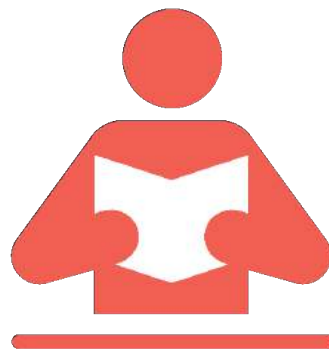


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Key #9

Master the Art of Cross-Examination

Cross-examination can be one of the most fun times (if you're asking questions) and one of the most not-fun times (if you're answering them) in a policy debate. But skill at both answering and asking questions is something I guarantee you will use in everyday life long after you finish scholastic debate. For example, I am quite certain that I have gotten jobs based on successful job interviews – the most common form of “cross-examination” in non-courtroom life – thanks to the experience of surviving cross-examinations in high school debate. In addition, I sometimes find myself on the other side of the table, asking questions and probing for truth among vendors, job applicants, even uncooperative co-workers.

The truth is this: The ability to determine what questions to ask and how to ask them has proven its value time and time again. And by the way: Really advanced debaters learn to *enjoy* answering cross-examination questions, once they learn some of the secrets contained in this chapter.

Preparing the CX

The 2NC has the first CX in policy debate, and there is one absolute prerequisite: good flowing. If you don't have an accurate outline of what the previous speaker said, you will 1) not be able to ask intelligent questions about it, and 2) probably make a fool of yourself. As a judge, I understand when a novice debater starts with a question like: “What was your Contention 2 and all of the subpoints?” However, that question immediately marks that debater as, indeed, a novice. If he were experienced at flowing, he would already know what that contention was and have an outline of all the subpoints. When he gets more experienced, his first question will be more like: “Now on your Contention 2 where you say the status quo can't solve, do you mean the Federal government can't solve, or the States can't solve it either?”

Another idea to try when preparing to give a CX: have a common notepad between you and your partner for both of you to write questions on for the upcoming CX. Since both of you are focused on flowing during the opponent's speech, you may not want to be conversing much. But having a notepad where your partner can suggest questions for you to use helps ensure that something he catches (an obvious inconsistency in their case, which perhaps you missed) gets brought up. If you wait until after the speech is over to start conferring, you may easily forget something. If you confer during the speech, you may miss some points on the flow. I found the common notepad an excellent aid when I was debating.

Asking the Right Questions

I'm saddened as a judge whenever I see an examiner fail to use up the full three minutes of CX time. I usually have about a million questions I'd like to ask, but I can't because I'm judging. In coaching sessions, I've subjected students to cross-examinations of 15 or 20 minutes to show them how many questions can be generated from a single 8-minute constructive. Here are some CX tips when you're the examiner:

1. *Listen for inconsistencies between "tag lines" (the one sentence/phrase summary of a quote) and the actual evidence quotation.* During the speech, keep your ear tuned for a tag line like: "Millions will die when agriculture collapses" followed by a quote that says: "Professor John Smith, UCLA, 1998, It is likely that world food prices could be significantly affected by a downturn in the agricultural sector." They won't always be that obvious, but it is a rare debate case that doesn't have some inconsistencies like this. Real-world politicians do this all the time, and real-world debates about policy often hinge on challenging exaggerations like this.

The way to phrase a question based on this is:

Q. On your Contention 2, 'millions will die,' how many deaths does the card say will happen?
 A. Well, I'm not sure.
 Q. Does it say ANY will die?
 A. Well, not exactly.
 Q. OK, thank you.

2. *Challenge "implicit" assumptions.* Often quotes from experts predict or estimate something based on events that might or might not happen. Using the fake quote cited above:

Q. On your Contention 2, 'millions will die,' does that mean they will die if the status quo is left as is?
 A. Yes! Absolutely!
 Q. But isn't it conditioned on a downturn in the agricultural sector?
 A. Well, I guess.
 Q. Has the downturn happened yet?
 A. Well, no.
 Q. And doesn't the downturn have to produce higher prices?
 A. Yeah, I guess.
 Q. Do all downturns produce higher prices?
 A. Um, I don't know.
 Q. OK, thanks.

3. *Probe for missing links and missing impacts.* Every time you hear a harm mentioned (if you are Neg), or a disadvantage mentioned (if you are Aff), ask yourself, "So what?" So what if that happens? Who would be harmed? When will it happen? How bad will it be? Example:

Q. On your Contention 2 card, it says ‘food prices could be significantly affected’ right?
A. Right.
Q. Affected in which direction - up or down?
A. Up.
Q. Does the evidence say that?
A. Well, no.
Q. OK, now what would be the impact if food prices go up?
A. Millions will die.
Q. Does the card say that?
A. Not exactly, but...
Q. How long after the downturn does the change happen?
A. Pretty fast!
Q. Does the card say that?
A. Well, no.
Q. It says it’s ‘likely’ that it ‘could be affected’ – are there other factors that would turn that likelihood into reality?
A. Well, I’m not sure.
Q. OK, thanks.

4. *Set up arguments you (or your partner) are going to make.* For example, if you have evidence showing that higher agricultural prices are good for the economy, the farmers, etc., using the quote above you could ask:

Q. So, your Contention 2 card says that high prices are going to happen if we leave the status quo alone, right?
A. Right.
Q. And your plan is going to eliminate any chance of high prices, right?
A. Right.
Q. OK, thanks.

Note: You DO NOT advertise or disclose during your examination what evidence you have or are planning to bring up in later speeches. Let them guess and wonder. They’ll find out soon enough anyway. **This is actually the major purpose of the cross-examination. If you do not generate arguments for your partner to use in the next speech, the cross-examination is virtually worthless.**

5. *Ask for specifics.* For example:

“On Contention 2 where you claim civil rights are being denied: How many people last year were denied their 5th Amendment rights?”
“On your economic stagnation harm: What specific part of the status quo is causing the economy to stagnate?”

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Questions like these give you hooks for your partner to grab onto in the next speech, so that he can say things like this:

“On Contention 2, denial of Civil Rights: He admits in cross-ex that he can’t even cite one example of where this is happening, so there’s really no significance to this harm.”
“On the economic stagnation harm: He admits in cross-ex that he doesn’t know all the specific factors that are causing this, so there’s no way he can possibly prove that his plan will solve.”

6. *When in doubt, ask “Why?”* For example:

Q. On Contention 2, the agricultural downturn, why do prices go up?
A. Well, I think it’s because supply goes down.
Q. Does the card say that?
A. Well, no.
Q. Why would the supply go down?
A. Well, I’m not sure.

There’s almost no end to the things you can pry out from under the rocks when you start asking “Why?”

7. *If desperate, ask general questions.* Sometimes you may run out of things to ask, or the previous speech seems to lend itself to it. You can ask a question like: “What is the overall philosophy of the (Aff/Neg) in this debate?”

For example, if the Neg has argued how the status quo is solving everything just fine and then they propose a 10-plank \$30 billion counterplan that does all kinds of weird things, it might be good to get a clear answer on whether they believe their own inherency arguments (“our philosophy is that the status quo is just fine”) or their Counterplan (“we believe we need to fix things, but not in accordance with the resolution”). And then in the next speech you can get one of them blown out of the round, since they’ve disavowed it in CX.

8. *Ask questions that lead to a “single point of failure.”* A single point of failure is one fact on which some major issue depends and without which it will collapse. This is particularly effective in Negative cross-examination of the 1AC if you can get the Affirmative to admit that there is some single thing upon which a key stock issue depends, and without which they would lose that stock issue. This makes it easy to defeat that stock issue because it means you only have to have one piece of evidence, pertaining to that one fact, and you can claim victory on that stock issue based on the Affirmative’s own analysis of the issue in cross-ex. For example:

Q. On your inherency contention, are you claiming that the reason we aren’t increasing nuclear power today is because of legal barriers?
A. We’re claiming attitudinal barriers - people are afraid of it, so they’re not building any more plants.
Q. So that’s the only reason for the inherency in this case is public attitudes, right?

A. Right.
Q. So public attitudes are the only thing stopping the status quo from doing your plan, right?
A. Um... yeah, I guess so.
Q. Thanks, let's move on.

Guess what card the INC will read as his one, and perhaps only, inherency argument? It will say "Public supports nuclear energy." Ordinarily that would be a pretty weak Negative inherency card, but since his partner got the entire inherency stock issue narrowed down in cross-ex to the "single point of failure" of public support, he has a pretty good chance of making it a winner. Based on this cross-ex, all the Negative has to do is show that the public does, indeed, support nuclear power and if they carry that argument, they should deserve to win on inherency. It shouldn't have been that easy, but the cross-examination to a single point of failure made it so. The Affirmative cannot come along in 2AC and say, "Oh, also there are all these new laws stopping nuclear power plants from being built." No, they got caught in cross-examination admitting to a single point of failure on inherency. Now they are stuck with it.

9. *Ask questions that lead to "multiple points of failure."* This is the reverse of the tactic above and it is usually most effective against Affirmative solvency or Negative disadvantage arguments. The goal is to get the responder to admit that there are several factors in a piece of evidence that must all come true in order for the conclusion to be valid. The examiner's partner will then in the next speech argue that they admitted in cross-examination that they had to prove, for example, three things in order to win the solvency in that card but their plan only has one of them. For example:

Q. Let's go back to the Smith evidence you read under Solvency. What does that card say we have to do to solve for bad foreign relations with Russia right now?
A. Remove nuclear weapons from Europe, like our plan does.
Q. In the last sentence, doesn't it also say we have to increase foreign aid to Ukraine and stop trade sanctions on Belarus?
A. Um... yeah, I guess so.
Q. And those aren't in your plan, right?
A. No.
Q. Thanks, let's move on.

Ultimately, you want to get to a point where you ask a question that shows a missing link, a logical lapse, a tag line not supported by the quote, or an inconsistency between two parts of their case. And with these ideas in mind, you should be able to think of things to ask besides "How are you going to get enough funding?" or "Tell me again who enforces your plan."

Questions to Avoid

1. *Don't ask a question that allows the responder to ramble on with an extension of his constructive.* He already had 8 minutes – do you want to give him 9 or 10? Don't ask questions like: “Do you think these harms are really going to happen?” “Are your impacts significant?” “Is the harm really bad enough to justify your case?” There are no answers to those questions that will benefit you in any way.

2. *Don't ask for “more evidence” on some contention.* Be careful what you ask for, because you might get it! In a practice debate with some students, one of them asked my partner: “Do you have any more evidence to support that point?” He quickly replied: “Yes, I have 2 more cards, would you like me to read them?” Um, no, that's OK.

A similar mistake is when the examiner asks the responder to have his partner bring up “more evidence” in a later speech. Here's how a sharp responder would handle a bad question like that:

Q: Now on your Contention 2, what's the impact to higher food prices?
 A. Food shortages in the Third World.
 Q: Could you have your partner in the next speech bring up more evidence on the impact to that?
 A. After we hear your response to the evidence we already gave, then we can certainly bring up more evidence if we need to.
 Q. Um... OK.

A better way to challenge lack of evidence or assertions made by the other team is to ask the question like this:

Q: Now on your Contention 2, what's the impact to higher food prices?
 A. Shortages and hunger in the Third World.
 Q: [Knowing that the evidence didn't support that harm, he asks...] Did your evidence say that?
 A. Well, it says that they'll have more trouble obtaining food.
 Q. But did your evidence say hunger or shortages would happen?
 A. No.
 Q. OK, let's move on.

Notice that he's asking about the evidence that was already read into the round, not about hypothetical additional pieces of evidence (“phantom evidence”) that might not yet be available. (See #3 below for more on this.) Don't get into discussions about Phantom Evidence, only about what's already been introduced. Remember to have your partner hammer this evidence in the next speech by bringing up what they admitted in cross-examination.

3. *Don't ask about evidence that wasn't introduced into the round.* This is useless because the responder is not responsible for explaining evidence he didn't introduce. Usually the examiner

desperately wants to get some cool piece of information in front of the judge as soon as possible (perhaps something else that the same author said in a different context from the evidence that was read). Unfortunately, this is improper cross-examination and the examiner can look foolish if the responder knows what he is doing:

Q: Now on your first harm on global hunger, was that quote from Frank Smith at Big University?
A. Yes.
Q: Didn't Smith also say that global hunger would be resolved in the future by economic growth?
A. No, my evidence didn't say that.
Q. But didn't Smith say that in another article he wrote?
A. If you want to bring up more quotes from Smith, you can certainly do it in your next speech and we'll be happy to respond to it.
Q. Um... OK.

4. *Don't ask questions that aren't really questions* – e.g. simple direct statements or disguised restatements of arguments. For example: “Now your card says prices won't go up but didn't we say in 1N that prices would go up?” That's just asking him how well he can flow or remember your arguments; it has no value in showing anything wrong with his argument or his evidence. Ask him about his speech, not yours.

Don't argue in cross-ex. There's a difference between a debate cross-examination and a quarrel. One of the characteristics of a quarrel is that the questioner stops asking questions and starts arguing during the cross-ex. For example, don't do this:

Q. Does your evidence say that prices will go up when the agriculture market changes?
A. Yes.
Q. But prices can't go up if there's an oversupply!
A. _____

What should the responder say to that remark? Nothing. It's not a question. He can just stand there silently staring at the judge until the examiner feels foolish and finally asks a question. That's what I'd do. If he wants to make the argument about prices going up, he can do it in constructive. But cross-ex is a time for asking questions, not making arguments. A better way to handle the cross-ex example above is like this:

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Q. Does your evidence say that prices will go up when the agriculture market changes?
A. Yes.
Q. But didn't you say in your speech that there would be an oversupply?
A. Well, yes, but --
Q. And didn't your evidence say that oversupplies lead to lower prices?
A. Well, yes...
Q. OK, thanks.

Remember, the CX is used to “set up” arguments, not to make them. As a judge, I don't even flow the CX, because the arguments that come out of CX have to be made in the speeches that follow for them to have any weight in the round. It doesn't matter if the Affirmative concedes all harms and solvency in the first cross-examination – if the Negative constructives don't mention what they gave away in CX, nothing is held against them.

Here are some key phrases that should tell you that a bad cross-ex question is about to follow. Cross-ex questions should **never** begin with:

“Does our plan say...”

Bad question: Don't ask the Negative team to explain your plan. You won't like the way they do it! Since they didn't bring up your plan, they aren't responsible for explaining it.

“Didn't our evidence say...”

Bad question: You don't want the other team explaining your evidence. If they are smart, they will answer “no” to whatever this question is.

“Did you hear our evidence that said...”

Bad question: This is a debate, not a hearing test. A sharp responder will say: “No, what I heard was a weak card that you claimed said X, but really all it proved was...”

“Did you know that...” or “Are you aware that...”

Bad question: This is an attempt to introduce evidence by the personal testimony of the examiner – managing to make two mistakes in one sentence (asserting your own facts and arguing during cross-examination). A sharp responder will say: “No, I haven't seen any evidence introduced thus far in the round that proves that.”

5. *Don't ask questions after the point has been made.* Notice in the examples above, in each case after the point is made, the examiner says “Thanks” and MOVES ON. If you keep questioning something after you've gotten the answer you want, you give the responder more time to escape from the answers he gave, or to “explain” them so that their impact is reduced.

6. *(Usually) Don't waste time asking about their funding.* The vast majority of the time, in my experience, cross-examinations of the IAC about his funding are a big waste of time. There are

several reasons for this. First, Affirmative teams can “fiat” that the Federal government gets funding from almost anywhere in almost any amount. Sharp Affirmative teams can always throw in “General Federal Revenues” as one of their funding sources and claim that they have access to the entire Federal budget and all tax monies collected by the Feds. Only in very rare cases will an Affirmative team come up with a plan so enormous that it would exceed the entire resources of the Federal government. I’ve seen only one or two plans like that in hundreds that I’ve judged.

Second, questions about funding are only valuable if you are going to set up a disad or a solvency argument based on what you learned in cross-ex. If you aren’t planning to do that, don’t waste time asking about it.

Third, your first cross-ex question was “Can I have a copy of your 1AC” – right? So, you have everything in writing that he said about funding. What else do you need to know? Don’t ask for what you already have.

7. *Don’t ask questions for which you don’t need the other team’s answers.* For example, you don’t need the other team to admit general truths about the universe (the earth is round, humans breathe air, the government collects taxes, human life is valuable, etc.) so don’t ask questions to get the other guy to “admit” things like that. Ask him questions that are specific to their arguments and their evidence.

8. *Never ask for the other guy’s opinion about anything.* That’s like a quarterback asking a defensive player to hold the ball for him while he ties his shoe during a play. The opposing player is NOT going to help you! He’s going to take the ball (your question) and run in the opposite direction with it. The responder will, if he has any debate experience at all, respond with an opinion that supports his own position. You have no business helping him do that. Here are some really bad examples similar to those I have actually heard in debate rounds:

Q. On your Smith evidence that you read under solvency: Isn’t it possible that Smith could be biased?

A. No.

Duh. What did you expect him to say?

Q. Now, let’s compare international relations to what happens in a family. Let’s say you and your brother get into a fight. Isn’t it possible that you’d want your parents to mediate and give a fair resolution?

A. No, I’d rather beat him up.

Personal opinions aren’t worth much, are they?

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You can ask him about his evidence, ask him about the claims he made, or ask him about the position his team is taking during the round, but don't ask him for his own personal opinion on anything. It simply will not help you and may make you look foolish.

Effective Use of Cross-Examination Results

Above I mentioned that a major purpose of the cross-examination is to set up arguments that you or your partner will make in constructive speeches. This is a very difficult concept for the beginner to grasp because it is slightly different from the way similar situations work in "real life." Many novice debaters make the mistake of asking challenging questions in cross-examination, some of which their opponent fumbles, and then hope the judge will score in the examiner's favor on the ballot. Unfortunately, it doesn't often work that way.

In real life, when you ask someone difficult questions designed to show a flaw in their reasoning, you expect (and sometimes receive) immediate gratification. The responder says, "Oh, I see what you mean," and the problem is resolved. Sometimes, even if the responder doesn't agree with you, everyone else sees it and their estimation of you, or their willingness to agree with you, is raised. In debate, however, the examiner may elicit any number of damaging admissions, contradictory responses or faulty answers from the responder. But they have NO value until something is done with them in a following speech.

Let's see how a smart examiner (and his equally smart partner) would make the most of an effective cross-examination. A hypothetical quote says: Contention One: Millions Will Die When Agriculture Collapses - Prof. John Smith, UCLA, 1998. "Dramatic changes in agriculture commodity prices could significantly impact world food supplies and increase the risk of hunger for many of the world's poor."

Q: Now, on your Contention One, "Millions will die," how many people does it say will be harmed by agriculture price changes?

A: Well, I'm not sure but I think it's a lot.

Q: Does it actually say any will die?

A: Well no, but...

Q: OK, thank you, now let's move on...

This was a smart cross-examination by a debater who wisely kept his ears tuned for the frequent disparities between tag lines and evidence quotations that so often show up in policy debates. But it was all in vain unless his partner was listening closely and made a note on his flow to bring it up in the next speech. Smart cross-examinations can save your neck in difficult situations – for example, when you are going Negative and don't have any specific evidence against the Affirmative's topic. The cross-examination can (MUST) generate material for you to use in the constructives. Here's how our examiner's partner would use the 10-second exchange above to generate two solid arguments that might demolish one of the pillars of the Affirmative's case:

INC: “Now, going down to his Contention One, ‘Millions will die when Agriculture collapses.’ Notice two things about this card. First, he admits in the cross-ex that he doesn’t know how many people will actually be affected by the price changes. That means he can’t actually prove that his case is significant and he loses prima facie by not showing that the harms in the status quo are significant. Second, he also admits in cross-examination that the card doesn’t actually say that any deaths will occur. In other words, he’s admitting that the evidence doesn’t even support the impact that he’s claiming in his case. If his harms are insignificant and have no impact, then you have no reason to vote Affirmative because you don’t need a plan to solve them.”

Answering Questions in Cross-Examination

Here are some principles to remember when you are on the receiving end of the cross-examination.

1. Remember which side you’re on. Sounds simple, but I’ve seen it missed many times. The examiner who is questioning you – at least in the debate round – is not your buddy, not your friend, not your ally. He’s out to get you (in the friendly spirit of competition, of course) and you gain nothing by showing a willingness to make his task easy. Your job is to disagree with him. Of course, you must show respect and courtesy in your demeanor and choice of words. But you are under no obligation to help him win his arguments. You should politely and quickly provide him with any papers or evidence he asks for, but you should not try to compromise or agree with him in order to win him over. Your job is to convince the judge of your position, not to reach an amicable settlement with the other team.

You should, for the purposes of competition, be entirely convinced that your position is 100 percent correct, and that it should be obvious (because you have explained it so well, right?) to everyone that your side’s case is right. Success at this concept requires some quick thinking when your case is weak or your examiner has, indeed, found a weak spot in your evidence. In the case of the sample cross-examination above, the responder wasn’t able to think quickly enough and gave in too easily by agreeing that the card didn’t support his contention. He should have stuck to his case and been a bit more sure of himself, like this:

Q: Now, on your Contention One, “Millions will die,” how many people does it say will be harmed by agriculture price changes?

A. Millions.

Q. Does the card say that?

A. Sure, it says that “many” people among the world’s poor will be affected – there are billions of poor people in the world. We’re talking about millions, maybe billions of people here.

Q. Does it actually say any will die?

A. People die from hunger every day, and the card says hunger will go up.

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Although this card is, indeed, a weak card, the debater who introduced it now has his examiner on the run and willing to forget about it, all because he stood up for himself and remembered to respond aggressively (though politely) and “debate” the evidence, rather than simply agreeing that it’s a weak card that doesn’t prove anything. You probably won’t hear anything from the examiner’s partner about that weak card in the next speech, because the examiner hit a brick wall when he tried to critique that evidence.

2. *Turn the tables, occasionally.* Notice in the sample above, the responder eventually gets to the point where he is asking a question to the examiner. Although this can be abused and taken too far, when the context allows it can be possible for a smart responder to interject questions of his own that take the steam out of the examiner’s engine.

3. *Know what evidence you have in your files.* Winning debaters are highly familiar with what sorts of evidence they have in their files and how it is organized and how to find it quickly. In the sample above, the responder was able to come up with a witty reply that is based on a bluff (which it sounds like he can back up) that his partner can read evidence in the next speech to support something.

4. *Offer to re-read evidence.* When the examiner asks you a difficult or obtuse question about a piece of evidence, take the time to re-read it out loud. This allows several things: 1) it gives you time to think of an answer; 2) it allows you to refresh your understanding of the evidence and to see things in the quote that may quite easily answer the question or at least provide some kind of acceptable answer; 3) it takes time, of which the examiner has precious little.

Don’t use this as a stalling tactic – intentional stalling is never acceptable because it shows bad faith and poor sportsmanship and will look bad to the judge. But you need not be hasty in answering questions about evidence off the top of your head without having the opportunity to re-read the evidence. If you’re going to be challenged on some small point in a quote, it’s entirely fair for you to re-read out loud the quote to establish context and clear up misunderstandings.

5. *Sometimes “I don’t know” is the right answer.* One of the biggest things that distinguishes the experienced debater from the novice is the ability to confine himself to only the issues and evidence introduced into the round. When you step into a debate round, you are playing the role of an advocate for a position. Your goal is to debate the evidence that supports or opposes your position on the issues of the round, not to be an expert or an opinion-giver on other topics and certainly not to supply material or opinions that aid the other team.

Inexperienced debaters often try to bring in their own knowledge or opinions into the round to construct arguments for their side. Experienced debaters know better than to be drawn into such things by using careful responses in cross-ex, like the sample text shown below. Here, the Affirmative team has presented a case for changing the Federal government’s relationship with the Sioux Indian tribe and the Negative is exploring ways to defeat that:

Q. Wouldn't your plan create an imbalance in the way the Federal Government treats the Sioux as opposed to the Cherokee Indians?

A. I don't know.

[After all, the Affirmative's case is on the Sioux – they're not supposed to know anything about the Cherokee and if such an imbalance did exist, it would be up to the Negative to prove it. Since the Affirmative team members are not qualified experts on Cherokee Indians, they can certainly say they don't know how to provide an expert opinion on this.]

Q. But aren't there lots of Cherokee who live in the area near the reservations you're changing in your plan?

A. I don't know.

[Again, the Aff. is refusing to supply evidence to support whatever disadvantage the Neg wants to generate. Quite literally, the Affirmative debater cannot know of a certainty where the Cherokee Indians live. Even if he thought he knew, what if they all moved and relocated recently? He can't possibly know for sure.]

Q. But don't the Cherokee resent the fact that the Sioux Indians are getting special treatment from the Federal Government?

A. I haven't the foggiest idea.

[Now Neg is asking the Aff to be a mind reader. Aff knows better than to play that game. Don't guess or speculate, just say, "I don't know," especially when what they want you to speculate about is the evidence for their disad.]

Answers to questions should either be from general truths about the universe (and smart examiners never ask questions about those anyway) or from the evidence that was introduced into the round. If someone is asking about evidence not introduced into the round, you have the right to say, "I don't know," because, based on the evidence, you really don't. Any answer you give would merely be your own speculation, not knowledge based on evidence. Make the other team produce the evidence for their arguments, not extract it from your opinions during cross-ex.

6. *Make the cross-examination a contest between the examiner and the evidence, not between the examiner and you.* It's a good idea to answer a cross-examination question with "Well, our evidence says..." as the lead-in to your answer. This presupposes that you 1) read a lot of evidence (which you should have done) and 2) you know the evidence. This is especially applicable to you if you are the IAC being cross-examined about your case. You have had unlimited time to prepare and to come to a complete understanding of every piece of evidence that you read. Thus, you should be able to handle a cross-examination like this:

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Q. Now on your Harm 1, what is the impact to urban sprawl?
A. Well, our evidence on that harm said that it causes economic harm and wastes taxpayer money.
Q. Do you think urban sprawl is increasing today?
A. Absolutely! That was under Inherency Subpoint 1 where our evidence says that it's increasing today.
Q. But why can't the status quo solve for it?
A. Well, our evidence under Inherency Subpoint 2 says that right now the status quo is committed to automobiles and highway construction and that this causes sprawl to increase.

Notice that the examiner cannot get past the brick walls that the 1A is putting up at every turn – but notice how polite and factual those brick walls are! Every time 2N asks a question, 1A always makes it “The Negative” versus “The Evidence” – even though he doesn’t explicitly say that and he is perfectly polite and courteous throughout the whole exchange. The 1A here projects complete faith and confidence in his evidence and the Negative goes away frustrated and gains little or nothing from this cross-ex. The Affirmative simply refuses to speculate or guess at anything from his own opinion. He always refers back to his evidence, and he can’t go wrong as long as he does so.

7. *(Politely) turn around demands for “evidence” about things that are impossible to prove or should be the burden of the other team.* For example, sometimes a Negative team may speculate about some disadvantage that they invented out of their imagination and then challenge the Affirmative to prove it won’t happen.

Q. If we impose these sanctions in your plan, isn’t it likely that Slobonia will get mad and destabilize the Balkan region?
A. I don’t know.
Q. Well, can you prove that Slobonia won’t retaliate if we pass your plan?
A. If you want to run that argument as a disadvantage in your next speech and prove it with evidence, then we’ll be happy to respond.

8. *Give a sharp response when asked for “more evidence.”* Some debaters might make the mistake of not reading this book and they may ask the silly cross-ex question: “Do you have any more evidence for your argument...?” There are several sharp responses to this question that you can try if someone is foolish enough to ask you this:

A. Immediately go to your brief and start reading some. “Sure...just a minute.... Yeah, here’s one from Prof. John Smith, Big State University, 2012, The immediate trade-related impact of the UN sanctions is estimated at \$4 billion over the next decade...blah blah blah” It won’t be long before the examiner realizes, as you drone on with new evidence that wasn’t in your constructive speech, that he has just handed you another couple minutes extension to your constructive, feels foolish, and stops you. Don’t be in any rush to point this out to him.

B. Counterattack. “Actually, I’d like to hear your response to the evidence we already read on that point, and then once we hear that, my partner will know which evidence to bring up in response.” If they phrase the question as “Could you bring up more evidence on this in your next speech?” then this is your best reply. Notice that this promises more evidence but only on the condition that they respond adequately first. If they don’t make any response, then you are off the hook. If you don’t have any more evidence, then you can always show why their responses were inadequate to indict your original evidence and then show that there is “no need” to bring up more evidence since they didn’t really respond to your original evidence.

You should not make an unconditional cross-examination promise to bring up “more evidence” in your next speech, for two reasons. First, you are under no obligation to respond in a speech to a question raised in cross-examination, and you should have the confidence to stand up for yourself. Second, you will be conceding that the evidence you brought up initially was insufficient simply because someone whined about it in cross-examination, without any arguments being made against it. Don’t let them get away with downgrading your evidence that way. Make them respond in a regular speech to your evidence first before you feel obligated to back it up with anything more. If their argument isn’t worth any of their speech time outside of cross-ex, then it isn’t worth any of yours either.

9. Know when to stop talking. Some debaters really think that the entire round hinges on their being able to finish some key explanation that the examiner doesn’t want them to give. The problem is that, as they try to continue their answer, they unknowingly make the situation worse than it would be if they left the explanation unfinished. Now, in addition to whatever was left unfinished, they are also being rude and unprofessional and probably losing speaker points. If you are not finished with an answer you gave and want to keep talking after the examiner says “Thank you” – don’t. Here’s why:

- The damage may not be as bad as you think, and probably not as bad as the damage you are doing by your rudeness during cross-ex.
- The other team may not remember to bring up the issue in the next speech. If they forget to bring it up, then it never happened. If you don’t make a big deal about it, they may not notice that it was a big deal and may be more likely to forget it.
- You and your partner will have ample time to argue the issue later - you don’t have to argue it now. Since cross-ex isn’t the time for making arguments, save it for the appropriate time.
- Be professional. Look professional. Act professional. Professionals are courteous under fire, perfect under pressure. If the other guy says “Thank you,” you instantly stop talking, no matter where you were – in the middle of a sentence, or the middle of a thought, or the middle of a word. Most likely, it will make him look bad (for cutting you off), not you (for not finishing).

Cross-examination is a powerful tool for winning debates and a powerful learning experience for real-life skills that you will take with you long after debating is done. Learn it well, because

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many debates can be won with good cross-examinations. The results of a good cross-examination can be equal to an entire folder full of evidence specifically against the other guy's position. Have fun!

Key #9 Syllabus Lesson

Student Preparation:

1. Read Chapter 9

Goals:

- Learn how to ask the right questions during cross-examination
- Learn the kinds of questions to avoid during cross-examination
- Learn how to use cross-examination results effectively
- Learn how to answer cross-examination questions carefully and correctly

Teaching Outline:

- I. Introduction to Cross-Examination*
 - A. Importance of cross-ex
 - B. Preparing for cross-ex
- II. Asking the Right Questions*
 - A. Inconsistencies between tag lines and evidence quotations
 - B. Challenge implicit assumptions
 - C. Missing links and missing impacts
 - D. Set up arguments you or your partner are going to make
 - E. Ask for specifics
 - F. When in doubt, ask "why?"
 - G. If desperate, ask general questions
- III. Questions to Avoid*
 - A. Allowing an extension of constructive
 - B. Asking for "more evidence"
 - C. Questions that aren't really questions
 - Didn't we say...?
 - Doesn't our plan say...?
 - Didn't our evidence say...?
 - Did you hear our evidence that said...?
 - Are you aware...?
 - D. Questions after the point has been made
 - E. (Usually) Don't waste time asking about funding
- IV. Effective Use of Cross-Examination Results*
 - A. Cross-ex results don't matter until brought up in other speeches

- B. Sample of effective follow-up by the next speaker
- V. *Answering Questions in Cross-Examination*
 - A. Remember which side you're on
 - B. Turn the tables occasionally
 - C. Know what evidence you have in your files
 - D. Offer to reread evidence
 - E. Sometimes "I don't know" is the right answer
 - F. Contest between the examiner and the evidence
 - G. Turn around improper demands for evidence
 - H. Deflect demands for "more evidence"
 - I. Know when to stop talking

Student Questions & Exercises

1. When is the only time that a Negative needs to cross-examine the Affirmative about funding?
2. Have one student read their plan (or one they are familiar with from Blue Book) and have one student designated to cross-examine them for three minutes. The teacher should stop the examination if any of the "Questions to Avoid" are asked. After the cross-ex is over, the examiner must explain what arguments he and his partner would make in the next speech based on the answers that were given. Rotate to another set of two students and repeat the exercise as often as time permits.