

No Participation Trophies: How Competitive Frameworks Keep Advocates Accountable

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Most debate formats are governed by a few constitutive rules: teams must be given equal time, they must debate the same topic, and they must have the right to rebuttal. These rules encourage advocates to focus their arguments and directly compete with their opponents through argumentative clash. The general principle is that the clash of ideas is the best way to test the relative strength of arguments. This paper examines a criticism of clash-oriented debate practice from the perspective of motivated cognition. While it finds that agonistic processes are a good way of judging between advocates, they are a poor way of judging the merits ideas. In place of clash, the authors advocate a form of dialectic manifest through Ethics Bowl. This paper argues that the constitutive rules of clash-oriented debates are a better cure for the ills of motivated cognition than the civility-minded dialectic instantiated in the Ethics Bowl.

For in the courts, they say, [272e] nobody cares for truth about these matters, but for that which is convincing; and that is probability, so that he who is to be an artist in speech must fix his attention upon probability. For sometimes one must not even tell what was actually done, if it was not likely to be done, but what was probable, whether in accusation or defence; and in brief, a speaker must always aim at probability, (*Plato, Phaedrus, Page 272*).

1. INTRODUCTION

The complaint is as old as argument itself: people care more about winning than they do about the truth. The rapacious pursuit of victory undermines rational decision-making and rewards conduct that prevents clear apprehension of the facts of a matter. The critique, fully fleshed out in Plato, finds echoes in current discussions of the relationship between debate pedagogy and rational deliberation.

Here, I want to examine a publicly available iteration of the argument published by the New York Times. The opinion editorial by Philosophy Professor Joseph Ellis and law student Francesca Hovagimian lays out a case against academic debate, particularly policy debate (*Opinion | Are*

School Debate Competitions Bad for Our Political Discourse? - The New York Times, 12 October 2019). The critique follows well-worn paths and concludes that case-study organized public discussion along the lines of an Ethics Bowl would result in better public decisions and superior advocacy skills. While the observation that policy-oriented academic debates tend to reward popular conventions rather than good politics is not new, it reflects Plato's argument that rhetoric is the knack of flattery where one makes the convenient appear good, and politics is the art of doing what is good regardless of popularity. These arguments do not capture the fullness of argumentative possibilities offered by policy debate.

I will argue that policy debate is an effective means of engaging students in the details of policy work and that it encourages creative thinking about problems and solutions in a context where debaters are encouraged to frankly discuss and interrogate information in an environment where they are solely responsible for their advocacy. On the other hand, Ethics Bowl-type discussions are not especially cooperative and lack many of the qualities that are likely to result in more creative and forthright approaches to public problems. In the end, the dynamics of Ethics Bowl are more likely to super-charge the problem of motivated cognition

and significantly reduce the quality of deliberation.

I am uniquely qualified to speak to the distinctions between the two. After a career of coaching policy debate at both the high school and college level, I have spent the last decade coaching Ethics Bowl. In that time, I have coached teams to the national finals, semi-finals and quarter-finals multiple times. I know that Ethics Bowl is a competitive activity that lacks some of the argumentative principles that mark contemporary policy debate formats. Consequently, it is a far cry from a candid cooperative discussion between peer. While Ethics Bowl does prize collegiality, it does so at a cost.

I will start with a discussion of the history of critiques of policy debate and then discuss how Ethics Bowl attempts to compensate for some of the shortcomings of this variety of debate. I will then identify a few of the structural and performative elements that advantage policy debate as a means of learning public deliberation.

2. THE CRITIQUE OF POLICY DEBATE

Ellis and Hovagimian focus more on critiques of policy debate than they do defenses for their alternative. However, both sets of arguments draw from the same pond. That is, Ellis notes that he is working on a book discussing motivated cognition. The motivated cognition thesis holds that people are much better at defending their positions than they are at generating arguments that appeal to others. Consequently, people are unlikely to change their mind even when confronted by strong counter-arguments (Taber & Lodge, 2006; Haidt et al., 2009; Haidt & Joseph, 2004; Nyhan & Reifler, 2010). The apex of this argument line is found in Mercier & Sperber (2011) who argue that rational argumentation is little more than a socially oriented evolutionary advantage which has nothing to do with good decisions or decision-making.

The result is that their critiques look a lot like the motivated cognition critiques. They argue that debate is no more than credentialing for aspiring leaders (read evolutionary advantage), that it is just a way of demonstrating superiority over others, that the reasoning is always created in the context where advocates justify a pre-existing conclusion, and that only real material effect is to drive out voices that, while accurate

and correct, lack the bloodlust necessary to survive.

Clothed in the language of political psychology, these observations appear new and fresh. However, they reflect critiques of debate that go back millennia. The history of the debate over whether academic debates are best viewed as gamesmanship or as an effort at policymaking has been covered by Stephen Llano's (2017) recent essay. It has a long history with many twists and turns. Here, I will deal with the substantial critiques of debate a pedagogical instrument.

Debate has traditionally been seen as a variety of combat. Williams and McGee (2000) traced the long history of American debate texts that have focused on how to win debates. The adversarial nature of the debate injects competitions with a combative element that serves to advantage the loudest and most aggressive while silencing disparate voices that do not reflect popular conventions. More important, the agonistic quality of debate competitions polarizes arguments and undermines qualities necessary for cooperative engagement (Gehrke 1998; Mitchell, 2000)

Even more damning, agonistic debate systematically excludes participants that do not reflect contemporary conventions of style or outlook. The win at all-costs orientation of debates exclude women and minorities and others that view cooperation and coalition building as a more legitimate and productive venue for decision-making (Bergmaier & Johnson, 2017; Tannen, 1999).

As an alternative to debate, argument theorists offer permutations to the competitive positioning of persuasion and epistemic ends (Palczewski, 1996). A paradigm example of this position is offered by notion of "cooperative argumentation" (Makau & Marty, 2001). This approach to argument is that the focus should be "to get things done" rather than "being right" (Makau & Marty, 2001). Consequently, the focus has increasingly turned to creating conditions that encourage participants to reach out and to help in the creation of constructive dialogue to generate constructive consensus.

Despite attempts to pose the persuasive and coalition-building elements of debate as invitational, some traditional characterizations of debaters persist. From popular depictions of debate, it appears that debate involves a pack of young apes pounding their chests and screaming at the top of their lungs and that, in the end, the

result of this lawless and irrational display is that the most forceful and threatening ape wins. However, an examination of policy debates indicate that they are more nuanced. When judged by what happens in actual academic debates, it is not clear whether the Ethics Bowl alternative is a step forward or a step backward.

3. THE ETHICS BOWL ALTERNATIVE

Ethics Bowl is a forensic competition for universities sponsored, since 1997, by the Association for Practical and Professional Ethics. Each year, teams compete to analyze ethical case studies before a panel of judges, working their way from a regional to the national tournament. There is also a spin-off national Bioethics Bowl and high school Ethics Bowl that function similarly.

The goal of the Ethics Bowl competition is to have students practice analyzing ethical case studies. At the start of each year, teams are presented with 12-15 case studies designed to highlight a particular ethical quandary. At the tournament, teams of up to five students compete against each other in a conversation about the proper ethical approach to a question presented by the judges.

Over the course of these discussions, teams are paired and rounds take place in two parts. In the first part, a team will present an analysis of the question related to the case study, the other team will respond, and then the first team will get a rebuttal. What most distinguishes Ethics Bowl from traditional debate formats is that judges actively participate in the deliberations. Not only do they pose an ethical question derived from the case study, but they also participate in a long cross-examination of the presenting team. At the end of the first part, the teams are posed with a second question regarding a different case and the team positions are reversed. In the end, the judges evaluate the teams and award points. The result of a judge's decision may be a win, loss or tie based on the combined points of the two halves of the discussion. Recently, they have added a rule so that the disposition of the judges (win, tie or loss) is more important than the total number of points after a series of incidents where judges sandbagged teams so that the team that had the most votes did not win the contest.

The distinctiveness of this approach, rooted in the forensic and dialectical notion that there is a single best answer to the question, becomes most

clear when juxtaposed with academic debate rules and norms.

Academic debate, by which I mean formats such as Public Forum, Policy Debate and several kinds of Parliamentary debate, tends to focus on the effects of a future action. As deliberative efforts, they deal almost exclusively in probabilities---because future actions cannot be known absolutely. When we take a rhetorically forensic/epideictic question (“was what was done good?”) and translate it into the deliberative context (“what should one do?”) such as Ethics Bowl does, the distinctions between truth and probability become confusing. This is precisely the confusion that Plato complains about the sophists creating when they displace forensic questions with deliberative ones.

Policy debates, while manifesting a variety of formats, are united by a few constitutive rules: there should be equal time for participants, there should be a right to rebuttal, they should debate the same topic and the decision should be zero sum—that is, there should be a winner and a loser. Ties are not possible. By contrast, Ethics Bowl does not give equal time on any case study (presenting teams get upward of 20 minutes while the opposing team gets only 5 minutes on any particular topic)—though the binary nature of the contest gives equal time to the ballot. In this format, the opposing team does not get any chance at a rebuttal. Additionally, there is no real expectation that teams will address one another or discuss the same topics. The convention is that the opposition can offer some “thought provoking” questions, but that they should avoid directly contradicting the presenting team. Also, because the questions are not determined before the contest, teams often take radically and non-intersecting tacks on issues---so the two teams can end up focused on discrete non-clashing issues. Conversely, because they do not know what the other team will say, there is also a good risk that they will end up with the same position. Finally, the judges are participants, but are not required to render a decision for or against a team. As often or not, contests end in a tie with no decisions rendered.

It is clear that Ethics Bowl, by design, looks more like a dialectic than a debate. It prioritizes civility and cooperation over difference and distinction. The thought is that a civil environment, where people follow rules of decorum, soften lines of critique from argument to question and defer actively to the judges is more likely to result in a good decision than one

where the advocates vigorously defend their own positions, present propositional clashing arguments, do not actively cooperate with one another and treat the judges as objective or independent observers. However, the game-like nature of the contest and the opportunity to avoid the other team or to have a tie lead to some contrary outcomes and substantially reduce the quality of decision-making.

Whether Ethics Bowl is a forensic or deliberative activity, there is still plenty of incentive for students to win the debates. In fact, because the case studies are available months beforehand, students spend much of their time developing strategies that they believe will most likely appeal to the perceived biases of judges. Because there are few preliminary rounds, and a single tie will generally end a team's run in the tournament, there are additional incentives to be exceptionally conservative when developing strategies. Consequently, there are several reinforcing structural incentives that encourage teams to take the most conservative positions.

Ethics Bowl contests focus on case studies as a way to access a finite set of ethical frameworks. One team gets to present a case study in each half of the debate, and their presentation provides the focus for the discussion. For regional tournament there are 12-15 case studies. Then, there are an additional 12-15 case studies used for the national tournaments. While the case studies are unique narratives, the actual discussions tend to focus on a few well-established frameworks. These frameworks are presuppositions to the debates. In the end, half of the teams will have discussed half of the case studies and the rest the other half. There is little room, from round-to-round, to improve strategies since once the case studies are used they are not re-used, there is a priority on choosing different kinds of case studies for future debates and tournaments.

The emphasis on getting through a diverse number of case studies stands in contrast to the policy debate habit of having multiple debates on a topic and having participants debate both sides of the topic, what is often called switch-side. The Aristotelian notion that debaters, as advocates, should have experience with all facets of the arguments before they render an individual judgement is unique to the policy debate orientation. In contrast to Ellis and Hovagimian's characterization, policy debaters and judges generally have a lot of interaction with a topic over the course of a tournament or season from which they can draw their own personal opinion.

The notion is that switching sides fights against the motivated cognition issue by forcing advocates to engage all sides of an issue. Additionally, it serves to blunt the common criticism that debaters act unethically when they advocate for positions that they do not actually hold. In this sense, the switch-side innovation probably leads to greater engagement with dissonant argument than Ethics Bowl where critiques have to be offered in the form of "interesting questions" rather than substantial counter-arguments and where advocates only engage with one half of any ethical question.

In policy debate, judges are expected to judge the debate solely on the presentations of the debaters and are encouraged to bracket their individual knowledge, attitudes, and bias to focus down on only the arguments that the students articulate. As such, judges ideally accept a position as passive observers of the debate who float at the will of the advocates. However, there is generally some acknowledgement that judges bring some small degree of subjectivity to the debate, so policy debates typically require (sometimes elaborate) judging philosophies that overtly lay out those biases. This is an easy thing to do in a world where the judges are often professionals, alumni participants, or at least trained in the practice and rules of debate.

Ethics Bowl judges are not typically professional or trained debaters. Most have not participated in the activity and are generally people drawn from the community. The quality and ability of the judges varies radically from round-to-round and region to region. While they are encouraged to listen to the debaters, they also have to perform in the dialectic as interrogators of the presenting side (and get as much time to do it as the opposition time does to ask questions). In general, they come to the discussions because they have some interest or experience in ethical issues, many are nurses or doctors or religious professionals, and often want to lay this knowledge on the competitors. If motivated cognition is a problem for policy debate advocates (where their conclusions drive their strategy), it is also a problem for a good number of the judges that participate in Ethics Bowl. The difference is that competitors have to design their strategy to anticipate these turns of interest and engage them. In policy debate, debaters generally work only within the small number of overt biases identified in a philosophy.

The position of the judges highlights problems arising from the disposition of the

discussions. The notion that competitors can go for the tie fundamentally changes the nature of the argumentation. Because the stakes are high and the judges generally have an identifiable outside bias (they are chosen for it), strategies tend to be conservative and play upon what can be assumed about the judges. In contrast to policy debate, which often encourages advocates to take radical positions to clearly differentiate themselves from their opponents, Ethics Bowl encourages participants to work within a very limited number of frameworks. In general, these are Aristotelian virtue ethics, Kantian ethics, Rawlsian ethics, Utilitarianism and a handful of special topics (medical privacy or animal rights, for example). The case studies are designed to highlight one of the frameworks which puts the opposition in a hard position. In general, as the authors of the editorial note, this limited number of frameworks, conservative judge orientation, and bias toward civility encourages teams to often argue for the same conclusion and agree with one another. The fact that both teams argue for the same conclusion does not mean that it is the best conclusion. It only means that it was the easiest conclusion to win.

The focus on agreement, which is an element of strategic maneuvering which seeks to eliminate points of clash and focus the discussion, often hijacks the entire discussion (Van Eemeren & Houtlosser, 2000). The question, then, is how do you judge a debate when there is no argumentative clash, no required competitive intersection between claims to distinguish between arguments?

The answer is simple, when arguments do not inherently compete, they can be distinguished on the basis of presentation. The judge picks the team that does a better job of stating what is obvious and agreed upon. Unfortunately, this has little to do with the quality of the argument or its epistemic standing. It has more to do with saying things in a way that the judges are most likely to feel validated or in being an agreeable sort of person. The fact of the matter is that my best performing teams have gone the farthest with the “yes, and” strategy than a “no, but” strategy. When they mimic the most obvious convention, they appear more civil, more agreeable with the judge’s dispositions and are freed from having to demonstrate their positions to any standard of proof (since the other team has typically already met the standards set by presumption). The effect of a discussion which does not require completion is a reduction to aesthetics.

The fact is that dialectics fail when the interlocutors do not demonstrate the Platonic virtues of humility, honesty and intellectual ability. They must be open to change and to new ideas, to seeing the world in a new way, in having their notions interrogated without bias. They cannot just rehash what is already known or agree for the sake of agreement or for victory. If the interlocutors fail, so does the dialectic, and the truth becomes inaccessible or corrupted.

4. CONCLUSIONS

The Ethics Bowl format is explicitly designed to recreate a Platonic dialogue centered on creating honest and civil dialectics. However, there are structural dimensions of the contest form that prevent this from coming to fruition and perhaps make the situation even worse than it would be otherwise. For its flaws, policy debate has a long history that accommodates many of the objections levelled at it. The essay by Ellis and Hovagimian straw persons debate to advance a form of discussion that often results in inferior results and is more likely to reify the status quo than reform it.

First, both policy debate and Ethics Bowl deal with questions of what should be done. This is generally future-looking and presents more a deliberative question than a purely forensic one. The fact that the ethical decisions are contingent (“it depends” probability levels are the reason a discussion of alternatives can be entertained), undercuts the dialectic as an appropriate tool to this instance. It is not about defining a past action, but rather about establishing normative standards for future action.

Second, whereas policy debates attempt to pose the judge as a neutral participant by limiting their decision to what happens in the debate, or, checking their bias with detailed philosophy statements, Ethics Bowl positions the judge as an active participant. Judges are chosen specifically because they come with background knowledge that the participants are left to discern by any means possible. Additionally, they are posed as participants in the discussion and drive both the topic and the interrogation of the topic. This interjection and the fact that only one team is the object of their examination means that teams have incentives to act conservatively and appeal to biases or the most conventional answers to questions. This, plus the expectation that advocates will prioritize civility over other goals,

including a critique of the question or the facts of the case, means that there is little incentive for participants to engage or correct judges. Ethics Bowl creates tremendous incentives for teams to agree with the judges and, if the motivated cognition thesis is true, there is little to no incentive to question or disagree with them.

The focus on agreement extends to the structure of the debate. Where academic debate generally requires that participants debate the same topic and that they debate both sides of a topic (switch-sides), Ethics Bowl is a one-off. Each case is presented once in the tournament and by only one team. While all teams prepare all of the cases beforehand, they will only present half of them and respond to the other half. Because they do not know the specific question beforehand, there is little ability to stake out specific or unique argumentative ground. Consequently, it is better to think of the debates in terms of debating five or six frameworks than to think about having a detailed discussion of the case studies. This focus on narrow frameworks (which are a presupposition for the discussion rather than a subject of it) added to the lack of opportunities to stake out argumentative difference and clash means that teams have an incentive to embody the most conservative and predictable positions. Because teams, especially the opposition team, do not have an opportunity to rebut positions, they have little incentive to stray far from argumentative convention of claims that can be immediately understood. The result is that agreement becomes more important than a candid interrogation of a problem.

The structure of the tournament super-charges this conservative orientation. We begin in a situation where the participants have little incentive to be candid and add to this the fact that debates can end in a tie, or that agreeing with an opponent reduces the burdens that it takes to win to pure stylistic differences. It appears that nearly every incentive to actively engage and clash with others disappears. Additionally, the one-off nature of debates means that Ethics Bowl does not have the kind of learning curve that most varieties of debate possess (where one takes lessons from each debate and builds on them over time). The fact that only half of the teams really get to discuss a case means that there is no curve at all.

Fourth, the focus on civility as a condition for conflict undermines any honest interrogation of arguments. It starts with the assumption that all that we need to know is already known and

radical ideas are summarily dismissed. Ethics Bowl discourages participants from going beyond familiar frameworks or interrogating the value of those frameworks. An argument that centers on the paternalism or racism inherent in the Aristotelian notion of virtue ethics is unimaginable. Instead, the frameworks are presuppositions for the discussion and a way for participants to signal that they are knowledgeable about the nature of the field of ethics. This constitutes ethics as a closed system that rejects future creativity. In this way, participation in Ethics Bowl is a variety of credentialing that is often and materially useful for medical school applications, but not materially helpful in establishing new ethical boundaries.

Finally, the ability to go for the tie undercuts the sense of argumentative obligation---the obligation to interrogate arguments and to find what is true beyond probabilities and conventions. If competitive debate is good at anything, it is good at moving boundaries. In recent years, debate's ability to reject conventions and to interrogate the way things are has resulted in radical changes to the varieties of contestants and arguments that participate (Atchison & Panetta, 2009). Encouraging the judges to defer to the debaters, and having the debaters feel free to compete as hard as possible has enabled a creative and heterogeneous pool of arguments, participants and judges. Asking to be an advocate and to keep an open mind is an impossible task under their theory.

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