



# Academic Debate Formats and Cross-Examination

**A**lthough debating is as old as civilization, the procedures of debating have evolved and changed considerably over the centuries. Academic debating today, while retaining the essential values of debating in ancient times, is an interesting example of the rapid pace of adaptation to contemporary interests. To gain the full benefit of academic debate, you should be aware of its various formats.

## I. FORMATS OF DEBATE

The various formats of academic debate tend to have certain common elements: (1) Both sides must have an equal number of speakers; (2) both sides must have an equal amount of time; and (3) the affirmative generally speaks first and last. The First National Developmental Conference on Forensics has recommended that “more frequent use of alternative events and formats in forensics should be encouraged.” One thing that all formats have in common is a limit on time. Most debate formats prescribe a precise length for all speeches (a nine-minute 1AC). Debaters are well advised to have their own timers to monitor the length of their speeches.

### A. Cross-Examination Format

The most widely used format in intercollegiate team topic policy debating is cross-examination. The most popular organization of this format, as utilized in NDA/CEDA practice, is as follows:

<b>Cross-Examination Debate Format</b>	
First affirmative constructive	<i>9 minutes</i>
Cross-examination by second negative	<i>3 minutes</i>
First negative constructive	<i>9 minutes</i>
Cross-examination by first affirmative	<i>3 minutes</i>
Second affirmative constructive	<i>9 minutes</i>
Cross-examination by first negative	<i>3 minutes</i>
Second negative constructive	<i>9 minutes</i>
Cross-examination by second affirmative	<i>3 minutes</i>
First negative rebuttal	<i>6 minutes</i>
First affirmative rebuttal	<i>6 minutes</i>
Second negative rebuttal	<i>6 minutes</i>
Second affirmative rebuttal	<i>6 minutes</i>
Preparation time	<i>10 minutes per team per round</i>

The use of preparation time during the course of the debate should be carefully planned. Generally, no preparation time should be used before the cross-examination periods, and debaters not engaged in the cross-examination question/answer roles should use that time for their own preparation. The first negative speaker may wish to use a few minutes to help prepare their 1NC, especially to consult with their partner; however, as much of the argumentation presented by that speaker will be prepared in brief form prior to the debate, and because they can use the preceding cross-examination period to prepare, the 1NC should not require much time. Similarly, the 2AC should not require very much preparation time. The negative will need to coordinate their strategy prior to the negative block, and make sure that they carefully answer all 2AC arguments, so some time may be used prior to the 2NC. No preparation time should be used before the 1NR! The first affirmative rebuttalist must be certain to answer all arguments advanced by the negative team in the negative block, so some time may be helpful. A team is in good shape if they have at least half of their preparation time available to prepare for their last rebuttal speech.

Edward Bennett Williams, once called “the country’s hottest criminal lawyer,” gave this tough but practical advice on the most difficult of trial techniques, cross-examination:

It is ... the art of putting a bridle on a witness who has been called to do you harm, and of controlling him so well that he helps you. You must think of him as a man with a knife in his hand who is out to stab you, and you must feel your way with him as if you were in a dark room together. You must move with him, roll with him. You must never explore or experiment during cross-examination. *You must never ask a question if you do not already know the answer.* If you do know it and the witness refuses to say what you know, you can slaughter him. Otherwise he may slaughter you. Never attack a point that is unassailable.

And if you hit a telling point, try not to let the witness know it. Keep quiet and go on. The time to dramatize it to the jury is during your closing argument.<sup>1</sup>

**1. Questioner Considerations.** All the considerations of argumentation and debate apply to cross-examination debate. In addition, certain considerations arise from the form of this debate. Let us examine some of the considerations of cross-examination, beginning with the questioner.

1. Clarification. Some portions of your opponent's speech may have been unclear—either by accident or design. Cross-examination affords an opportunity to clarify them. Here's an example:

Q: Your plan calls for placing a space station in orbit. What sort of an orbit will that be?

A: Geosynchronous. That way we will be able to ...

Q: Thank you. That's what I wanted to know.

This brief exchange clarified the affirmative's plan. The negative now knows that the affirmative is going to use a high orbit that will be far more costly than a low orbit and will present many technical difficulties. With the now-clarified plan before them, the negative can begin to develop plan attacks specific to the type of orbit the affirmative is now committed to using in its plan. Clarification may even include questions such as "I missed your third answer on the disadvantage, what was that again?" "Who was the source of your evidence about the dangers of long-term presence in space?" or "May I please see the text of your plan?" And, clarification may also be for the benefit of the judge. Even though you know the answer, you may wish to make sure the judge is aware of it.

2. If you know of a defect in your opponent's evidence, cross-examination gives you an excellent opportunity to expose it. Consider this example:

Q: You justify your plan for greater freedom for law enforcement agencies by claiming that crime increased 16 percent last year?

A: Yes, and not only last year; it has been a steady trend.

Q: And the source of your evidence was?

A: The *Boston Globe*.

Q: And where did the *Globe* get its figures?

A: [Consulting card] From, err, let me see. From the FBI study. Yes, from an FBI report.

Q: From the 2004 FBI report. Thank you; we'll come to that later. Now ...

1. *Life* magazine, June 22, 1959, p. 116. Used by permission of Edward Bennett Williams and *Life*. (Emphasis added.)

The questioner has now established the source of the affirmative's evidence. In the next speech the negative will certainly emphasize the flaw in that evidence. You may recall that the FBI had warned against using these statistics to make year-to-year comparisons.

Let's consider another example:

Q: You claim industry will move to escape environmental controls?

A: Right. They certainly will.

Q: Would you please read that card? I think it was the ...

A: *State Street Report*. "When faced with unreasonably high taxes and excessive regulation, industry will give serious consideration to their option to move to a location that offers a more favorable business climate."

Q: That specifically says a combination of high taxes and unreasonable regulations, doesn't it?

A: Well, err, yes, but I think the focus is ...

Q: Does the evidence say that any industry moved because of environmental regulations alone?

A: Err, no, I don't think so. Not in this report, but environmental controls are a part of it.

Q: Does the *State Street Report* specifically mention environmental controls?

A: It cites "unreasonable regulations" and many of the ...

Q: No mention of environmental controls. Thank you. And it said industry would consider moving, didn't it?

A: Yes, and they have moved.

Q: Does your evidence say so?

A: Well, no, not this evidence. We have other evidence that my partner will read ...

Q: We'll be looking for it in her speech. But so far there is no evidence of industry moving; no evidence about environmental controls. Thank you.

This cross-examination gave the questioner an opportunity to point out important flaws in the evidence. If the respondent's partner fails to provide the promised new evidence in her speech, the questioner's colleague should be prepared to point that out.

3. Cross-examination may be used to advance your position. Here's an example:

Q: What was your answer to our #4 argument that unemployment will persist in Iraq?

A: Uh, I guess I didn't get to that, but ...

Q: Thank you.

This brief exchange allowed the debater to emphasize that the other team had dropped an argument. The “development of space” resolution provides another example:

Q: Our evidence says that industry will make billions in the new space station, doesn't it?

A: Yes, but industry is reluctant to go into space.

Q: You mean industry is reluctant to make billions in profits?

A: No. They're reluctant because they're not certain that the station will be built.

Q: Our plan mandates that the space station will be built, doesn't it?

A: Yes, but ...

Q: And industry will certainly want those billions of dollars of profit, won't they?

A: Well, once it's built ...

Q: Thank you.

4. Cross-examination may be used to establish your response to an attack made on your position. Consider this example:

Q: In your workability attack you said our plan wouldn't work because the people in the new space station would get sick.

A: Right. The evidence shows they develop low blood pressure and lose bone marrow. Both Russians and Americans. And it takes three months ...

Q: They get low blood pressure. So what?

A: Low blood pressure isn't good for you.

Q: Does the evidence say that?

A: Well, no, but everybody knows that low blood pressure ...

Q: The evidence doesn't say it's low enough to do any harm, does it?

A: It says they develop low ...

Q: The evidence doesn't say it gets low enough to stop them from working, does it?

A: Well, no, but everyone knows low blood pressure ...

Q: No significance shown in low blood pressure. Now, about the bone marrow—so what?

A: They lose 5 percent of their bone marrow, and it takes three months to get it back to normal. Both Russians and Americans.

Q: Again, no significance. The evidence doesn't say that they can't work, does it?

A: It does say that it takes them three months to ...

Q: And they're back to normal. But the evidence doesn't attach any significance to a 5 percent loss, does it?

A: I certainly think it's significant.

Q: Do the physicians who made the report say it's significant?

A: Well, what they say is ... they report ... they report low blood pressure and loss of bone marrow.

Q: And in neither case do they say it's significant. Thank you.

Here the debater defended his case by establishing that the workability attack had no significance.

5. You should avoid "open-ended" questions that allow the respondent freedom to roam at will. Look at this example:

Q: Do you think your plan will reduce fuel consumption?

A: Absolutely. The Petroleum Study proves our carbon tax will effectively reduce consumption. The hearings prove we have the technology. The Berkeley Report says that this combination of increased taxes and already proved technology will reduce oil imports by at least 20 percent within ...

The "do you think" opening gives respondents license to say anything they want to. Of course, they think their position is favorable and will use this opportunity to advance it.

Lawyer and best-selling author Scott Turow, echoing Edward Bennett Williams' sage counsel, admonishes, "A good trial lawyer never asks why, unless he knows the answer."<sup>2</sup> Like the "do you think" opening, a "why" question invites respondents to give the best possible reasons for their position.

Further considerations of the questioner include the following:

6. Questioners should try to elicit brief responses (although questioners may not require a "yes" or "no" answer). They may not cut off a reasonable qualification, but they may cut off a verbose response with a statement such as "Thank you, that gives us enough information" or "That's fine, thank you. That makes your position clear."
7. Questioners should not make arguments during cross-examination. Cross-examination is a time for asking questions and getting responses. The significance of the responses should be argued in the constructive speeches or in rebuttal.
8. Questions should be brief and easily understandable. Rambling, ambiguous questions may confuse the opponent, but they may also confuse those who render the decision. Respondents would certainly ask for a clarification of such questions, and the resultant waste of time would reduce the number of questions that could be asked.
9. Questioners may set the stage for a question—for example, "You know, of course, that President Bush has announced his support for ..."

2. Scott Turow, *Presumed Innocent* (New York: Farrar, Straus & Giroux, 1987), p. 324.

10. Questioners should never ask a question unless they already know the answer. Remember the advice of Edward Bennett Williams.
11. Questioners should not attempt to attack unassailable points. Some of the arguments in the respondents' case will probably be so well established as to be irrefutable. An unsuccessful attack on them will merely make their strength more obvious to those who render the decision. Questioners should focus on the points they can carry.
12. Questioners should always remember that the primary purpose of asking questions in cross-examination is to obtain information that they can use to their advantage in their next speech. On the flow sheet questioners can make notes of their questions and the responses they receive—the judge will be doing this as well—so that they can refer to them directly. Rather than assume that the significance of an opponent's response is self-evident, questioners can drive the point home to the audience in their next speech. Here are some examples:

In cross-examination, Gail admitted that their space station would be in geosynchronous orbit. Let's see what that really means in terms of cost....

Roger admitted in cross-examination that their figures on increased crime came from the FBI. Now I'm going to tell you what the FBI itself said about using those figures for year-to-year comparisons....

Remember when I asked Mark about the significance of his claim that people get sick in space stations? He couldn't give you any significance of low blood pressure. None. Again, on the bone marrow, Mark couldn't give you any significance there either. There's no significance shown in their workability attack....

**2. Respondent Considerations.** Considerations for the respondent include the following:

1. Respondents must keep in mind that each question is designed to destroy their case or to advance the case of their opponents. Consequently they must constantly be on guard. Consider the motivation or strategy behind the question and try to diffuse it.
2. Respondents must answer any reasonable question in a cooperative fashion. Your attitude as well as the content of your answer are important in the audience and judge's evaluation of your credibility. As noted earlier, however, they can refuse to give a "yes" or "no" answer and can add reasonable qualifications. Here's an example:

Q: The report adopted the recommendations of the chemical companies, didn't it? Yes or no.

A: There were Democrats and Republicans on the committee, and the report was adopted by a unanimous vote.

Questioner Considerations
<ol style="list-style-type: none"> <li>1. Clarification</li> <li>2. Expose defects in opponent's evidence</li> <li>3. Advance your positions</li> <li>4. Respond to an attack</li> <li>5. Avoid "open-ended" questions</li> <li>6. Elicit brief responses</li> <li>7. Ask questions, do not make arguments</li> <li>8. Keep questions brief</li> <li>9. Set the stage for the question</li> <li>10. Ask questions to which you know the answer</li> <li>11. Do not attack the unassailable</li> <li>12. Use information gained in c-x in the next speech</li> </ol>

1. Clarification
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3. Respondents may refuse to answer ambiguous or "loaded" questions. Consider this example:

Q: Have you stopped cheating on examinations?

A: I quit the same day you stopped snorting cocaine.

Q: But, but, but I never snorted cocaine.

A: Bingo!

4. Respondents may qualify their response. The "Yes, but" qualification is weak. It is better to give the qualification first and then give a direct response, as in this example:

Q: Do you believe that all branches of government should be responsive to the will of the people?

A: I believe that the Supreme Court is responsive to the will of the people by protecting their constitutional rights. With this important constitutional safeguard, I would say that government should be responsive to the will of the people.

5. Respondents must answer from their perspective (see Chapter 15). Former Governor Mario Cuomo of New York provided an example:<sup>3</sup>

REPORTER: Aren't you pretty thin-skinned about that, Governor?

CUOMO: If by thin-skinned you mean very, very quick to respond—that's what I've done for a lifetime. I'd been a lawyer for more than twenty years. You can't let the comment from the witness pass. If

3. William Safire, "On Language," *New York Times Magazine*, Dec. 22, 1991, p. 10.

[by thin-skinned] you're talking about being personally sensitive to criticism, that's a lot of [expletive].

Caution: Expletives, even mild ones, are out of order in academic debate, and the judge will penalize any debater who uses them.

6. Respondents should promptly admit not knowing the answer to a question, as in this example:

Q: Do you know what methodology Kwarciany and Langer used in their study?

A: They're reputable scholars. I'm sure they used an appropriate methodology. But, no, I don't know their exact methodology.

7. Respondents should not attempt to defend an indefensible point. It is better to yield a point immediately than to allow questioners to wring admissions from the respondents in a series of questions that will only fix the point more firmly in the minds of those who render the decision.

**3. Considerations of Both Questioner and Respondent.** Next we will examine some considerations that apply to both questioners and respondents.

1. The questions should focus primarily on arguments developed in the speech of the respondent. However, questions about arguments in a previous speech by the respondent's colleague, or any matter relevant to the proposition, are admissible.
2. The questioner and the respondent should treat each other with courtesy. Sarcasm, "browbeating," or obvious evasion will boomerang to the discredit of the one using them.

If your opponent comes on too strong and seeks to goad you into losing your temper, keep your cool. Counter this aggression by adopting a friendlier, quieter, slower style. You will appear more confident and competent by comparison. The judge will take note and award points accordingly.

3. Both the questioner and the respondent should bear in mind that they are not conducting a private conversation but are asking questions and giving

#### Respondent Considerations

1. Be on guard
2. Answer reasonable questions
3. Do not answer unreasonable questions
4. Qualify responses
5. Answer from your perspective
6. If you do not know the answer, admit it
7. Do not defend the indefensible

responses designed to have an effect on the judge and audience. To facilitate communication with the audience, both speakers should stand and face the audience during the question period.

4. As a general rule, once the questioning has begun, neither the questioner nor the respondent may consult a colleague. In some cases, however, courteous and limited participation by both colleagues may be acceptable. It is wise to know the judge's predisposition on "tag team" cross-examination. Even when it is possible to do so, it is bad practice to conduct or participate in a chaotic group questioning period. Prefer the one questioner, one respondent format. If partners have questions or important information to offer as answers, they should provide courteous nonverbal cues to indicate that.
5. Finally a special consideration for both questioners and respondents is to prepare and *practice*. Once you have prepared your affirmative case or your negative briefs, prepare sets of questions, anticipate opponents' questions, prepare possible answers, and practice for cross-examination. Consider the questions that a skilled opponent will ask. What are the points of your case that are most vulnerable to attack? What questions can hurt you most? What are the questions you will have the most difficulty answering? Plan your answers to such questions, and rephrase them until you have concise, convincing, and effective responses.

In the same manner plan in advance the questions you will ask of your opponent. What arguments is your opponent most likely to advance? What questions will you ask? How will your opponent most likely respond to those questions? How will you follow up on that response? Will a skilled opponent give a response that will help or hurt you? If it will help you, plan how you will follow up on it with further questions or with analysis and argument in your speech.

In summary, when cross-examination is used, it is an essential part of the debate, and advocates must prepare for it with the same care given to all other parts of the debate. This preparation should include careful planning for and actual phrasing of the questions and answers they anticipate using, as well as an analysis of those who will render the decision. In 1987, Governor Dukakis had apparently anticipated and planned for a question about capital punishment in his

#### **Considerations of Both Questioner and Respondent**

1. Focus questions on previous speeches
2. Be courteous
3. Face the judge and audience, not each other
4. One person asks, one person answers
5. Prepare and practice

second debate with then-Vice President Bush. His preparation, however, apparently did not include an analysis of how the audience would react to his calm and dispassionate response.

Advocates preparing for cross-examination might find it helpful to arrange with friends to simulate the preparation that is used to prepare for congressional cross-examination. Presidential nominees to the U.S. Supreme Court are advised to prepare for the rigorous questioning they will receive from members of Congress by undergoing intensive practice sessions:

Each day for a week, Ruth Bader Ginsburg sat at a table in Room 108 of the Executive Office Building, fielding questions from a panel of lawyers on legal questions....

The question-and-answer sessions for Judge Ginsburg, President Clinton's nominee to the Supreme Court, are part of what the modern nomination process has become, a full-throttle effort, much like prepping a candidate for a presidential debate.

A senior White House official involved in the process said, "If when she goes before the committee and every question they ask her is one we've already asked her in practice sessions, we'll have done our job well...."

In 1987, Judge Robert H. Bork, President Reagan's choice for the Supreme Court, insisted that he had no need for practice sessions. Bork, a federal appeals judge and a former law professor, told the White House that such sessions would be a waste of time because he was fluent in constitutional give-and-take.

After Bork's nomination was defeated by the Senate after a tumultuous set of hearings ... it has become fixed political law in Washington that no one should forgo practice sessions.<sup>4</sup>

As Bork's disastrous experience proved, it is folly to face determined opponents in cross-examination without intensive preparation. The debater's objective in preparing for cross-examination is to anticipate every question an opponent might ask and to develop an effective answer.

### **B. Lincoln–Douglas Format**

The Lincoln–Douglas format is simply a two-person debate, named in honor of the two famous nineteenth-century debaters who used this form. Interest in this format is growing in high schools and colleges and in politics, where the tendency increasingly is for opposing candidates to meet in debate before the voters. The famous Kennedy–Nixon debates of 1960 marked the first time in American history that presidential candidates met in debate in the tradition of Lincoln and Douglas.

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4. Neil A. Lewis, "Ginsburg Gets Set for Her Most Public Law Exam," *New York Times*, July 15, 1993, p. B9. © 1993 by the New York Times Co. Reprinted by permission.

The organization of this format as practiced by the National Forensics Association is as follows:

<b>Lincoln–Douglas Format</b>	
Affirmative constructive	<i>6 minutes</i>
Cross-examination by negative	<i>3 minutes</i>
Negative constructive	<i>7 minutes</i>
Cross-examination by affirmative	<i>3 minutes</i>
Affirmative rebuttal	<i>6 minutes</i>
Negative rebuttal	<i>6 minutes</i>
Affirmative rebuttal	<i>3 minutes</i>
Preparation time	<i>4 minutes</i>

The NFA style of Lincoln–Douglas debate is policy debate, with all the same sorts of arguments, evidence, and case construction as occurs in team topic policy debates in NDT/CEDA. Recent NFA L–D topics include:

- 2007–2008: Resolved: that the United States Federal Government should substantially increase assistance to the Greater Horn of Africa in one of the following areas: economic development, human rights protection, or public health.
- 2006–2007: Resolved: that the United States Federal Government should adopt a policy to significantly increase the production of energy from renewable sources.
- 2005–2006: Resolved: that the United States Federal Government should adopt a policy to increase the protection of human rights in one or more of the following nationals: Tibet, Bhutan, Afghanistan, Nepal, Myanmar, Thailand, East Timor, Indonesia, Philippines, and/or Pakistan.
- 2004–2005: Resolved: that the United States Federal Government should significantly reform the criminal justice system.
- 2003–2004: Resolved: that the United States Federal Government should substantially increase environmental regulations on industrial pollution.
- 2002–2003: Resolved: that the United States Federal Government should significantly increase assistance to United States residents living below the poverty line.
- 2001–2002: Resolved: that the United States Federal Government should significantly alter its policy for combating international terrorism.
- 2000–2001: Resolved: that the United States Federal Government should significantly increase restrictions on civil lawsuits.
- 1999–2000: Resolved: that the United States Federal Government should increase restrictions on the development, use, and/or sale of genetically modified organisms.

- 1998–1999: Resolved: that the United States Federal Government should significantly increase its regulation of electronically mediated communication.
- 1997–1998: Resolved: that the United States Federal Government should significantly change its foreign policy toward Taiwan.
- 1996–1997: Resolved: that the U.S. Department of Education should require the implementation of more rigorous methods of teacher and/or student performance evaluation in secondary school systems.
- 1995–1996: Resolved: that participation in one or more of the six principal bodies of the United Nations should be significantly restricted by altering the U.N. charter and/or rules of procedure.
- 1994–1995: Resolved: that the FG should significantly reform the U.S. public welfare system.
- 1993–1994: Resolved: that the USFG should significantly alter laws for immigration into the U.S.
- 1992–1993: Resolved: that the terms of federal legislators should be limited to a specific duration.<sup>5</sup>

To learn more about Lincoln–Douglas debate competition, visit <http://cas.bethel.edu/dept/comm/nfa/nfa-ld.html>.

### C. Mock Trial Format

The mock trial format emulates trial court debating. In mock trial debate the emphasis is on debate and argumentation skills and on cross-examination. This differs from moot court debate, widely used in law schools, which is concerned with the sometimes highly technical rules of procedure and which may emulate the appellate court rather than the trial court.

Instead of a proposition, the mock trial debaters are provided with the facts of a legal case. If the case is a criminal one, the affirmative becomes the prosecution and the negative becomes the defense; if the case is a civil suit, the affirmative is the plaintiff and the negative is the defendant. For example, the 2006–2007 national case debated by the American Mock Trial Association:

#### *Case Summary*

On January 2nd, 2005, off-duty police officer Jamie Conmey heard a radio transmission came over dispatch saying that two suspects had just robbed Joe's Corner Store. The description said that the perpetrators were wearing white T-shirts and blue jeans, appeared to be teenagers, and had taken the cash in a brown paper bag. Officer Conmey put on the siren and started searching the neighborhood surrounding the store. Officer Conmey saw a teenager dressed in a white shirt and jeans

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5. National Forensic Association, Lincoln–Douglas Debate, downloaded July 30, 2007, <http://cas.bethel.edu/dept/comm/nfa/nfa-ld.html>.

climbing a fence in an alleyway. Officer Conmey pulled over and told the teenager to come down. The teenager stopped climbing the fence but did not come down. Seconds later, Officer Conmey shot the teenager in the side. Officer Conmey claims to have seen a gun, however, no weapon was found at the scene. The teenager was rushed to the hospital as quickly as possible, where the teenager almost immediately fell into a coma—a state in which the teenager remains today.

The teenager was Max Jeffries. Max's parents, Sean and Leigh Jeffries, filed suit against the Polk County Police Department, alleging that the actions of Officer Conmey, who committed suicide shortly after the incident, and thus the Polk County Police Department, deprived Max Jeffries of Jeffries' constitutional rights to due process of law. In addition, the Jeffries allege that through its policy, custom, and practice, the Polk County Police Department deprived Max Jeffries of Jeffries' rights to due process of law. The Jeffries allege that as a result of the actions of Officer Conmey and the Polk County Police Department, their child experienced life-threatening injuries, and as such they are entitled to damages. This case has been bifurcated and as such, damages are not to be considered in this same proceeding.<sup>6</sup>

Students follow a format modeling a real trial. Teams in the AMTA teams consist of six to eight students. They are governed by a set of rules of procedure and rules of evidence for the fictional jurisdiction of Midland. Time is limited to the following format:

<b>Mock Trial Format</b>	
Opening	<i>5 minutes</i>
Case-in-chief	<i>25 minutes</i>
Cross-Exams	<i>25 minutes</i>
Closing	<i>9 minutes total—max of 5 minutes may be reserved for Plaintiff's rebuttal</i>

This format is a popular exercise in argumentation and debate classes. Members of the class are assigned the various roles, including attorneys, defendant, judges, juries, and witnesses. Both sides are limited to the information about the case provided by the instructor. No additional information may be introduced into the mock trial. In the format shown on page 346, suitable for classroom application, substitute plaintiff's attorney for prosecuting attorney if the case is a civil one.

For more information about mock trial debate, visit the American Mock Trial Association at <http://www.collegemocktrial.org/welcome/welcome.php>.

<sup>6</sup> American Mock Trial Association, downloaded July 30, 2007, <http://www.collegemocktrial.org/welcome/welcome.php>.

<b>Classroom Mock Trial Format</b>	
Judge gives background information and outlines the procedure.	<i>3 minutes</i>
Prosecuting attorney outlines the case.	<i>3 minutes</i>
Defense attorney outlines the defense.	<i>3 minutes</i>
Prosecuting attorney calls three witnesses and questions each one for four minutes.	<i>12 minutes</i>
Defense attorney may cross-examine witnesses, asking each a maximum of three questions.	<i>6 minutes</i>
Defense attorney calls three witnesses and questions each one for four minutes.	<i>12 minutes</i>
Prosecuting attorney may cross-examine witnesses, asking each a maximum of three questions.	<i>6 minutes</i>
Defense attorney sums up and makes final plea.	<i>3 minutes</i>
Prosecuting attorney sums up and makes final plea.	<i>3 minutes</i>
The judge instructs the jury.	
The jury votes.	

#### **D. Town Hall Format**

The town hall format has been used at a number of annual conventions of the National Communication Association, the Southern States Communication Association, and the Florida Communication Association to debate issues of professional interest. This format may be used for any matter of interest to the participants and audience. A popular variation for campus debates provides for a student and a faculty member to serve as “kickoff” speakers for the motion and another student–faculty team to serve as “kickoff” speakers against the motion. (See the following format items 3–6.)

The town hall format may be organized as follows:

1. The chair opens the debate by announcing the motion before the house and reviewing the rules of procedure.
2. The chair introduces each of the four kickoff speakers in order.
3. The first advocate gives a seven-minute speech moving the adoption of the motion.
4. The second advocate gives a seven-minute speech opposing the motion.
5. The third advocate gives a seven-minute speech moving the adoption of the motion.
6. The fourth advocate gives a seven-minute speech opposing the motion.
7. The floor is then open to audience members, who may speak for no more than three minutes. The chair recognizes speakers alternately for and against

the motion. Preference should be given to those who have not previously spoken.

8. The debate proceeds in this manner for usually not more than 60 minutes. The chair then permits each of the kickoff speakers to summarize the arguments, first against and then for the motion. The summary speeches last no more than three minutes each.
9. The chair calls for a division of the house (a vote) and announces the result.

The town hall format also has some special procedural guidelines:

1. All action on the floor is channeled through the chair. It is the prerogative of the chair to exercise his or her judgment in any action not explicitly covered in these regulations.
2. Any speaker except the maker of the motion may be interrupted at any time if a member wishes to call attention to a violation of the rules by “rising to a point of order” or wishes to question the speaker “on a point of information.” The speaker may refuse to answer the question or even to give the member a chance to ask it. But he or she cannot refuse to yield for points of order. The time involved in stating the point of information is not charged against the speaker; the time consumed in giving the information is.
3. Only these points of order will be considered: Objections to the behavior of an audience member and objections that the speaker’s remarks are irrelevant.
4. The timekeeper will give each speaker a one-minute warning and a termination signal. Members must conclude their remarks on receiving the second signal.
5. Unused time may not be passed to a speaker on the same side.
6. The resolution before the house may not be amended.

The town hall format also has some special seating arrangements. Those favoring the motion at the beginning of the debate seat themselves to the chair’s right; those opposed, to the chair’s left. A section is provided for the undecided. If, as a result of the debating, at any time the sentiment of a member changes, the member then moves from undecided to decided or across the aisle and sits with the side he or she now favors.

## E. Academic Parliamentary Format

**1. Academic Parliamentary Debate.** Intercollegiate tournament competition in parliamentary debate has grown exponentially in recent years. Parliamentary debate tournaments and activities are held under the auspices of the National Parliamentary Debate Association (NPDA) and the American Parliamentary Debate Association (APDA). National championships and even a world championship of parliamentary debate are held.

In the British (and Worlds) format, The debate consists of four teams of two speakers, called *factions*, with two factions on either side of the case. The format is:

<b>Worlds Debate Format</b>	
1.	Prime Minister
2.	Opposition Leader
3.	Deputy Prime Minister
4.	Deputy Opposition Leader
5.	Member for the Government
6.	Member for the Opposition
7.	Government Whip
8.	Opposition Whip
Each debater is allowed to speak for seven minutes, and the others may offer points of information during the speeches.	

Academic parliamentary debate as practiced in the APDA and NPDA involves two, two-person teams. They receive their topics 15 minutes before the debate round is to begin. The emphasis is on logic, reasoning, general knowledge, and presentation skills rather than evidence use and debate technique. Use of preprinted materials and evidence is not allowed.

The topics for the 2006 NPDA National Championship tournament were<sup>7</sup>:

<b>Round</b>	<b>Resolution</b>
1	One or more of the extended provisions of the U.S. Patriot Act should be revoked.
2	The U.S. Federal Government should offer amnesty to illegal immigrants in the United States.
3	Israel should recognize Hamas as the legitimate government of the Palestinian National Authority.
4	The U.S. should significantly decrease its military presence in Europe.
5	Oust the elephant.
6	TH would retire.
7	U.S. food aid programs do more harm than good.
8	The expansion of eminent domain by the U.S. Supreme Court inappropriately privileges public use.
Quad Octas	Censure President George W. Bush.
Triple Octas	United Nations peacekeeping missions in Africa do more harm than good.

7. National Parliamentary Debate Association, downloaded July 30, 2007, <http://cas.bethel.edu/dept/comm/npda/index.html>.

Double Octas	The United States Federal Government should promote the domestic use of nuclear energy.
Octas	Roll back George W. Bush's tax cuts.
Quarters	Three Iraqs are better than one.
Semis	The United States should adopt a policy to substantially protect private pensions.
Finals	Public schools in the United States place insufficient value on fine arts education.

In parliamentary tournament debate, debaters may request points of information, points of order, and points of personal privilege (see Chapter 19). The standardized format is as follows:

<b>Parliamentary Tournament Format</b>	
Prime minister constructive	<i>7 minutes</i>
Leader of the opposition constructive	<i>8 minutes</i>
Member of the government constructive	<i>8 minutes</i>
Member of the opposition constructive	<i>8 minutes</i>
Leader of the opposition rebuttal	<i>4 minutes</i>
Prime minister rebuttal	<i>5 minutes</i>

Debaters in NPDA parliamentary debate receive their proposition and are allowed 15 minutes to prepare before the debate begins, but no preparation time during the debate. The government presents a case. The debaters first define the terms of the proposition and set their framework for the debate. They may choose to offer a policy interpretation measured by cost-benefit analysis or a value interpretation measured by designated criteria. In outline form, the prime minister (the first speaker) offers the government case. The leader of the opposition then offers refutation, which may include a challenge to the definitions and framework offered by the government. The debate continues much as a team topic policy debate, but without formal cross-examination periods.

While a debater is speaking (except during the first and last minute of their speech), an opponent may rise to a point of information, similar to a cross-examination question. The speaker may choose to recognize the questioner and answer the question or not.

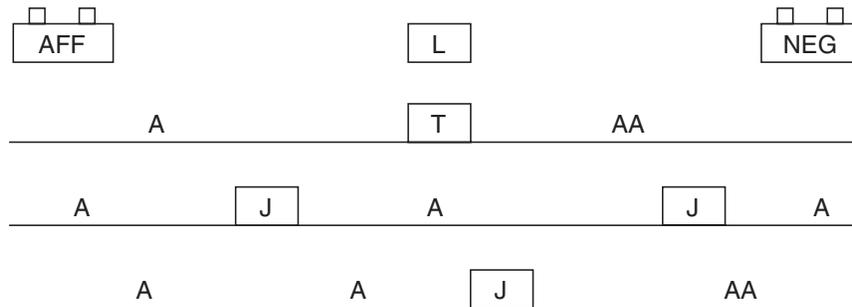
For more information about parliamentary tournament debate, visit the National Parliamentary Debate Association website at <http://cas.bethel.edu/dept/comm/npda/index.html>.

**2. Applied Parliamentary Debate.** Applied parliamentary debate is a specialized format involving the use of special procedures. This format is considered separately in Chapter 19.

### Customary Debate Arrangements

Formats A through C are conducted in approximately the same manner. Formats D through E require certain special arrangements (see the discussion of each type).

- This diagram shows the simplest form of physical arrangements for a debate, suitable for classroom or tournament use. (AFF represents the affirmative team; NEG, the negative team; L, the lectern or table; T, the time-keeper; J, the judges; and A, the audience.) Judges may sit anywhere in the audience, facing the debaters.



- The teams sit facing the audience. Customarily the affirmative is on the audience's left. As we saw in Chapter 17, on all ballots except the audience shift-of-opinion ballot, the affirmative's evaluation is recorded on the left side of the page. By sitting in these positions, the teams avoid needless confusion.
- A lectern is placed between the two teams.
- A timekeeper, if available, sits in the center of the first row of the audience facing the debaters. If no timekeeper is available, the debaters generally use countdown digital stopwatches to show their time remaining, and to monitor the progress of other speakers. The judge uses a stopwatch to check elapsed time and "prep time." In many tournaments, though never in public debates, each team is allowed an equal number of minutes of preparation time to use at its discretion. (For example, after the first affirmative speech the first negative speaker may, in agreement with his or her partner, take a few minutes to prepare before beginning the first negative speech; the same might apply for the interval between each of the remaining speeches. If a team exceeds its prep time, any excess is deducted from the speaking time.)
- The judge sits at any convenient place in the audience. If there are multiple judges, they make a point of sitting apart from one another. In most tournaments decisions in preliminary rounds are not announced after each debate but are published at the conclusion of that portion of the tournament. Results of elimination rounds—usually determined by a panel of judges—are often announced after each of those rounds in the room in which the debate was held.

## II. THE AUDIENCE

The First National Developmental Conference on Forensics recommended: "Audience debating should be promoted through public appearances on the

national proposition and on issues of local concern, as well as through tournaments, or rounds within tournaments, based on the audience vote model.” CEDA has promoted public debate with a national award for the debate program making the greatest effort to sponsor public debating, and it experimented in 1997–1998 with a public debate division at many of its tournaments.

Directors of forensics provide opportunities for their students to speak before a variety of audiences. Because a number of debates are conducted simultaneously in a tournament, the audience for any one debate is usually small. The debaters thus have an opportunity to adjust to a limited audience and can gain experience in directing arguments to the key individual (in this case the judge) in that audience. In the final round of a tournament, which is usually well attended, the debaters have an opportunity to address an audience well versed in argumentation. Here they seek to influence several key individuals, because three or more experts usually serve as the panel of judges for the final round.

In addition to the audiences found in tournaments, general public audiences may be found on the campus and in the community. Sizable campus audiences are usually obtained for debates with traditional rival institutions. However, because audiences that may be obtained on any one campus are usually limited in size, debates are sometimes presented before various community audiences. Schools, church groups, and civic and social organizations are often interested in securing debates for their programs. Community audiences may be used for both tournament and individual debates. Local commercial radio and television stations, as well as educational radio and television stations, may be interested in carrying well-planned debates adapted to their special needs, thus offering debaters further opportunities to obtain experience in various types of communication situations. Online debates are also increasingly offering access to interested students.

The tournament situation makes provision for both the novice and the experienced debater. In fairness to both students and audience, the director of forensics usually assigns only the more proficient debaters to appear before campus and community audiences. Debates conducted before these groups require that the debaters undertake a careful audience analysis and make specific preparation in terms of the audience. (Audience analysis and adaptation are considered in Chapter 15.)

Although it is hoped that debates presented before public audiences will be both interesting and profitable for the audience, they should never be regarded as entertainment. Debates presented before public audiences should be regarded as an opportunity to educate students about audience analysis and to educate the audience about debate. The listeners, of course, may attend a debate for a variety of reasons. Some may want to gain more information about the subject of the debate; others may hope to use the debate process to help them arrive at a decision on the proposition. These reasons, however, are subordinate to the educational reasons for presenting the debate.

When critic-judges are used in the public audience debate situation, they can make a significant contribution to the audience’s knowledge about debate by explaining the factors leading to a decision, in a manner that will be interesting and informative to the audience and profitable for the debaters.

### III. ADAPTING THE DEBATE TO COMMUNICATIONS MEDIA

The use of public address systems, radio, television, and computer streaming enables debaters to reach larger audiences, but it also poses the problem of adapting the debate to the specific media. The public address system requires only a simple adjustment; radio and television require a more complex adjustment and afford the opportunity to develop a type of debate specifically designed for the medium and for the specific broadcast situation (see the inset on pages 353–354). The audience for a debate streamed over the Internet is self-selected and similar to the live audience in a tournament debate, so little adjustment tends to be made (aside from accommodation to cameras and audio equipment).

Speakers sometimes must use radio or television at the same time that they are addressing an audience assembled before them. Adapting a style of debate or a style of speaking to two such different audience situations is difficult. Although superior speakers are able to reach both audiences effectively, it is usually preferable to concentrate on one audience. For debaters, the problem is simple: They must direct their principal attention to the audience that will render the decision. Most political speakers consider radio or television audiences more important, because these audiences include a greater number of voters who will render the decision with their ballots. After the first presidential debate between George Bush and Michael Dukakis, Peter Jennings, who had been on the panel of questioners, rushed from the stage to the ABC booth to participate in the post-debate broadcast. David Brinkley asked him what he thought of the debate. “I don’t know,” Jennings replied. “I haven’t seen it on television.”<sup>8</sup> Jennings, of course, recognized that the debate as seen by the millions who watched on television was far more important than, and in some ways different from, the debate he had seen in person at a distance of a few feet.

Today’s audiences have a strong preference for a conversational style of delivery in contrast to the oratorical style so popular in the days of Daniel Webster. When former President Reagan was starting out as a young radio sports announcer in Des Moines, he used a conversational style of delivery. He got mail from people all over the Midwest telling him he sounded as if he was talking directly and personally to them. “The Great Communicator” remembered that response and always made a point of addressing crowds or television audiences as if he were speaking to a few friends sitting in a living room.<sup>9</sup>

In both radio and television debates, time is of great importance. Online debates may offer more freedom. This factor places a premium on extemporaneous speeches, which allow speakers to condense or extend remarks as the situation may demand. In television debates two cameras are usually used; often one camera is turned on a participant other than the speaker to allow the audience to see various reactions to the speech. Speakers should direct their remarks to the

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8. Roger Simon, *Road Show* (New York: Farrar, Straus & Giroux, 1990), p. 120.

9. Ronald Reagan, *An American Life* (New York: Simon & Schuster, 1990), p. 247.

### Suggestions for Adapting to Media

#### *Public Address System*

1. Avoid the use of a public address system unless you clearly need it to be heard in the auditorium.
2. If possible, test the public address system before the audience arrives.
3. Before beginning a speech, adjust the microphone to a convenient height, and place it in a convenient location—so that it is sufficiently close to you but does not obstruct your access to the lectern or your view of the audience.
4. Allow the public address system to amplify your voice; do not shout into the microphone.
5. Remain close to the microphone during your talk, adjusting your movements and gestures to the microphone; avoid moving “off mike.”

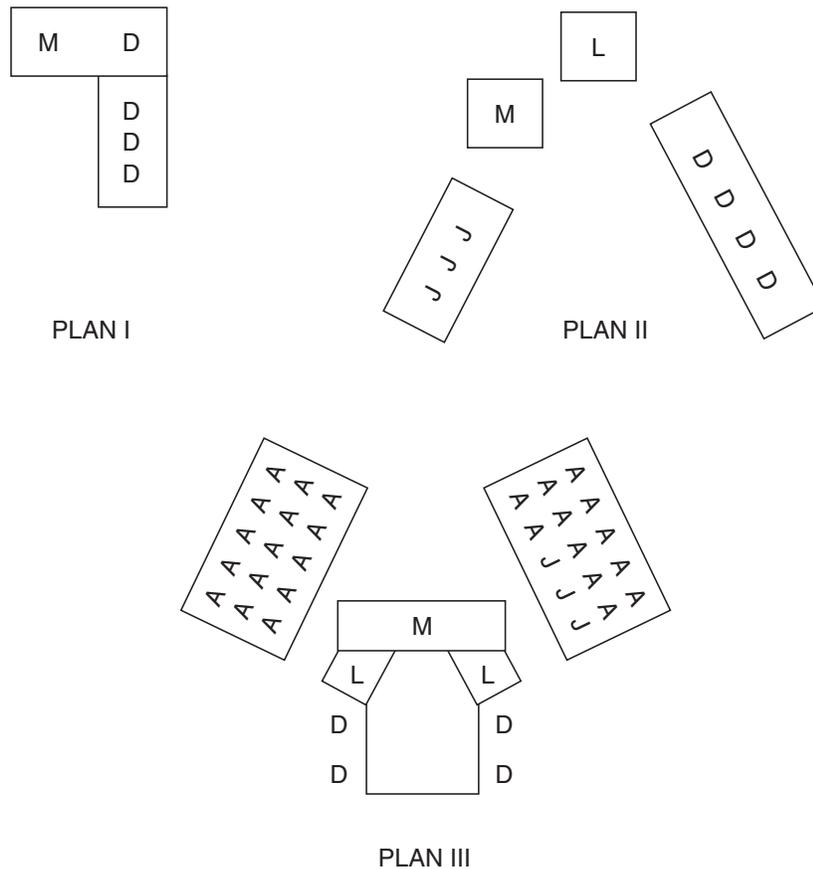
#### *Radio*

1. Speak as though you were addressing two, three, or four persons seated in their living room.
2. Because you cannot ordinarily use visual aids in a radio speech, depend on vivid and precise words to paint the desired pictures in the minds of your audience.
3. If you use a manuscript (for plan or negative briefs), be sure to simplify complex arguments and present them in a conversational manner.
4. Adjust your presentation to the time available. Sometimes only half-hour or 15-minute time segments are allotted for the debate. In such situations the speeches should be short, with a frequent change of speakers. Sometimes a program format may evolve wherein the moderator addresses questions, based on the principal issues of the debate, to members of each team alternately, and they give a one- or two-minute answer. In other cases a modification of cross-examination debate may be used. The best format for radio debate is usually worked out in consultation between a director of forensics who knows the details of debate and a radio producer who knows the details of radio.

#### *Television and Internet*

1. Keep in mind the same considerations of style that apply to radio.
2. Use visual aids if appropriate. Visual aids must be prepared in consultation with the program director so that they meet the special requirements of television and so that they get “on camera” at the proper time.
3. Remember that movements, gestures, and facial expressions can be seen by the audience and have communicative value. Movement must be within previously defined limits—you must not move “off camera.” Gestures, facial expression, and movements should be restrained, because the camera will frequently take a tight head “shot” of the speaker.
4. Dress appropriately. Avoid large, bright pieces of jewelry and noisy bracelets, as well as clothing with sharply contrasting colors or “busy” patterns. Debaters may need makeup for color television; this special makeup is usually applied by a studio makeup artist. If you wear glasses only occasionally, remove them to reduce the chance of light reflection. If you wear glasses constantly, however, wear them during the show, because you will probably feel more comfortable and be less likely to squint.

5. Keep the use of a manuscript to an absolute minimum. Most program directors strongly prefer that presenters speak extemporaneously, with a minimum of notes.
6. Adjust your presentation to the time available and to the special problems of the medium. The sketches below indicate floor plans used in various television debates. (M designates moderator; L, lectern; D, debater; J, judge; and A, audience members who appear on camera.)



*Plan I:* The moderator and debaters are seated at an L-shaped table.

*Plan II:* The moderator is seated apart from the debaters' table, and the debaters speak from the lectern.

*Plan III:* The judges and a number of audience members are seated on raised chairs in "jury box" style. (Two lecterns are provided so that the debaters may stand facing each other during cross-examination.)

“live” camera—the one with a small red glowing light near the lens—unless the program format calls for addressing remarks to the moderator or to some other participant. If a monitor—a television set showing the program going out over the air—is in sight, the speakers should ignore it.

Television and online debates generally require more planning than radio debates do, because the medium is more complex, and the special problems of camera placement, sets, and lighting and the need for rehearsal time influence the format to be used. In planning the format of television and online debates, debaters should remember that television is a *visual* medium. The debate format should be selected and its presentation planned with this factor in mind.

For a television debate speakers should plan to arrive at the studio well ahead of broadcast or recording time to allow the producer or director to make the necessary arrangements: Check for voice balance, adjust lighting, plan camera arrangements, and so on. For a radio debate speakers should make a point of getting acquainted with the various signals that will be given from the control room as cues at different points during the program. For the television debate speakers should make a point of acquainting themselves with the various signals the floor person will give from time to time during the debate. They should also prepare themselves to present their speeches in a conversational manner amid the apparent chaos of the movement of cameras and technicians during the broadcast.

## EXERCISES

1. Practice cross-examination. After one side reads their 1AC, conduct untimed cross-examination until you run out of questions. Variations are to form a circle, and go around the circle having each person ask a question. Or have each individual write down their secret goal for cross-examination on an index card, pass it to their neighbor, and have that person ask a series of questions designed to achieve the goal (for example, “I want to reveal that their link card disproves the brink.”)
2. Organize a debate using each of the formats identified but on the same proposition. Compare the strengths and weaknesses of each. This is obviously a long-term project.