

POTENTIAL WORDING OF DEBATE TOPICS

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The purpose of this document is to outline some of the more common terms available to individuals framing debate resolutions and to provide the definitions of these potential terms in a convenient form. These definitions are representative of those definitions found in legal dictionaries.¹

POTENTIAL AGENTS OF ACTION

The agent specified in the resolution has implications both for potential agent counterplans and potential generic disadvantages (federalism, etc.)

Options: Executive branch; federal government; international agencies; President; United States; United States government; no agent.

Executive branch: “Executive: As distinguished from the legislative and judicial departments (i.e. branches) of government, the executive department is that which is charged with the detail of carrying the laws into effect and securing their due observance.” *Black’s Law Dictionary*, p. 510.

Federal government: Generally, the federal government refers to the government in Washington, DC. This would include actions by Congress, the President (or any member of the executive branch), or the Supreme Court. While there may be an argument that the federal government may include actions by the state governments (this is argued by some affirmative teams when confronted with a state counterplan), the fact that the resolution specifies the federal government and not a federal government suggests that the topic is talking about the government in Washington, DC. For example, *Black’s Law Dictionary* defines federal government as “The system of government administered in a nation formed by the union or confederation of several independent states (p. 550).” See also President of the United States

International agencies: Depending on the nature of the topic, international organizations may be designated as the affirmative agent. This could be an existing organization (the UN), or a new organization. The main problem with this approach is that the theoretical implications this type of resolution would have on fiat in debate has not been explored recently. While this type of topic has been successfully debated in the 1970s, recent changes in debate may produce a different type of debate.

President of the United States: “The official title of the chief executive officer of the federal government in the United States.” *Black’s Law Dictionary*, p. 1066.

United States: The term “United States” has several meanings:

It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in family of nations, it may designate territory over which sovereignty of United States extends, or it may be collective name of the states which are united by and under the Constitution. (*Black’s Law Dictionary*, 1979, p. 1375)

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Etzel Percy, who teaches Geology at UCLA, defines the United States in the following manner:

The term "United States may be interpreted in two ways. In a narrow sense, it identifies the 50 states and the District of Columbia. The U.S. Board of Geographic Names approves this usage. . . In a broad sense, the term United States can encompass territory beyond that of these definitions. . . the various outlying territories conveniently break down into two major categories, those associated with the Caribbean and those lying in the Pacific. (*Encyclopedia Britannica*, vol. 18, 1977, p. 1003)

United States government: "Government: . . . the government is but an agency of the state, distinguished as it must be in accurate thought from its scheme and machinery of government. In the United States, government consists of the executive, legislative, and judicial branches in addition to administrative agencies. In a broader sense, includes the federal government and all its agencies and bureaus, state and county governments, and city and township governments. . ." *Black's Law Dictionary*, p. 625.

No agent: It is possible to word a resolution without designating an agent of action: "X should be done." or "X is desirable." This wording may eliminate agent counterplans and minimize agent-related arguments (federalism, etc.), although there are strong arguments that the affirmative must designate an agent in their plan; although they have latitude in deciding what agent to specify.

Issues:

Fiat: The agent specified in the resolution may focus the debate on alternative agents, although there are arguments that the resolution also limits the agents open to the negative.

Counterplan options: If an agent is specified, then the negative may choose to counterplan with other agents (state; international counterplans).

Or functional equivalent: to eliminate the utopian counterplans, some college topics have included the phrase "or functional equivalent," which would make these counterplans topical. This is probably not necessary at the high school level.

TYPES OF ACTION PROPOSED

A resolution needs to include a verb or some indicator of the type of action that is required of the affirmative team.

Options: abolish, administer, adopt, alter, assume responsibility for, augment, control, curb, curtail, cut, decrease, deploy, diminish, enact, endorse, establish, expand, implement, improve, increase, initiate, institute, legislate, maintain, offer, pass, preserve, promote, protect, provide, reduce, reform, reject, regulate, repeal, restrict, strengthen, support, terminate, weaken

Abolish: "To do away with wholly; to annul; to repeal; to rescind; to abrogate; to dispense with. Imports absolute destruction . . . Applies particularly to things of a permanent nature, such as institutions, usages, customs, as the abolition of slavery." *Black's Law Dictionary*, p. 7.

Administer: "To manage or conduct. To discharge the duties of office; to take charge of business; to manage affairs; to serve in the conduct of affairs, in the application of things to their uses; to settle

and distribute the estate of a decedent. Also to give, as an oath; to direct or cause to be taken.” *Black’s Law Dictionary*, p. 41.

Adopt: “To accept, appropriate, choose, or select. To make that one’s own (property or act) which was not so originally. To accept, consent to, and put into effect operation, as in the case of a constitution, constitutional amendment, ordinance, court rule, or by-law.” *Black’s Law Dictionary*, p. 45. “To approve, as to adopt a regulation.” *Ballentine’s Law Dictionary*, p. 36.

Alter: “To make change in; to modify; to vary in some degree; to change some of the elements or ingredients in detail without substituting an entirely new thing or destroying the identity of the thing effected. To change partially. To change in one or more respects, but without destruction of existence or identity of the thing changed; to increase or diminish.” *Black’s Law Dictionary*, p. 71.

Assume responsibility for: “Assume: To undertake; engage; promise.” *Black’s Law Dictionary*, p. 112. “Responsibility: The state of being answerable for an obligation, and includes judgment, skill, ability, and capacity.” *Black’s Law Dictionary*, p. 1179.

Augment: “Augmentation: The act of increasing or making larger by addition, expansion, or dilation; the act of adding to or enlarging” *Ballentine’s Law Dictionary*, p. 111.

Control: “v: To exercise restraining or directing influence over. To regulate; restrain; dominate; curb; to hold from action; overpower; counteract; govern.” *Black’s Law Dictionary*, p. 298. “n: Power or authority to manage, direct, superintend, restrict, regulate, govern, administer, or oversee.” *Black’s Law Dictionary*, p. 298.

Curb: “To restrain” *Ballentine’s Law Dictionary*, p. 298. “to restrain or check.” *Random House Dictionary, College Edition*, p. 327.

Curtail: “To cut off the end or any part of; hence to shorten, abridge, diminish, lessen, or reduce; and term has no such meaning as abolish.” *Black’s Law Dictionary*, p. 346.

Cut: “To penetrate, separate or lacerate as with a sharp instrument. To shorten or reduce in content, time, or amount. To divide into parts or segments. One’s share of something.” *Black’s Law Dictionary*, p. 349. “. . . to reduce the strength of a substance by adding something.” *Ballentine’s Law Dictionary*, p. 302.

Decrease: “Diminution.” *Ballentine’s Law Dictionary*, p. 316. “to diminish gradually in extent, quantity, strength, power, etc.” *Random House Dictionary, College Edition*, p. 346.

Deploy: “to spread out (troops) so as to form an extended front or line, to arrange, place, or move strategically or appropriately.” *Random House Dictionary, College Edition*, p. 357.

Diminish: “to make or cause to seem smaller, less important, etc.; lessen; reduce.” *Random House Dictionary, College Edition*, p. 373.

Enact: “To establish by law; to perform or effect; to decree.” *Black’s Law Dictionary*, p. 472.

Endorse: “Indorse: . . . to approve as worthy of support . . .” *Ballentine’s Law Dictionary*, p. 613. “to approve, support, or sustain.” *Random House Dictionary, College Edition*, p. 437.

Establish: The verb to “establish” may have different meanings, to make firm – to augment or to originate and secure the permanent existence of, to found, to institute, to create and regulate, as of a colony, state, or other institution (p. 249).

There are at least two main senses of the term. First, to establish may mean to create. Second, establish may mean to make firm. Using this definition, a team may take an existing law and make the law permanent. There have been some topicality arguments related to this term suggesting that the affirmative policy must already exist.

Expand: “to increase in extent, size, volume, scope, etc.; to spread or stretch out; unfold. to express in fuller form or greater detail; to develop.” *Random House Dictionary, College Edition*, p. 465.

Guarantee: In popular literature, to guarantee is “to promise or affirm” *Random House Dictionary, College Edition*, 1978, p. 399. The definition in the legal sense requires an understanding of several related terms (like guaranty and guarantor) but essentially means taking responsibility for. “to secure, as by giving or taking security. to make oneself answerable for (something) in behalf of someone else. to undertake to ensure for another, as rights or possessions. to serve as a warrant or guaranty for. to engage (to do something). to promise (usually fol. by a clause as object). to engage to protect or indemnify.” *Random House Dictionary, College Edition*, p. 585.

Implement: “To put into effect; to provide with means for accomplishing a purpose.” *Ballentine's Law Dictionary*, p. 587. “to fulfill; perform; carry out. to put into effect according to or by means of a definite plan or procedure. to fill out or supplement. to provide with implements.” *Random House Dictionary, College Edition*, p. 667. Negative topicality arguments based on this term include the argument that the policy must already exist.

Improve: “To meliorate, make better, to increase the value or good qualities of, mend, repair.” *Black's Law Dictionary*, p. 682. One problem with this term is that it is value laden.

Increase: “To augment in size or value.” *Ballentine's Law Dictionary*, p. 605. “to make greater in any respect; augment; add to. to make more numerous.” *Random House Dictionary, College Edition*, p. 674.

Initiate: “Commence; start; originate; introduce; inchoate.” *Black's Law Dictionary*, p. 705. “To start a movement. To commence something, for example a proceeding.” *Ballentine's Law Dictionary*, p. 626.

Institute: “To inaugurate or commence, as to institute an action. To set up; to originate; to start; to introduce. To nominate, constitute, or appoint.” *Black's Law Dictionary*, p. 718. “To start; to establish.” *Ballentine's Law Dictionary*, p. 640.

Legislate (pass legislation): “to make or enact laws.” *Random House Dictionary, College Edition*, p. 765.

Maintain: “The term is variously defined as acts of repairs and other acts to prevent a decline, lapse, or cessation from existing state or condition; bear the expense of; carry on; commence; continue; furnish means for subsistence or existence of; hold; . . .” *Black's Law Dictionary*, p. 859. “To support; to keep in condition; to sustain.” *Ballentine's Law Dictionary*, p. 764.

Offer: “A proposal to do a thing or pay an amount, usually accomplished by an expected acceptance, counter-offer, or return promise to act. . . A promise; a commitment to do or refrain from doing some specified thing in the future. . .” *Black's Law Dictionary*, p. 976.

Pass: “To utter or pronounce . . . In legislative parlance, a bill or resolution is said to pass when it is agreed to or enacted by the house . . .” *Black's Law Dictionary*, p. 1011.

Preserve: “Preservation: Keeping safe from harm . . .” *Black's Law Dictionary*, p. 1066. “to keep alive or in existence; make lasting. to keep safe from harm or injury; save. to keep up; maintain. to keep possession of; retain.” *Random House Dictionary, College Edition*, p. 1048.

Promote: “to contribute to growth, enlargement, or prosperity of; to forward; to further; to encourage; to advance.” *Black's Law Dictionary*, p. 1093. “To give a start to something, perchance the organization of a corporation. To forward. To contribute to growth and enlargement.” *Ballentine's Law Dictionary*, p. 1007. “to encourage the existence or progress of; further. To advance in rank, dignity, position, etc.” *Random House Dictionary, College Edition*, p. 1059.

Protect: The term “protect” means “to preserve in safety; intact; to keep safe and to take care of.” *Words and Phrases*, 34A, p. 515. Some may argue that it means the affirmative team must have absolute solvency:

The word “protect” carries the idea of preserving in safety, or making absolutely safe, . . .
(*Ibid.*, Emphasis added)

“To cover, shield, or defend against injury, harm or danger of any kind.” *Ballentine's Law Dictionary*, p. 1014. “to defend or guard from attack, loss, insult, etc.; cover or shield from injury or danger.” *Random House Dictionary, College Edition*, p. 1063.

Provide: “to make, procure, or furnish for further use, prepare” *Black's Law Dictionary*, p. 1104; see also *Words and Phrases*, “Provide,” p. 648. “to furnish, supply, or equip.” *Random House Dictionary, College Edition*, p. 1065.

Reduce: “To lessen. To break a thing down into its various elements. To analyze a problem so that it can be solved. To impoverish. To bring to want.” *Ballentine's Law Dictionary*, p. 1073.

Reform: “To correct, rectify, amend, remodel.” *Black's Law Dictionary*, p. 1152. “To make better by change and correction. To make improvements in the law by legislative acts. To eliminate vice.” *Ballentine's Law Dictionary*, p. 1076.

Reject: “To throw away; to discard; to refuse to receive; to refuse to grant.” *Ballentine's Law Dictionary*, p. 1082.

Regulate [regulations]: “Regulate: To fix, establish, or control; to adjust by rule, method, or established mode; to direct by rule or restriction; to subject to governing principles or laws.” *Black's Law Dictionary*, p. 1156. “Regulate: To replace confusion with order. To control or direct. To place and enforce limitations and restrictions upon conduct.” *Ballentine's Law Dictionary*, p. 1081. “Regulations: Such are issued by various governmental departments to carry out the intent of the law.” *Black's Law Dictionary*, p. 1156.

Repeal: “The abrogation or annulling of a previously existing law by the enactment of a subsequent statute which declared that the former law shall be revoked and abrogated, . . . or which contains provisions so contrary to or irreconcilable with those statutes of the earlier law that only one of the two statutes can stand in force. . . . To revoke, to rescind or abrogate by authority.” *Black's Law Dictionary*, p. 1167.

Restrict: “To restrain within bounds; to limit; to confine.” *Black's Law Dictionary*, p. 1182.

Strengthen: “to make stronger; give strength to.” *Random House Dictionary, College Edition*, p. 1300.

Support: “Furnishing funds or means for maintenance; to maintain; to provide for; to enable to continue; to carry on. To provide a means of livelihood. To vindicate, to maintain, to defend, to uphold with aid or countenance.” *Black's Law Dictionary*, p. 1291. “To carry the weight of something. To comfort and sustain. To furnish the necessities of life for maintenance in a proper manner, not merely the necessities for a bare maintenance.” *Ballentine's Law Dictionary*, p. 1242.

Terminate: “To put an end to; to make to cease; to end.” *Black's Law Dictionary*, p. 1319.

Weaken: “to make or become weak or weaker.” *Random House Dictionary, College Edition*, p. 1490. “weak: liable to yield, break, or collapse under moderate pressure or strain. lacking in vigor or ability . . . lacking in courage, resolution, authority, etc. unable to satisfy a critical mind, as an argument or artistic composition. deficient, as in attainment or resources.” *Random House Dictionary, College Edition*, p. 1490.

Issues:

Counterplans: The wording of the resolution opens up potential negative counterplan options. If the affirmative must defend a broad policy, the negative may defend an exception counterplan.

Effects Topicality: Some resolutions are worded in such a manner that the affirmative must guarantee an effect, not the adoption of a specific policy. This means some negative teams may win debates on effects topicality, and conversely, the resolution may include anything (for example, on a resolution requiring that water quality be protected, teams argued preventing nuclear war would protect the quality of water).

Bi-directionality: A topic can be directional (increase, decrease) or bi-directional (X should be changed). Bi-directional topics decrease the negative ground significantly.

And/Or: “When expression ‘and/or’ is used, that word may be taken as will best effect the purpose of the parties as gathered from the contract taken as a whole, or, in other words, as will best accord with the equity of the situation.” *Black's Law Dictionary*, p. 79.

Counterwarrants: One theoretical issue raised by the resolution is whether the affirmative must defend the entire resolution, or only a segment of the resolution. A resolution that says “all of X should be adopted” requires the affirmative to defend the resolution in its entirety. Inclusion of a word like “some” would eliminate this requirement. Some possible wordings of topics include:

all: “Means the whole of . . . The whole number or sum of . . . the aggregate under which the individuals are subsumed.” *Black's Law Dictionary*, p. 68.

any: “Some; one out of many; an indefinite number. One indiscriminately of whatever kind or quantity.” *Black's Law Dictionary*, p. 86.

one or more:

every: “Each one of all; all the separate individuals who constitute the whole, regarded one by one.” *Black's Law Dictionary*, p. 498.

OTHER TERMS

There are other terms in potential resolutions that can modify the division of ground.

Options: adequate, comprehensive, for, full, guarantee, national, in, in the United States, international, policy, program, significantly, system, to, uniform, universal.

Adequate: “Sufficient; commensurate; equally efficient, equal to what is required; suitable to the case or occasion; satisfactory; Equal to some given occasion or work.” *Black's Law Dictionary*, p. 36. “Fully sufficient; equal to what is required; lawfully and reasonably sufficient.” *Ballentine's Law Dictionary*, p. 28.

Comprehensive: A comprehensive policy is one that includes much “having a wide scope, inclusive, but not as meaning all-inclusive *Words and Phrases*, p. 443.”; “including much, comprising many things, having a wide scope, inclusive, having the power to comprehend many things, and of wide mental grasp, p. 444.” Lester Lave, of the Brookings Institute, suggests that the issue of comprehensiveness covers the issue of “are all the relevant issues encompassed within the framework?” *The Strategy of Social Regulation*, 1981, p. 26

For: the term *for* could also be troublesome. “For” could be defined as “for the benefit of” (and this definition was common when it appeared in the 1968-69 high school topic; at least until the wording of that topic was changed in mid-season). *Words and Phrases* lists as one definition of “for”: “The use of the word ‘for’ in a signature to a contract which A signs for B indicates that A is signing on behalf of B.” p. 323. For example, if I do something *for* you, I am doing something that is on your behalf or something that benefits you. “For: Because of; on account of, by reason of.” *Ballentine's Law Dictionary*, p. 484.

Full: “Abundantly provided, sufficient in quantity or degree, complete, entire, and detailed...” *Black's Law Dictionary*, p. 604.

In: “An elastic preposition in other cases, expressing relation of presence, existence, situation, inclusion, action, etc.; enclosed or surrounded by limits, as in a room; also meaning for, in and about, on, within, etc.; and is synonymous with expressions ‘in regard to,’ ‘respecting,’ ‘with respect to,’ and ‘as is.’” *Black's Law Dictionary*, p. 683. “Within, as ‘in an hour,’ indicating a location.” *Ballentine's Law Dictionary*, p. 595.

In the United States: See United States in the agent section.

International: “A characterization in a general manner of business or transactions between nations or between persons of different nations.” *Ballentine's Law Dictionary*, p. 653.

National: “Pertaining or relating to a nation as a whole. Commonly applied in American law to institutions, laws, or affairs of the United States or its government, as opposed to those of the several states. ‘National’ contemplates an activity with a nationwide scope.” *Black's Law Dictionary*, p. 923. “Pertaining to the nation, that is, the United States.” *Ballentine's Law Dictionary*, p. 830.

Policy: A *policy* implies more than simply a course of action; it implies a well-thought out program. The term “policy” has been defined by political scientists. Meehan suggests that a policy should have seven components:

The primary elements in the analytic structure will include, among others: (1) an identifiable actor with some capacity to produce change; (2) a way of projecting the future outcomes available within the limits of the actor's capacity; (3) a set of concepts that identify the normatively-significant dimensions of those outcomes; (4) an apparatus for selecting the preferred outcome from among the available options; (5) a program of action for achieving the preferred outcome; (6) a monitoring system for adjusting the action program in light of the results actually produced; and (7) a theory of knowledge able to demonstrate that these elements can be supplied within the limits of ordinary human capacity. Eugene J. Meehan, “Policy: Constructing a Definition,” *Policy Sciences*, 1985, p. 295.

Austin Ranney suggests that a public policy includes five elements: a particular object or set of objects; a desired course of events; a selected line of action; a declaration of intent; and an implementation of intent. *Political Science and Public Policy*, 1968, p. 7

There are broader definitions of policy. A policy implies “the general principles by which a government is guided in its management of public affairs, or the legislature in its measures.” *Black's Law Dictionary*, 1979, p. 1041. James E. Anderson defines a policy as “A purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern.” *Public Policy-Making*, 1979, p. 3. While there are definitions in *Words and Phrases* of policy are of little help in understanding this term, there are several court cases that distinguish between a policymaking employee and a non-policymaking employee that may be useful. A policy is defined as “a specific decision or set of decisions designed to carry out a chosen course of action; a projected program consisting of the desired objective and the means to achieve it.” *Words and Phrases, 1984 Supplement*, 32A, p. 102. Jeffrey Pressman and Aaron B. Wildavsky note that “policies implies theory”. Whether stated explicitly or not, policies point to a chain of causation between initial conditions and future consequences.” *Implementation*, 1973, p. xv.

Program: “a plan or schedule to be followed. a coordinated group of things to be done or performed.” *Random House Dictionary, College Edition*, p. 1057.

Significantly: “significant: important; of consequence. having or expressing a meaning. Having a special, secret, or disguised meaning.” *Random House Dictionary, College Edition*, p. 1224. This word has been controversial in past resolution. Some argue that its inclusion does very little; others argue that it provides a powerful weapon for negative teams confronted with small affirmative cases.

System: “Orderly combination or arrangement, as of particulars, parts, or elements into a whole; especially such combination according to some rational principle. Any methodic arrangement of parts. Method; manner; mode.” *Black's Law Dictionary*, p. 1300.

To: “While this is ordinarily a word of exclusion, when used in describing premises, it has been held that the word in a statute may be interpreted as exclusionary or inclusionary depending on the

legislative intent as drawn from the whole statute.” *Black's Law Dictionary*, p. 1333. “Toward.” *Ballentine's Law Dictionary*, p. 1281.

Uniform: “Conforming to one rule, mode, pattern, or unvarying standard; not different at different times or places; applicable to all places or divisions of a country. Equitable: applying alike to all within a class; sameness.” *Black's Law Dictionary*, p. 1372.

United States citizens: This term should be fairly straight forward. *Black's Law Dictionary* defines a citizen as

One who, under the Constitution and laws of the United States, or of a particular state, is a member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. p. 221

This term is in the resolution to exclude illegal (and legal) aliens from the scope of the affirmative plan.

Universal: “Having relation to the whole or an entirety; pertaining to all without exception; a term more extensive than ‘general,’ which may admit of exceptions.” *Black's Law Dictionary*, p. 1376. “Not limited in application. Pertaining to all, without exception.” *Ballentine's Law Dictionary*, p. 1320.

Issues:

It might be possible for the resolution specify that the affirmative team must defend or attack a specific law or proposed law (perhaps with a modifier such as “the essential features of”) “Essential: absolutely necessary; indispensable. pertaining to or constituting the essence of a thing.” *Random House College Dictionary*, p. 451. “Feature: a prominent or conspicuous part or characteristic.” *Random House College Dictionary*, p. 483.

CONCLUSION

This list of words is not meant to be definitive, but it is hoped that this will assist in outlining the options available to the framers of the debate resolution. Of course, this list will need to be modified as the debate community develops new strategies and it will need to be supplemented with specific field-specific terms relevant to a specific topic.
