A Coach's Notes[1]

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THBT Google should be broken up.

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Introduction

This edition relates to the December 7, 2024, CDA tournament and topic. Previous year's editions can be found through the Training Materials page on the CDA web site. Accompanying this document are my notes from the final round at Farmington High School presented in two formats, transcript, and flow chart.

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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. 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. If you would like to reply to my comments or sound off on some aspect of the debate topic or the CDA, I look forward to your email.

The Stock Issues Case

"In the beginning all debate was policy debate and God said, 'You shall run a stock issues case.' And everyone did. And it was good." At least that is the way it was when I was in high school.

You don't see stock issues case much anymore. Debate has moved on. Teams present multiple "contentions", each intended to be independent reasons to accept or reject the motions. So I was surprised when Joel Barlow presented the closest approximation to a stock issues case that I have seen in a long time in the final round at Farmington.

Why care? Even though it isn't used in its original form, the stock issues case is the correct way to think about policy motions. It provides Gov with a framework for structuring arguments and provides Opp with a map of the key points on which to challenge Gov. As a judge or observer, it is a tool for analyzing a debate and for making a decision.

I've written about the stock issues case before[2], but this round provides a good example of how to use it properly.

Structure

The stock issues in evaluating a policy are:

- Significant Harm: this is a problem to be solved or a primary advantage to be gained by implementing the policy within the motion.
- Inherency: an explanation why the status quo is not addressing the problem or achieving the advantage, and ideally why it cannot do so without implementing the motion.
- Plan: actions to be taken to implement the motion. The plan may be general or detailed. Components may include a mandated action, an agent to take that action, an enforcement mechanism, and funding.
- Solvency: an explanation of how the plan will solve the problem or gain the advantage.

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[2] Most recently in my notes for February 2017, on the CDA website.

- Advantages: additional benefits of the adopting the motion, beyond reducing the harm or gaining the primary advantage.

A Government team that successfully argues each of these should win the round. However, in order to win the round they must successfully argue each point other than the last, as these are a linked structure. If there is no harm, the status quo can solve it, or the plan can't solve it, Gov has not demonstrated its case.

This structure provides the Opposition with several points of attack, any one of which can win the round:

- No significant harm: generally, the motion/plan is a major undertaking with significant cost. This is not worthwhile unless the problem matches the required scope of the effort.
- Status quo is solving the problem: there is no inherent reason the status quo, by a reasonable increase in current methods, cannot solve the problem.
- The plan is unworkable: suitable resources cannot be found at reasonable cost.
- Solvency: the plan, even if implemented, will not solve the problem.
- Counterplan: there is a better way to solve the problem, exclusive of the plan
- Disadvantages: even if the plan solves the problem, it will result in harms that outweigh the benefits of solving the problem and/or any other advantages Government presents.

Government Case at Farmington

The Gov case at Farmington consisted of a plan and three contentions:

- Plan: break up Alphabet (Google) into its component divisions
- Harm: Google is a monopoly that violates anti-trust law.
- Advantage: Competition is beneficial.
- Solvency: Breaking up Google will restore competition

The key characteristic of a stock issues case is that the contentions are interlocked. No one contention is a reason to vote for the motion. Gov must carry all three to win the round.

Here the plan is relatively sparse, not unusual for parliamentary debate which limits the amount of research that can be done. It works in this case, but the RFD below indicates ways in which gaps in the plan might have been used to Opp's advantage.

The line of argument is very clear and easy to understand. Monopolies cause economic harm. Competition is beneficial. Breaking up Google restores competition. Gov presents a problem and a solution. One can point out problems with some of the supporting details, but a case that presents a single, simple idea is a persuasive one.

Gov neglects inherency, but that can be a reasonable tactical decision. If Opp argues the status quo can solve the problem, the MG can reply with inherency arguments that explain why the status quo cannot solve the problem. If Opp instead proposes a

counterplan, arguments against the status quo would have been a waste of time in the PMC; the MG can instead attack the counterplan.

Opposition Case at Farmington

The Opposition presented three contentions:

- <u>Attack on solvency</u>: Breaking up Google is futile due to the time it takes and the pace of technological change.
- <u>Status quo can solve or suggestion of a counterplan</u>: The effort to break up Google takes resources away from more effective measures to restore competition such as requiring data-sharing among firms.
- <u>Lack of Harm</u>: The US is better off with Google as a big, integrated company.

The first contention attacks solvency. The second contention hints at a counterplan, but Opp does not say they are proposing one. The third contention challenges the harm.

Order Matters

These are all good arguments, but the overall impact is much weaker than that of the Gov case. The first problem is the order of argument. The stock issues case flows from problem through solution. The Gov case here is: there's a problem, there are benefits to solving the problem, and the plan under the motion solves that problem. Not quite the same, but close.

Opp's case is basically, the plan doesn't solve the problem, there are better ways to solve the problem, and in fact there is no problem. It doesn't match the order of argument in the stock issues case, and, more importantly, it doesn't match the order of the Gov case.

In last month's notes I wrote about what I called the targeted Opposition constructive. The case Opp prepares may be fine in isolation, but it will be more effective in the round if it is adapted to what the Government presents. Simply re-order the three Opp contentions: there is no significant problem, the Gov plan would not solve the problem even if it existed, there are better ways to deal with the issues Gov brings up. The table makes this a bit clearer.

Gov	Revised Opp	Original Opp
Google is a harmful monopoly Competition is beneficial Breaking up Google restores competiton	Google is actually beneficial The breakup will fail There are better ways to increase competition	The breakup will fail There are better ways to increase competition Google is actually beneficial

Presenting the Opp arguments in the revised order matches the order used by Gov. This makes it easier for the Judge to understand the round because it emphasizes the clash between the two sides. Taking notes, no one has to reposition arguments or draw arrows

on the flow. The revised order is also closer to that of a stock issues case, which is a (possibly "the") logical way to think about policy matters.

Some Final Tweaks

The RFD explains why I thought Opp lost the round: a missed opportunity to exploit a POI; and the impact of a superlative MGC. The reasons are more about execution than argument quality. That is often the case in debate.

There are some further adjustments to the Opp case beyond simply the order of argument that we should consider. There is always a tension between minimizing the harm and proposing alternative solutions. If there is no harm, why do anything? If we should do something, there must be a need for it.

The trick is to present your arguments carefully. Consider:

- Google may be a monopoly, but it provides a nearly free product used by millions. There is no harm to consumers.
- Breaking up Google will fail. Worse, it will reduce the benefits to consumers.
- If there is concern about Google's market power, rather than break the company up, it would be better to require it to offer access to its resources, such as meta data, on an equal basis to all firms.

This may not seem very different, but it separates the "no harm" argument from the "alternate solution": the first has to do with consumers, the second with firms and market power. It also takes greater advantage of a POI raised by Opp during the PMC, where the PM agrees that using Google is convenient for consumers.

This is just a brief outline. I leave it to you to do some reading and build out the details.

Challenging the Harm

Most of the time it is hard to challenge the existence of the harm. For example, it's hard to argue climate change, poverty, inequality, etc., are not a problem. Not that there aren't people who would deny all three, but would you really want to stand up and make those arguments? In these examples the debate turns on how best to solve the problem.

That isn't the case with Google and the other tech monopolies. The rapid advance of technology, the amazing improvement in functionality and utility, the ad financing mode that makes many services free to consumers (or at least seem so), all provide a good case that Google's market power isn't harmful. There is an argument to be made, and there are reputable experts who have made it. It is a position one could defend in a debate.

About the examples.

In the final round both sides discuss several examples of past breakups, but get some of the details wrong:

- The Microsoft antitrust case was about bundling Internet Explorer as the default web browser in Windows. In resolving the case, Microsoft was never broken up, and owned Internet Explorer until it chose to discontinue about two years ago. The only remedy was that IE was no longer pre-loaded as the default browser. This never had much effect on Microsoft's overall market power with Windows and the Office suite of applications.
- The Standard Oil breakup was largely geographical into a bunch of mini-Standard Oils: Standard Oil of New Jersey eventually became Exxon, Standard Oil of New York became Mobil (merging more recently with Exxon), Standard Oil of California became Chevron, Standard Oil of Indiana became Amoco (now owned by British Petroleum), and a few others. Shell, part of Royal Dutch Shell a UK/Netherlands company, was not involved. Texaco emerged independently from the Texas oil boom in the 1920's.
- The AT&T Bell System breakup was largely a failure, as Southwest Bell eventually reunited almost all the pieces of AT&T including assuming the name. We only think it was effective because the world moved on to cellular and the internet, so new firms like Verizon and Sprint grew to nation-wide competitors.

Every motion is a chance to learn a bit more about the world. The CDA motion packet will always be incomplete. It's worth spending some time looking things up.

New arguments in rebuttal

I noted two new arguments in rebuttal, one by each side:

- The LO notes department heads at Google who now cooperate across divisions would no longer be able to do so if the firm was broken up, reducing efficiency. This could be turned to Gov's advantage by noting this sort of synergy gives Google market power which a breakup would reduce if it had been presented earlier and Gov had a chance to reply.
- The PM tells us that sharing meta data would violate the terms of service of the various programs and systems, a relatively minor and not particularly useful point.

Many debaters stop paying attention towards the end of the round. Best practice is to flow everything. The Judge's decision may come down to arguments made in rebuttal, and if you did not flow it, you may not have the information you need to understand why you won or lost.

Taking notes help you recognize new arguments in rebuttal. If you hear what you think is a new argument, call a point of order. The Judge may not agree, but it can disrupt the flow of your opponent's rebuttal. As long as you have reasonable grounds for your call, the Judge is unlikely to hold it against you.

However, don't call too many PO's. One or two valid calls will put the Judge on notice about all the rebuttalist's arguments. Call more, and it will sound like you are simply

harassing the speaker. For the same reason, don't call a point of order on an obviously weak speaker. That will certainly come across as unfair and will work against you.

RFD

This is a slightly edited version of my RFD for the final round at Farmington. See the accompanying flows for my notes on the debate.

The debate has a fairly straight-through path to a decision. Gov presents what is close to an old-fashioned "stock issues" case: Google is a monopoly which is harmful (first contention), breaking up solves this problem (third contention), the result will be the benefits of competition (second contention). One can either deny the harm or propose a better way to mitigate it—mechanisms in the status quo or a counterplan. Opp never really commits to either and so loses the round.

Opp's first two contentions don't effectively contest the harm or solvency, only suggesting a breakup will be expensive and take time. The second argues there are alternative remedies, but Opp doesn't propose a counterplan, and the contention details fall back on the same issues as the first contention, time and expense.

I think Opp makes a major mistake not starting with their third contention—a unified Google is better for consumers—which ties directly to Gov's weighing mechanism— linking it to the PM's admission in the POI that Google was convenient for consumers. This is the sort of gaping hole in a case, opened by a chance remark, that invites you to rev up your Ford F150 and drive through at 90 miles an hour with the stereo turned up to the max. Deny the harm and Gov has no justification for the remedy.

The MG deals with all of these in a masterful constructive of point-by-point replies: how the Microsoft case made room for Chrome, how the Apple/Google deal further limits competition, how data sharing doesn't effectively limit Google's monopoly power, how independent companies resulting from the Google breakup could provide consumers with the same convenience by offering interoperability. The MG also covers the LO's brief replies to the PMC.

The MO has too much ground to cover to effectively contest the MG. There are two new arguments in the MOC that might have turned the debate in Opp's favor had they been part of the LOC. The first was in reply to the MG's comment on the second Opp contention, that Opp offers no solution. The MO provides more detail on the LO's brief suggestion that Google be required to share meta data. In the LOC this might have been the basis for a counterplan.

The MO brings up data sharing again when talking about the second Gov contention but makes a slightly different point noting that the Gov breakup into silos—Chrome, data, advertising—doesn't solve the data monopoly problem. Take that a bit further. Gov's brief plan to separate Alphabet into its subdivisions takes you from one monopoly to three, given the market share each business has. It's a quick mention and I don't think

the MO realized the significance, but as the heart of the Opp first contention—the breakup is futile—it might have been a round-winning argument against Gov's solvency.

In replying to a stock issues case, you can deny the harm, deny the solvency, or argue better solvency through the status quo or a counterplan. Opp provides a bit of each, but never fully commits to any one of them.