isn’t how the game is played? How many times has a team argued against an analytical by noting the lack of “evidence”? How many times has a team read a tag line and then a card that merely restated the tag? All of these things occur regularly and often go unnoticed. They are unnoticed because debaters get too caught up in the moment of the claim to think about the structure of the argument and ask questions about significance, relevance, and so forth.

Conclusion

Are cards good for debate? Yes. Do we read too many cards in debate? Maybe. Do we let teams read too many cards and develop arguments without properly questioning the structure of the argument being presented? Yes.

As this essay has attempted to show, there are many ways to respond to arguments without relying on the card versus card strategy. It is too common in debates for teams to stand up and go through the motions of simply reading cards and then bank on favorable readings of the evidence from the judges. When debaters hear cards that they don’t have evidence to respond to, a common reaction is one of shock and ignorance. A better approach is to learn how to use the cards, learn how the cards fit into the bigger picture of the argument and then find ways to develop and attack arguments by explaining the meaning of the cards.

Spend some time thinking about some of the suggestions identified above and applying them to the arguments you know teams will make. Hopefully, you will be better prepared for cross-examination, to write better analytical arguments on blocks and flows, and to persuade judges by making use of your analytical arsenal in your speeches.

Bibliography


TOPICALLY ANALYSIS

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Resolved: The United States federal government should substantially increase its public health assistance to Sub-Saharan Africa.

United States Federal Government

The actor in this year’s resolution is the “United States federal government.” There are two potential topicality arguments related to this term, neither of which is very good.

First, some teams may try to argue that the United States refers to another country, such as the United States of Brazil or to a “United States of Europe” (A5). Evidence (A6-A8), however, clearly establishes that when the term “United States” is used it refers to the “United States of America.”

A second possible dispute will be whether or not the “United States federal government” includes only the head of our central government and its agents that operate out of Washington, D.C., or whether that actor also includes the state governments, as the state governments are part of the federal system. Some definitions point to the central authority in Washington (A9-10) and others (A13) include the state governments. Since this is a foreign policy topic, and foreign policy is the prerogative of the national government, at least on this year’s resolution it makes the most sense to interpret “federal government” to mean the national government.

Upon consultation with a variety of dictionaries, it does not seem that the capitalization, or lack thereof, of the term has any significance, at least in terms of establishing what set of actors the term refers to. The framers chose not to capitalize the term “federal government” because there is no such thing as “the Federal Government” — it is not a proper noun.

Should

The term “should” in the resolution is typically interpreted to mean “ought” — expressing “obligation, duty, propriety, or desirability” (A14-16), recommends a course of action (A17), or suggests that something is desirable (A18). Generally, it really does not have any significance in most topicality debates. It exists primarily to provide a contextual basis for the affirmative arguing that the plan should be done, not necessarily, that it would be done.

It can also be argued that “should” is the past tense of “shall” (A23), essentially meaning that the federal government should have supported public health assistance to Africa in the past. Although that argument has won some debates, most definitions suggest that the past tense of “shall” refers to the present (A19) and that it should not be exclusively used in the past tense (A20).

Other definitions of “should” suggest a duty or obligation (A21) and others say it implies mandatory action (A22).

Substantially

In the resolution, “substantially” is an adverb modifying the word “increasing” The “increasing” the public health assistance provided must be “substantial.”

It is difficult for the negative to use the word “substantial” to limit much affirmative action because there are no precise, generally agreed on, definitions of the term. Dr. Rich Edwards, the author of the yearly FORENSICS QUARTERLY, explained two years ago that the “legal encyclopedia Words and Phrases presents more than 500 pages of fine-print definitions of this term.” He explains the origin of such different definitions.

The context for these definitions should be understood: each one involves the judgment of a court in a particular case concerning what the word mean in the context of that case. It is natual that debaters will try to make use of these legal definitions, but it must always be done with a key question in mind: “is the context for this court case similar to the way that the word ‘substantially’ is used in the debate resolution?”

There is, for example, a major difference in the meaning of the word “substantially” in the phrase “substantially all” from the resolutions that “substantially increase.” Many of these definitions warn that the
word is not a term of precision. In State *v. Ross* the court held that "the term 'substantially' is relative and must be considered within the context of the particular fact situation; in essence, it means less than totally or the whole, but more than imaginary" (Words & Phrases, Vol. 40, 1995, p. 458).

Often, negatives will read definitions of "substantial" that claim "substantial means "X percentage" and that the affirmative fails to meet "X percentage" so they are not topical (A32-A39). The problem with these interpretations is that they are arbitrary and refer only to what various courts have considered to be substantial in various contexts. Since these contexts usually refer to the debate resolution, it is probably undesirable to define "substantially" numerically (A30) and debaters should instead try to define it in the context of debate and the resolution (A31).

Although tying the affirmative down to a specific number may be difficult, there are various definitions of the word substantial that may be helpful to the negative without being unrealistic for the affirmative.

Negatives can argue that "substantial" is "large" (A24) or a "considerable amount" (A25) and that the affirmative is a trivial increase in public health assistance relative to all of the assistance that is given to Africa in the status quo. Definitions of "substantial" as "real" suggest that the increase in assistance must be financial or physically tangible and that it cannot be a simple pledge of diplomatic support (A29).

Substantial can also be defined as "without material qualification" (A40). Debaters use this to argue that the affirmative cannot add any conditions to the plan. For example, they can't condition the increase in assistance on reforms by African governments. If these conditions are not topical, "substantial" not only limits the types of affirmative plans that can be run but it also makes conditions counterfeit legitimate negative ground.

Increasing

"Increase" is generally defined as to "become greater or larger" (A14). So, after the plan, there needs to be more public health assistance to Africa than there is now.

One topicality argument that has centered around "increase" is whether or not the increase has to be of pre-existing aid or whether or not the affirmative can increase it from zero. For example, is it topical to increase HIV/AIDS assistance to Sub-Saharan Africa because we provide it now but not topical to increase assistance to prevent the bottle feeding of infants because we do not provide it now?

There are several definitions of "increase" emphasize the issue of the pre-existence of the thing which is to be increased. One of the definitions found in *Corpus Juris Secundum* makes this distinction: "The term presupposes the existence in some measure, or to some extent, of something which may be enlarged, increased or altered in the original, and has been defined as meaning to extend or enlarge in size, extent, quantity, number, intensity, value, substance, etc. (*Corpus Juris Secundum*, 1944, p. 546).

There are also definitions, however, that deny that the word increase presupposes pre-existence. A Georgia court, for example, in *King v. Herron* ruled that "increase" could refer to something which starts at zero and gets larger: "Salary change of from zero to $12,000 and $1.200 annually for mayor and councilmen respectively was an "increase" in salary and not merely the "fixing" of salary" (Words & Phrases, Vol. 20A, 2001, p. 241).

Arguments in favor of defining "increasing assistance" to mean only expanding the size of current programs: 1) It's predictable - the negative can research existing forms of assistance and prepare arguments against expanding them, 2) You cannot increase something that doesn't exist. As just discussed, "increase" means to "make greater." In order to increase support, then, you argue that to expand the amount of support give to current operations.

Arguments in favor of defining "increasing support" to include new assistance: 1) It makes disadvantages relatively more "unique" there are more general disadvantages and arguments against creating entirely new forms of public health assistance than there are against incremental additions to existing programs; 2) There are practical limits - there will only be so many proposals to create new forms of assistance - 3) An increase in new forms of assistance will increase the total amount of "public health assistance" that is provided; 4) One is greater than zero.

Regardless of which interpretation of "increasing" you may think is more accurate, the negative will have a reasonable topicality argument they can make against the affirmative. Different affirmative that fit under each interpretation will be discussed below.

**Public Health Assistance**

The only real weakness of the wording of the resolution is that the term "public health assistance" is not a foreign assistance budget category although the topic is obviously designed to focus debates on foreign assistance. The term, however, does appear in other related uses.

In the Code of Federal Regulations, "public health assistance" refers to "health services" that "1) are generally available to needy individuals residing in a State; (2) that receive funding from units of State or local government; and, (3) that are provided for the primary purpose of protecting the health of the general public, including, but not limited to, immunizations for immunizable diseases, testing and treatment for tuberculosis and sexually transmitted diseases, and family planning services." These services are defined in a similar manner under Medicaid, a federal health insurance program for the poor. Note that the definition referenced above is discussing *domestic* public health services.

Although these narrow definitions are available, and will most likely be the ones accepted for the purposes of establishing a more limited topic, there are other broader definitions available which may actually better capture the idea providing foreign assistance to improve public health abroad. Some define public health to be the "collective set of actions that protect health" (A43-4) and others extend it as far as poverty reduction (A45-7).

To

"To" refers to where the public health assistance should go, Sub-Saharan Africa.

**Sub-Saharan Africa (SSA)**

Sub-Saharan Africa generally refers to the area in Africa south of the Sahara desert (A52). There are forty-two countries in SSA (A54).

Although the definitions of SSA are relatively clear and agreed upon, there are a couple of important topicality issues that are going to arise that are difficult to resolve.

First, there is the question of whether the assistance has to be provided to all of Sub-Saharan Africa, or whether the affirmative target the assistance to specific countries. If the affirmative is required to specify all of the countries they are highly vulnerable to counterplans the exclude particular ones. But if the affirmative gets to pick particular countries, it will be more difficult for the negative to prepare general strategies and almost impossible for them to debate the specific merits of providing assistance to each individual country.

Second, there is the question of whether or not the assistance has to be provided to and through the governments of the countries. The resolution only specifies a geographic area and not any specific countries or the governments of those countries, though one definition of SSA defines it as including particular countries. This is a significant issue because if the assistance has to go through governments for affirmative to be topical, the negative can counterplan to deliver the assistance outside of governments (through non-governmental organizations, NCO's) and claim various corruption arguments as net-benefits.

Finally, a "substantial" increase in aid to one or two nations may
not be substantial in the context of the total assistance to the entire region.

Footnotes
1 McGugh (2001) notes that the U.S. Agency for International Development (USAID) allocates money to “health programs” in many parts of its budget, including its Child Survival and Disease account. Population programs, which everyone will consider topical, are allocated in a different part of the USAID account, and the Center for Disease Control (CDC) and the Department of Health & Human Services (HHS) also provide overseas assistance for public health. Finally, U.S. contributions to the World Health Organization (WHO) are provided through the State Department budget. 2 Document that codifies all rules of the executive departments and agencies of the federal government. It is divided into fifty volumes, known as titles. Title 40 of the CFR (referred to as 40 CFR) lists all environmental regulations.

www.healthlaw.org/library.cfm?fa=download&resourceID=67503&print

Topicality Outline
I. Resolved
A. Resolved means settled or fixed (A1)
B. Resolved means determined, explained or answered (A2)

II. The. The is definite (A3)

III. United States
A. Those places subject to U.S. jurisdiction (A4)
B. A federation of states (A5)
C. United States means U.S. of America (A6)
   1. United States means United States of America (A7)
   2. “U.S.” is an appropriate abbreviation for United States of America (A8)
   3. The most common meaning is the federal government in DC (A9)
   4. “United States” doesn’t include territories (A10)
D. USFG is the legislative, executive and judicial branches (A11)
E. Federal Government means central government rather than the states (A12)
F. Federal government includes the state governments (A13)

IV. Should
A. Should means “ought to” (A14-15)
B. Should expresses obligation (A16)
C. Past tense shall refers to the present (A17)
D. Should recommends a course of action (A18)
E. Should expresses desirability (A19)
F. Should is not exclusively in the past tense (A20)
G. Should expresses duty or obligation (A21)
H. Should implies mandatory action (A22)
I. Should is the past tense of shall (A23)

V. Substantially
A. Substantial means large or considerable amount (A24-5)
B. Substantially means “in the main” (A26)
C. Substantially means material or essentially (A27-8)
D. Substantial means real (A29)
E. Substantially can’t be numerically quantified (A30)
F. Substantial must be determined by context (A31)
G. Substantial defined in percentage terms, from 20 to 90 percent (A32-9)
H. Substantial is without material qualification (A40)

VI. Increase means to make greater (A41)

VII. Its is possessive (A42)

VIII. Public Health Assistance
A. Broad definitions of public health
   1. Public health is the collective set of actions that protect health (A43)
   2. The public health system is network that protects health (A44)
   3. Empirically much of health assistance goes to non-health sectors (A45)
   4. Mgd investment priorities are interdependent – can’t isolate “health sector” interventions from all the policies needed to improve health (A46)
   5. Funding the “non-health” sector goals of “public health assistance” because they remove nonfinancial obstacles to health services (A47)
B. Limited definitions of Public Health
   1. List of things included in public health (A48)
   2. The provision of safe drinking water and improved nutrition lies outside the public health sector (A49)
   3. Academic public health is not the same as actual public health (A50)
C. Things public health departments do (A51)

IX. To is in the direction of (A52)

X. Sub-Saharan Africa (SSA)
A. SSA is the area south of the Sahara desert (A53)
B. 42 countries in SSA (A54)