

**In Defense of the "Motion for Dismissal"**  
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One of the major complaints leveled at parliamentary debate is the "lack of substance" in rounds. While at times there is certainly more shadow than substance in a parliamentary round, this is not a problem *inherent* in parliamentary debate, nor is it a problem absent in other forms of debate. The solution to the problem lies in the concept of *link*, a concept also not unique to parliamentary debate.

The *link* in parliamentary debate is a concept that refers to the distillation of a specific case from the general motion. In parliamentary debate, as in other forms of debate, the affirmative (or government) has the responsibility of interpreting the resolution. For example, if the motion presented was "This house believes that money is the root of all evil," a legitimate specific case "linked" to this motion might be that "Capitalism is an immoral economic policy." Note that the parallel between the specific case distilled from the motion and the general motion itself is very clear: "capitalism" is analogous to "money;" "is an immoral economic policy" is analogous to "is the root of all evil."

This interpretation is very clear, and the debate on the specific case should be very substantive. The problem of "lack of substance" occurs when the concept of link is misunderstood or is abused. The question then arises: what can we, as forensic

educators, do to preserve the substantive focus of parliamentary debate while ensuring the interpretative rights of the government team? One method of resolution, suggested at the 1993 Spring Championships at the University of Wyoming, is a "motion for dismissal."

In this article, I will detail the problems associated with the misinterpretation of the concept of link, define the motion for dismissal in line with the accepted rules of parliamentary procedure, and offer arguments for the adoption of the motion into the accepted procedures of the National Parliamentary Debate Association. Please note that this is not a proposal designed to be codified into the practice of parliamentary debate, but merely a position intended to inspire discussion on the problem.

Too often, the use of a link in a parliamentary debate round is abused. Teams, motivated by a misunderstanding of the pedagogical principles on which parliamentary debate was founded, will attempt to offer cases they believe to have some inherent advantage, such as the element of surprise, ignorance by the opposing team, and so on. Unfortunately, abuses such as these can lead to a lack of substance in the round or may unfairly disadvantage the opposing team. Consider the interpretation of the resolution "Resolved: That the media should act as the fourth branch of government" offered by a team at a 1992 tournament. The team developed the link that "media" is mass communication; fables and stories are a form of mass communication; and *Goldilocks and the Three Bears* is a fable. From this premise,

they offered a time-space case that cast the judges (myself included) as the judiciary in "never-never land" responsible for determining if Goldilocks should be held accountable for trespassing on the Bears' property. The government and opposition teams were then cast as prosecution and defense counsel, respectively. Needless to say, the content in the round was less than substantial.<sup>1</sup>

Fortunately, this type of case is generally the exception and not the rule in a parliamentary round. More common mistakes in interpretation include running "canned" cases, offering tautological interpretations of the motion, or offering interpretations that are undebatable. Each of these common mistakes committed in the development of a link may be classified under one of three headings: tautological interpretations, truistic interpretations, and frivolous interpretations.

A tautological interpretation is one in which the very definition of the case proves itself—the reasoning is circular. If, when presented with the topic "This house believes that pretty is as pretty does," the government chose to define "pretty is" as "other's judgment of us" and "pretty does" as "everything we do," the interpretation would be tautological because only through "what we do" can others judge us. Consequently, via this interpretation, the case proves itself. Obviously, an interpretation such as this one cannot serve as a foundation for quality debate.

A truistic interpretation of a resolution occurs when the

government offers a case thesis that generally is accepted as true or undebatable. If a government team interpreted the resolution "This house believes that the life you live may not be your own" to mean "all actions we take have effects on others," they would be offering a truistic interpretation, because arguing against the interpretation—that we live in a vacuum—would be extremely difficult. Morally indefensible issues, such as forcing an opposition team to defend child abuse, also fall within the bounds of a truistic interpretation.

Although not discussed in the appendices to the NPDA constitution, I believe frivolity is a legitimate complaint against an interpretation. If the opposition feels that the interpretation degrades the activity, promotes less than substantial debate or is a waste of time for the participants and judge(s), this issue may be argued. Frivolity also may cover interpretations that are so far removed from the topic as to be suspect for being stock cases.

To gain a sense of perspective on these problems, consider some aspects of other forms of competitive debate to which parliamentary debate is a reaction. Both NDT and CEDA debate employ what could be considered spurious resolutional interpretation tactics: microscopic interpretations, "squirrely" interpretations, interpretations designed to capitalize on the element of surprise, etc.. Perhaps, in a form of debate in which a topic is standardized for a period of time, these tactics do promote in-depth research and creative thought in an attempt to

be prepared for the opponent. However, in parliamentary debate, the actual motion for the round is known no more than fifteen minutes prior to the start of the round. Consequently, to allow interpretations only vaguely related to the motion denies a sense of fair play in the round.

This notion of "fair play" is not restricted to parliamentary debate. The results of spurious resolutorial interpretations in NDT and CEDA are obvious: topicality, hasty generalization, parametrics, justification, "whole-resolution," and typicality are just a few of the arguments that have been developed by negative teams that feel they have been unfairly disadvantaged by the affirmative interpretation of the resolution. Again, arguments may be made which take the position that any clash in a debate round, be it substantive or procedural, is a valuable learning experience. However, because the negative is never sure of the judge's position regarding the affirmative's interpretation or their objection to it, too often these positions are offered regardless of the affirmative interpretation in an attempt to "cast the widest net." Additionally, some teams seem to "specialize" in running these generic positions and consequently deny themselves the opportunity to fully explore the substantive issues offered by the resolution. In other words, debate about how the round should be debated overtakes the round.

A solution to this problem in parliamentary debate was offered at the business meeting at the 1993 Spring Championships

at the University of Wyoming. In response to the concerns discussed above, a proposal was made for a "motion for dismissal" to be used in parliamentary debate.<sup>2</sup> The motion, which has ties to parliamentary procedure that will be discussed below, would be offered by the opposition after the Prime Minister's constructive, in response to what the opposition believes to be an unfair interpretation of the motion. The actual procedure for the motion for dismissal would be as follows: (1) within the first three minutes of the Leader of the Opposition's constructive (preferably as soon as possible), the Leader of the Opposition would make a formal motion for dismissal; (2) debate on the resolution would be immediately suspended, and all subsequent speeches forfeited; (3) each team, beginning with the Leader of the Opposition, would have four minutes in which to offer arguments for or against the validity of the interpretation; (4) after the eight minutes of argument, the judge would dismiss the teams and assign the win to the team which he or she feels best proved their position.

The grounding for the "motion for dismissal" can be found in parliamentary procedure. *Robert's Rules of Order* discusses the motion "to postpone indefinitely" which may be used as "a means of disposing of an ill-advised motion that may be embarrassing whether adopted or rejected, without a direct vote upon it" (Robert 153). While the motion to postpone indefinitely is intended for use in formal meetings run according to parliamentary rules, the essence of the motion provides the

foundation for the motion for dismissal. In either case, the motion is designed to stop substantive debate on the motion and consider debate *about* the motion itself.

Granted, the proposal sounds a bit severe at first, but consider the arguments for such a motion. First, the use of the motion empowers the judge to decide, quickly and decisively, the merit of the interpretation. Judges often complain that, because of the nature of their duties, they are required to award a win regardless of either team's efforts to debate in a manner that the judge deems most appropriate. Consequently, the judge is often forced to choose "the lesser of two evils." Although the motion for dismissal does not allow for a double-loss decision, it does significantly reduce the issues under consideration in any given round. If the judges believe the interpretation of the motion is indeed suspect, they may immediately reward the team making the complaint. Conversely, if they believe that the arguments for the motion do not justify a decision for the opposition or that the motion is offered only as a "red-herring" argument, they may reprimand the opposition quickly and clearly. This serves, at least at some level, to re-empower the adjudicator.

Second, employing the motion for dismissal makes the interpretation of the resolution a voting issue. The appendices of the NPDA constitution read that "[j]udges may count 'Link' arguments against the Government, but they should not be the basis of a judge's total decision" (Appendix C, Para IV-A, 1993).

This would seem to imply that, because the judge is not allowed the means to reprimand spurious interpretations of the motion, the government has no formal responsibility to provide a legitimate interpretation. If this is so, what motivation—other than a sense of equity that may be clouded by a desire to win—exists for the government to define a motion in such a way as to promote fair play? The motion for dismissal ensures that the government is bound by the accepted procedures of parliamentary debate to offer an equitable interpretation and backs that up with the threat of a loss.

Third, the use of the motion clarifies the emphasis to be placed on procedural issues in light of substantive issues. As discussed above, in other forms of debate, procedural issues have the propensity to subsume substantive issues. Consequently, the adjudicator is forced to sift through piles of procedural arguments that may or may not have merit before he or she may consider substantive issues. Conversely, if a team seems to be winning on substantive issues but has had a procedural issue argued against them, the judge is forced to attempt to determine the amount of credence to lend the procedural issue *via-a-vis* the substantive issues. The motion for dismissal substantially changes the focus of the round—so much in fact that rounds are *either* procedural (when the opposition makes a motion for dismissal) *or* substantive (when no complaint is leveled against the government's interpretation). Critics of the motion for dismissal contend that the use of such severe action stifles

debate, because it does not allow procedural issues to be developed within the confines of the round. Not so. The motion for dismissal allows for debate on procedural issues, and it merely concentrates those issues within specified parameters. By doing so, it clarifies the burdens of each type of argumentation and resolves the problem of an adjudicator not knowing how much weight to assign to procedural arguments in relation to substantive issues and vice versa.

Fourth, the severity of the motion's consequences will encourage legitimate interpretations of the motion offered for debate. This is, perhaps, the strongest argument for the motion for dismissal. Because the consequences of offering a motion for dismissal are so drastic (i.e. stopping the debate and forfeiting all but four minutes of speaking time), the mere specter of the motion should ensure that interpretations are legitimate. If a government team considers running a spurious interpretation of the resolution, the prospect of their losing the debate within the course of eight minutes may make them reconsider. Further, defeat is a influential teacher. If a government team offers a case which is intentionally or unintentionally illegitimate (such as a tautological interpretation), and they lose a motion to dismiss because of it, the motivation to avoid such a tactic or mistake in the future is strong.

Fifth, the motion for dismissal ensures that the "moment of teaching" is preserved. Because the motion for dismissal requires the judge to make an immediate decision, and because the

issue is brought to the forefront of the debate, instruction in proper case construction (or arguments against link) will be extremely pertinent. The round will stand out in the competitors' minds, and the comments offered by the judge will be of great relevance once the ballot is obtained.

Sixth, the motion "levels the playing field" in terms of governmental and oppositional rights. The nature of NPDA parliamentary debate is such that the government has the right to define sometimes vague resolutions. In doing so, the government offers a case which limits the debate on the topic and (ideally) provides both affirmative and negative ground. Because the motions offered for interpretation are usually quite vague, the opposition is relegated to spending its preparation time trying to guess how the government team will interpret the resolution. I believe that the opposition should have some means of recourse, if the government team abuses its right to define. By making the legitimacy of the interpretation a voting issue, the motion for dismissal provides them with that means.

Finally, I believe that the motion would be used relatively infrequently. One argument against the motion for dismissal might be that it will be abused by teams that, for whatever reason, believe it to be an alternative to arguing the substantive issues in the round. However, the severity of the consequences of offering the motion should prevent its frequent use. Consider the "evidence challenge" in CEDA debate, which may be offered if an opposing team feels the other team has falsified

or misrepresented its evidence in some way. The challenge has a great mythos surrounding it, with stories of challenges won and lost being whispered as warnings to teams about responsible use of evidence. In actuality, an evidence challenge is used relatively infrequently. However, the specter of the challenge serves the purpose (quite effectively) of ensuring that teams consider the consequences of misrepresenting evidence carefully. I believe that the motion for dismissal would be used as infrequently. The protests are very similar: both the evidence challenge and the motion for dismissal immediately cease debate. Both reduce argument in the round to a single procedural issue, and both rest the immediate outcome of the round on the indictment (or defense) of some allegedly questionable tactic.

In all, I believe that parliamentary debate is not a panacea; it certainly has problems of its own that must be addressed. Some of those problems spring from the use (or misuse) of the link. Those problems, I believe, can be solved effectively through the adoption of a motion for dismissal. Now, at the inception of the activity, is the time to empower ourselves as forensic educators to ensure that the activity develops in the most optimally pedagogical manner.

## Notes

<sup>1</sup>I realize I risk sounding as if I lack a sense of humor, or that I'm so stuffy as to fail to appreciate a bit of levity in a debate round. Quite the opposite. I do believe that humor has a place in a round, but I also believe that the participants in a debate tournament are intelligent enough to appreciate a more subtle sense of humor (call it "wit"), and that the activity has a certain level of dignity which should be maintained. Consequently, if by refusing to agree that a "Goldilocks" case has merit, I am labeled as a killjoy, so be it.

<sup>2</sup>Although many people commented on the possibility of such a solution in the business meeting, I believe credit goes to Dr. Charles Follette from Black Hills State University for the original idea.

## Works Cited

Robert, Isabel H. *Robert's Rules of Order, Revised*. Chicago: Scott Foresman and Company, 1951. 153.