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Key 9

Ask Insightful Questions

Cross-examination (cross-ex, or CX) is widely considered to be the most important part of debate because it is the only time the judge can see both debaters interact directly. If your opponent's positions are weak, if he lacks confidence, or if he is insincere, cross-examination should expose that. There is no recovery from a masterful cross-examination.

Cross-ex lasts 3 minutes. The person who just gave a speech is the witness and answers questions. The other debater, who will present the next speech, is the examiner and asks questions. Both debaters seek to control the cross-examination, but in different ways.

In cross-ex, both debaters stand at the podium, or the examiner stands off to one side. Questions and answers are directed at one's opponent, but both debaters face the judge; looking at your opponent is considered tacky. This will feel strange at first, but eventually you'll get used to it and appreciate the purpose. The judge is your audience; give him or her your attention and make sure your face is unobstructed. The true conversation is between you and the judge; your opponent is just giving you things to talk about.

Hunting the Mammoth

Most cross-examinations are easily won by the witness. Why? Because the witness has many tools at his disposal for evading and shutting down questions. He can claim that a question is irrelevant, unclear, or flawed, or give a nuanced or irrelevant answer. As an examiner, you have two bad choices: push your witness and look mean ("Answer the question! Yes or no?!"), or be nice and get walked over.

I like to think of cross-ex witnesses like woolly mammoths being hunted by cave people. The mammoths are enormous, with long tusks, thick fur, and heavy, stomping feet. In a one-on-one combat, the hunter will be crushed or impaled easily. He has to use his wits to bring down his foe.

"10,000 BC" is a terrible movie with a beautiful soundtrack. In an early scene, we see a tribe of primitive people attack a herd of mammoths. They swarm all over the mammoths, hurling spears to almost no effect. Some of them are trampled; others are caught in the nets they used on the mammoths and dragged along the ground. In the end, a mammoth kills itself through dumb luck, no thanks to the efforts of the hunters. I remember watching this scene in theaters and laughing aloud. "If early man really hunted like that," I thought, "we wouldn't be here today."

At intermediate levels, cross-ex tends to involve a heated back-and-forth in which both debaters raise their voices. The examiner tries to corner the witness and make him admit defeat; the witness dances a verbal jig. Such cross-exes are fun to watch — they're intense and exciting. But don't be fooled. The

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witness won a handy victory; the examiner lost control. The examiner may have gotten loud, but he walked away with nothing to show for it. He was like a hunter, shouting and throwing his stone spear against the thick hide of the mammoth to no effect.

The cause of this failure is simple, but profound. In a normal cross-ex, the witness has only one objective: to extract an admission from the witness. The witness likewise has one objective: to *not* give an admission. Examiners learn the hard way that it's very difficult to make someone voluntarily say something that they know will come back to bite them. There's no good way to do that. If your only goal is to get an admission, the mammoths will crush you. There's a better way.

Three-Dimensional Cross-Ex

Instead of trying to force your witness to say a certain thing, **3D cross-ex** allows you to embrace the nature of the questioner. "What do you want to say? Where do you want to go? You want to go over here? So be it!" You don't fight your witness; instead, you let him use his own strength to destroy himself.

This approach has three unique objectives, all of which can help you win the round:

Admission

An admission is something your opponent says that you can use against his advocacy. One of the funky things about debate theory is that an admission is the strongest evidence you can use. The judge has to choose between the available positions in the round. (He's not supposed to introduce a third position that no one argued.) If there is only one position available, a judge has to agree with it. If your opponent says something in cross-ex and you agree with it and use it against him, the judge must accept that point. That's why admissions are so devastating — and why they are pursued so zealously by beginning examiners.

A witness will never willfully concede an argument. "Oh, I realize I was wrong." If you try to make him do that, he'll squirm away somehow. Instead, think about pushing your opponent right up to a cliff. He's teetering on the edge, ready for that final push. But you don't push him in cross-ex — he can talk his way out. Instead, you do it in your speech, when there's no escape.

To find an admission that you want to pursue, convert your opponent's argument into a logical syllogism. For example, suppose he makes the argument that human rights are the only valid pursuit of government. You want to argue that there are other valid pursuits, but you can't just ask: "Aren't there other purposes?" You break it down into a syllogism, incorporating the analysis he used to support his point:

- Government should only do what no one else can do.
- Only government can protect human rights.
- Everything else can be accomplished by a private function.
- Therefore, government should protect human rights, and nothing else.

You're not going to attack the conclusion or ask the final question that alludes to that, but the supporting assertions are fair game. Here are routines you can use against each one, starting with:

“Government should only do what no one else can do.” (We’re attacking it from a specific angle, but remember the argument we’re trying to take down: “Government should protect human rights, and nothing else.”)

Do you support the United States Constitution?

Yes.

Does the Constitution list valid pursuits of government?

Yes.

So if it’s in the Constitution, you support it?

Yes.

Later, in your speech: “My opponent conceded in cross-ex that anything in the Constitution is a valid pursuit of government. But the constitution goes way beyond human rights. It includes bankruptcy laws, currency regulation, post offices, roads, and a host of other pursuits. We can only conclude that valid government pursuits are much broader than just human rights.”

Let’s try it again with: “Only government can protect human rights.”

Has any individual person ever protected human rights? Like a police officer?

Sure.

Was it a one-time thing, or would you say it happens all the time?

On a daily basis.

Can you name a government that has not restricted human rights?

Maybe not one that respected human rights perfectly.

So, every government in history has harmed human rights?

I guess so.

In your speech: “My opponent claimed that government has to protect human rights because no one else can. But in cross-ex, we established that every government in history has violated human rights, while individuals protect human rights on a daily basis! I’m not an anarchist, but my opponent’s logic just doesn’t hold up. Government’s purpose goes way beyond human rights, or it wouldn’t be worth having.”

One more time, with: “Everything else can be accomplished by a private function.”

Do you have anything against counterfeit laws?

No.

So you think it’s good that you can’t just print money in your basement?

Sure.

If I print money in my basement, what’s going to happen to me?

You’ll go to jail.

Who runs the jail? Is it a prison corporation, or the government?

The government.

Who runs the Federal Reserve?

The government.

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Suppose we eliminate the Federal Reserve. We let companies and individuals print as much money as they like. Would that be good or bad?

Bad.

In your speech: “My opponent asserted that human rights were the only domain exclusive to government. But in cross-ex, he said that government regulation of a standard currency was a good thing, and that no one else could do it! So there’s more to valid government pursuits than just human rights. We need government to do much more, from stopping counterfeiting to enforcing zoning laws to maintaining public roads.”

Finding a good admission to go after can be a challenge, but practice helps. Appendix C has a few useful drills for identifying potential admissions.

Another valid sub-set of the admission is a **pin admission**, in which you eliminate some convenient ambiguity in your opponent’s case so he can’t decide on the details after you make your arguments. Pins aren’t as useful as normal admissions, but they are sometimes helpful against squirrely opponents. For example, suppose your opponent runs a value of “Purpose of Government,” and doesn’t give a definition afterward. This is not a value, it’s the implication of one. It means your opponent can make up his value later in the round, after he sees what you argue. So you pursue a pin admission:

What is the purpose of government?

To protect the people.

Anything else?

To uphold the constitution.

Anything else?

No, that’s it.

You’ve pulled your opponent’s dual values (Protection of Citizens and Constitution) out of the murky cloud in which they were hiding. Now, you can argue against them and your opponent won’t be able to wiggle away.

Absurd Position

If your opponent says something ridiculous, the judge won’t take him seriously again. His entire case will be thrown into a shadow of doubt. If he thinks that ridiculous thing, what ridiculous things are hidden in his case? Sample absurd positions:

- The president is a lizard-man.
- The United States should be destroyed.
- The Ku Klux Klan was a harmless recreational club.
- Suicide bombing is a valid form of political expression.

When your opponent gives an absurd position, the whole room should be in shock. But you can’t bring an absurd position back later in the speech: “He support euthanizing people when they turn 60! How can we trust him?” That would be considered an ad hominem fallacy. Thus, you need to make

sure that the absurd position does maximum damage to your opponent's credibility during cross-ex. In a few pages, I'll teach the techniques to make that happen.

Absurd Non-Position

The third and least common cross-ex dimension is achieved when your opponent refuses to take a position on something that is obviously relevant. If he's dodging just because he's afraid of you, his sincerity and credibility will be shattered. For example, if your opponent runs a value of Life but has no position on whether Life is inherently good, he's given an absurd non-position. Again, you need to do maximum damage in cross-ex, because you usually can't use a non-position against your opponent in his next speech.

The Technique

Good cross-ex is deliberate, restrained, and inexorable. It unfolds with the precision of a stopwatch, while adapting to answers on the fly. It offers no resistance to the witness' shenanigans, but offers a smorgasbord of lethal poisons.

Along the way, an examiner incorporates a number of question types to achieve his ends. Think of these question types as your cross-ex playbook. They're a set of tools that let you adapt to any situation. Incorporating the following question types will make you a terror to any witness:

1. Neutral Start

You're hunting a mammoth. You follow its tracks to a valley, where you see it sleeping next to a swamp. You have two options. First, you could charge straight toward the mammoth. You'll go across a dry gravel bed with the wind at your back. But if you do, the mammoth will see you, hear you, or smell you coming and bolt. Instead, you take the second option. You circle around to the far end of the valley and go through the swamp. The soft ground absorbs the sound of your feet. The musk in the air covers your smell. The vegetation hides you until you're close enough to strike your sleeping quarry.

Decide what you want your opponent to say. You have an admission in mind, but *don't let him know what it is*. You must be stealthy. Ask questions in such a way that the witness has no idea where you're going until it's too late. (Better yet, make him think you're going in a different direction.)

Suppose your opponent runs the value of Life with the value link of Highest Moral Good. You want the admission that some things are more important than Life. An obvious start would be to ask: "Aren't some things more important than Life?" If you go that route, your opponent will just say: "Certainly not. Other things are more important, but Life comes first." That's a valid answer that completely deflated your line of questioning. You have no choice but to move on. This is what we call an "escape" — when the witness finishes a line of questioning without hurting himself. You must prevent any escapes.

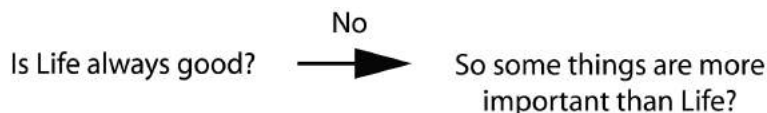
To keep your opponent from getting unruly, begin with a very neutral question. You'll "back up" from the admission until you're at a safe distance. In this case, a good starting question is: "Is Life

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always good?” From here, the witness is unlikely to squirm because it’s such a basic, general question about his value. That’s a neutral start. From here there are three possible directions the witness can go. “No” brings us closer to the admission; it’s a cooperative answer. “Yes” takes us away from the admission. Finally, the witness could say he has no position. Each answer puts us in a different dimension, gunning for one of the three objectives. For now, let’s assume he cooperates and gives us the answer we’re looking for: “No, Life is not always good.”

2. Safe Lead

We’ll be tracking this routine on a diagram. When the witness cooperates, we move horizontally.

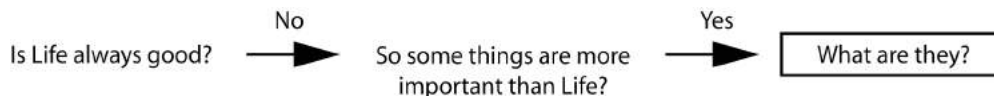


If the witness is cooperating, you don’t need to fight him. You should ask a safe, reassuring question known as a Safe Lead. The most important ingredient of a safe lead: vagueness. Witnesses love vagueness because they feel like they still have wiggle room. They’ll be able to adjust the specifics of their plan later. You don’t ask: “So Liberty is more important than Life?” — for now, you just ask about “some things.”

Ask the question in a non-hostile, friendly way. The witness will never trust you (with good reason), but you can make him think that you’re just setting the stage, and the shoe-drop is still a long way away. What he doesn’t realize is that this is the **crescendo question**: the question immediately preceding the result you want to get. The crescendo is one of the most important parts of a cross-ex routine, and the key to pulling off a safe lead crescendo question is to be as non-threatening as possible. If you pull it off, the witness will casually answer “Yes,” not realizing how dangerous that answer is.

3. Happy Confirm

You got the admission you wanted: that some things outweigh Life. You could stop there, but now that you have the witness where you want him — cement his position firmly so you can exploit the admission as much as possible. That doesn’t mean you’ll push him over the cliff; it means you’re shining a spotlight on what he just said so we all understand it clearly.



A happy confirm forces the witness to repeat or clarify the admission. The primary purpose is to make sure that the admission sticks in the judge’s mind. As with the safe lead, this question should be asked in a non-threatening way. Maybe the witness won’t even realize that he has given an admission. No

one has to know how brilliant you've been, because you'll drive your point home in the following speech.

During the safe lead, you placed a trail of carrots that led into a reinforced cage. The mammoth unwittingly followed the trail and is now standing in the trap. All you have to do is gently close the trap door, and the mammoth is at your mercy. There's no need to slam the door — all that will do is spook the mammoth.

A happy confirm can be as simple as a non-threatening repetition of the answer: "So, it sounds like, at times, some things are more important than Life?"

This particular routine's happy confirm demonstrates a few additional tricks to keep in your bag.

This appears to be an innocuous question; just asking for details about the previous answer. But to a witness, this question is devastating. The safe lead kept things vague and lured the witness into a false sense of security, but the following question eliminated the vagueness. Imagine the inner dialogue of the witness:

If I say Life is always good no matter what, he'll read a Patrick Henry quote or find some obscure loophole. I should be fine if I say there are rare exceptions.

Next question. Yes, some things are more important than life; I'm still safe because later I can say those things don't include his value.

Next question. Uh-oh ... now I have to list things that are more important than my value.

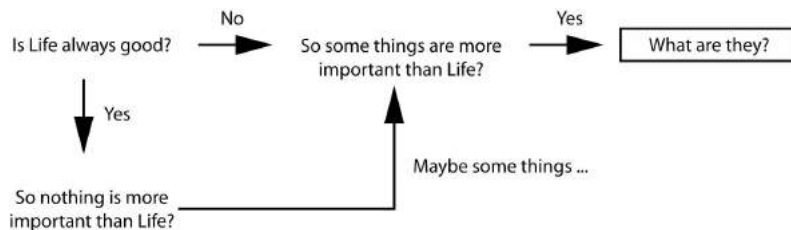
I've seen this routine used many times against many different values. It's not uncommon to see a witness list his opponent's value when answering the final question. Needless to say, that sets up an almost unbeatable reason to prefer the competing value in the next speech. "My opponent mentioned that Freedom is more important than Life, so I'm going to use that as my value."

This question also demonstrates a key principle of cross-ex: *Always put the burden of knowledge on the witness.* Never let the witness turn the tables and solicit your position. Volunteer possible answers as little as possible. Let the witness figure everything out on the fly, or force him to admit that he doesn't know the answer.

4. Push

What if your opponent doesn't cooperate? He might be walking away from the admission, but you're going to give him a chance to get back on the yellow brick road. You're going to break out one of the most powerful tools in the cross-ex arsenal: the push question.

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By now, you're probably wondering: With such a disadvantage, how *did* early man hunt mammoths? Here's the answer: they used the strength of the mammoths against them. They would herd the mammoths toward a cliff or pit, then bang drums, blow horns, wave torches, and shout at the top of their lungs. The mammoth herd would be terrified of the noise and fire. Thinking they were running to safety, they would stampede to their doom. Using this tactic, a tribe could harvest an entire herd for winter without throwing a single spear.

The push question deliberately terrifies the witness by eliminating wiggle room and putting enormous pressure on him. It says: "If you go any further down this road, you'll get burned." It spooks the witness into adjusting his position and moving toward the admission. A witness' greatest fear is giving you an admission. He avoids this by dancing in ambiguity. Give him a question with one ambiguous answer and one non-ambiguous one, and he'll recklessly stampede toward the former.

Note that the content of the neutral start, safe lead, and push questions are all the same. Only the wording changes to control the amount of ambiguity. Your exact choice of phrasing is enormously important to proper cross-ex procedure. Improper wording is the biggest cause of escapes; you must be precise and controlled at every moment to create the result you want. There are many ways to ask a question, but only one will help you.

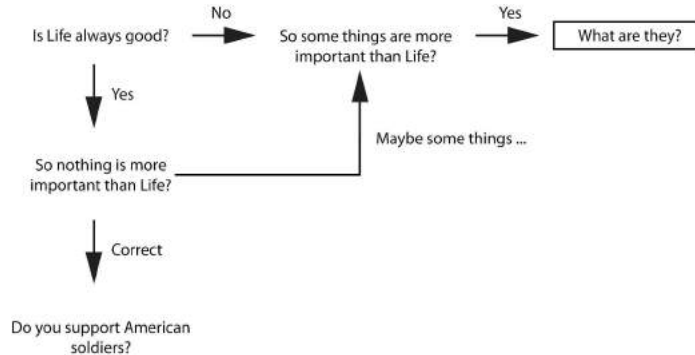
Whereas your tone should be friendly when asking questions from the top row, it should become a bit more threatening as you progress downward. Threatening doesn't mean hostile or confrontational; it means there should be a warning in your voice. The subtext of your question is: "Are you *sure* you want to say that? You can if you want, but I won't be able to protect you from what happens next."

If you successfully spook the witness with your push question, he'll give you an ambiguous answer that indicates that he is ready to head back toward the admission. "Well, I'm sure there are some exceptions ..." If he does that, drop your threatening tone immediately. The mammoth is cooperating again! Bring out the carrots. Feed him safe leads and happy confirms as long as he'll let you.

On the other hand, if the witness pushes past the push question, he's made it clear that he won't give you the admission you were going for. A wise examiner immediately changes his approach. He is no longer trying to get the admission. The mammoth has chosen a different poison. Now, the witness just wants to look ridiculous.

5. Fake Restart

Your questions should always seek to disarm the witness — to lower his guard or make him believe he’s protecting himself when he’s really rushing into a trap. One powerful way to do that is to pretend that you’re moving on to a new line of cross-ex.



Remember, confrontation for its own sake only hurts you. Let the witness think he’s escaped. Let him think he outwitted you. He’ll soon learn how wrong he was. A fake restart should come after a brief pause. You should ask it somewhat abruptly, with no transition words like “so” at the beginning. Most importantly, the subject matter should be different enough from what you were just talking about that the witness will mentally “reset.”

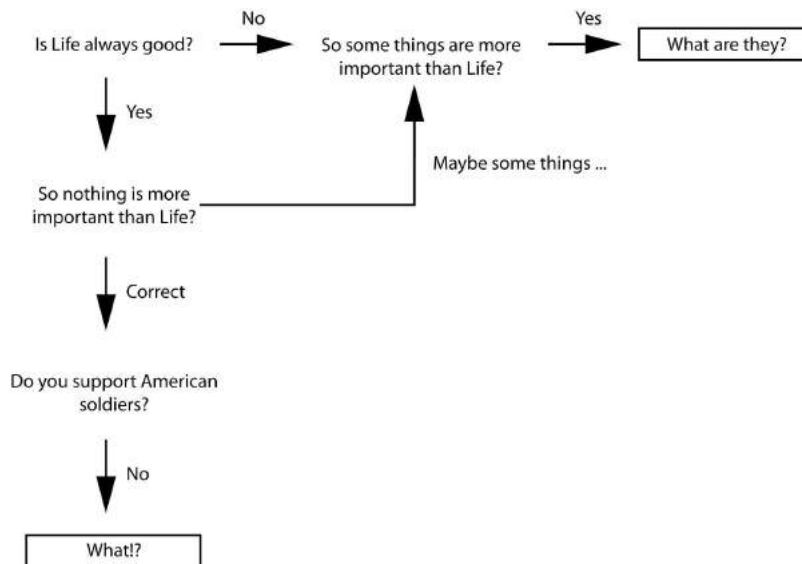
The longer a routine lasts, the more evasive a witness will become. This is because they assume (mostly correctly) that a routine takes two or three questions to get interesting. This is compounded by beginning examiners who ask throwaway questions like “Your second contention was such-and-such, correct?” before getting to the meat of the routine. Therefore, when a witness thinks a new routine has begun, you have a brief window of opportunity during which his guard is lowered. He will never be more cooperative than this moment.

In this case, the fake restart is “Do you support American soldiers?” It’s a question that seems different enough from the earlier questions that some witnesses will lower their guard. If the witness isn’t fooled — advanced debaters probably won’t be — no harm done. You were just setting the stage for the final part of your routine.

6. Silly Confirm

What if the witness goes way off the tracks and gives you a ridiculous answer?

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Congratulations! You've reached the second goal of cross-ex: the absurd position. Your opponent said something that should compromise his credibility and shock the judge. "No, I don't support American soldiers."

You'll follow this up with a silly confirm — a question designed to maximize the damage of this absurd position. The execution of the silly confirm is critical, because the next few seconds are all you get. You won't get to bring this routine back up in a speech. It's now or never. The mammoth charged off a cliff; now you just need to make the fall as hard as possible.

A silly confirm turns you into a surrogate audience member. You show the judge how he's supposed to react by reacting in shock yourself. You don't argue, you just repeat his answer back to him while sounding incredulous. A silly confirm is best preceded by some phrase like: "Wait, so you're telling me ..." or "Let me get this straight ..." or "So your position is ...". Your expression should be confused, even baffled. You can't believe anyone in their right mind would say such a thing! If delivered correctly, the judge will be shocked too.

It's perfectly acceptable to stretch the silly confirm out over several questions, with each one building in intensity. Don't stop until you've achieved the desired level of shock.

Do you support American soldiers?

No.

Hang on, you're saying you oppose American soldiers?

Right.

So — just to make sure we're totally clear — you think the brave men and women protecting this country are throwing their lives away?

Right.

After the silly confirm, have a brief nonverbal conversation with the judge. You don't want to overdo it, but you want to make sure you can connect in that moment; that the absurdity of your opponent's position sticks to the judge's mind. Your eyes should say, "Wow. Can you believe this guy?"

Absurd positions cannot be forced, which is why you shouldn't set out to get them. Always start with an admission in mind. You're not a bully. You're not here to fight. Absurd positions only happen when a witness fights you. You let the witness do the damage to himself; your job is simply to shine a big spotlight on him.

Silly confirms do double duty as push questions, in that many witnesses frantically modify their position when they realize how absurd it is. You're fine with witnesses backing off. When they change their position on the fly, they betray their insincerity. They also look like they don't know much about the topic and haven't thought it through. But most importantly, *they haven't escaped* — they just took a sip of poison and went back to the smorgasbord for more.

Do you support American soldiers?

No.

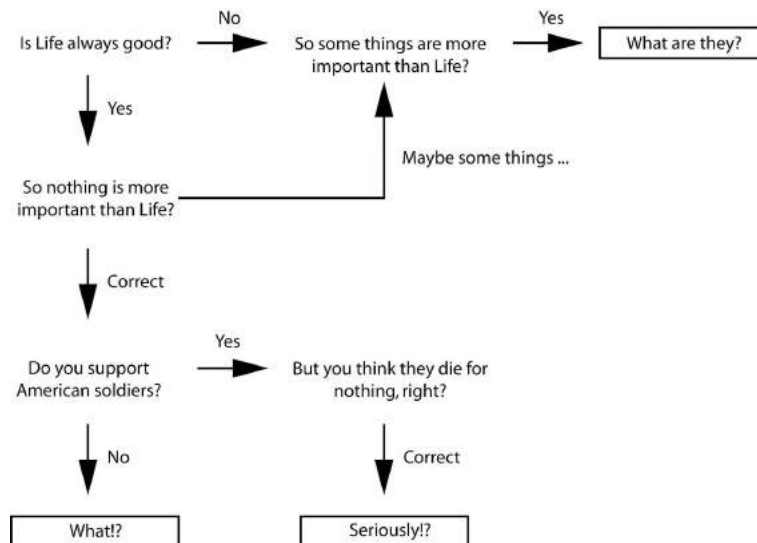
Hang on, you're saying you oppose American soldiers?

Oh — actually, I do support them.

When this happens, just back up in the routine and keep going.

7. Scary Assumption

In all likelihood, your witness won't want to give you a silly confirm. He'll give you a more palatable answer.



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Scary assumptions are asked in a casual, low-key way, as if you were saying: “You want to go to the six o’clock showing, right?” The content should be some extreme, shocking assumption about the opponent; if he doesn’t answer as expected, you get an easy silly confirm.

Scary assumptions can be used as **one-offs**, meaning your routine has only one question that sets up either a silly confirm or an admission. They can even be used at the beginning of a long routine. Just don’t overuse them — more than once per cross-ex is probably excessive. Treat them as nuclear push questions. The standard wording is to state the absurd position, then follow it with “right?” or “correct?”

You can predict the answer to a scary assumption with great accuracy. All but the most foolhardy witnesses will say some version of: “Of course not!”

Scary assumptions are the only time when it’s appropriate to just state a position and solicit the witness’ opinion. All other questions are either neutral, or they build off a previous answer. They let the witness choose the direction. In any context other than scary assumptions, you should never just give the witness a position. And remember, you should use scary assumptions very sparingly.

Weak: “Would you agree that terrorism is bad?”

Strong: “What is your position on terrorism?”

Scary: “You support terrorism, correct?”

Weak: “Shouldn’t people vote?”

Strong: “Do you believe that voting is good or bad?”

Scary: “You oppose democracy, right?”

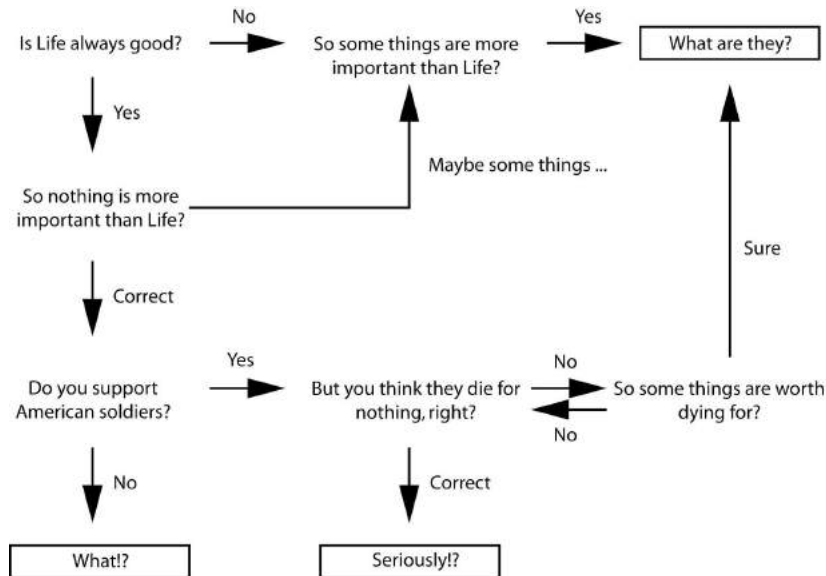
Weak: “Would you say that all races are created equal?”

Strong: “Does race have any impact on a person’s inherent worth?”

Scary: “Whites are the superior race, correct?”

We’ll move on to the last three question types in a moment, but first, let’s put the finishing touches on the routine with another safe lead.

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The final question is a very safe one; it summarizes the “Of course not!” from the scary assumption and sets you up to go right back to your happy confirm. Because the witness is back on track, you’ll ask this question as a safe lead with plenty of ambiguity. This is the fourth re-word of the original question. Look how similar the two safe leads in this routine are:

So some things are more important than Life?
So some things are worth dying for?

The second question is stronger, but we had to ask a few setup questions to get there so the witness couldn’t escape with a clever answer.

If the witness answers “no” to this question, he’s contradicting something he said earlier. As with any change in position, go back to that question and go from there.

Do you support American soldiers?
Yes.
But you think they die for nothing, right?
No way!
So some things are worth dying for?
No.
So ... American soldiers do die for nothing?

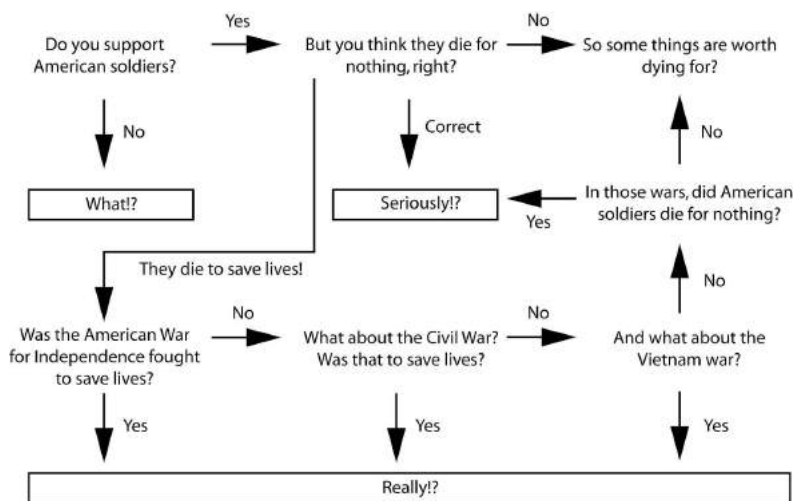
Backing up after a changed position is a critical technique to prevent escapes. Remember, you’re not missing your chance at an absurd position, you’re setting up an even juicier one: “So your new

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position is that you think our brave American soldiers are throwing their lives away for nothing, but you totally support them!?”

8. Repeated Confession

The routine above is considered complete — the witness can’t escape it without giving either an admission or an absurd position (absurd non-positions can’t be diagrammed; more on that in a few pages). Of course, witnesses are quick thinkers. One way they could foil this routine is by saying that American soldiers die to save lives. This keeps them from looking ridiculous and it keeps them from having to say that some things other than life are worth dying for. How do we beat it? With a repeated confession. Let’s revisit the latter part of the routine.



You could ask: “What about the American war for Independence?” — but that leaves too many openings. You should ask the question in a focused way that leaves only one opening: admitting that the previous answer was bogus. But you won’t stop there; you didn’t like that “saving lives” answer and you’re going to make it costly. You ask the same question again about different wars. With each one, your opponent has to either concede his bad answer from earlier or look ridiculous.

When you’re done with the repeated confessions, get back to business — but don’t just ask your opponent to straight up admit that he’s wrong with a question like: “Do you still think American soldiers die to save lives?” That’s too direct; the witness will fight you. Instead, you say: “*In those wars, did they die for nothing?*” You’ve basically reworded the scary assumption from earlier, but now there’s no room for funny business. Now you’re back on track.

You can build an entire routine out of repeated confessions:

Did you respond to my Salem Witch Trials application?

No.

How about my Ashcraft vs Tennessee application — did you respond to that?

No.

And any response to the Victim's Rights Amendment application?

No.

With each response, the immensity of the witness' failure becomes more obvious. Used in this way, each answer is a mini-admission or mini-silly confirm.

You should only use repeated confession when the answer is painfully obvious. It's less a routine and more of a rhetorical technique to draw the judge's attention to something. Contrast the above routine with:

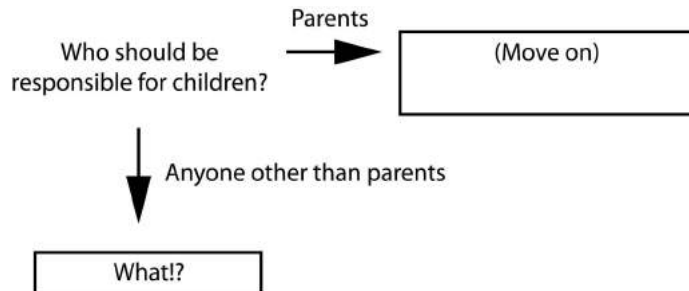
Did you respond to my applications?

No.

It doesn't have the same effect. Flesh it out by asking more detailed versions of that question.

9. One-off

A one-off is a complete routine in just one question. It produces either an admission or a silly confirm.



One-offs are useful for getting pin admissions. Sometimes you don't even care what the position is—you just need it specified so it can't be changed after you argue against it. Don't belabor one-offs; keep them quick and clean. But do write down the answers you get so there's no room for confusion later.

Even one-offs should not provide positions to the witness. The question is not: "Shouldn't parents be responsible for children?" — that's weak. Instead, you ask a neutral question. "Who should be responsible for children?" The pressure is all on the witness to come up with an answer.

Popular cross-ex advice is to never ask a question to which you don't know the answer, or to only ask yes-or-no questions. That advice can help, but ultimately it has the potential to limit the full scope of your routines. Instead, follow this rule: Only ask questions to which *every possible answer will help you*. That's a harder rule to follow, but when you master it, you'll be unstoppable.

10. Familiarity check

Perhaps you want to start a routine that assumes your opponent's knowledge about something, like the situation in Somalia or some historical event. Don't assume his knowledge; many witnesses will give ambiguous answers about things they know nothing about. Instead, start the routine by asking: "Are you familiar with the Napoleonic Wars?"

Both outcomes are favorable to you. He could say that he isn't, in which case you look more knowledgeable than him. Move on to the next line of questioning. If he says that he is familiar, he can't plead ignorance later. (He said he was familiar!) If he starts dodging later in the routine, ask, "I thought you said you were familiar with this topic?"

Familiarity checks won't help you ask inane questions. For example, the witness being familiar with golf doesn't mean he knows the number of dimples on a golf ball. The judge won't hold him to that standard. On the other hand, if he says he's familiar with the government structure of the United Kingdom but doesn't know what a Prime Minister does, he's going to look very bad. Meanwhile, you look perfectly reasonable; after all, you gave him an out.

Cross-ex is a complex battle. Of course, there are more than 10 "plays" you can use in a routine — but if you can master these 10, you'll be very powerful as an examiner. From here, all you need to do is practice. As you go, you'll develop a few unique plays that develop your signature cross-ex style.

Asking Questions

All those cross-ex diagrams can be a little overwhelming. Let me reassure you: you don't have to memorize them. In fact, doing so would hurt you. Cross-ex is dynamic; only the most thorough cross-ex routines can survive it. You don't want to be in a situation where you're holding a cross-ex script (or you memorized it) and the witness suddenly throws you a curve ball you didn't plan for.

On the other hand, precise wording is critical to execution. You need to be able to control the ambiguity of each question; to spook the witness in the proper direction; to shut down tangents without looking like a bully. The solution: practice, practice, practice.

Get the Most from Practice

Appendix C has several drills to help you focus on cross-ex. One of my favorites is the piranha pack, in which one debater reads a case and then another debater has unlimited cross-ex time. The piranha pack is intended to benefit the first speaker because it helps identify potential lines of attack, but it's also great practice for building and executing routines. Welcome the chance to be the piranha for other's cases.

Another tip: Analyze your cross-exes after the round. If you're in practice, discuss the cross-ex question by question with your opponent. Things to discuss:

- What outcome did you want from this routine?
- How did you design the routine to get that outcome?

- Did you succeed? Why or why not?
- If you did not succeed, what could you have done differently?

Try to be as honest with yourself as possible. Acknowledge when you got into a heated tangle with a witness who knew exactly where you were going, or when you missed an escape and lost control to an evasive witness. The more you can admit mistakes, the faster you can improve.

Avoid Pleasantries

Many debaters begin a cross-ex by exchanging a few lines of pleasantries.

“Hey Sarah, how’re you doing?”

“I’m doing great Peter!”

“That’s awesome! Just got a few questions for you here.”

“Go for it.”

“Do you oppose slavery?”

This seems like harmless courtesy, but the examiner is actually shooting himself in the foot. Pleasantries like that are reserved for the beginning of a conversation. Starting your cross-ex this way tells everyone that you weren’t involved in the debate until that moment. But you were involved in the debate — from the moment postings went up. You greeted everyone before the round started. You’re engaging the judge from the table. Don’t undermine all of that — and waste 15 precious seconds — on pleasantries. Introduce yourself to everyone as soon as you see them. When cross-ex arrives, jump right in.

“Sarah, do you oppose slavery?”

Avoid Transitions

I used to work as a salesperson at a health club. When potential members came in, I would always begin by asking a few questions. “Have you been to the club before? Have you ever worked out in a gym or health club environment?” From here, I could identify two types of guests. First, I’d have the new exercisers — folks who had never followed a workout routine since high school. They were scared of me and everyone else. They were afraid of being judged. They were ashamed of their bodies. They didn’t know what they were doing. It was my job to make them feel welcome. How did I do it? By filling the air with noise. The moment I discovered that they were new, I would begin talking. “Well hey, the hardest part is walking through the door! Good for you. Let’s have a seat over here and get to know each other a little bit, OK?” Then we’d talk for 10 minutes about their history, goals, what they were looking for, and how the club would meet their needs. The more I talked, the better the guests felt.

The second kind of guest was very different. This was the guy who had just moved in from out of state. He was buff, trim, and wearing workout clothes. He was ready to go! I would often hear something like this when I first met them: “I don’t want the whole pitch; just show me your weights and your prices.” I wouldn’t say another word. I’d lead them to the weight area, gesture at it, and stand patiently. I’d give the guest plenty of time to take it all in. Things might get a little awkward. And then, invariably, the guest would ask me a question — if only to break the silence. That was my

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chance to start the dialogue. Now I wasn't a salesman getting in his face; he had sought me out with a question. The awkwardness was a very important tool in my tours.

It's easy for debate rounds to get awkward. All you need to do is stop talking while the clock is running. Unless you're supremely confident in that pause, people are going to squirm. The hardest thing for a dancer to do is stand still; the hardest thing for a debater to do is stop talking. But you need to learn how. You need to embrace the awkwardness.

Everything you do in cross-ex should move you toward an objective. You should have absolute control of it. Nothing is wasted. Nothing is out of place. That means cutting out all your transitions — fluffy talk that fills the air with words just to put you at ease.

Fluff:

Under your second contention, you said that human rights are a subset of Justice. What are the other aspects of justice?

Equality and the rule of law.

OK, great. So can you have Justice without those other aspects?

No.

OK. Moving on to your application of ancient Sumer. Did they have rule of law?

Controlled:

Besides human rights, what are the aspects of justice?

Equality and the rule of law.

Can you have justice without those other aspects?

No.

(Pause) Did ancient Sumer have rule of law?

No one in the room needs to know where you are on the flow, where you're going with the current routine, or anything else. Your witness just needs to hear your question and either give his position on it or decline to have a position. If he asks filler clarifying questions, he betrays insincerity. Shut that down immediately.

Are you familiar with the Roman Empire?

Yes.

Was it a just society?

I'm not sure what that has to do with anything.

That's fine, just answer the question.

I don't really see how that relates.

Don't worry, you'll find out. Do you have a position on whether or not the Roman Empire was just?

If a witness has to know where you're going, he's saying that he's just picking answers strategically to try to foil you. That looks terrible in front of a judge. I once saw a girl in a national round answer a question in cross-ex with: "I'm not sure where you're going with this, and I'm afraid you'll use it to hurt my case in the next speech. So I refuse to answer." Needless to say, the judges couldn't take her seriously from that point on.

By cutting the fluff, you force everyone to pay close attention to everything you say. You gain better control because the witness is less likely to know where you're going. You also open up advanced plays like the fake restart. Finally, you can execute confirms to their maximum potential.

The Confirm

Every routine ends with either a happy or a silly confirm. The most important part of a confirm is what comes after: a long pause. If your opponent gives you the admission, you finish with a happy confirm. He answers. Then you're silent for three or four seconds. Confidence is key here. Don't let the judge think that you're silent because you don't know what to say. Jot something on your flowpad. Flip through your notes. As long as you keep calm and don't use any verbal pauses ("um," "uh," etc.), the judge will trust that you know what you're doing.

Did ancient Sumer have rule of law? (Neutral start)

No.

So, just to confirm, the rule of law was not upheld by the Sumerians? (Happy confirm)

Correct.

(long pause)

What's more important: life or property? (Neutral start)

That silence is important because it helps the judge remember the admission. There should be no doubt in his mind when you bring it up in the next speech.

For silly confirms, that pause is essential because you *need* things to get awkward. The witness just said that George Washington was an alien! How could it not be awkward?

Imagine that your silly confirm starts a fire. During the silence, that fire keeps crackling and spreading, burning your opponent's credibility to the ground. Things are awkward, but that's 100 percent the fault of the witness. You're not the one who called our first president a Martian! Confidently jot something down. Let that horrible answer hang in the air while the judge shakes his head incredulously.

How does the government fund itself? (Neutral start)

Through fees.

Does it collect taxes at all? (Push)

No.

You're saying the U.S. government does not impose any taxes on its citizens? (Push)

Correct.

One more time to make sure I'm hearing you right: The current federal government of the United States does not use taxes? That's your answer? (Silly confirm)

Yes.

(long pause)

What's more important: life or property? (Neutral start)

The fire will continue to burn until you speak again. If you speak right away, the witness has escaped. Make friends with awkwardness. Make silence a weapon. Suppress a smile. If you listen closely, you'll be able to hear your opponent's credibility sizzle away.

Dealing with Unruly Witnesses

The third dimension of cross-ex is the absurd non-position. It cannot be diagrammed because you have a chance to enter that dimension at any moment. Imagine that you're rising out of the diagram. The third dimension means that your opponent doesn't know something he should, or refuses to answer a basic question, or has no position on some essential part of his advocacy.

The key to this dimension: do not demand that your opponent answer the question. Instead, just clarify that he's not going to answer it. Don't fight the witness; serve the poison he selected.

Here's an example, starting from a neutral start and assuming a very antsy witness:

Is Life always good?

That's a complicated issue.

Do you have a position on it?

Well, you could argue that there are some cases where ...

Hang on, I already know what I could argue. I'm asking what YOU think.

That's something that people have debated back and forth for generations.

So you don't have a position on whether or not life is good?

Well, I do have a position.

Great! What is it?

I think it could vary depending on the situation.

So in some situations, some things are more important than Life?

I wouldn't say more important than Life.

So nothing is ever more important than Life?

Some things could be.

So which one is it?

Well, it's not a simple yes or no.

Let me get this straight. Your value is Life, but you have no position on whether or not it's always good?

Not per se.

The witness will try to muddy the water anyway he can. He'll dodge and qualify. Don't get sucked into it. Just get him to admit that he won't answer the question. If he ever does start hammering himself down to a position, you're back on the other two dimensions; proceed as usual. If he refuses to answer even basic questions, you go for the silly confirm. Make the judge laugh at how much he's dancing. This should be a funny moment in the debate. The witness is making a fool of himself. He's so afraid of you that he can't even give a straight answer to a simple question. Don't be afraid to smile incredulously as the routine continues.

Unruly witnesses win when you try to force them to do something — like answer a yes or no question. If he won't do it, you can't force him! Pushing him makes you look like the bad guy.

“Answer the question! Yes or no!” It’s far too easy to make you look mean and unreasonable. So don’t push. Ask a question, then get the witness to acknowledge his answer. If he doesn’t have one, acknowledge that.

Some witnesses like to give incredibly wordy answers, or even talk over the examiner. While you’re allowed to interrupt within reason (like if the witness is misunderstanding the question), you shouldn’t get tangled into a battle for control. You have a little spear. He has two giant tusks. You *will* lose that battle and you *will* come away looking like a jerk — and you won’t get any admissions or silly confirms along the way.

If you sense that your witness is so unruly that you can’t even have a conversation, just show that to the judge.

Is Life always good?

That’s a question that philosophers have debated throughout the ages. Some would say that ...

Hang on, that’s not what I’m asking.

... that Life is so important that it can’t be sacrificed. I think there’s a lot of validity to ...

Excuse me.

... to saying that taking life to save life is acceptable, like self-defense cases, or ...

Excuse me.

Yes?

I asked you if Life is always good. What is YOUR position on that?

Right, that’s what I’ve been talking about.

No, you’ve been explaining every possible position. What’s yours?

Well, if you’d let me finish: self-defense cases could arguably be an example where it’s OK to take life.

Is that your position?

There’s more to it, though. Like a soldier who dies for his country, or ...

So country is more important than Life?

... or dying for a family member, or a cause you believe in. For example Buddhists ...

Excuse me.

... Buddhists revere a certain monk who set himself on fire to protest his government ...

Excuse me.

Don’t talk over your opponent; don’t raise your voice. Keep your cool. If he won’t stop blathering about something that’s not related to your question, just keep putting in a quiet, polite: “Excuse me.” If you get a chance, to talk, re-explain your original question. Be the bigger person. Create a clear contrast between you and the witness.

If you absolutely can’t get a word in edgewise, there are two techniques you can use. First, disengage. Gently press your lips together, drop your hands to your side, and take a half step back. Visually show the judge that the witness is treating this cross-ex like more speech time. If the witness still won’t stop talking, quietly go back to your table and sit down. With every passing second that the witness continues his one-man cross-ex, he looks more and more ridiculous. This should be considered a nuclear option — only use it if you’ve given the witness every chance possible to engage in polite

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discourse. Once seated, you must not continue cross-ex. You've lost all faith in the witness. If the witness finally engages you, there are plenty of things you can say. Read the room to make sure you don't come off too aggressive.

Oh, are we done? Do you have any more questions?
Not until you finish the one I asked ...

Remember, you're never forcing the witness into anything. You're just serving him a heaping portion of whatever he wants. You're putting him on the fast train to a destination of his choosing. If he wants to dance, get off the dance floor.

The absurd non-position can also be used when your opponent pleads ignorance on something he should know about.

Pre-flow

Because wording is so important, you should pre-flow your routines. This can pose a challenge because you don't get prep time between your opponent's speech and the ensuing cross-ex. With practice, you'll learn to flow the speech and pre-flow cross-ex at the same time. Let your next speech take the back seat here — you can always use prep time after cross-ex to prepare. The benefit of writing your routines down beforehand is too valuable to pass up.

Of course, you can't draw a full flowchart for each routine — and don't try; it limits your flexibility. Instead, write the starting question and a few follow-up questions based on the answers you expect your opponent to give. If he surprises you, follow him off the script.

Here's how I might pre-flow the "Is Life always good" routine:

Life always gd?
Some cases other v more imp?
Like what?

As with arguments on the flow, I like to draw a short dash to separate routines. Here's the full preflow to a cross-ex I did in a recent coaching session:

Familiar w/ greenhouse gas effect?
Does speaking asst G.H.?
-
Define obl?
-
Any econ reason to go to war?
Like what?
-
Any rsn not to trade?

It could be translated like this:

Are you familiar with the greenhouse gas effect?
Does speaking assist the greenhouse gas effect?
-
Did you define obligation?
-
Is there any economic reason to go to war?
Like what?
-
Is there ever a reason not to trade with another country?

Asking those questions — and following up on new leads that arose as the cross-ex unfolded — took the full 3 minutes. In fact, I'm not sure I got a chance to use the final routine. But it only took me a few seconds to write, and the result was a much better cross-ex.

Use this technique rather than trusting yourself to remember routines (or putting question marks on the flow) and you'll immediately become more precise and successful.

As mentioned, some like to use Post-It notes to track cross-ex. That works great, though I prefer to fold my flow paper in half and write the questions on the back half. This makes it easy to switch back and forth without cluttering up the flow. As with everything else about flowing, there is no "right way." Experiment until you find what works for you.

Answering Questions

Persuasion is no accident. As a debater, everything you do should be deliberate. It should be calculated, practiced decision based on sound strategic principles. But the judge shouldn't realize that's happening. To him, you're a simple lover of truth. You're here to defend the facts against opponents. You're bursting with sincerity; you're open to anything. You need to communicate that without harming yourself in cross-ex.

Answer Any Question

If you speculate on what the question is about, it means you're answering questions based on strategy. This makes you look insincere. So don't worry about it. No matter how obscure the question is, give it your best shot.

How many planets are there?
Um ... eight.
Are any of them volcanic?
Well, one is a gas planet I think. I don't know about volcanic.
How many planets have water?
Oh, I have no idea.
You don't know how many planets have water?
(laugh) I sure don't.

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The exception is a question that is highly personal, intrusive, and irrelevant. If you're asked something like that — and you're not comfortable answering — say so directly. But up until the point where you're uncomfortable, you should still answer irrelevant personal questions.

Do you know Samantha Rynders?

Yes, I actually debated her before lunch today.

Do you think she's cute?

Um ... sure.

Would you marry her?

That's not an appropriate question for a debate round. I'm not going to answer it.

As with any time you refuse to answer a question, you must be firm. If your opponent pushes you at all, he should look weak and petty.

Come on, answer it.

(long pause)

Come on.

I said no.

The exception to this rule is a question that is so flawed that it cannot be answered. In that case, begin with: "That's a flawed question," and then explain why. Depending on your speaking style, you can turn flawed questions into jokes.

Would you marry her?

Absolutely. Get her out here. Let's do this.

There are No Good Questions

Much of how the judge perceives a question is how you react to it. So let the judge know that good questions are your department.

Here's how you want to present yourself: Everything the judge needed to hear was presented in your speech. Thus, any questions your opponent asks you are either irrelevant or because he wasn't listening (or both). Don't take the questions too seriously. It's fine to look surprised or ambivalent. Refer back to your speech regularly to reinforce the perception that the witness didn't need to stand up at all if he had just listened more carefully.

The exception here is when the examiner bungles by giving you an open-ended, easy question that takes some time to explain. Say: "Good question," and then give your leisurely, confident response.

Don't Squirm or Speed

You're an open book. You're not afraid of the examiner; in fact, you welcome the chance to further explain your position. Give short, direct answers to questions. Be helpful. Don't deliberately waste the examiner's time. Everything you say should be worth hearing.

That said, you should control the speed of your delivery carefully. Witnesses have a natural tendency to speed up — because of the pressure, or because they’re copying the examiner’s speed. When you speak faster, you look stressed. You also allow the examiner to ask more questions. You should never go faster than a conversational speed; if the examiner tries to rush you, admonish him.

If you’re asked an obvious question that is setting up an admission, just give your opponent the admission. It’s better to give the admission than look insincere or compromise the logic or your case. Don’t guess where the examiner is going — let him get there on his own. As long as you answer with confidence and you have a coherent case, you’ll be able to deal with the argument when it comes up.

Admit that You Don’t Know

We all have someone in our lives who can’t admit when he’s wrong or when he doesn’t know something.

What’s the capital of Peru?

Buenos Aires.

No, it’s Lima.

Right. I thought you said Brazil.

Buenos Aires is the capital of Argentina.

I knew that. I was just testing you. I’m actually really great at South American geography.

What about African geography?

Yep, great at that too.

Such people can’t be taken seriously. Ironically, we’d be more likely to take them at their word if they just admitted that they were unsure/mistaken from time to time.

What’s the capital of Peru?

I don’t know. I’ll guess Buenos Aires?

No, it’s Lima.

Oh, Lima! OK. I’m not very good with South American geography.

What about African geography?

I’m great at that.

I’d believe the second person when he said he knew about African geography — even though the witnesses displayed the same amount of actual knowledge.

Nothing fries your credibility like refusing to admit your ignorance or error. If you’re asked a question that stumps you, admit it right away. As long as you do so with confidence, you’ll be fine. With your mouth, you say: “I have no idea.” With your tone, you say: “I have no idea because your question has nothing to do with my case.”

Lampshade Silly Confirms

You should never compromise the logic of your case for the sake of an answer. Unfortunately, that means your opponent will sometimes force you into giving a ridiculous-sounding answer. While

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answering with confidence can help reduce the damage of the silly confirm to a degree, you need another tool. You need a way to keep your credibility while arguing that you are in contact with Martian beings or that the Internal Revenue Service operates efficiently. You need to **lampshade**: to directly acknowledge dissonance with the audience.

Lampshading is a time-honored literary technique. Shakespeare used it in *Twelfth Night*:

Sir Toby Belch: Is't possible?

Fabian: If this were play'd upon a stage now, I could condemn it as an improbable fiction.

This line is used at a point where the plot has been stretched so far that some audiences may lose their suspension of disbelief. It says: "It's OK. I know this story is getting crazy. Stay with me."

The trailer to a recent Muppets movie offers another great example of lampshading. It begins looking like a typical romantic comedy: light-hearted male narrator, cute actors, and big cities. Halfway through the trailer, a muppet fills the entire shot and shouts something goofy.

I remember watching the trailer in theaters. At that moment, the audience members all shifted a bit in their seats. They were uncomfortable. *Wait*, they were thinking, *there are muppets in this movie!?* The next shot showed the male lead as he looked directly into the camera and said: "Wait, there are muppets in this movie!?" The audience laughed and their trust was restored, because they knew that the writers understood what they were going through.

Compare these two lines:

"Can I cut in front of you for the copy machine?"

"I hate to ask because I know you've been waiting, but can I cut in front of you for the copy machine?"

We don't want to hear either one, but the second says: "I understand what you're going through." Even though it doesn't explain why the person is cutting in line, the lampshade is a powerful way to lower emotional guards.

You can use this technique in cross-ex by acknowledging that your answer is strange. "I love my country, and I know this sounds unpatriotic, but I don't support American soldiers."

As a side note, lampshades work great beyond cross-ex. Use them when you're doing anything surprising or hard to accept. For example, you should preface a resolutional objection or kritik with a lampshade. "I know most people run values and contentions, but ..."

Ask for Time

If your opponent asks you a complex or unfair question, you have a few bad options. You could refuse to answer, which would undermine your sincerity. You could try to explain it, but that might make you look cagey. Instead, try this powerful response:

“The answer to that will take about 30 seconds to explain. Do you have time for that?”

From here, the examiner has two bad choices. If he says no, you’re off the hook. You don’t have to answer the question. If he says yes, you have 30 seconds to carefully explain your position in a way that can’t be misinterpreted.

You shouldn’t use this question more than once per round, and then only with a question with a complicated answer. Don’t give a simple response and then spend the rest of the 30 seconds giving fluffy points to support your case.

The trick to this — and any time you negotiate with the examiner — is that you hold him to his answer:

Did America invade Germany to stop the holocaust?

The answer to that will take about 30 seconds to explain. Do you have time for that?

OK.

America was originally an isolationist country. We were only pulled into war after Pearl Harbor, and technically that only meant war with ...

I’m just asking about the ...

Hang on. Don’t interrupt. So: we were technically only at war with Japan.

Just tell me if ...

You said I had 30 seconds to answer the question. Did you change your mind?

I just want a yes or no.

If you’re going to go back on what you said earlier and you won’t let me answer, it sounds like you should move on to the next question.

Can’t you just tell me why America invaded Germany?

That’s up to you. You decided not to let me — which is funny, because if you hadn’t kept interrupting, I’d be done answering by now.

More is at stake than just the risk of being misconstrued. Cross-ex is a direct interaction between the debaters. The judge is learning a lot about who is the most dominant, confident debater in the room. Don’t let the examiner push you around. Remember: you gave him the option of not giving you those 30 seconds. He decided to give them to you. You’re just holding him to his word.

Cross-ex is one of the most challenging skills in debate. It requires deep knowledge of the topic and theory, practicing your routines to a razor edge, and delivering in an environment where one incorrect word means failure. It’s a big challenge — and that means you have tremendous opportunity to shine. Good luck!