

BALANCE NEGATIVES: A REPLY

by Mark Weber

When Jason Baldwin was debating on the circuit he certainly was one of the best debaters I had ever seen. So, it makes me wonder why he would attack the "balance negative" position and those who debate it with an article that is so full of logical fallacies and incorrect assumptions. I offer this article as a direct refutation to Jason's dismissal of the "balance negative" as an unfair way of fulfilling the negative burden in Lincoln/Douglas debate. I think, as Jason says, this is a very important issue to be discussed. However, in discussing this matter, I think it is very important also to put away the ideas of Lincoln/Douglas debate that we have been indoctrinated into believing and look at things from an open, logical perspective. It will not serve to merely assume; one must also prove their assumptions.

The first thing that Jason assumes is that to allow a "balance negative" would only serve to blunt the conflict of the debate. This assumption may appear to be logical to someone who does not analyze the inner workings of L/D debate. However, when you have watched hundreds of debates on each topic come down to who wins one or two issues you begin to realize that it might not hurt to have more than one approach to the resolution of the value conflict that we are given to debate. I think that allowing the "balance negative" allows us to give the debate more depth by increasing the approaches and requiring affirmative debaters to be prepared for more than one strategy.

While the above argument only discusses why it might be better to allow for "balance negatives," this next argument proves why it is legitimate to use the "balance negative."

When one says that to examine values in conflict devoids holding things in a balance, they are then arguing that it is not possible to settle a conflict by compromise. Many times a compromise is the best way to resolve a conflict. To analyze this further we must look at Jason's assumption that to value things equally always gives the negative debater the advantage because they get the best of both worlds. This is a huge assumption that can easily be disproven. First of

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all, I agree with Jason that some resolutions are framed in a way that a balance is not a possible approach to the resolution. I would also go so far as to agree that when a resolution says "When in conflict..." it makes it very difficult to run the balance negative but I am not ready to concede that it may never be done as I have explained in my analysis above regarding "compromise." However, when the wording of the resolution does not preclude a "balance negative" it is not always to the benefit of the negative to advocate the balance. When the affirmative in a policy debate permutes a counterplan it is not always net beneficial in comparison to the plan alone. To exemplify this concept in terms of a value debate (so the so-called L/D traditionalists will understand and not dismiss this idea on the ba-

sis that it is "a policy argument.") let's look at the resolution that Jason gives as an example. Resolved: *When in conflict, the spirit of the law ought to take priority over the letter of the law.* If the affirmative can win the argument that the law should always strive to reflect it's original intent, which seems to be a reasonable argument, then it would not be net beneficial in the end to balance the letter of the law when it is in conflict (as denoted by the resolution) with the spirit of the law because it would dilute the effect of the intent of the law. Thus, the affirmative should be able to prove that it is always best to give priority to the spirit of the law. Even if there is no guarantee that the affirmative would win the argument of "original intent," the fact that this argument can be won shows that it would not always benefit the negative to hold these two things in equal value. This in my opinion proves that the affirmative would not automatically lose to a debater who tried to reap the benefits of both objects of evaluation in the resolution.

The next assumption that Jason makes is the most serious mistake that opponents of the "balance negative" make and is, to me, the crux of the discussion as to whether the "balance negative" is a feasible approach to the negative strategy. Jason says, "While the speeches in L/D are structured differently for each side, both sides have equal time, and their burdens are roughly equal." Get real, Jason! There is a reason that the affirmative gets to speak first and last in the debate and Jason merely dismisses this by saying that they each have equal time. The equal time claim is true enough but why don't we just give the affirmative one rebuttal that consists of seven min-

utes? The reason that the affirmative speaks first and last is because they alone have the active "burden of proof" which is supposed to give them an unfair disadvantage. The affirmative asserts the resolution to be true, therefore, they have the "burden of proof." To compensate for this extra burden the affirmative is given the opportunity to speak first and last because they must overcome the "presumption" of the resolution. This is the other concept that opponents of the balance negative have a hard time accepting, that there is "presumption" in an L/D debate. However, if there is no "presumption" (ie. we presume the resolution to be false before the debate begins) then there is no "burden of proof" (ie. proving the resolution statement to be true) If there is no "burden of proof" then there is no debate or else we could have a "tie" decision in debates where both debaters upheld their burden of proof in nonopposing cases and did not adequately refute their opponents case. The negative only has the "burden of rejoinder" or the "burden of clash." In other words, the negative doesn't even need to present a case. If they can adequately refute the affirmative arguments they should be awarded the ballot because they have fulfilled their "burden of clash." If they did have "roughly equal burdens," as Jason proposes, then the affirmative would have the advantage in the debate because s/he gets to speak first and last. The negative would be at a disadvantage because they would have the burden of clash, the burden of proof and not get to speak first or last. The implication of the above analysis explains why it is fair for the affirmative alone to have the "burden of proof." This is to say that strategically the negative may not employ the tactic of proving the inverse of the resolution but that they simply do not have to.

The next issue that Jason addresses is that he is "subordinating the truth" for the sake of what he considers to be a more fair debate. In fact, he insists that the search for the truth is antithetical to the education of those who debate. Jason's impact to this argument is merely an ad-hominem attack that debaters will become "mushy moral relativists" if they believe that they are in a search for the truth. First of all, this argument appears to be so ludicrous the Rostrum didn't even put this quote in context when they inserted the abstract using this quote within the article, but as I have said we cannot really accept ad-hominem argumentation so I will use this argument that Jason forwards to further prove the legitimacy of the "balance negative." When we examine this argument more closely it serves as a wonderful example how sometimes it is better to hold two things in equal value. For example, I would agree with Jason that it is important to have a balanced and fair debate, however, I don't understand why that precludes a search for "the truth" or "some truth." Why are these two concepts mutually exclusive? It seems to me that it would be best for debate to try to do both. Even if it means that we must subordinate each to a certain degree to get the best result. Now if we were having this argument in the real context of a debate, it would be up to Jason to argue that subordinating both to a certain extent (which still hasn't been proven necessary) is not as great of value as having the fullest benefit of what Jason seems to think is the "most fair debate." Even if he could prove this argument, he would then have to address my earlier argument as to why there shouldn't be the advantage of "presumption" for the negative in light of the fact that there is a reason (as mentioned above) as to why the affirmative gets

the first and last speech in the debate.

The final thing that I would like to take issue with is the attack that Jason makes against judges and debaters who support or will at least listen to the balance negative position. I take great offense at Jason's remarks that most "experienced judges" know to vote against the balance negative and that most debaters who run the "balance negative" lose because they are inexperienced. He even goes so far as to say that he has never seen one win first at a major tournament as if he were the authority of what should and shouldn't be debated on the national circuit. It is this type of irresponsible arrogance that promotes generic argumentation and judge intervention. I think Jason has gained enough from this very valuable activity that he has a greater responsibility than to make such statements. I hope that he will be open-minded enough to reconsider these issues.

At any rate, I'm sure that there are many different opinions on this and several other issues that are central to the evolution and survival of Lincoln/Douglas debate. I hope that we are experiencing a beginning of the discussion of these issues. I have asked and been granted a time slot at Emory's Barkley Forum in which to have an open-forum discussion regarding L/D debate. I think an excellent beginning to the discussion could be "how should the NFL framing committee word the debate topics." I think this question will help us understand how to promote better argumentation and education through L/D debate.

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