous debate is a team sport. Each time you speak you should be presenting arguments that you and your partner have reviewed and agreed upon together. Just as all of your teammates are a resource that you should take advantage of during prep time, you should work closely with your partner during the debate to make sure you both present the best case possible. You can't win the debate unless your partner wins it too.

Prepare a written outline of what you plan to say prior to each speech so your partner can see it and comment. That outline should be incorporated in your overall notes taken during the debate. A flowchart isn't just a means to record what the other team says. It's a platform on which to construct your arguments and review them, and which can be taken up to the podium to guide your speech.

Organize your speech while you are listening to the other speakers and taking notes, jotting down potential responses as you go. You and your partner should be able to see each other's notes so that you are working together in this process. Prep time gives you the chance to revise, confirm, organize and agree on what you intend to present.

7. Make Sure You Clash

The debate doesn't really begin until a speaker stands up and responds directly to something the other team has said. Until that point, the two teams might just as well be speaking in separate rooms. In too many debates clash doesn't happen until the Second Constructive speeches or later. In every debate clash should start in the First Negative Constructive.

When you clash you do several things. You demonstrate that you have listened carefully to your opponents, thoughtfully considered what they have said, and have an answer for it. You give an impression of controlling the debate, because you have stepped off of the familiar ground of talking about your own contentions and shown that you can speak comfortably about theirs. Clash puts your opponents on the defensive.

Clash has to be extemporaneous, because you are presenting arguments that could not have been prepared before hand. It responds to the resolution as interpreted by your opponents. It deals with points they have actually made, not straw men of your own device.

Finally, clash is what wins debates. If both sides simply present and elaborate on their own contentions, the judge has to do all the work of weighing them in order to make a decision as to who won. Clash shows the judge by direct comparison why your case is superior.

8. Don't Get Hung Up

It is very easy to get stuck on one point. This can occur a number of ways. The most common is to get up and spend so much time on the first point you present that you find you have little or no time for the five others you had planned to present. Another way is to keep going over a point that has either already been won, or, even worse, has ceased to be an important factor in the debate.

Remember you only have six minutes in each constructive and four minutes in each rebuttal. Your preparation for each speech should not only determine what you want to say, but also how long you want to spend on each item. It's easy to get carried away when you are up at the podium and the words are flowing freely, but the discipline you have to learn as a debater is to use your time efficiently. That often means spending less time on a point that you could or would like to spend. Some things need to be said quickly and some things simply have to be skipped in order to cover all the ground necessary. You have to be selective. If you don't make that decision consciously, then it

will be made carelessly when things you need to say fall off the end of your flow chart because you ran out of time.

9. Use Cross-Ex to Ask Questions

The rule is that debaters cannot introduce evidence or new arguments during cross-ex. As a judge I've never enforced that rule by cautioning a team or taking points off on the ballot. Why? Because the rule is self-enforcing: you are wasting your own time when you do these things.

Cross-ex is an extraordinarily useful weapon in debate. It is the only time that you can force your opponent to talk about topics that you choose, and, by using follow-up questions, keep him from straying. You can focus on what you see as the weaknesses in their case. You can ask them to apply their reasoning and arguments to other situations and see what the consequences are. You can explore the undesirable implications of adopting or opposing the resolution.

Reading something from the packet and asking your opponent what they think of an argument is a lazy approach to cross-ex. Worse, it's an invitation to your opponent to make a speech. If you attempt to stop that speech³ you haven't made a point in your favor, you have simply left the judge wondering what the other team's complete answer would have been. Introducing a new argument in your favor simply invites your opponent to give a rebuttal, which, again, is hard to cut off since you were the one who brought the subject up.

Good questions, like good arguments, are about ideas, linkages and consequences, not a recitation of facts. Good questions delve into implications of your opponents' position, not what you think or what your opponents think or what you would like them to think. Good questions in cross-ex push your opponents towards places they would rather not go. Good questions are short and naturally have short answers.

It takes practice to learn to use cross-ex effectively. If you are reading from the packet or making speeches you aren't getting any practice asking questions. It may be difficult at first, but if you discipline yourself and learn how to ask good questions, it will win debates.

10. Summarize the Round for the Judge

In the last rebuttals each team should summarize the debate from their perspective. You should plan on spending at least the last two minutes of the second rebuttal doing this, and ideally the entire rebuttal. As a judge, I try to write a summary of my decision on the ballot so that you can understand why you won or lost the debate. That is what your oral summary should be: which arguments are important, how to they relate to each other, and why do they compel a decision in your favor.

By the end of the debate your contentions and squabbles over one point or another don't matter as much as collecting the results of the debate. You need to explain how you have carried the preponderance of the arguments, and therefore should win the debate. Not all

³ The typical exchange is something like: "Are you aware of (some fact in the packet that favors my case)?" "That item is...", "Yes or no, are you familiar?" "I'd like to explain..." "Yes or no?" "Yes, but..." "Thank you." I don't see how an exchange like this helps the side asking the questions.

arguments are equal. Arguments change during the course of the debate. You don't have to win every point to win the debate, but you do have to win the important ones, specifically the points that are important at the end of the debate.

When your rebuttal is a laundry list of arguments you make it seem like they are all the same, and the debate should go to whichever side can count up the most. If you spend your last rebuttal responding to small arguments and reciting your contentions, you lose the chance to put the entire debate into perspective for the judge. That means that the judge has to weigh the arguments on his own, without your input. The judge may see the value of the arguments differently than you do, or, worse, see them all as equal. In your summary you have the ability to change that.

Finally, summarizing the round—like presenting arguments that clash and asking questions that deal with issues—is a strong tactic that gives the impression that you are in control of the debate. Debates should be judged and won on the arguments, but impressions are important. When your final speech is a breathless race to cover as many items as possible, you sound like you are losing and you are desperately trying to recover lost ground. If you take those same points and weave them into a summary of the major issues in the debate, you sound like you are in command of the arguments and laying out the rationale for a decision in your favor.

Tidbits

I have two short observations from the March 8 tournament.

Constitutionality and Legality One More Time

Arguing the resolution is unconstitutional or illegal is simply not valid, as I've discussed before.⁴ Constitutionality was one of the Negative contentions in the final round at Glastonbury so this point may be worth reviewing. It is an argument that is easily dismissed for three reasons, among others.

First, policy resolutions generally advocate a change in the status quo. The Constitution and existing laws support the status quo. By definition, adopting the resolution will therefore generally require a change in the law or perhaps even the Constitution. Implementation will require enabling legislation of some sort. When implemented, the resolution will be legal and constitutional.

Second, not everything enshrined in the Constitution or law may be desirable or continues to be desirable. That's the point of the debate. Slavery, the removal of Native American tribes west of the Mississippi and the internment of Japanese-Americans during World War II were all perfectly legal in their day. Prohibition was implemented and repealed by means of constitutional amendments. As a country we are constantly tinkering with the laws, adding, revising, repealing, and so on. Sometimes laws change as public sensibilities change, such as those on capital punishment, women's (and men's) suffrage or bankruptcy—remember debtor's prisons?

⁴ See "A Coach's Notes," December 2006, *But It's Illegal!*

Finally, the resolution always says “should” not “will” or “would.” It doesn’t matter if Congress or the state legislatures or the Supreme Court are unlikely to enable or permit implementation, or that implementation would violate some existing law or custom, or implementation would be legally difficult. The Affirmative need only show that, on its merits, adopting the resolution is the right course of action.

The only relevant legal and Constitutional argument here is an appeal to the principles and practical arguments that justified those laws or portions of the Constitution in the first place. Free speech isn’t desirable because it’s enshrined in the Constitution, it’s desirable in and of itself. (And free speech wasn’t originally protected by the Constitution, it was added as the First Amendment!) Look at the countries where citizens are denied this and other rights. If, in fact, it is unconstitutional to ban state gambling lotteries, the only legitimate argument is to show why the constitutional principle is more important than the arguments for banning lotteries. Simply saying that a state or federal law banning lotteries is unconstitutional is beside the point.

On State Lotteries

During the final round at Glastonbury one debater noted that the packet seemed “a tad dated.” The National Gambling Impact Study Commission began its deliberations in 1997 and concluded them in 1999. Nothing cited in the packet is dated later than 1997.

Clearly a lot has happened in 10 years that might be of relevance. In Connecticut, the original state Lotto game has been supplemented with the multi-state Power Ball lottery. Power Ball was adopted largely because lotteries in other states—especially New York and Massachusetts—with larger jackpots were eroding Lotto revenues. Connecticut Lotto is now a shadow of its former self.

Casino and online gambling have also grown tremendously. Foxwoods was joined by Mohegan Sun, and many other states have also approved casino gambling in one form or another. Online gambling hardly existed in 1997 when most internet users still relied on slow dial-up connections. It is now a major industry. Online poker and other forms of internet gambling are illegal in the US, but thrive on easily accessible internet hosts located overseas. The US government has attempted to prosecute these firms for their US business. The US government is, in turn, itself currently being sued by those firms and their host countries under global trade treaties for obstructing legitimate international trade.

The competition from other sources has begun to change the economics of the business. The internet has facilitated both legal and illegal gambling. Some states are now looking to sell their lotteries to private owners for a large upfront payment and a share of the ongoing revenues. Like casinos and slot machines, lotteries may become private enterprises with the revenues subject to a substantial “sin” tax.

No state actually provides the lottery infrastructure directly.⁵ In most cases they hire firms such as GTECH or AWI, both mentioned in the packet, and others to develop and operate the games. These firms and their competitors often operate internationally—

⁵ By way of disclosure, I have a relative who works for a firm that provides various gaming services under contract to state and national governments.

many foreign countries have lotteries—and some have been involved from time to time in allegations of bribery or kickback schemes.

This is the first CDA packet that I am aware of that was derived entirely from a single source. The material cited from the study certainly covered many aspects of the lottery issue, but I'm not sure reliance on one study is a good thing. After all, where would Oliver Stone and three generations of Kennedy assassination conspiracy theorists be if they had limited themselves to the Warren Commission Report?