ISSA Proceedings 2006 – Talking At Cross Purposes: Violating Higher-Order Conditions With Oppositional Arguments

Imagine walking into a room and preparing to watch a policy debate between two teams, one affirming and one negating a particular topic. The debaters participating have been instructed to debate about whether or not the United States should accede to the Kyoto Protocol, thereby implementing massive reductions in fossil fuel emissions throughout the country. The first team stands up and defends Kyoto, claiming that global warming threatens global biodiversity. After a brief transition, the second team responds by claiming this debate is really just a hallucinatory intellectual game that undermines personal agency and real world activism. Instead of answering the arguments in favor of Kyoto, they criticize the forum as bereft of real world benefit and as a distraction from engaged citizenship. The first team stands up and in an effort to regain control over the discussion proclaims that these arguments have noting to do with the topic at hand and are violations of the norms established for the debate, one of which is a direct discussion of the topic from opposing viewpoints. The rest of the debate centers on whether the rules are a necessary precursor to the activity and whether or not the individuals sitting in judgment of this debate have the right to vote in favor of arguments that are irrelevant to the discussion at hand. While this seems like a peculiar situation it is one that plays out at almost every major national intercollegiate policy debate tournament throughout the United States every year. This paper is an attempted response to these episodes of argumentation rooted in a discussion of argumentation theory and debate practice.

1. *Normative Pragmatics*

The pragma-dialectical approach to argumentation, developed by Fans H. van Eemeren and Rob Grootendorst (1984; 1992; 2004) is a normative and descriptive model for the reconstruction of argument and a corrective for problematic

argumentative techniques. An important entailment of subscribing to this method is the belief that argumentation's telos is the reconciliation of differences through the use of a particular normative model coined by Eemeren and Grootendorst (2004) as "critical discussion." While they admit that argument often does not follow the norms they establish for critical discussion, they contend that as a heuristic for understanding argument and the ways in which argument might be improved, the critical discussion offers insightful and crucial illumination. Eemeren and Grootendorst (2004) suggest that in the pragma-dialectical approach to argument, the rules developed, "are not algorithmic, but heuristic" and that argumentation is, "not a mechanical process but a social activity aimed at convincing others of the acceptability of a standpoint by removing other people's doubts" (p. 35).

Primary to the development of their model of critical discussion is the notion that certain "higher-order conditions" must be at play in order to allow for true reconciliation among opposing parties (Van Eemeren, Grootendorst, Jackson, and Jacobs, 1993, p. 30; Van Eemeren and Grootendorst, 2004, p. 189). These higher-order conditions create the grounds for symmetrical engagement based on removing the power and privilege commonly associated with particular identities and institutional dynamics in society (Van Eemeren et al. 1993, p. 33; Van Eemeren and Grootendorst, 2004, p. 189). In addition, these conditions work to produce the psychological orientation critical for the proper functioning of the practical rules for argumentative discussion (Van Eemeren et al., 1993, p. 32; Van Eemeren and Grootendorst, 2004, p. 189).

In developing this cooperative telos for argumentation, pragma-dialectical theorists have suggested that the empirical study of argument in practice is essential both from theoretical and pedagogical points of view. As an exercise in what they call "normative pragmatics" (Van Eemeren et al., 1993, p. 2; Van Eemeren and Grootendorst, 2004, p. 9-11) these theorists look for examples of speech acts which bring into existence episodes of argumentation. Accordingly, case studies can help to teach students of argument how the critical discussion operates as a normative ideal and practical method of dispute resolution. The analysis of particular episodes of argument, especially those that might be seen as anomalous, can help to reveal the benefits of accepting the critical discussion as a modus operandi for mediating disagreements. Van Eemeren and Grootendorst (2004) suggest that empirical analysis, especially aimed at, "research on the question of to what extent ordinary language users in everyday contexts really tend to resolve their differences of opinion by means of the kind of discussion

favored by dialecticians" (p. 31) is crucial.

As an example of scholarship rooted in normative pragmatics, this paper is an attempt to utilize innovative practices in the American intercollegiate academic debate community as a means to problematize the role of critical discussion in mediating disputes.**[i]** While the debate community may not represent argument in the "every day" sense as described above, this community is constantly engaged in the development and (re)negotiation of argumentation and, for this reason, represents an essential empirical example for argumentation theorists. Developments in the debate community illustrate that in certain circumstances, higher-order conditions become the object of discussion themselves perhaps undermining their unquestioned normative function. In these disputes, intercollegiate academic debaters appear to talk at cross purposes, one side highlighting the benefits of traditional approaches while the other claims that these traditions should be rejected or revised. This intervention into both debate practice and argumentation theory will begin with a description of the claimed inter-subjectively agreed upon norms of academic debate. Next, an evaluation of the connection between the norms of debate and the notion of higher-order conditions is undertaken in order to parse out two primary contributions this paper hopes to make to the pragma-dialectical approach and argumentation theory generally:

(1) that the norms and rules established in the notion of the critical discussion can become the object of argumentation without undermining the resolution of disputes, and,

(2) that the practice of debate can and should provide empirical grounding for the development of argumentation theory.

2. *Destabilizing the "Received View"*

The American intercollegiate academic debate community is organized around a set of practices that have been established through years of dialectical engagement and reflexive (re)construction. The example at the beginning of this paper should suffice to suggest that there are currently at least two (and probably more) competing sets of norms for dialectical engagement in the debate community. The controversy brewing between the more traditional conception of debate and its counterpart, as yet ill-defined, is the primary focus of this section. According to the traditional concept of debate, participants focus on the policy question posed in the resolution, a brief statement that is crafted over months of deliberation by the debate community and changed on a yearly basis.**[ii]** This

resolution becomes the organizing text through which students are given access to research agendas which focus on the policy outcomes of its acceptance or rejection.**[iii]** These research practices, focused on the literature available on the given topic, enhance the development and presentation of argumentation that is, according to this view, central to the goals of the community. The argumentative and research practices described here are the primary aspects of what is commonly referred to as switch-sides debating. While there is not a necessary connection between switch-sides debate and policy-based analysis, argumentative practices suggest that individuals often defend both in tandem arguing that in order to have well-defined "sides" in a debate, there must be a focus on a policy question with a predictable literature base. For many debaters, these norms are understood as the central pillars of dialectical engagement throughout the community and thus function as the received view of appropriate argumentative practice for most participants.

Argumentation and debate scholars have produced a number of persuasive defenses of this received view that cover its pedagogical, practical, and professional benefits for participants. Some argue that debate effectively teaches students how to engage in argumentative practices that translate into engaged democratic citizenship (Ehninger and Brockriede, 1972, p. 25) while others argue that debate prepares participants for future employment in law or politics (Panetta, 1990). Gordon Mitchell (1998) has put forward perhaps the most persuasive defense of debate as an activity that can help to bridge the gap between the technical aspects of involvement in the contest round and effective public advocacy (See also Damien Pfister and Jane Munksgaard, 2005). The notion that switch-sides debate is critical to future public advocacy is often used as a starting point for claiming that it is ethical to engage in this practice. For example, Nicholas Cripe (1957) and Star Muir (1993) have argued that debating both sides produces ethical citizenship through providing a deeper understanding of opposing arguments. Muir (1993) writes that researching and debating both sides of a topic is, "essential for effective critical thinking and in turn for the development of a reasoned moral identity" (p. 290). It is important to note, however, that this defense of a multivalent argumentative posture is rooted in the ability of debaters to view topics from both sides rather than making arguments that are not related to the resolution at hand.

Certain changes in tournament practice are beginning to rupture this received

view of the activity. One such transition is mutual preference judging (MPJ). Under this system participants rank the judges at any given tournament in order to control, to some extent, who will end up watching and passing judgment in their debates. Judges, in response to this process, have written increasingly specific "judge philosophies" or documents which suggest the types of arguments they prefer and how they will evaluate them. This has created a divide in the community based on the increasingly stark distinction between judges and debaters in terms of the practices that they think are appropriate in the contest round. In many cases, the judges and debaters who agree with one another on the parameters of the activity are paired. Very few judges bridge this divide. Cass R. Sunstein (2003) has dealt with this phenomenon calling it "enclave deliberation" (p. 82). This process whereby individuals who agree with one another form argumentative enclaves often leads to increasing agreement and radicalization of the viewpoints in these groups, a process Sunstein (2003) calls "group polarization" (p. 81). Mitchell and Takeshi Suzuki (2004) suggest that debate might counter-act the trend in the larger society toward "group polarization" by promulgating the switch-sides model; however, the above indicates one way in which debate itself fosters the development of enclave deliberation. If debaters can choose the critics who will be watching them, then they can easily construct the right parameters for a debate in which they run arguments which violate or reinforce convention.

These changes in debate practice and tournament procedure have opened the door for transforming notions of switch-side policy-oriented debate; however, they are only part of the shift away from this traditional format. An additional challenge to the received view discussed above is based in a nuanced critique of switch-side methodology and pedagogy in debate and argumentation scholarship. An illustrative example of questioning the received view in debate scholarship can be found in an article by Ronald Walter Greene and Darrin Hicks (2005). They argue that switch-sides debate creates a "field of governance" that "allows liberalism to trade in the global cosmopolitan marketplace at the same time as it creates a field of intervention to transform and change the world one subject (regime) at a time" (p. 121). In other words, the switch-sides model produces a conception of debate attached to democratic citizenship and the promulgation of democratic ideals in general. Here, democratic citizenship is equated with a mode of cultural imperialism. This stance challenges the often non-reflective acceptance of democratic citizenship and liberal notions of deliberation in debate pedagogy and scholarship.

In addition, there is an as yet unseen connection between the current argumentative shift occurring in debate and the development of cutting-edge research concerning opposition to traditional argumentative norms in the public sphere. Kathryn M. Olson and G. Thomas Goodnight (1994) suggest that arguments which "work outside and against traditional practices of influence," (p. 250) can be understood as oppositional arguments. For them, "oppositional argument unsettles the appropriateness of social conventions, draws attention to the taken-for-granted means of communication, and provokes discussion" (p. 250). It is easy to make the connection between this sense of argument and the techniques currently being utilized by debaters who hope to unsettle conventional norms of the received view. It is also appropriate to note here that Goodnight (2004) proposes a notion of controversy that is tied directly to his work with Olson (1994) on oppositional argument. Goodnight (2004) argues that, "The jostling among practices of communication generates contestation over claims to rightness, truthfulness, propriety, sincerity, and their opposites for any particular claim. Disputation over such communication claims engenders several distinctive types of controversy" (p. 170). Goodnight also suggests that controversy in this sense is currently growing given changes in technology and an increased awareness of pluralism (p. 170). Any successful argumentation theory which hopes to develop a resolution-oriented telos (Van Eemeren and Grootendorst, 2004, p. 41) must deal with the nature, scope, and resolution of controversies that center on communicative practices. For this reason, I hope to extend the terminology and perhaps add an empirical example of oppositional argument to this burgeoning scholarship.

While there are growing challenges to the received view of academic debate in both theory and practice, some scholars have responded to this oppositional turn by claiming that it is trivial and undermines the pedagogical role of debate practice. For example, Robert C. Rowland and John E. Fritch (1989) argue that, Meta-debate has significant disadvantages from a pedagogical perspective. Debate about debate has a tendency toward triviality. Outside of the narrow confines of debate, many issues involved in debate theory have no application. In addition, a focus on debate theory may distract debaters from consideration of the substantive issues involved in their topic. (p. 460)

For Rowland and Fritch (1989), "debate about debate" (p. 457) is bereft of pedagogical value because it has no application outside the confines of the debate

round. Ultimately, they argue that the educational value of the game of debate itself is potentially at risk. In addition to the pedagogical disadvantages of meta-debate, Rowland and Fritch (1989) cite the role of the judge in adjudicating debates that depart from the topic at hand as another major concern. They write that, "Debate practice makes it clear that any attempt to remove all subjectivity from argument evaluation is doomed to failure; thus the critic must be willing to make a commitment to a given standard, in order to protect the rationality of the process" (p. 461). Given the subjectivity inherent in the role of the judge in the debate round made explicit in this view, lines must be drawn as to what sorts of arguments are allowable. Otherwise, judges are left wondering how to delineate between legitimate and illegitimate forms of argumentation. Fears concerning a lack of rules and procedures for intercollegiate academic debate have led to a direct response by certain members of the debate community. In 1985, the American Debate Association was established. One of its missions was the creation of a form of academic debate based primarily of the switch-sides policy-oriented approach (see Warren D. Decker and John T. Morello, 1990). While these scholars are responding to a different meta-theoretical intervention into debate practice than the current oppositional turn, they definitely prefigure the ways in which debaters and judges have begun to respond to the onset of oppositional arguments.

This section has provided a basic sense of the controversy underway in the intercollegiate academic debate community. Certain practices undertaken by tournaments, debaters, and scholars have given rise to an increased questioning of the received view. This debate within the debate community is ongoing, based on a long history of similar challenges, and has high stakes for scholars interested in studying the benefits of debate as a mode of argumentation pedagogy. With this ongoing controversy in mind, I now turn to the synergies between the received view norms of debate described above and the model of the critical discussion and higher-order conditions in the pragma-dialectical approach to argumentation.

3. *Placing Conditions on Dialectical Engagement: The Pragma-dialectical Approach*

Rowland and Fritch (1989) present real concerns about the onset of oppositional arguments in the debate community, specifically that these arguments erode the pedagogical value of the activity, do not translate into real world practical skills,

and lead to trivial dialectical encounters (p. 460). They argue that certain norms of argumentation, specifically meta-theoretical interventions into the contest round, erode the switch-sides policy-oriented model with its focus on "substantive issues." This section suggests that the norms tied to the received view of debate defended by Rowland and Fritch (1989) mirror the higher-order conditions (Van Eemeren et al., 1993; Van Eemeren and Grootendorst, 2004) which are critical to the pragma-dialectical conception of the critical discussion. In both instances, certain norms of interaction are posited as crucial for the maintenance of dialectical value and, in the case of the critical discussion, for the resolution of differences.

At the outset, I must admit that there is one major problem concerning the application of debate as an empirical example in this context. Debate presupposes a judgment by an individual not involved in the discussion. A judge that is external to the dialectic is not appropriate within the notion of the critical discussion. In this regard, Van Eemeren and Grootendorst (2004) claim that, "A difference of opinion is only resolved if a joint conclusion is reached on the acceptability of the standpoints at issue on the basis of a regulated and unimpaired exchange of arguments and criticism" (p. 58). For pragma-dialectical theorists, the acceptance of a judgment by a non-discussant stands directly opposed to their notion of resolution-oriented dialectical exchanges. In these exchanges, discussants use speech acts according to a set of discussion rules to convince each other to either accept or reject a particular standpoint (Van Eemeren and Grootendorst, 2004, p. 188). This is done without the imposition of an external judgment.

Despite the fact that debate presupposes judgment by a non-discussant, it can still prove useful in unlocking the potential challenges that debate can pose for pragma-dialectical theory. One way to deal with the problem of the judgment is to suggest that the judge in intercollegiate academic debates is not separate from the dialectical engagement taking place between the debaters. Balthrop (1983) claims that the adoption of a critical hermeneutical stance by the judge allows the judge to participate in the dialectical engagement and render judgments that are rooted in a deep interpretive relationship with the debaters (p. 5). If we view the judge as a participant and discussant of a sort, then this potential gulf may not represent a theoretical quagmire. In this sense, we can at least provisionally view the judge as a participant, albeit with a slightly different dialectical role in the debate.

With this possible lacuna between debate and the critical discussion at least

provisionally sealed, I now turn to developing my primary argument that recent trends in intercollegiate academic debate, specifically the increasing incidence of oppositional arguments, present something of an anomaly for argumentation theorists. For this reason, it is useful to consider how the real arguments at play in the debate community provide room for analyzing pragma-dialectical theory. In order to develop this claim, I turn first to a discussion of the conditions which pragma-dialectical theorists hold as essential for resolution-oriented argumentation. Van Eemeren et al. (2003) define "higher-order conditions" as "conditions that would have to hold in order for the [argumentative] system to lead to resolution" (p. 30). They stress that "Not only must participants be willing and able to enter into a certain attitude, they must be enabled to claim the rights and responsibilities associated with the argumentative roles defined by the model" (p. 33). For pragma-dialectical theorists, the organizing god-term for the ideal argumentative system is the critical discussion.

In the model of the critical discussion, "argumentative discourse is conceived as aimed at resolving a difference of opinion by putting the acceptability of the 'standpoints' at issue to the test by applying criteria that are both problem-valid as well as intersubjectively valid" (Van Eemeren and Peter Houtlosser, 2003, p. 387). In other words, the conditions associated with the critical discussion have to do with mapping out legitimate problems (or standpoints) for discussion which can be agreed upon by the discussants. Within this model of the critical discussion, there are three types of conditions which must be met. "First-order conditions" are represented by the discussion rules or the "code of conduct" (Eemeren et al., 1993) to be followed at various stages of dialectical engagement. A complete discussion of these rules is not possible in the space of this paper; however, Van Eemeren and Grootendorst have already provided a detailed analysis of the code of conduct to be followed in critical discussions (2003; 2004, p. 123-157).

The next two types of conditions deal with the opinions and psychology of the discussants and are therefore referred to as higher-order conditions because they are rules which must be followed in order for the critical discussion to unfold in the first place. The first of these sets of conditions, which reinforce the first-order conditions mentioned above by pedagogically reinforcing the discussion rules (Van Eemeren and Grootendorst, 2004, p. 192), are referred to as, "Second-order conditions [which] include internal states of arguers having to do with their

motivations to engage in a critical discussion" (Van Eemeren et al., 1993, p. 32). According to Van Eemeren and Grootendorst (2004) this psychological state is achieved through the incorporation of the "10 Commandments" of the critical discussion (p. 190-196). Each of these commandments can be viewed as a higher-order condition because they are all critical to an appropriate mental state from which to begin a dialectical encounter. Finally, Van Eemeren et al. (1993) identify a third class of conditions which, "stress the importance of political ideals such as nonviolence, freedom of speech, and intellectual pluralism as well as practical constraints and resources for empowering critical discussion" (p. 33). In order for a critical discussion to function, basic notions of human rights and a commitment to discourse above and beyond violence, power, and privilege must be top priorities.

The first and second-order conditions described above provide the most direct analogue to the debate context. In the critical discussion, individuals are asked to enter with the intention of resolving a dispute. Refusing to discuss the dispute at hand with intent to resolve it violates the second-order conditions and thereby undermines the resolution of the dispute. In the debate context, debaters are asked to enter into a discussion of a given topic with the intent of providing a judge with the necessary arguments to either affirm or negate this topic. By refusing to come to some kind of agreement about the stated problem in the resolution, debaters may be violating the higher-order conditions of the activity described as the received view in the previous section. This, in turn, potentially circumvents a resolution-oriented discussion. In this case, the appropriate resolution of the dispute would most likely be a provisional judgment concerning the advisability of either affirming or negating the topic at hand. A debate focused on this question would, following this logic, be critical to the framing of this judgment.

One of the primary claims posited by those who have responded negatively to the rise of oppositional arguments in debate is the notion that certain conditions preclude these types of arguments. Very often, teams that are faced with answering oppositional arguments will run topicality,[iv] defenses of switch-sides debate which view this framework as necessary to the continuation of the activity, and rules-based arguments about the division of ground in the debate.[v] These are all forms of higher-order conditions in the sense that they are posited as necessary precursors to not only effective argument but also the existence of the activity and the possibility for discussion and resolution in the first place.

Rules violations in current debate practice provide a glimpse into the multiple comparisons that might be drawn between debate and pragma-dialectics.**[vi]** They indicate at least initially that oppositional arguments can be read as violating the higher-order conditions of the debate community. The conditions made possible through years of development in debate theory and practice also appear, in this initial glimpse, to fit into the higher-order conditions at the heart of pragma-dialectical theory. However, it is appropriate to mention here that while the first and second-order conditions map quite nicely onto the debate context and aid in an interpretation of oppositional arguments as violations of the norms, the third-order conditions outlined by Van Eemeren and Grootendorst (2004) and Van Eemeren et al. (1993) tell a slightly different story. If the argument that the debate community is inherently asymmetrical in terms of race and class is correct as some debaters have suggested, then the higher-order conditions have not been met.**[vii]** Remember that the third-order conditions respond directly to the need for resolving power inequalities and issues of privilege (Van Eemeren et al., 1993, p. 33). This is at least one example of pragma-dialectics opening up space for oppositional argumentation; however, second-order conditions can still function as a site for contestation between the empirical example of debate and the normative principles of pragma-dialectics as already suggested.

The key test at this point is to determine how and to what extent, given the violations of the second-order conditions outlined above, oppositional arguments have reduced the possibility of resolving debate rounds adequately. To return briefly to an earlier discussion, it is critical to note once again that debate is a competitive activity, quite distinct from the resolution-oriented model of the critical discussion. However, the primary normative driving force for the theory of the critical discussion is that it is the only way for disputes to be resolved. In the context of debate, there are decisions handed down by judges. These decisions must meet with the larger debate community's expectations (Balthrop, 1983, p. 10) implying that some level of resolution is at play within the normal activities of the debate community. If oppositional arguments undermine this process, then the first and second-order conditions of the critical discussion can be affirmed as the needed corrective in this instance.

Despite the arguments made by Eemeren et al. (1993) that "codes of conduct" must be in tact and discussants must remain committed to the ideal rules of discourse, judgment in the debate context has not been rendered impossible at

this point. Tournaments continue to happen and decisions continue to be rendered much like they always have been. This suggests that debate is something of a counter-point to pragma-dialectical notions of argument which require that the established rules be followed. Instead, debaters and judges seem to be engaged in a negotiation about what appropriate argumentative strategies are on a consistent basis while retaining the grounds of judgment and resolution in the activity. According to Hicks and Lenore Langsdorf (1999), "there seem to be only two ways that regulation can be made effective: rules can be imposed either hegemonically (implicitly) or autocratically (explicitly); or rules can be chosen by participants" (p. 154). In accepting this read of proceduralist approaches to argumentation, one could easily justify oppositional argumentation as the needed defense against autocratic and hegemonic application of dialectical norms within the debate community. For this reason, the recent rise of oppositional arguments in debate does not signal the end of the line for the activity as Rowland and Fritch (1989) suggest. Instead, it signals growth in the activity ushered in by an increasing respect for the role of subjects in their research and discourse habits. In fact, if anything, the ongoing discussion of the norms of debate in the contest round, and its augmentation in debate scholarship (Greene and Hicks, 2005) indicates that debate can make room for oppositional arguments without giving up the potential for resolution through judgment. Finally, this line of argument also suggests that the pedagogical benefits of the activity itself are perhaps best maintained by allowing debaters to *choose* the norms the community should follow as opposed to *enforcing* the norms through judgment.

Debate and argumentation scholars have already suggested that rules are not only legitimate for discussion but are always already a part of ongoing discussions. Michael Billig (1996) has argued that, "Rules can be objects of argument, just as much as Terrence's plays could be the topic of heated debate" (p. 50). He goes on to suggest that, while a wide area of agreement is central to the resolution of disputes (p. 53), rules concerning how disputes are to be negotiated are only recognizable because they have been subject to wide disagreement: "The game and its rules are only comprehensible because there is more to social life than rule-following" (p. 52). In other words, without heated ruptures in the day-to-day interactions of discussants, there can be no justifiable set of norms for a group to follow in the first place.

Balthrop (1983), writing about the issues involved in adjudicating such rules-

based disputes in debate practice suggests that judges view themselves as "critics of argument." This perspective provides, "a general orientation for many judges and encourages an emic approach, thus allowing evaluative criteria to emerge from each debate, while also permitting each judge to rely upon his or her own areas of expertise to 'make sense of' what happens in the debate" (p. 2). In other words, judges already have a model of interaction with the debaters and their speech acts which they can follow in the resolution of disputes that allows for oppositional modes of argument. In fact, for Balthrop (1982) this is the way argument often plays out in the context of debate practice. His theoretical insight provides a critical telos for the study of argumentation and its use as an alternative to the imposition of norms. He writes that, "as each of these potential sources for change generates the possibility of competing interpretations, argument becomes an essential factor for resolving these conflicts and for recreating shared consensus about reality" (p. 239). The discussion and (re)interpretation of norms, far from eroding intersubjective agreement and judgment, helps the process of argumentation to produce a more fully realized intersubjective agreement concerning the norms of the given community. Even during the early 1980s, it seems, scholars were preparing for the inevitability of rules violations and saw the process of argument as opposed to the imposition of rules and procedure as the needed corrective.

Fundamentally, then, trends in debate practice and argumentation scholarship suggest that there is room for oppositional modes of argument. In addition, these modes of argument, far from destabilizing the structure of debate, provide for its ongoing manifestation. Debaters, following this view, are not currently talking at cross purposes but are instead engaged in an oppositional framework that ultimately and at first glance counter-intuitively, allows for a cooperative process of norm creation. As an empirical example, debate allows for critical scrutiny concerning the second-order conditions in pragma-dialectical theory. Speaking in terms of a broader context, oppositional argument as a technology of dialectical engagement suggests that rules-based and/or norms-based approaches to argumentation are not necessary to the ongoing resolution of disputes.

4. *Revisions in Theory and Practice*

This paper has been an attempt to answer the constitutive call first leveled at debate scholars and argumentation theorists by Goodnight (1981) to engage in research and scholarship aimed at reconciling debate practice and argumentation theory. Several argumentation scholars (Rowland and Fritch, 1989; Kauffman,

1991) have responded to this call by bringing argumentation theory to bear upon debate practice. These responses have been in line with Goodnight's (1981) argument that, "a significant gap seems to be developing between theories of argument and theories of debate. Many contemporary theorists do not extend their insights into the realm of debate" (p. 415). The view that debate functions as a laboratory for testing theoretical innovations is not a new one and in fact pre-dates Goodnight. For example, Annabel Dunham Hagood (1975) argues that, "If the tournament is viewed as the laboratory in which theory is applied, then theory can be developed for the wide variety of settings in which debate is a vital tool in decision making" (p. 105). While the notion of developing innovations in argumentation theory within the debate round itself is not an argument I will deny, I believe that this paper has indicated this is not the only option we have.

To reverse this trend in the scholarship and provide a defense of debate as a laboratory for not only the study but also production of argumentation theory, I have suggested that debate may in fact provide reasons for revising already established argumentation theories such as the one proposed by the pragma-dialectical approach. A reversal of the relationship between debate practice and argumentation theory has the potential to radically alter the course of debate scholarship. It provides a justification for revising argumentation theory based on the experiments that debaters engage in as part of their competitive experience. If this is true, then continued support by academic institutions is warranted given that debate may be seen, through this inversion, as a laboratory for the study of argument rather than a contest in which theoretical advances in argumentation theory are merely practiced.

Far from debunking the theoretical insights of pragma-dialectical argumentation theory, this paper hopes to shed light on ways in which they might be revised. Specifically, this paper suggests that the notion of higher-order conditions as a pre-requisite for adequate resolution of differences is in the very least untenable. This not only suggests that pragma-dialectical theory should pay closer attention to the practices of debate, but also that debate can and in fact does challenge the normative principles of established argumentation theory. This insight has two primary implications for argumentation scholarship and debate practice. In terms of argumentation scholarship, it suggests that in line with Goodnight's (2004) notion of controversy, argumentation theories will need to deal more directly with the times in which communicative norms and principles are under attack (Olson and Goodnight, 1994). This new model for effective argument scholarship suggests that pragma-dialectical theory, while it could function in certain

contexts, falls short of adequately addressing the larger concerns of a society enmeshed in the Goodnight (2004) notion of controversy and its attendant modes of oppositional argument.

In terms of debate practice, this paper suggests that the very notion of switch-sides policy-oriented debate may need to be revised. Van Eemeren and Houtlosser (2003) are quick to argue that discussants in a dispute should be able to question one another's substantive commitments but not the rules of the critical discussion itself. Similarly, switch-sides defenders have argued that debaters should debate on both sides of the resolution without ever taking into account the fact that oppositional argument itself involves switching-sides. No one who has defended oppositional modes of argument has claimed that debaters should merely agree with one another. The massive increase in defenses of the received view of debate suggests that the community has dealt with the advent of opposition by crafting methods for maintaining a certain sense of clash, the maintenance of two sides, in the realm of oppositional argument (Balthrop, 1983).**[viii]**

It is hoped that this paper has provided two distinct but related insights of some importance to both argumentation theory and debate practice. First, this paper has opened up the possibility that pragma-dialectical argumentation theory and the practice of switch-sides policy-oriented debate are both up for further review and critical scrutiny. In addition, this paper has provided for a new research trajectory which helps to map out the layers of overlap and tension that exist between the laboratory of intercollegiate academic debate and the ongoing scholarly efforts to produce theories of argumentation with broader social impact.**[ix]** Finally, it is hoped that this paper has shown the potential problems with rules-based approaches to argumentation, how they might be revised, and the ways that the debate community and argumentation theory can productively inform one another.

NOTES
[i] I use the term "intercollegiate academic debate community" throughout this paper to refer to those individuals who attend debate tournaments hosted by the Cross Examination Debate Association and the National Debate Tournament, the two primary bodies governing policy debate in the United States.
[ii] The term "traditional" in this sentence is clumsy but makes the point that there is an ongoing and to some extent revised set of norms established for debate that should not be violated given their importance to the competitive and

pedagogical goals of the community.

[iii] Good examples of the types of resolutions debated by NDT/CEDA debaters can be found at http://www.wfu.edu/organizations/NDT/HistoricalLists/topics.html. The 2005-6 national resolution wording was the following: The United States Federal government should substantially increase diplomatic and economic pressure on the People's Republic of China in one or more of the following areas: trade, human rights, weapons nonproliferation, Taiwan.

[iv] Topicality is an argument based on the assumption that to be engaged in fair debate, teams must accept the responsibility when they are affirmative of running arguments that defend a policy-based action that squares with the language of the resolution.

[v] Arguments such as the affirmative right to define the parameters of the debate round would fall under this category.

[vi] I admit to some equivocation concerning the use of the terms "norms" and "rules" throughout the paper. This is primarily due to the fact that there are no actual rules in the debate community; however, the term "rules" is sometimes used in contest rounds to reference agreed upon norms especially when a perceived violation occurs.

[vii] This is an argument that has been made with a great deal of success by debaters from the University of Louisville.

[viii] Topicality, a defense of the switch-sides model, policy-oriented research as critical to pedagogy, etc.

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