

# **A Coach's Notes<sup>1</sup>**

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## **Connecticut Debate Association**

**Darien High School, Guilford High School and Pomperaug High School**

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**Resolved: Rich countries should compensate poor countries adversely affected by climate change.**

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### **Note on the Notes**

This is the March edition of the 2013-14 CDA season. 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 Guilford High School presented in two formats, transcript and flow chart.

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 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.

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## Introduction

The final round at Guilford High School raises a lot of fascinating issues that I want to discuss in detail. They arise primarily from the attack by the Negative which was very ambitious and daring, even if ultimately unsuccessful. I don't think either team understood exactly what the Negative was trying to do, or what was necessary for it to work properly. But that is what makes the round so interesting, because it provides a case study for important concepts in debate theory, strategy and tactics.

## Outline of the Cases

The Affirmative and Negative cases are summarized below.

Affirmative	Negative
<p>Definitions</p> <p>“compensation” is aid to help the economy and protect from climate impact</p> <p>“rich” countries are defined on the basis of GDP</p> <p>A1: Wealthy nations are more responsible for climate changing emissions</p> <p>A2: The wealthy nations should be required to mitigate the detrimental effects</p> <p>A3: Aid would be used to refocus the economies, first to sustain them and then to adapt to the changed climate</p>	<p>Definition</p> <p>“compensation” also implies the recipient should decide what to do with the funds</p> <p>“climate change” are effects caused by human activity</p> <p>N1: The Resolution ignores the root of the problem</p> <p>N2: Implementation would increase tensions between rich and poor countries</p> <p>N3: It is unfair to expect poor nations to be energy efficient</p>

Note two interesting things. First, the Negative doesn't exactly challenge the Aff definition of compensation, but adds a further refinement: the recipient is free to spend it as they wish. I will say more on this in a second.

Second, the Negative presents a counterplan. This counterplan seems very close to the resolution. And the counterplan isn't introduced until the Second Negative Constructive (though the First Negative does indicate it is coming in his constructive speech). So I'll say a lot more on the counterplan below.

## Definitions Again

I've written about definitions a number of times.<sup>2</sup> In general, the Aff has the right to make a reasonable definition of terms, and the Negative can challenge or redefine these definitions if they can provide sufficient grounds to do so. Sufficient grounds include definitions that are at variance with normal use of the English language, or definitions

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<sup>2</sup> See the following issues of my notes on the CDA web site: February 28, 2006 talks about the basics of definitions; March 28, 2009 talks about extratopical benefits; December 12, 2009 discusses reasonable restrictions by the Affirmative; and April 15, 2012 presents an example where the Negative would have greatly benefited by challenging the Aff definition.

that are so limiting that they prevent a fair debate. Definitions are fair game for argument by both sides, in that the Aff should be prepared to defend its definitions and the Neg to support its challenges.

Some judges will be sticklers for a formal statement of definitions by the Aff and will permit the Neg to set the definitions if the Aff does not do so. I don't agree with this and from my observation most judges do not agree either. If the Affirmative interpretation of the resolution is clear from the case presentation in the 1AC, I will generally not accept a formal Negative re-definition of terms that disallows the Aff case. The purpose of definitions is to clarify the issues and permit the debate to proceed, not to arbitrarily exclude something a reasonable listener would consider pertinent. If the Affirmative is clear about its interpretation in its contentions and this is a reasonable interpretation, let the debate continue on those terms.

Ninety-nine percent of the time or more neither the Affirmative or Negative team makes use of the definitions in any strategic or tactical way. But it only takes 15 seconds for the Aff to clearly state their interpretation of the resolution at the beginning of the 1AC, and less for the Neg to either acknowledge or challenge them at the beginning of the 1NC. And if the Neg does challenge, extend or modify the definitions, it only takes a few seconds at the beginning of the 2AC for the Aff to reply.

**SO THERE IS NO EXCUSE FOR EITHER TEAM TO IGNORE DEFINITIONS!**

**AND YOU COULD BE IN FOR BIG TROUBLE IF YOU DON'T!**

**SO JUST DO IT!!!!!!!**

Okay, I'm done shouting.

### ***Definitions Slip By***

This debate exhibits both the danger of letting definitions slip by, and the fact that most teams don't follow up and use the definitions they present.

When I heard the Negative extension of the definition of "compensation" I was expecting a huge solvency argument. If the use of compensation payments is entirely up to the recipient, then the poor nations could all take the money and go to Disney World! The Aff claim that economies would be sustained (other than that of The Walt Disney Company) and environmental damage remedied goes right out the window. The Aff case could go right off the rails if this definition is accepted by the Aff and used by the Neg in the obvious way.

The Aff never says much about the Negative definition, but the Neg never presents a solvency argument. So the Aff escapes this time. But it would have been much safer for the Aff simply to have noted that compensation payments are often tied to specific uses. Since the poor countries have no means of compelling rich countries to compensate them, it is not unreasonable to expect some mechanism to direct the funds to the intended purpose and monitor their use.

## Counterplan

Instead of the solvency argument, the Neg uses their definition of “compensation” to set up the following counterplan:

<b>Negative Counterplan (presented in 2NC)</b>
<ul style="list-style-type: none"><li>• Appoint the World Health Organization (WHO) to draft a contract for compensation with laws and regulations for all</li><li>• Provide guidance for spending amounts</li><li>• Conduct R&amp;D to sustain economies and cure climate change</li><li>• Funds will be allocated to UN organizations and non-governmental organizations (NGOs)</li><li>• Compensation conditional on cooperation and set by WHOs</li></ul>

I assume the intention is that if compensation means the recipient determines how the funds are used, making payments through a centralized body that controls both collections and spending is not compensation. But this still seems like a roundabout way to the solvency argument: someone has to manage the environmental compensation program.

The more interesting thing about this counterplan is that it appears to be an implementation of the resolution!

### ***Counterplan Theory***

I’ve also written about counterplans before.<sup>3</sup> In most debates the Aff argues for an interpretation of the resolution which is some alternative to the status quo. The Neg usually argues against the resolution in favor of the status quo. Typical Neg strategies include arguing the problem presented by the Aff is not significant, or that the problem can be solved within the current system, or that the plan will not solve the problem, or that the plan will cause more problems than it will solve, or some combination of these.

Or the Neg may present a counterplan which is different from both the Aff plan and the status quo. Counterplans are risky in that they require the Neg to accept most of the Aff analysis of the problems of the status quo. The judge must then decide between the two plans. But to many judges, especially less experienced ones, it may look like the Neg is agreeing with the Aff case and game over. So you have to be very clear in explaining your strategy to the judge and be sure you stick with that explanation throughout the debate.

The Aff plan (or description of the consequences of adopting the resolution, if they do not present a plan) must be a reasonable interpretation of the resolution. The Aff must be prepared to show it is superior to the status quo. If the Neg chooses not to defend the status quo and presents a counterplan, the counterplan must now compete with the Aff plan. To compete with the Aff plan, the Neg counterplan must be superior to both the plan and a combination of both the plan and the counterplan. It should be obvious the

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<sup>3</sup> See my notes on the CDA website for the following dates: February 2, 2008 discusses counterplan theory in general; March 28, 2009 discusses whether the Aff needs to present a plan, quite relevant here. There is also a rather dense Wikipedia entry for “counterplan” for further reading.

counterplan must be superior to the plan for the Neg to win. If the counterplan isn't superior to a combination of the plan and counterplan, the Aff can simply say, "Let's do both!" and that is a valid reason to adopt the resolution. This requirement prevents the Neg from proposing counterplans that are not relevant to the resolution, like "give everyone \$1 million." Note that if the counterplan and the plan are mutually exclusive in whole or in part, the Neg doesn't have to worry that they both could be adopted.

### ***Agent Counterplan***

The Neg counterplan in this case is what is termed an "agent counterplan." In a counterplan the Neg always accepts the problem defined by the Aff. With an agent counterplan they also accept the solution, they just argue it would be better done by someone else. The classic example of an agent counterplan occurs when the Aff proposes the Federal government do something to solve some problem, and the Neg counters by arguing the state governments are better positioned to do it. Agent counterplans are usually mutually exclusive because if both agents act you end up with duplication, waste and competition.

### ***This Agent Counterplan***

An agent counterplan works best if the resolution requires a specific agent take action. It works almost as well if the Aff presents a plan with a specific named agent. And that is the weakness in the Negative attack in this case. The Aff is never clear about implementation in this round.

Neglecting implementation leaves the Aff open to a number of attacks. In the real world any undertaking has to be planned, funded, managed, enforced, etc. Last month<sup>4</sup> I discussed the role of "fiat" in debate, that is, the right of the Aff to bring the resolution or plan into being without worrying too much about the process. But as I noted, fiat isn't magic. The Aff has no right to say the resolution will be implemented in a way that ignores obvious real-world difficulties. The second Negative contention—the compensation plan will increase tensions as nations seek to blame each other and escape blame—is an example of exactly this sort of unavoidable problem the Aff must deal with whether they present a specific plan or not. Other unavoidable problems will be rich nations shirking their responsibility by ducking payment, and corruption diverting funds to other purposes. And as N1 suggests, the payments may ultimately accomplish nothing. The reply the Aff used a few times in cross-ex—we don't have to present a plan, experts will do that and fixt the problem—will begin to sound lame real fast if the Neg drives this points home.

But by presenting a counterplan, the Neg is open to the same issues. How does the counterplan solve N1, N2 or N3? Maybe it does, but the Neg never explains and contrasts their solution with the Aff.

Since they didn't present a specific plan, the simplest response for the Aff in this round would have been to embrace partially the Neg counterplan: "The Affirmative agrees that the World Health Organization, the UN and other international bodies could have a role

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<sup>4</sup> See my notes for February 1, 2014.

in managing a program of compensation for environmental damage. We would like to thank the Negative for agreeing that such a program is needed and feasible. But we are more concerned demonstrating that providing compensation is the right policy, not how it comes about.” But the Aff does not do this.

So there are compensating (competing?) errors here: the Neg has no obvious Aff agent as a foil for their counterplan, but the Aff never strongly points out that the agent isn't an important issue in their case. That leaves things a bit confused for the judges.

## **Details, Details Details**

The Aff plan (such as it is) and the Neg counterplan are a study in another sort of contrast: details. The Aff plan is almost formless: compensation will be paid based on GDP and used to stabilize poor economies and then remedy the effects of climate change. The Negative counterplan has at least five points (by my count) and invokes a number of different international organization each with specific roles. Which approach is better?

Einstein said a theory should be as complicated as necessary but no more. A plan or counterplan should follow the same rule. Every detail you present takes time which could be used to discuss something else. A detail may help defend your position or attack your opponent, but may also open you up to an attack: once you've committed to a particular, you are stuck with the consequences. So your plan or counterplan should contain just what you need and nothing more.

In this case the Aff plan is a bit thin. To have any impact it must involve a significant transfer of funds. It is reasonable to think the paying nations will argue about how much to pay and whether each is paying a fair share. The receiving nations will argue over the same things. There is likely to be tension (see N2), cheating, diversion of funds to other purposes (trips to Disney World!). The Aff can't wish these problems away, and with no implementation they can't easily point to how they will be solved. A strong Negative attack along the line “the Aff goals are admirable but totally impractical leading to conflict, waste and no solution” could succeed.

The Negative counterplan is the reverse, plenty of detail using up more than two minutes of the 2NC. But how many of the details does the Neg actually use in attacking the Aff? Does the World Health Organization add anything? Or is the WHO just an obvious target for the Aff to point out that they have no expertise in economic development or climate change abatement, and no experience managing a program of the size likely to be needed here?

## **Plans or Contentions in the Second Constructives**

When I learned to debate, the style was just changing. A few Affirmative teams still presented their plan in the 2AC, and the Neg might present a new contention opposing the plan in the 2NC. But the “modern” style was for the Aff and Neg to both lay out their cases in the first constructives. New arguments would still be presented in the second constructives, but these would be in support of or in opposition to the cases as outlined in the first constructives. So you can say that I'm biased by my upbringing against

presenting new contentions, a plan or a counterplan in the second constructives. But I think that these days most teams lay out their main case in the first constructives.

I can only think of one advantage of second constructive plans or contentions: it limits the time your opponent has to respond. I just don't see how that adds to the quality of the debate. Better the main lines of argument be laid out early on so both sides can clash and develop the conflict between them.

(Note that I do not include major new arguments presented in the second constructives that build on the 1AC/1NC. Reacting to what has been said and exploiting your opponent's case in the second constructive is exactly what debaters are supposed to do!)

Good arguments should be presented to the judge sooner rather than later, lest they never get presented at all. If they are good arguments you should look forward to your opponent's attack on them as a chance to demonstrate just how good they (and you) are. And if your opponent comes up with a strong reply the second speaker can refute it and reinforce the original position. The rebuttals may not offer enough time.

Late arguments have their disadvantages, more so for the Neg than the Aff. Presenting the Aff plan in the 2AC requires the Neg to present its disadvantages in the 2NC. The Aff will really have only the 1AR to respond. While technically the First Affirmative has the right to introduce new arguments in reply, most will feel the Aff brought the situation on themselves, and the Aff's freedom to do so is therefore somewhat limited.

New contentions or a counterplan in the 2NC can be answered nowhere else but the 1AR. Most will feel the First Affirmative has a lot of leeway to do so, and a smart 1AR will take advantage of this. The 2NR then has double burden of responding to the new arguments in the 1AR and summarizing the debate for the Negative side.

Finally, both sides have to be very careful the second speaker doesn't contradict the first. Late contentions, plans or counterplans have the risk of drifting off point. That may not be your intention, but I've seen it happen quite often.

Still, new contentions and plans are permitted in the second constructives as are all new arguments. It is a matter of preference, strategy and tactics. You should think about what works for you.

## Restructuring the Negative Case

Let's take all the comments above and consider how to rework the Negative counterplan attack so it is more effective. I think three things are important: make the strategy clear to the judge immediately; link the counterplan to the revised definition of compensation to distinguish it from the Affirmative case; and finally explain the superiority of the counterplan to the Aff plan or resolution, which is what you need to do in order to win with a counterplan.

Here's a revised outline for the 1NC:

<b>Introduction</b>	The primary issue in the debate is how we should respond to climate change, which we all agree is a global threat. The Negative believes compensation is an inferior solution and will propose a counterplan that is a superior to the Affirmative resolution.
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<b>Definition</b>	“compensation” also implies the recipient should decide what to do with the funds, which may not be the best thing to do
<b>Response to the 1AC</b>	<p>We largely agree with A1 and A2, but not the Aff conclusion:</p> <ul style="list-style-type: none"> <li>• A1: Rich, developed countries are largely responsible for greenhouse gas emissions causing climate change;</li> <li>• A2: Rich countries have the responsibility, and we would add, more importantly the resources, to mitigate the problem;</li> <li>• But this is a global problem that requires a global solution, not blame, or compensation that might be badly spent. (<i>Emphasize contrast with Affirmative</i>)</li> </ul>
<b>Counterplan</b> ( <i>Note reduced detail compared to the original.</i> )	<p>The Negative counterplan proposes a global approach to remedying climate change, not simply paying compensation:</p> <ul style="list-style-type: none"> <li>• Establish an entity through the UN to research, evaluate, fund and manage projects to deal with climate change.</li> <li>• Funding would come from rich countries based on both their emissions contributing to global warming but also their wealth and ability to pay.</li> <li>• Projects would be chosen based on their relative impact on global warming and its harms, and may include but are not limited to: <ul style="list-style-type: none"> <li>○ Protecting vulnerable populations from the impact of climate change;</li> <li>○ Emission reduction to limit or reverse climate change;</li> <li>○ Research into more efficient solutions.</li> </ul> </li> </ul>
<b>Superiority Arguments</b>	<p>We believe the counterplan is superior to the Aff plan or resolution for the following reasons:</p> <ul style="list-style-type: none"> <li>• It addresses the root cause, global warming, where the Aff only pays compensation without end. (<i>Repurposes N1</i>)</li> <li>• It is managed internationally and openly which will minimize inefficiency, competition and bickering among countries. (<i>Repurposes N2</i>)</li> <li>• It direct funds to the most effective projects wherever they may be located, and is not limited to compensation. (<i>Could repurpose N3 here as an example</i>)</li> </ul>

I think all of this can be covered in a six minute First Negative Constructive, with more detail added to the Superiority Arguments. It makes good use of all of the material presented by the original Negative case. The difference is that all the pieces are now in their proper relation to one another and clash directly with the Affirmative.

You should look this over carefully. Does it incorporate all the comments above? Can it be improved upon? How should the Affirmative reply?



## How I Decided the Round

I've suggested a number of ways both teams could have done better in this debate. While I've had time to think about how to explain them, the basic ideas presented here all occurred to me during the round. A debate should be judged on what the debaters actually did, not what they might have done. So I think it fair that I should explain how I would have judged the round.

The key to my decision is that the Neg never shows the superiority of their counterplan. The First Negative states that they agree with the first two Aff contentions, essentially that the rich countries are responsible and as a consequence should pay. The three Neg contentions are problems that would arise from any system of compensation, and the Aff notes this at various points in cross-ex and the rebuttals. So the debate comes down to the superiority of the plan versus the counterplan.

Normally the presumption<sup>5</sup> lies with the Negative, in that the Aff must demonstrate the resolution is superior to the status quo. Some would say that presumption shifts to the Aff when the Neg presents a counterplan, as the Neg must prove the counterplan superior to the plan. But certainly the counterplan is on no better than an equal footing with the plan as both are alternatives to the status quo.

The counterplan is more detailed than the plan, but the Neg simply asserts and never demonstrates that those details will make a difference. Aff does note that the disadvantages listed in the three Neg contentions would plague both plans. And the Aff asserts back some likely problems with the counterplan, such as lack of local control and the general inefficiency of the UN and associated international bodies.

So at the end of the round I have both sides essentially agreeing that the resolution should be adopted, but neither one with a particularly convincing implementation. I think that goes to the Affirmative.

## Final Comment

Most debates have flaws, and those flaws are easier to see as an observer than as a participant. The Negative in this round was very creative. With a bit more focus their attack could have succeeded. As it is, it is a round worth some study.

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<sup>5</sup> "Presumption" is the idea that, in the absence of a clearly superior argument by either side, one side should win the debate due to side it is defending. Some judges do not believe either side benefits from presumption.