

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

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**THW match small donor contributions to political campaigns.**

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## Introduction

This edition relates to the October 2024, CDA tournament and topic. Previous year's editions can be found through the Training Materials page on the CDA web site.

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Accompanying this document are my notes from the final round at Joel Barlow 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. 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.

## **A New Year**

The first tournament of the year everyone is bit rusty from the summer break. A review of the final round at Joel Barlow suggests a series of lessons for every debater:

- Make sure the Judge, your opponents, and the audience know what the debate is going to be about.
- Is it legitimate to narrow the topic? The Opposition does so in the final round, and I have comments from others that many teams did the same.
- Cover the flow. Debate is interacting with your opponent, not presenting your ideas.
- Noting the absence of arguments is an effective form of reply. Simply re-stating the arguments dropped is less effective than also reminding the Judge that the other team did not reply those arguments.
- Listen to what is said, both your opponent's arguments and your own. They can form the basis of your best replies.
- Debate is not oratory. The rebuttal speeches should summarize the round by identifying the central issues and weighing the arguments presented by each side.

We will consider each of these below.

## **What is this debate about?**

Most real-world argument suffers from a lack of clarity as to what the issue is. In competitive debate, knowing the motion does not mean that the participants—you, your opponents, the Judge, the audience—all agree on the interpretation. In CDA the motion packet is not definitive, that is, debaters are not bound by the issues expressed in the articles. Authors and articles in the packet are there to provide background and multiple viewpoints, but these are not comprehensive. The Judge and audience have not read the packet. Judges are cautioned to evaluate the debate on what the debaters say, not their own knowledge of the topic.

During case prep, debaters tend to assume everyone knows what the debate is about, which is what the individual debater or team thinks the motion is about. They focus on

writing arguments. This is a mistake. Arguments are only relevant in an appropriate context. They don't necessarily apply in every case. The Prime Minister needs to provide enough scaffolding so the claims, warrants and impacts in each argument make sense.

## ***Framework***

Debaters differ on terminology. I like the word “framework” to describe the terms of the debate, though many limit “framework” to mean “voting issues”. As I use it, the framework of a debate consists of:

- the motion;
- the interpretation of the motion including any definitions and/or plan of implementation, representing what the Government is proposing;
- a description of the status quo, or, if offered, an Opposition counterproposal, representing what the Opposition is defending;
- the central issue(s) in contention; and
- a standard to evaluate or measure how well either side deals with the central issue(s), these last two comprising the “voting issues” and “weighing mechanism”..

The purpose of the framework is to ensure a good debate. The framework should be reasonable with respect to the words of the motion and with respect to their opponents', the Judge's, and the audience's expectations of what the motion is about. It should be fair in leaving either side with sufficient grounds or arguments to win.

The Prime Minister is responsible for laying out a proper framework for the debate. While it is not the purpose of the framework to gain advantage, it is in the Government team's best interest to provide a good one. Judges and the audience will credit debaters who provide clarity. A good framework demonstrates command of the round. A good framework is hard for the Opposition to ignore or dispute, and so it allows some control over the lines of argument. No framework or a poor framework allows Opp to steal these advantages away.

In the worst case, a poor framework results in a debate over definitions, which everyone seems to agree is undesirable yet seem to occur more often than they should. But agreeing on definitions isn't enough. If the world that the motion would bring into being—let's call this the “plan”—it will be unclear how contentions achieve their impacts. If the central issue(s) is unclear, the teams may argue past each other. If there is no clear standard to evaluate the central issue(s), teams can't weigh their arguments against one another.

## ***Some suggestions for dealing with framework***

There are no rules in debate. Some approaches are better than others. Rather than quote rules, debaters should understand the reasons for doing one thing rather than another.

Don't tell the Judge your opponent has done something that is against the rules, give the Judge a reason why your approach should be preferred.

*Suggestion 1: The purpose of providing a good framework is to ensure a good debate. It makes sense to give the first speaker in the debate, the Prime Minister, has the right to set the framework.*

*Suggestion 2: As long as the PM's framework is a reasonable interpretation of the motion and leaves both sides with sufficient grounds to support their side, the Opposition should accept and debate that framework. This permits the debate to be about substance rather than definitions.*

It isn't that "the rule is Gov has the right to define terms". It is the only sensible way to start a debate. We need to know the framework before we can move on to substance, and if the framework is reasonable, a debate about substance is a better debate than one wrapped up in the framework.

### ***And if there is no framework?***

In the final round at Joel Barlow the PM simply states the motion and goes right into the Gov contentions. The LO steps up and she provides a framework—definitions and weighing mechanism—that isn't quite what the PM was using. How do I know that? Opp defines "This House" as "state and local governments which means the Federal government can't provide funding" while Gov notes Bernie Sanders and Hilary Clinton in 2016 as an example. It pays to listen!

What is a reasonable approach in this case?

First, the purpose of framework is to enable arguments. Here Opp seems to want to exclude Federal funding and make the arguments it is too expensive for local governments, leading to their funding disadvantage. But the cost argument in the round never gets beyond "It's too expensive!", "No it's not!" If Opp intended to exclude parts of Gov's case this way, they didn't do so.

Second, and more important, while the PM didn't provide an explicit framework, he did speak for 7 minutes. It was quite clear Gov meant to include elections at all levels, with examples from the New York City Council, very local, to the President, very national. The Gov impacts were about improving democracy as measured by participation, clear, and applicable at all levels of government.

We accept implicit definitions all the time. If what a speaker is talking about is clear we don't stop them and say they are all wrong because things could have been defined differently.

*Suggestion 3: If the PM does not provide an explicit framework, but one is clear from the PMC, Opp should accept that framework.*

However, debate is about using language precisely. It is always a mistake to rely on implicit definition. Sooner or later the lack of clarity will cause the two sides—and

possibly the Judge—to drift off into different understandings of what is being said. That benefits no one.

*Suggestion 4: If the PM does not provide an explicit framework, but that framework implicitly clear, the LO should provide an explicit framework based on Opp’s best understanding of it.*

*Suggestion 5: If no implicit framework is clear, Opp should do their best to provide an explicit framework that includes both Opp’s own case and the Gov case.*

The PM has a chance to shine by setting clear and fair terms for the debate. If they don’t take advantage of this, the opportunity passes to the LO. A confident and gracious LO will try to find agreement with Gov on what the debate is about and move on to disagree on the issues.

I have seen rounds where the Opposition purposely tries to purposely change the framework in order to exclude or minimize the Government case. This is a defining characteristic of “technical debate” and “kritiks”. While I have a number of substantive arguments against this style of debate, ultimately it is discourteous. And it usually leads to squabbling over rules and definitions.

Debaters are too determined to disagree and often fail to realize how powerful it can be to highlight where the teams agree in order to focus the round on the important issues. So long as the Gov case is reasonable, the LO should find the common ground, explain to the Judge what the debate is about, and identify the issues where the two teams will clash. Ask yourself: Which leads to the better debate? Which leads to better scores from the Judge? What kind of debater are you?

### ***Why they invented POCs!***

In any round where the PM does not provide a clear framework before going into their substantive arguments, the Opp team should stand on a point of clarification (POC). That is what it is there for. At Joel Barlow, the PM went from the motion right into their contentions.

What we should have heard from Opp:

*Point of clarification! (Time stops.)*

*Could you give us some clarity on the round? For example, who is “This House”? What elections are we talking about? What is a “small donor contribution”? What is matched? Who pays for it?*

None of these questions are argumentative, only informational.

At Joel Barlow, Opp took a second-best approach by providing their own framework at the top of the LOC. Some debate formats, even Parli formats, do not allow POC’s, in which case this would be the best approach. Other than unnecessarily limiting “This House” to state and local elections”, the Opp framework presented respects the PMC and

is fair. There was no serious attempt to use the limitation to exclude Gov arguments. It was a good round.

Also, the MG accepted the Opp framework without comment. This would have been a mistake had Opp insisted on excluding parts of the PM's case. The MG should have moved to correct her partner's mistake by noting that the PM clearly included both national and local elections in his examples, and that funding would be "by normal means." This "I thought my partner was clear about the round" isn't ideal, but it is reasonable.

Neither team notices the possible impacts of this difference or attempts to use them in the round. Both teams argue as if they are in complete agreement on the terms of the debate, accepting all of each other's arguments.

### ***Before you argue over definitions...***

*Suggestion 6: Don't squabble over framework unless you have a substantive reason to do so, that is, a reason based on how it will affect the arguments in the round.*

I am not saying you should never challenge Gov definitions or other parts of the framework. But you need a good reason to do so, and that reason has to be about how the framework affects what issues can be raised in the debate. An interpretation is unreasonable or unfair because it—intentionally or unintentionally—excludes a legitimate and relevant argument.

Suppose you are on Gov and the LO gets up and presents a new set of definitions. Suppose you are on Opp and Gov presents definitions that are different from yours. Before you start arguing over framework ask yourself a few questions:

1. Has anything really changed? If the only difference is the choice of words, not meaning, don't waste your time arguing over them. If necessary, clarify and move on.
2. Do your arguments work under your opponent's framework? If they do, adjust your wording as necessary and proceed with the debate.
3. Are the Gov definitions reasonable? If it is, and the Opp case you prepped doesn't work, then you have to adapt or completely re-write your case during the PMC. Unless you have strong grounds against Gov's interpretation, all you will do by challenging their definitions is damage the round. Knowing when, on Opposition, you must drop your case and build a new one during the PMC is something a good debater must learn to do.
4. Can you turn a possible argument over definitions into an argument over substantive issues? Explaining why an important argument should be included in the round is much more persuasive than arguing over definitions.

In the final round at Joel Barlow, the possible difference in definitions didn't really matter. Whether we are talking about elections at all levels, or only at the state and local level, or even only at the national level, the contentions all work:

Gov	Opp
<p>G1: Matching small donor contributions (MSDC) will propel minority candidates and small voices</p> <p>G2: MSDC leads to more diverse and competitive elections.</p> <p>G3: MSDC levels the playing field versus PACs</p>	<p>O1: MSDC is not representative</p> <p>O2: MSDC will increase polarization</p> <p>O3: There are better uses for the funds</p>

**...see if you can argue over substance**

The last point, number 4, is the best advice I can give about whether to argue over definitions: find a way to turn it into an argument over substance.

A definition is abusive primarily because it serves to exclude reasonable arguments that might be made by either team. The best way to convince a Judge that a definition is abusive is to present the arguments the definition would exclude, explain why it is important that these arguments be considered under the motion, why there is no good reason to exclude these arguments, and conclude the definition should be set aside for the good of the round. This way most of what you present builds a substantive case against the other team rather than seeming like quibbling over the meaning of words.

Let me give two examples based on the final round at Joel Barlow.

First, suppose that on Gov, in response to Opp’s limiting the debate to state and local governments, the MG had said the following:

*We apologize for not being clear about the framework of the round. My partner’s speech included examples at both the local and national level, so we thought our intention was clear.*

*But I’d like to note that we think Opp’s limiting the round to state and local governments actually works against them. Yes, those levels of government would not be able to call on Federal funds to match contributions in local campaigns, but we never suggested that. And, as state and local governments, they would only match state and local small contributions. With respect to the Opp first contention, this means that local funds go to local elections, at amounts decided by local governments. This is a process that contradicts their claim the motion is not representative democracy. On the second contention, polarization, note first this is more of a national problem. But second by keeping the process local, in many cases among neighbors, contributions are more likely to fund support for local needs, and therefore less likely to cause polarization. Finally, the best use of funds, Opp’s third contention, please refer to our entire case. It costs money to inform people of local needs and get them out to vote in favor. Elections are how we decide the best use of funds, and improving local elections improves that decision process.*

*We still, of course, believe there is no reason not to consider Federal elections, even if the mechanisms and impacts are slightly different. My partner's example of the disadvantages in funding that Bernie Sanders faced as an outsider candidate against Hilary Clinton is clearly relevant to the motion and you should consider it.*

Alternatively, rather than providing their own definitions limiting the debate to state and local government, Opp might have exploited the ambiguity of Gov's case in the following way:

*The Opposition would like to note that the Prime Minister has not defined any terms or presented any details of what their matching program would look like. This puts us at an unfair disadvantage in that we lack information that could be used to attack their case. However, we believe we can outline a number of problems a matching program would have to face. Further, we suggest to you it would be unfair at this point for the Member of Government to rise and present plan details simply to exclude our arguments.*

*First, let's look at funding. The PMC presented examples at all levels of government. Their plan is potentially a huge unfunded mandate. While the Federal government may be able to print money and issue debt, state and local governments cannot. The number of local contributions to be matched is unpredictable. At the margin it could force state and especially local governments, with already stretched budgets, to cut important social programs, or to raise local taxes and/or issue debt which they cannot easily do.*

*Second, there are no limits as to who the donors are or where they come from, only that they be "small". We have already seen examples of outside parties trying to influence state and local elections for partisan political purposes. Why wouldn't Democrats and Republicans in solid blue or red states organize supporters to donate to toss-up elections in other states? Those state or local governments would have to match those outsider donations, increasing the harm! This not only makes our first disadvantage on funding even worse for the Gov case, but it is patently undemocratic: local taxpayers are funding non-local contributions for candidates that may not be in their best interest.*

See what other arguments you can think of.

### ***Is it reasonable to narrow the scope of the debate?***

In some rounds at Joel Barlow, it was the Government team that defined "This House" as "state and local governments." Is it legitimate to limit the round in this way?

The general answer is "it depends". In this case, if we apply the questions above, I think the answers suggest that a Gov team defining "This House" as "state and local governments" is offering a reasonable interpretation of the motion that provides sufficient grounds for either team to win the round. While the details are slightly different, as noted above the arguments that apply at one level of government generally apply to the others. The same would hold true if Gov defined "This House" as the US Federal government.

Contrary to what many debaters think, narrowing the scope of the debate does not preclude either team from supporting their arguments with examples from outside that scope. For example, if the packet had provided evidence of a donor matching program in Europe, there is no reason that example might not inform us of the possible impacts of a



similar program in the US. Similarly, an example at the Federal, state, or local level can be used to discuss what might happen at any other level so long as one can show how similar conditions apply at both levels, and this would make similar results likely.

What would be abusive would be to narrow the round in a way that provides one team or the other with unfair advantage. Usually this comes down to a question of “specific knowledge”. There may be some quirk that makes the narrow situation substantially different from the more general case. One team may know more about the specific situation than the other and may present those details selectively to support their own side.

For example, I live in Madison. If on Gov I limited the This House to that locale, I might have detailed knowledge of local candidates, issues, and elections to build a case. It is unlikely other teams would know enough to challenge those arguments.

With this month’s motion, I don’t believe there are any problems with focusing on state and local elections, but I see no advantage in doing so. If I were on Opp, or if I were a Judge, I would have accepted it. But I didn’t see every round. If you saw I problem, please write me.

### ***Arguing over the plan, issues, and weighing mechanism***

Framework is not just definitions. It also includes further details about what the Gov world would look like, such as a plan. It may also include a description of the status quo or Opp counterplan. It also should include a statement of the central issue(s) in the debate and how these should be evaluated and weighed.

These did not figure in the final at Joel Barlow, or the questions I received afterwards. We will leave their discussion for a final round where these issues are relevant.

## **Some Technical Points**

There are a few quick observations I’d like to make about the final round at Joel Barlow. They are “Debate 101” for Novices and reminders for Varsity.

### ***Cover the flow***

After presenting a framework for the debate, the LO spend their entire constructive speech on the Opp’s three contentions. The three Gov contentions were entirely ignored. Failure to cover the flow is a mistake, often fatal.

A simple mantra for new debaters is “the contentions are my friends”. If in every speech you say something about every contention that has been introduced in the debate to that point, you will give a better than average speech. Choose one “side of the flow”—Gov or Opp—to start with, and deal with each contention in the same order in which it was originally presented. This gives your speech good structure and good order, easy for Judge and your opponents (and your partner) to follow. Even if your responses aren’t the best, saying something is better than saying nothing, and often more effective than you expect.

## **Highlight what is dropped**

If you don't cover the flow the next speaker can simply note what you dropped and spend more time on what you didn't. In the final at Joel Barlow, the MG spent 6 minutes replying to the Opp case, and the last two minutes restating the PM's arguments supporting the Gov contentions. But all the MG had to do was point out that the LO had dropped the entire Gov case, briefly repeat the Gov contentions to remind the Judge—maybe 30 seconds at most—and spent an additional 90 seconds on attacking the Opp contentions.

This puts the MO in a deep hole. First, they have only 8 minutes to respond to the 7 minutes of argument in the PMC in favor of the Gov case and the nearly 8 minutes of argument in the MGC against the Opp case.

Second, any arguments against the Gov case are likely new to the round. While new arguments are generally not permitted in the rebuttal speeches, the exception is that the PM may present new arguments if they are in reply to arguments first presented in the MOC. This means the PM can say almost anything they want in the PMR so long as they can link it to a new reply by the MO to the Gov case. That applies even if the PM also uses that new argument to reply to something introduced in the LOC and missed by the MG!

Similar problems occur if the MG fails to reply to the LOC. The PMR is then the only place to reply, and any replies to the Opp contentions likely new arguments. It gets more complicated if the MO drops arguments, as the impact depends on what was covered in the LOC.

There are more advanced ways to organize a speech and respond to your opponents. They take a while to learn because they depend on the details of each round.

Until you learn them, my best advice: cover the flow!

## ***Listen closely***

Debate is about responding to the other team. That suggests that listening closely is one of—if not the most—important skill a debater must learn. Listening is not simply hearing the words but understanding them and realizing their significance.

Two examples from the final round at Joel Barlow:

- Did you notice the details when the LO presented the Opp framework? Did you understand how it related to the Gov case? Most of the discussion above was motivated by this detail.
- There was a lot of discussion about cost in the round, but only one statistic. The PM quoted the packet comparing \$1.2 billion in contributions from 100 rich individuals versus \$747 million from small donors. Given a \$20+ trillion economy matching less than a billion doesn't seem much of a stretch. The MG could have used that against the LO's cost argument but didn't. (To be honest,

my flow says \$767 million. I check quotes when I write. It shows everyone makes mistakes. But either number would support the reply.)

If you don't hear it, you can't use it, even if it's your own argument.

## **RFD**

*This is a slightly edited version of my "Reason for Decision" for the final round at Joel Barlow:*

By the end of this round both sides were engaging in oratory, not debate, with Opp pleading for a solution to the basic causes of discrimination and Gov pleading for giving minority candidates a fair shot. Neither side identifies the key issues or weighs them against each other or against the weighing mechanism proposed by the LO and agreed to by the MG. That gives the Judge a great deal of leeway on how to decide the round, necessary because the debaters provide no basis.

The first way I decided was simple coverage. The LO presents the Opp case but never presents any reply to the Gov case. This permits the MG to spend almost 6 minutes replying to the Opp case in detail. The MO then replies to the Gov case but has little time to respond to Gov's responses to the Opp case in the MGC. Note the MO drops both teams' third contentions. The weight of the coverage favors Gov.

The second way is to try to identify and match issues. Gov has two: empower 3rd party and minority candidates; push back against corporate and PAC money. The MO's replies are basically that there are greater underlying socio-economic issues that need to be solved, but the reply in the PMR, "we agree, but ours is a helpful step" is sufficient. Note the Opp argument hints at a counterplan of spending on social programs. But such a counterplan program would be non-competitive, in that one can do both: fund voters and social programs simultaneously. More on the cost argument below.

Opp has three arguments: it's unfair to use tax money for candidates, it will stoke extremism, and the funds could be better used elsewhere. Gov misses the obvious reply that we direct our tax dollars through our vote for a candidate, not by designating the programs we choose to fund. But the MG does note there is a double incentive for candidates to reach out to individuals to increase their funds, and for those individuals to contribute as their contributions will be matched. This incentive argument also replies to the extremism argument and the timing argument (candidates need funds early on, while moderate voters take time to decide), as under the motion it literally pays to reach out. The MG also argues, echoed in the PMR, that more engaged voters and more candidates will lead to better policy, which also replies to the Opp argument that there are underlying socio-economic problems that need to be solved.

Neither side really deals with funding. Gov notes PAC money. Opp says matching will be too expensive for small government. Gov notes 20 states now have some kind of program similar to the motion without significant problems. Gov quotes \$1.2 billion from 100 donors versus \$767 million from small donors. That could have been used by

Gov in rebuttal to argue that we are not talking about a lot of money. But Gov does not, and anyway did not tell us what level of elections and what time frame these numbers refer to. The cost argument is hard to credit to either side, but I don't think it is significant.

Overall, a vote for Gov. There are a number of other problems with the round that I will discuss at a later time.