

**THE CASE OF THE STOCK CASE:
CAN OR SHOULD WE PREVENT THE PREPARED CASE
IN PARLIAMENTARY DEBATE?**

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During the first ever National Parliamentary Debate Association National Tournament, I judged several outrounds. As a newcomer to parliamentary debate, I was thrilled at the speaking and debate skills the participants displayed. However, I was more than dismayed as students seemed to be using stock or prepared arguments and loosely linking them to the resolution. This use of stock cases seemed contrary to my understanding of the practice of parliamentary debate.

During one outround, I watched a team I had judged in a preliminary round. This team was on the government side during both rounds, and during each round they had chosen to link the issue to global environmental policy. While the speakers had switched roles—from Prime Minister to Member of the Government—the arguments were substantially similar in each of the two rounds I heard. While this similarity in argumentation was not the sole basis for my decision, I did become biased against the team's arguments, since they appeared to be using a stock case, which seemed an unfair practice.

After the round I spoke with several coaches, including the coach of the team in question. All agreed the team should not have used these arguments as parliamentary is limited preparation debate. Additionally, audience analysis would have suggested the team should not have used these arguments again, because I had heard them the day before. At the time, I felt vindicated and went "on

my merry way." However, as I later reflected on the tournament and the outcomes, I wasn't sure my reaction was reasonable.

While there were other incidents at nationals that lead me to believe that stock cases or arguments may be or will shortly become popular practice in parliamentary debate, this example clearly illustrates the dilemma of student, coach, and judge in preparing for and competing in parliamentary debate. While the NPDA Constitution does not specifically address stock cases, the rules do state, "Since parliamentary debate is an extemporaneous activity, no prepared materials or resources for the debater's use in the round may be brought into the debating chambers" (50). Clearly, the intent is for the round and arguments to be spontaneous.

This troubling issue of the stock case has been alluded to in recent parliamentary articles. Steven L. Johnson calls running canned cases "a common mistake" (4). Jewell and Ford contend that current debate practices use what "amounts to picking a few areas of interest for the government side, and preparing cases in advance knowing that link complaints are relatively easy to defend against." In addition, these authors go on to explain that the opposition team is "saddled with the burden of having no way to anticipate what they are about to debate" (29). These comments suggest that stock arguments--on the surface, at least--are not deemed appropriate in the practice of parliamentary debate.

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Upon closer examination, however, we may find there are benefits to using stock cases.

In this essay, I will argue stock arguments are not counterproductive to parliamentary debate. I will examine the nature of parliamentary debate, consider the advantages and disadvantages of stock arguments, and finally offer a check and balance system to limit the abuses of stock cases.

According to the *Constitution of the National Parliamentary Debate Association*, the purpose of the organization is "to promote a form of limited preparation debate that combines an emphasis on both content and delivery..." To these ends, the practice of parliamentary debate relies on limited preparation; Both teams are given ten to fifteen minutes to create their cases after the topic is announced. Theoretically, teams may use only evidence that is within the public realm. Consequently, teams are prohibited from using specific information from which to build their cases.

As with other forms of competitive argumentation, coaching plays an important role in parliamentary debate. To prepare students for any topic that might arise in a parliamentary round, coaches arm students with information about general topic areas, philosophical and political ideas, and theories about the nature of existence~not to mention "the extemp file." Any reasonable person would admit that having the breadth of all possible knowledge at the fingertips of an undergraduate, who also happens to be carrying 18 credits during any specified term, is a tall order. Consequently, smart competitors and savvy coaches develop a variety of more specific areas that students may apply to a plethora of situations.

The format of parliamentary debate encourages competitors to consider at least preparing stock cases. With anywhere from six to ten rounds per tournament, topic areas are bound to be repeated. Indeed, experience shows that coaches and competitors can often predict at least a couple of the topics at any given tournament. For example, in the Pacific Northwest, "nature versus nurture," "individual versus state", and "democracy versus (insert political system)" are common topic areas. Good teams will naturally have an idea of what kind

of cases could be argued in these general areas. Indeed, some teams may even have specific cases plotted-purposefully or not.

Let's consider a hypothetical example. Say at the first tournament, team A debates the "nature versus nurture" issue on the government side. And, they win. Next tournament, they are given a similar topic, again on the government side. What's a team to do? Abandon the ideas that they used in the first debate to insure that it's spontaneous? Obviously not. As the year progresses, this case will take a more solid form as it is honed tournament after tournament. Yet, this practice would seem contrary to the spirit of parliamentary debate.

This team's choices allow us to consider the pros and cons of stock cases. Stock cases seem to be the natural byproducts of prepared students. Teams who practice and consider various ways of attacking issues will naturally develop set stances on common issues. As with set issue debate such as CEDA or NDT, running similar cases allows students to think through an issue thoroughly and to consider weaknesses and strengths of a particular case. In such a way students can learn from the successes and failures of one round and apply the lessons to the next round (or sometime in the future).

Further, stock cases allow students to delve into specific areas in terms of research. This is in addition to the general knowledge preparation required in parliamentary debate. As a result, students round out research skills and general knowledge, in essence, students get "more bang for their buck" in a parliamentary system that permits stock cases. One of the complaints about parliamentary debate voiced in conservative CEDA circles is the supposed mockery parliamentary makes of research. The obvious response to such concerns is that parliamentary debate requires a different sort of research than prepared debate. Even so, expanding a student's breadth of knowledge in more specific areas would begin to address the research concerns of critics of parliamentary debate.

As a pure matter of practicality, acknowledging the use of stock cases as a practice of parliamentary debate relieves students of the unrealistic requirement of furnishing spontaneous cases for each round. As I've already asserted, the sheer

number of rounds in a season almost guarantees repetition of topic areas, and thus, cases. To assume that students must come up with new cases for each round is impractical. The only way to prevent repetition in topics is to sanction a committee at the national level to designate topic areas for each weekend of the tournament season, thereby insuring the diversity of topics throughout the nation and eliminating possible topic repetition for schools competing out of their home geographic region. Given the unlikely adoption of this system, tournament directors should be encouraged to be creative in developing topic areas. Jewell and Ford suggest tournament directors and the NPDA limit government cases to current event topics (24-34). While it is not my purpose to debate this policy idea, Jewell and Ford's suggestion does allude to the dimensions of the topic dilemma.

If we acknowledge topic areas are indeed a problem inherent in the structure of parliamentary debate, then we must give equal time to the subsequent predicaments topic choice creates, namely, stock cases. Unfortunately, any admission that stock cases are acceptable will be perceived by some teams as permission to prepare ONLY stock cases. This one-sided preparation, of course, creates difficulties when the topic does not naturally lead to one of the prepared cases. Teams then have to create a link to the topic area. Often this link is a stretch, at best, and can produce frivolous cases. Current rules do not allow for link to be a voting issue for judges. The rules state, "judges may count Link' arguments against the government, but they should not be the basis of a judge's total decision" (55). As a result, teams can manage to argue cases totally irrelevant to the given topic. This creates a quandary for both the opposing team and the judge.

In a round in which the government chooses to use a stock case, the government puts the opposition team at a decided disadvantage. How can the opposition prepare to oppose a case in ten or fifteen minutes that the government has been preparing for weeks? Along with this problem, there lies the question of evidence. Clearly a team working with stock cases will have stronger evidence than what is available in the public realm. While the trick of the stock case in parliamentary debate is to use the idea of the more solid proof, the structure of

parliamentary debate also allows for objections to specific evidence. With points of information and points of order, the opposition may raise an objection about specific evidence and thereby eliminate any unnaturally occurring evidence from being introduced into the round. And as the government team may prepare stock cases for standard issues, so too may the opposition prepare stock defenses for these same issues. The real dilemma occurs when a team that runs stock cases runs into a team that doesn't prepare cases. The advantage clearly lies with the prepared team.

For the judge, the issues of link and stock cases create special difficulties. Current rules make it a disadvantage for the opposition to argue that the case is frivolous, since link should not be a voting issue. Consequently, judges must allow an unfair playing field when the government uses a weak link to a stock case (although this may occur without stock cases as well). Without voting power to keep the government honest when using link, judges can only sit idly by while the opposition must struggle with a spurious case. In effect, the judge is powerless to dissuade teams from abusive use of stock cases.

The practice of parliamentary debate clearly suggests teams will inevitably reuse successful cases. Indeed, many coaches already encourage the use of stock cases. As parliamentary debate develops as a competitive discipline, the use of stock cases will surely become the norm. However, we as educators would be wise to develop checks and balances to insure stock cases do not abuse the pedagogical value of parliamentary debate. I see two ways to check the abuses of stock cases along with the obvious suggestion that tournament directors carefully choose topics.

First, and perhaps most important, we should institute a rules change that allows for link to be a voting issue. James J. Bonham astutely points out the contradiction in the NPDA constitution, "If on the one hand the government must be reasonable and introduce a debatable topic area, and on the other hand no judgement can be made as to the reasonableness or the debatability of the chosen topic by the adjudicator, then there is a clear problem" (22). For the stock case, permitting judges

to vote on link will prohibit teams from using one or two stock cases for whatever topic is announced. Forcing students to draw a strong, logical link from resolution to case will discourage abuses of stock cases and encourage more diligent thought processes on the parts of individuals. Link as a voting issue will not eliminate totally the advantage for a government team using a stock case. However, it will insure that the government is using the stock case with a reasonable link to the resolution.

Additionally, as judges see teams over and over again, both judges and competitors will fall prey to a natural selection process. With link a voting issue, teams must be judicious about using the stock case, since they will run into judges more than once. A wise team will practice audience analysis and be sure to use stock cases sparingly.

Second, as judges become more accustomed to the structure of parliamentary debate, they can use rulings to eliminate unfair uses of evidence. Judges should have a clear idea of what evidence falls into the public domain and rule accordingly. Opposition teams should be assertive in their use of objections to challenge unfair uses of evidence. Both judges and teams should learn to take advantage of the built-in safeguards of parliamentary debate.

While it is not my purpose to add more rules to this burgeoning event, we must correct for potential abuses now, while the event is young. As we have witnessed with other competitive academic endeavors, it is often too late to remedy the problem after the problem is entrenched in the system. The issue of stock cases will create dilemmas for students, coaches, and judges alike. By making link a voting issue and using points of order and information assertively, we can limit at least one major abuse in parliamentary debate before it becomes an indestructible monster.

References

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