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SECOND REVISION

SURRENDERING DECISION AUTHORITY FROM THE PUBLIC TO THE TECHNICAL SPHERE OF ARGUMENT: THE USE OF EVIDENCE IN CONTEMPORARY INTERCOLLEGIATE DEBATE

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An earlier version of this manuscript was presented at the
Speech Communication Association Convention, Miami Beach, Florida, November 1993.

"Our evidence from three days ago says the peace plan won't work," he said. "Well, our evidence from yesterday says it is our best chance," she replied. He asked, "Why should we accept your evidence over ours?" "Because it's more recent. Our source subsumes your evidence because it considers the information your source had plus more recent developments," she argued. "Okay," he acquiesced.

The debaters were happy, but I wasn't. The only reasons given for the success or failure of the peace plan was the conclusions of "experts." The reasons behind their conclusions were not analyzed—they weren't even mentioned. Worse yet, both teams assumed the "experts" had considered the relevant facts before stating their conclusions, and that two days difference granted one "expert" more authority than another.

I keep seeing the same round. The topic changes and the debaters are new, but the plot remains the same. My experience does not seem to be atypical. Tuman, in the 1993 *CEDA Yearbook* observed:

The use of evidence in modern debate, however, can also promote a overly relaxed or perhaps inaccurate learning experience, as it all too often reduces the mental stretching required of advocates, who sometimes feel content to pass that cliché we have all heard at one time or another: "This must be true; I have a card which says so!" (85)

Many debaters are surrendering their power to reason and make decisions to the "experts." They are surrendering the power to make decisions from the public to the technical sphere. Judges encourage debaters to raise this "white flag" by awarding wins to teams that read evidence, no matter how bad, over teams that question the quality of the evidence presented, but have no evidence of their own to read. Judges seem to be saying, "It must be true; they have a card which says so!"

This essay will proceed by applying the concept of spheres of argument to intercollegiate debate, identifying uses of evidence which surrender authority from the public to the technical sphere, and proposing an argument which could serve as a corrective to this problem.

Public Versus Technical Spheres of Argument

Goodnight argues that three spheres of argument exist: personal, technical, and public. According to Goodnight:

Differences among the three spheres are plausibly illustrated if we consider the differences between the standards of arguments among friends versus those for judgments of academic arguments versus those for judging political disputes. (216)

Goodnight is concerned that "...the public sphere is being steadily eroded by the elevation of the personal and technical groundings of argument" (223). In simpler terms, people are allowing more and more of the decisions which affect public life to be made by technical experts outside of any public forum. Instead of people reasoning through an issue on their own by advancing arguments in public debate, they are allowing experts in various fields to make their decisions for them "behind closed doors." From my perspective, this concern seems to be true in contemporary debate practices concerning uses of evidence. According to Rowland (1991):

In the case of a theory of spheres the relevance of debate practice to the claims at issue should be obvious. Academic debate is designed to model the public sphere. Debaters and judges often act as if they are acting in the role of policy maker. Moreover, debate is often touted as a means of training our future public leaders...(2)

Thus, if we share Goodnight's concern over the erosion of the public sphere, we should examine our practices in debate to make sure that they do not contribute to this problem. Goodnight concludes his essay on argument spheres with the following challenge:

If the public sphere is to be revitalized, then those practices which replace deliberative rhetoric by substituting alternative modes of invention and restricting subject matter need to be uncovered and critiqued. (227)

Debaters who accept this challenge and strive to reach their own conclusions in debate rounds will need to identify and correct those subtle, and not so subtle, practices which accept uncritically and unexamined the conclusions reached by experts outside of the debate.

Uses of Evidence Which Surrender Authority

This essay focuses on two uses of evidence in contemporary intercollegiate debate which appear to train debaters to surrender decision making authority from the public to the technical sphere: the use of conclusionary evidence and the belief that more recent evidence is always better.

Conclusionary evidence cites only the conclusion of an "expert" without giving any of the reasons behind the conclusion reached—it presents the claim of an author without presenting any of his or her data or warrants. Presenting conclusionary evidence by experts allows the debate to occur in the technical sphere. The only data given in the debate round is the conclusion of

an expert. The only warrant used in the debate round becomes an authoritative one. In short, the substantive argumentation, if there ever was any, occurs prior to the intercollegiate debate round. By relying on conclusionary evidence, debaters are saying that the important comparison of facts and reasons has already occurred in the technical journals with debaters being able only to report the conclusions. The use of conclusionary evidence ignores the purpose of debate—the giving and judging of reasons and arguments. Debate should be teaching students to critique the conclusions of experts by analyzing the reasons given by the experts for their conclusions. The debate round should be a public discussion of the reasons for and against an issue to provide “...an alternative to decisions based on authority or blind chance” (Goodnight 214).

A closely related problem is the belief of many debaters that more recent evidence is always better evidence. Yes, recency is a test of evidence. But to apply the test of recency one must look at more than the date of the evidence alone. Something needs to have happened between the date of the evidence involved and the current date which invalidates the facts or reasons given in the evidence. Age or the passage of time, in and of itself, does not render evidence useless. Old evidence becomes useless when events occur during the passage of time which causes us to change our minds about the facts and assumptions involved. Thus, when debaters argue about the recency of evidence, they should explain what has, or has not, changed and why this change, or lack of change, is important. With the advent of LEXIS\NEXIS, the test of recency has gained a whole new meaning. Tuman warns:

After all, how much critical review can one give a wire service report about Bosnia, when the evidence is only twenty minutes old? While the idea of recency in evidence appeals to me (as do the computer skills learned), I am troubled by the questions we are not encouraging our students to ask about the evidence.(89)

Freeley (119-141) and Warnick and Inch (78-88) are among the authors of debate texts who provide good discussions of the types of questions debaters should be asking about evidence to determine its credibility. These questions include concerns about the expertise and reliability of the source, concerns about the internal and external consistency of the evidence, and concerns about the clarity and recency of the evidence. Yet, the only question that seems to get much consideration in debate rounds these days is the question of recency. Again the purpose of debate is lost when debaters simply compare evidence dates with no comparison of the facts or reasons in the evidence. Debaters are putting too much trust in the experts when they rely too strongly on the date of the evidence as a guide to its worth. Debaters are assuming that the more recent the card, the better the thinking of a source—because this source had more facts to consider when he or she reached a decision. Once again, the debate occurs prior to the round. This time the comparison of facts and reasons occurs in the mind of the expert.

Simply put, current uses of evidence are training debaters to surrender decision making to the technical sphere because the important, deciding comparison of arguments no longer occurs in the public forum we call intercollegiate debate. The decision is actually made before the competitive

round—the decision is made in the minds of, and in the journals of, the experts. This does not seem to be a completely new fear or concern. Gronbeck in 1968, noted:

They bicker over crime statistics; they shout for more examples of misused foreign aid; they attempt to settle an argument with the phrase "but I have a guy [sic] who says that..." ...When a debater is challenged for a "why?" he [sic] should be able to say more than "because Dr. X says so." (38-39)

Coaches, judges, and debaters need to start demanding that the "whys" be clearly articulated in the debate round. Reasons need to be presented so that there can be a clear comparison of narratives (see Fisher). When conclusionary evidence is overrelied upon, the story told is "trust the experts." When recency is the single test of evidence, the story told is "more recent is better." The inevitable moral inducement of such stories is that you should surrender to the technical sphere for your own good. You are not smart enough to make decisions on your own.

Additionally, the "whys" need to be articulated in the debate round so that debaters can help test for the appropriate border or relationship between the technical and public spheres (see Rowland, Voth, and Brossmann). It may be the case that some issues will need to be decided in the technical sphere because the public sphere may not have the ability to properly address certain issues. However, the question of ability is never addressed when debaters assume that they shouldn't even try to process the information on their own—holding on to an unexamined belief that it is best to leave the actual processing of the information up to the experts.

How can debaters more fully argue the "whys" in a debate round? A complete answer to this question would take more time and space than this essay allows. However, there is time to make a beginning suggestion. Debaters need to "cut" cards which include the author's reasons as well as the author's conclusions. These reasons need to be presented with the author's conclusion in the debate round. When the reasons are presented along with the conclusions, it becomes possible to evaluate the reasoning behind a conclusion. We no longer have to trust an expert's opinion, we can evaluate his or her reasoning for ourselves. Also, we can more reliably determine if the recency of the evidence matters. That is, we can check to see if some relevant condition has changed.

Can the "whys" be debated this way given the current press for time in the debate round? I think so. Debate has always been a matter of time allocation. Debaters will allocate time to the types of arguments that win rounds. If judges start awarding wins to debaters who argue "whys" instead of to debaters who read card after card of conclusionary evidence, then the time will be found to discuss reasons over conclusions.

A Proposal

More needs to be done to encourage debaters to process the information in the public sphere. Debaters need to be rewarded with wins for not surrendering to the technical sphere, and debaters need to be "rewarded" with losses for unwarranted surrendering.

One way to accomplish this goal is to allow the debaters in the round to point out when the other team is surrendering its decision making authority to the technical sphere. They could point to evidences of this surrendering, such as overreliance on conclusionary evidence, and argue that, since the opposing team has surrendered its decision making power to the technical sphere, the opposing team's arguments are no longer in the judge's jurisdiction—the public sphere. The judge should make his or her decision on the facts and arguments presented in the public sphere, for the judge to surrender his or her decision to the conclusions of experts would be an inappropriate surrender of jurisdiction.

Debaters could counter this argument by demonstrating, that in this particular instance, it is both wise and appropriate to leave this decision to the experts. At this point, it seems fair to require the debaters to demonstrate that the people they are asking us to surrendering our decision to are truly experts. At a bare minimum, debaters would need to present evidence citations which include the authors' qualifications. This argument would require the debaters to test the boundaries of the public versus technical spheres in order to approve appropriateness. In addition, it would require them to search the argumentation literature for guidelines concerning the testing of such boundaries.

The use of jurisdiction to decide the winner and loser of a debate round is not a new idea. It is used all of the time in topicality debates. Nor is the use of theory or procedural arguments new or inappropriate. In the public forum of debate it is beneficial to argue about both the substantive issues and the methods we use to analyze the "substance" of those issues. Allowing debaters to critique argumentation from the perspective of the literature involving the public versus technical spheres controversy would be a valuable advancement in their knowledge of argumentation. It would help judges and coaches achieve one of their primary goals—the teaching of argumentation skills (see Rowland, 1984).

Conclusion

In summary, current uses of evidence in intercollegiate debate point to a willingness to surrender decisions to the technical sphere. Relying on conclusionary evidence and on recency of evidence alone allows the debate to be decided in the technical sphere prior to its presentation in the public forum of debate. This weakness in current debate pedagogy can be corrected by allowing debaters to point out when the other team has surrendered its authority to make decisions to the technical sphere. The judge would not consider these "surrendered" arguments in his or her decision because they are outside his or her jurisdiction—the public sphere.

I conclude with a nightmare I've been having since the start of work on this essay: "Our evidence from three days ago says that the theory of public spheres is flawed," he said. "Well, our evidence from yesterday, published in *The Forensic*, says it is our best chance to learn argumentation skills," she replied. He asked, "Why should we accept your evidence over ours?" "Because it's more recent. The author in *The Forensic* subsumes your evidence because he considers the information your source had plus more recent developments," she argued. "Okay," he acquiesced.

The debaters were happy, but I wasn't . . .

Notes

- 1 The term "expert" is put in quotation marks because one rarely gets to hear the source's qualifications. For the most part, debaters are researching credible sources. However, sometimes the only qualification a debater seeks from a source is the qualification of being published. Trapp makes a similar observation:

...we evaluate evidence from an unknown source as better than no evidence. Thus, the reliance on evidence based on the opinion of experts was but a short step to the reliance on evidence based on any published opinion. Soon, anything published became "evidence" and the "credibility" of sources lost all meaning. (29)

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INSTITUTES WITHOUT TOURNAMENTS: FOSTERING THE EDUCATIONAL MISSION OF INSTITUTES

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The role of competition in forensic activities has seldom undergone critical scrutiny. Most forensic educators assume that competition is both desirable and central to the activity. As the conferees at Sedalia concluded:

...competition often provides the best environment for testing ideas and for motivating students who engage in the rigorous application of intellectual skills to the discussion and evaluation of significant social problems. The testing of ideas and values can occur best in an environment of confrontation among skilled advocates whose impetus for maximum rigor and scholarship springs in part from the knowledge that these conclusions will be tested by able opponents. (McBath 18)

While praising the value of forensic competition the Sedalia participants also warned that, "reactions of students to the competitive environment sometimes can be perverse... an excessive or unwise competitive stress can be destructive of healthy personalities and can produce distortions of ideas" (McBath 18).

We generally agree with the Sedalia comments about competition in most forensic activities. As such, we do not, and would not, call for an end to even a substantial amount of competition in forensic practice. Instead we perceive one area where competition is usually undesirable: competition due to tournaments at debate institutes serves to distract student attention from the pedagogic objectives of the institute. Our suggestion to the community is to eliminate the common practice of concluding debate institutes with a tournament, instead replacing the tournament structure with a series of critiqued practice sessions. This paper initially describes the assumptions guiding our position. Second we examine several of the negative aspects of

competition at debate institutes. We conclude by outlining our proposed alternative to current practice and illustrate the benefits of our model.

It is appropriate to articulate the assumptions guiding this paper before developing our position in greater detail. The Second National Conference on Forensics articulated the following contributions of institutes:

(1) a focused period of intense forensic preparation, benefiting academic performance and squad preparation in the context of an increasingly crowded school year; (2) additional opportunities for learning and applying argumentation and communication theories; (3) providing the student with motivation to excel; (4) broadening the students' horizons toward learning; and (5) opportunity for interaction between high school and college students and faculty. (Balthrop 60)

As Naegelin argues, "the question, then, is not whether the institute can be worthwhile; rather, it is what can be done to make the entire institute situation the best educational experience possible" (10). In this paper we focus on the two benefits in the above list uniquely provided by debate institutes.1

Initially, we believe that institutes offer students valuable educational experiences. As Cutbirth argues, "students do not learn how to compete in these activities by reading about them in a book...students learn forensics via a process of guided absorption" (1). Institutes provide students with the opportunity for intensive pre-season preparation. This opportunity exists regardless of whether the institute occurs over a single weekend or a period of four to five weeks. The institute setting allows the student to prepare for debate participation in an environment where school, jobs, or other activities are not directly competing for student attention.

Second, the debate institute provides the debater with the opportunity to interact with students and staff from a diversity of backgrounds. This characteristic of institutes exposes students to theories and practices the student might not otherwise encounter. As Cutbirth suggests:

In a typical institute the student will have concepts explained by a variety of coaches; students will interact with and learn from other students who are highly motivated to master their events; students will receive personal attention in practice sessions and one-on-one sessions with various coaches. All of this takes place in an atmosphere geared toward concentration primarily on the events the student desires to master. While one or more of these conditions can be created during the regular school year, the summer institute is unique in combining them into a single package. (1)

The interactive learning that occurs in a laboratory group composed of students from various geographic regions, with one or more instructors other than the student's usual coach, is a desirable function unique to the debate institute.

Most of the other benefits of a debate institute do not occur solely in the instructional setting. For example, students could conduct research at any point in the season. Similarly, students could gain experience through practice sessions over the duration of the debate season. Finally, students could

develop increased theoretical competence through regular interaction with their coaches and other students. Institutes, however, offer unique benefits due to the intensive work environment free of outside distractions and the interaction with other individuals from a diversity of backgrounds.

Given these assumptions we proceed to a discussion of the problems associated with institute tournaments. This paper makes one basic argument: tournaments at debate institutes unduly foster a competitive atmosphere among students and staff. This competitive atmosphere is contrary to the benefits of forensic institutes. As Cutbirth phrases it:

Most institutes end with a tournament which arouses all of the competitive instincts of both the students and the staff. Frequently, the educational process is abandoned in the rush to "get ready" for the tournament rather than for the coming season... End of the institute tournaments should be abandoned. No, this will never happen, but perhaps we could abandon the process of rendering decisions and rewarding "winners" in an attempt to focus student attention on the upcoming competitive season. (4 and 5)

When using the phrase "institute tournament" in this paper we will be referring to the following general model: institute tournaments usually have between four and eight preliminary rounds of competition, judges award decisions and speaker points, there are usually between one and four elimination rounds, lab groups are treated as "schools" so that teams from the same lab do not debate each other, the tournament replaces other normal institute activities such as lab meetings, and little time is available in the schedule for detailed critiques by tournament judges. Admittedly, most of the evidence to support our condemnation of institute tournaments is anecdotal, based on our experience at a variety of college and high school institutes over the past fifteen years.² Our experience suggests that a more competitive environment exists in workshop programs featuring an end of the institute tournament.³

While those who bemoan debate workshops argue the entire institute structure has flaws, many of the worst problems with debate workshops occur in relation to institute tournaments. Chandler summarizes many of the problems attributed to debate institutes:

Workshop-Think Syndrome (W-TS) according to the critics is reflected in dramatic changes of attitude and personality certain high school students suffer after spending three or four weeks away at a forensics camp. Often W-TS is manifest in a newly found "winning is everything" attitude. A new love for "cheap-shots, dirty tricks, impolite and unethical practices," fused by a threatening loss of respect for the local coach. (49)

While W-TS becomes manifest on a student's return from an institute, we believe the tournament at the conclusion of the institute is the primary cause of the problems.

Initially, institute tournaments divert staff attention from fulfilling the earlier described goals of debate workshops. The institute tournament

typically occurs during the last two to five days of an institute program. Due to the size of most instructional staffs, and the difficulty of recruiting judges for workshop tournaments, institute staff members find themselves judging in most rounds of the institute tournament (often a "round" extends to two or more "flights"). By the end of the day tired staff members no longer desire to meet with their lab groups (assuming the tournament schedule allows time for such instructional sessions). As a result, interactive learning comes to a screeching halt once the tournament begins.

Second, student attention becomes diverted from a long-term to a short-term focus with the onset of the tournament. As Naegelin argues, "too much emphasis on the closing contest... can undermine the overall value of the workshop" (11). For example, it is relatively easy to motivate students to work on specific assignments at the beginning of an institute. At the beginning of a program students are self-motivated to produce material that will be useful for the upcoming season. However, once the tournament draws near student goals become altered. With the advent of the tournament student attention shifts to strategies specifically designed to trap an unwary opponent (or to respond to the traps of an opponent). Students become worried about the tactics of the opposition rather than the development of sound approaches to the upcoming season.

Third, institute tournaments encourage the development of esoteric approaches unlikely to be suitable for the student's home area. For example, there is an incentive to write affirmative cases or negative counterplans which will appeal to the unique characteristics of the institute's judging pool. The most extreme example we have to illustrate this problem is the choice of at least one team at an institute focusing on the 1989-90 high school prison reform topic to run an affirmative case which advocated anarchy in the United States. Due to the bizarre and idiosyncratic approaches at institutes, research skills and argument construction ability often become discarded as students cut handbooks and hastily prepare quick-fix briefs.

Fourth, institute tournaments serve to undermine the interactive learning that occurs during the rest of the workshop sessions. During the tournament students within a specific lab group develop into an isolated unit, devoted to the primary goal of defeating the opposing lab groups. The initiation of a never-ending cycle occurs as one group charges a second with not divulging information. The first group then retaliates by withholding information from the second. Interchange of information between groups decreases as competitive pressures soar. Additionally, students accuse staff members of creating strategies designed to exploit the particular weaknesses of other groups. Friendships and working relationships erode as competitive pressures increase.

These problems are among the most common articulated by students and staff at debate institutes. The above list is not, however, an exhaustive recitation of the effects of competitive pressures created by institute tournaments.

Our position assumes "workshops can choose a philosophy which places emphasis on much more desirable values and perhaps prevent some occurrences of W-TS" (Chandler 50). As Edwards suggests, "the debate workshop should not be thought an end in itself, but rather worthwhile to the extent that it encourages and facilitates the practice of debate" (23). One

alternative to the problems of competition associated with institute tournaments is a scheduled set of inter-squad practice sessions.⁴ In discussing the results of their survey, Shoen and Matlon suggest workshop directors "use more non-decision practice debates" (50). Such sessions obtain many of the benefits of institute tournaments while avoiding the competitive by-products. The model envisioned here is simple: the institute would schedule inter-squad practice sessions in place of the normal tournament. Each practice session would have a critic, however, the critic would not award a decision or individual speaker points. An expectation of a written "ballot" from all critics could still be the norm. Such critiques would offer the student's local coach specific feedback on the abilities of the student. More important, however, would be the immediate verbal feedback to the students on the practice session.

This approach has at least four advantages over traditional forensic institutes using a tournament. First, our model limits the competitive drive of both staff and students. For example, the model lessens the motivation to withhold information from other groups since there is no "winner" or "loser." Students would know they would receive constructive feedback on their performance, but would also know they do not have to "win" each practice session.

Second, this model offers the student immediate constructive feedback on their performance. Critiques of student performance would emphasize the effective or ineffective elements of a student's overall performance rather than stating why they won or lost a specific round. Long-term learning and incorporation of suggestions for improvement are more likely to occur in the non-tournament situation. As Fish argues, institute debates offering oral critiques (but without providing decisions) maximize the educational focus of workshops (6).

Third, this model allows the interactive learning process to continue throughout the institute. Students would continue to interact with other students and staff in a cooperative atmosphere designed to maximize educational value rather than a setting created to produce a tournament victor. Complaints about other groups' strategizing and tricks are less likely to occur in the institute not featuring a tournament.

Fourth, inter-squad practice sessions offer unique opportunities for experiential learning. Since the emphasis is on education rather than victory, the staff member/critic can incorporate a variety of instructional methods into the sessions. Students can re-work speeches after receiving feedback, allowing immediate reinforcement of sound practices. The model would also allow student observers to participate in the practice sessions. Student observers could add their critiques to those of the staff member or even participate in the practice session. For example, this model would allow several different students to deliver the first affirmative rebuttal in a single practice debate. The critic would then compare the strengths and weaknesses of the various approaches to the rebuttal.

The substitution of inter-squad practice debates does not sacrifice the advantages that an institute tournament can offer. This approach continues to expose students to several intensive and critiqued practice sessions. The students still experience "competition," but the competition becomes refocused toward achieving long-term objectives. Rigorous testing of ideas