**COUNTERPLAN COMPETITION: PERMUTATIONS AND BEYOND**

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The latest catch phrase in the evolving vocabulary of debate is "permutation." Joining such all time favorites of debate parlance as "impact," "threshold," and "propensity," the term "permutation" has begun in the last two years to flit with increasing frequency across the counterplan competition page of the flow sheet. But, like a firefly, the illumination which the concept produces has been somewhat intermittent. The term is used in a variety of different senses and has begun to accumulate its share of ambiguities. This article will discuss the alternative forms which the concept of permutation has taken and consider their varying degrees of legitimacy.

The last ten years have seen an explosive increase in the use of counterplans in academic debate. The critical question of what makes a counterplan competitive (that is, a reason to reject the affirmative plan) was for a number of years extremely murky. The traditional notion had been that a counterplan was competitive if it gained the affirmative advantage as well as an added advantage. it soon became clear, however, that this was not a necessary condition for counterplan competition. If a plan and counterplan could not physically coexist and the counterplan was on balance more advantageous, then the advantage of the counterplan provided a reason to reject the plan whether or not the counterplan gained the affirmative's advantage.

In addition to mutual exclusivity, the standard of mutual desirability or "net benefit" soon gained widespread acceptance. This standard claims that if the advantages of doing the counterplan alone exceed the advantage of doing the plan and the counterplan together, the two are competitive. In practice this usually means that the counterplan gains enough of the affirmative advantage that disadvantages uniquely linked to the plan can outweigh whatever residual advantage above the counterplan the affirmative may possess. This standard has, however, been widely misunderstood and subject to ill-founded criticisms. If the counterplan merely has a larger advantage than the plan, this does not make it net benefit competitive. The question is whether having done the counterplan, it would be on balance desirable to adopt the plan in addition. Thus, in effect, there must be a disadvantage to justify plan rejection. Another objection is premised on the assumption that competition should be regarded as a jurisdictional issue and thus must be determined a priori--before looking at advantages or outcome. This objection also seems fundamentally misguided. Jurisdictional questions deal with a judge's to adopt a given Policy. Competition, however, is a policy question, relating to whether a given plan is desirable in light of a counterplan. Competition asks questions about policy outcomes, not about jurisdiction, thus making net benefits a Perfectly acceptable (some would argue the only acceptable) standard of competition.

Three other competition standards have been widely advanced but enjoy far less general acceptance ' Redundancy, or "functional" competitiveness, claims that if the counterplan gains the exact same advantage as the affirmative there is no reason to adopt the affirmative plan and that the two policies are thus competitive. This standard suffers from a number of difficulties. First of all, it is relatively rare that two policies are perfectly redundant. Since neither policy by itself is likely to be perfectly solvent, the adoption of the two together is likely to obtain greater net solvency than either by itself. Secondly, even if successfully sustained, a claim of redundancy merely suggests that the debate has ended in a tie. To justify a negative ballot the negative then is forced to articulate some reason why taking duplicative action is undesirable (making the standard net benefit), and/or to produce a tie-breaking standard of presumption.

A fourth widely argued standard is philosophical competition. Though frequently argued, this standard is almost universally rejected by debate theorists. In the first place, it is rare that a plan and counterplan cannot be made philosophically compatible. In a utilitarian perspective of seeking the greatest good for the greatest number no two desirable and mutually compatible policies are likely to compete. Second, if the philosophical incomparability is significant it should provide the basis for a disadvantage, reducing the standard to net benefit. Third, it is incredibly easy to articulate pseudo-philosophical distinctions between policies, in effect reducing philosophical competitiveness to a kind of "we're a team, they're a team" standard. Rejection of this approach seems amply justified.

A final standard of competition, which is highly relevant to the genesis of the permutation concept, is competition by fiat. In essence this standard claims that a counterplan gains competitiveness by banning the affirmative plan as part of the counterplan as ,ell as adopting some additional policy provision. For example, in response to a plan Providing jobs for poor people, the negative could prohibit federal employment for all employable poor and provide food aid to Ethiopia. The abusive and artificial nature of this counterplan is self-evident. The provision banning employment is clearly competitive but the provision that provides food aid obviously is not. Thus the claim began to be made that the judge should "Permute" the plan and counterplan, adopting the plan as well as the non-competitive elements of the counterplan. This process of combining the plan with a discrete element of the counterplan is what I will call "mechanical" permutation. It is most closely analogous to the mathematical usage of Permutation which relates to "an ordered arrangement of all or some of the elements of a set" (American Heritage Dictionary, 1969, p. 977).

This mechanical notion of permutation is relatively non-controversial. The primary argument directed against the standard is that a policy (in this case the counterplan) must be considered as a whole. The potential abusiveness inherent in this standard, however, seems evident from the food aid example, The only solution to this problem is to require that counterplan components compete, not merely the counterplan taken as a whole.

The clearly artificial counterplan is largely a thing of the past. What has replaced it in recent years, however, is a type of generic counterplan widely condemned for its over breadth. In response to a minor action at the federal level a team might counterplan with world government arguing that the two policies are exclusive at the level of the agent since the plan requires the federal government to act, while the counterplan prohibits its existence. On last year's college debate topic affirmative teams undertaking a small incremental increase in space exploration or development would often find themselves confronted with a counterplan banning space activities altogether. It should be noted that simple mechanical permutation is inapplicable to this situation because there is no explicit counterplan element which can be "lifted" from the counterplan and combined with the affirmative. A ban on all space activities is mutually exclusive with undertaking any additional actions in space. The problem, however, is that the Advantages of banning space might have relatively little to do with the affirmative plan. The affirmative advantage might, for example, be a fairly innocuous gain in scientific knowledge, and the advantage of banning space might be the avoidance of space militarization; yet terms of the traditional counterplan standard mutual exclusivity the judge would be in a forced choice situation and have no way of gaining the advantages of both policies. It is because of situations like this that a second concept of permutation has arisen, one that I will call "logical" permutation.

"Logical" permutation, as I will use the term, refers to the analytical combination of the plan with conceptual elements of the counterplan, including their temporal sequencing. This usage accords essentially with the dictionary definition of "permutation" as "major or fundamental change (as in character or condition) based primarily on rearrangements of existing elements" (Webster's New Collegiate Dictionary, 1975, p. 584). In terms of the space example, the permutation could be understood to operate in at least two ways. First, one could permute by combining the plan with a ban on space except for the specific plan provision. in this case the plan is not being combined with any discrete counterplan element but rather with a conceptual rearrangement of the counterplan designed to make it compatible with the affirmative plan. It should he noted, however, that no new element not present in the original plan or counterplan is introduced. The permutation merely represents a logical policy outcome which a decision maker presented with these two options could readily construct. In fact, it would present an optimal policy because it would gain the advantages of both systems. Furthermore, it forces the negative to consider the affirmative's plan as part of an optimal package, not merely to smother it in the enveloping folds of an over inclusive counterplan. The benefit of avoiding counterplan over breadth seems to justify the mental gymnastics that this type of permutation entails.

A second way in which this plan and counterplan could be permuted is to adopt them in a temporal sequence. one could adopt the counterplan banning all space and thereby gain the demilitarization advantage, then adopt the plan as an amendment to the counterplan, gaining the affirmative's advantage. Though this alternative may raise some problems relating to the time-bound nature of the resolution, those difficulties are minimized if the plan is imagined to follow directly on the heels of the counterplan. At any rate, this time sequence permutation may be analytically clearer and easier to articulate than the above formulation.

The "mechanical" and "logical" variants of counterplan permutation are, I think legitimately, enjoying an increasing degree of acceptance. These relatively "pure' forms of permutation are, however, increasingly being contaminated by another concept frequently found in competition theory: the notion that counterplan advantages (as well as counterplan mandates) must be competitive. This third hybrid form I will refer to as "permutation as intrinsicness argument." It seems to me that while the first two forms of permutation are valuable and necessary additions to counterplan theory "permutation as intrinsicness" represents an unfortunate theoretical development, one eminently deserving of rejection.

The concept of intrinsicness of disadvantages has become an increasingly important one (for an in-depth discussion of the issue see the articles in last year's Debater's Research Guide by Bill Brewster and Michael Mankins). Essentially this concept argues that a disadvantage is not intrinsic if it is possible to adopt the plan and some other policy provision to prevent the disadvantage from occurring. Though initially derived from the hypothesis testing paradigm, some debate theorists have increasingly argued that intrinsicness is also compatible with policy making because a rational policy maker would adopt both plan and minor repairs if that produced the optimal policy package. Though intrinsicness arguments enjoy increasing use and acceptance, the preponderance of the debate world still seems to reject the concept.

To say that a counterplan advantage must be competitive is essentially to say that it must be intrinsic to the non-resolution; that advantage must be unable to coexist with the topical action asked for by the affirmative. This means that if the plan can be adopted along with some other policy to gain the counterplan advantage, then the counterplan provides no reason to reject the affirmative. Imagine the following example: the affirmative strengthens technology-based standards for water pollution control. The negative counterplans with an effluent fee system which allows industry discretion relating to the manner and degree of pollution abatement. As an advantage the counterplan claims technological innovation. Given advantage competition or intrinsicness theory it would be perfectly acceptable for the affirmative to argue that the advantage is not competitive because the federal government could also stimulate innovation by direct research or subsidies to business. Thus the advantage is not intrinsic or a reason to reject the plan.

For theorists who accent the legitimacy of intrinsicness in terms of disadvantages there will be little difficulty in applying the concept to the counterplan context. There are, however, some students of debate theory who while rejecting intrinsicness in terms of disadvantages would accept it in terms of counterplan advantages. To see why this is the case it is necessary to review briefly some of the major objections to the intrinsicness construct.

A first objection to intrinsicness is that it is utopian. A disadvantage that had as its impact an increase in the likelihood of war could be declared non-intrinsic because it would be possible to adopt national (or even worldwide) disarmament. A disadvantage claiming an increase in harmful economic growth could be minor repaired with deflationary macroeconomic policy designed to induce a recession. These repairs may depart radically from prevailing political reality, and they in effect allow the plan's desirability to be tested in the best of all possible worlds rather than in the one we inhabit. In addition, these kinds of "minor repairs" create a tail wagging the dog phenomenon. What began as a discussion of a minor domestic policy change in first affirmative constructive becomes by rebuttals a debate over disarmament or socialism. Policy makers might attach riders designed to mitigate the disadvantages of a given plan, but they presumably would not produce a rider (during the floor debate, without full consideration) which dwarfed the initial proposal in terms of its magnitude and consequences.

An additional objection to intrinsicness is that it creates a moving target. The affirmative plan, in the view of many, should be the central focus of debate. Intrinsicness, however, shifts the focus of debate from the plan to minor repairs designed to deal with disadvantages to the plan. Depth and clarity of discussion is sacrificed. In addition, this Process creates what might be called the infinite regress problem. If there are disadvantages to the minor repairs, they too can be repaired away, as can DA's to the repairs to repairs. Since the affirmative has the last speech, they presumably are ultimate winners in this strategic retreat.

An additional problem relates to the conditional nature of intrinsicness arguments. These repairs are rarely if ever articulated clearly and defended unequivocally. Rather, they are suggestive of hypothetical ways of solving the disadvantage, and if the repairs are defeated they sink quietly beneath the verbal waves. This practice is violative of the debate value that debaters should articulate and defend a consistent policy position. Particularly in light of current practice where intrinsicness arguments are often amoeba-like blips (mutating from speech to speech), this lack of argument responsibility seems to be a major problem.

Finally, it is worth noting the degree to which intrinsicness arguments undermine viable disadvantage ground. There are few if any "intrinsic" disadvantages, or at least intrinsic impacts to disadvantages, in the sense that a minor repair to avoid the disadvantage is unavailable. of course, the disadvantage may be intrinsic in the sense that the repairs which avoid the disadvantage are worse than the disadvantage itself, but at minimum the center of the debate has been displaced from the central focus on the plan and its effects to auxiliary policies designed to ameliorate these effects. Given limited discussion time, maintaining a narrower argumentative focus throughout the round seems generally desirable.

Those who defend "permutation as intrinsicness" believe that once the negative has exercised its fiat power by proposing a counterplan Questions of political reality become irrelevant. Political realities have been suspended by both teams and the debate is occurring solely in the realm of "should," on the level of optimal policies unconstrained by political realities. Thus, while disadvantages need not be intrinsic (because the plan is being tested in an otherwise unaltered political world), once a counterplan is introduced political reality has been suspended altogether and anything goes.

The problem here centers around that ever troublesome term "should." what "should" be done in a given situation depends on the range of alternatives, the framework of comparison being considered. "Should" obviously can be understood in an extremely expansive way. Criminals "should" morally rehabilitate themselves--that would be preferable to an expensive crime control program. In the context of crime control policy, however, individual moral rehabilitation is not part of the range of options available. Similarly, while all nations "should" refrain from war, that moral judgment hardly provides an adequate basis for defense policy.

The assumption of the advocates of counterplan advantage intrinsicness appears to be that once a counterplan is advanced all political reality has been suspended and the realm of platonic ideals has been entered. Unfortunately, this assumption renders irrelevant numerous legitimate and worthwhile policy arguments. For example, an advantage to the effluent fee for water pollution counterplan discussed above might well be to encourage a trend toward market based environmental regulation. This would be a real world and politically realistic issue involved with the question of whether we should experiment with effluent fees for water pollution control. Given intrinsicness arguments, however, the impact of this claim could be totally undercut by adopting market based regulation everywhere except in the area of the plan. This "repair" would be far more utopian than the counterplan itself and would imagine away a very meaningful policy argument.

"Should" is constrained by the framework of the discussion at hand. In debate, however, there is no clear definition of the available range of alternatives. "Should" could mean 'better than the status quo" or it could mean 'the best of the two policies as initially advocated by the two teams" or it could mean 'the best world that either team can construct over the course of the debate.' Since some limit on the extent of "should" is obviously necessary (to prevent individual moral reform or world disarmament from being considered as legitimate options), but no truly objective standard exists for deciding what are the relevant policy comparisons, a somewhat arbitrary standard based on essentially pragmatic grounds is necessary. The standard I would prefer is that each team be allowed to advocate a policy change but that neither team be allowed to change or repair that policy position once articulated. Since each team is allowed to advocate a change the weight of burdens and privileges seems symmetrical, but since unanticipated policy effects cannot be fiated away through subsequent repairs or plan amendments the tendency toward abusively "utopian" advocacy is at least somewhat limited.

An alternative solution to the problem of utopian minor repairs would be to allow repairs but stipulate that they be no more Politically far-fetched than the counterplan itself. This is analogous to Dallas Perkins' standard for counterman fiat. It would permit the affirmative to respond to utopian counterplans with utopian repairs but not allow them to imagine away the benefits of more realistic policy alternatives.

The conclusion to be drawn from all this is that even if one believes that the primary objection to intrinsicness is its utopian nature, not all limits on intrinsicness should be removed once a counterplan has been introduced. Some elements of political realism may still be possible to preserve. Beyond the utopian objection, however, there are several other objections to intrinsicness which seem to apply as well to intrinsicness of counterplan advantages as to disadvantages. For example, the moving target/infinite regress objection would also apply to counterplan intrinsicness, as would the argument accountability problem, if as is customary the intrinsicness argument was made conditionally. Finally, the negative ground argument also applies since there are few counterplans whose advantages couldn't ultimately be repaired away. One can imagine a variation of intrinsicness where one level of repairs was allowed providing the repairs were defended non-conditionally. This would be, however, a substantial departure from intrinsicness as currently argued. Thus, at least as presently defended, intrinsicness of counterplan advantages seem to suffer from most of the defects of disadvantage intrinsicness, and there does not seem to be a good reason for suspending one's opposition to intrinsicness arguments (at least altogether) simply because a counterplan has been introduced. while mechanical and logical permutations are justified as checks on abusive counterplans, permutation as intrinsicness creates more problems than it solves and should be rejected.

The above discussion deals with what I believe to be the heart of the permutation issue. There are, however, a number of auxiliary considerations surrounding permutations which deserve at least cursory examination.

First, the objection is commonly raised (generally through blithe assertion) that permutation is not "real world"--that policy makers don't "mix and match" policies. This assertion seems on its face to be untrue. Bills are frequently amended, revised, rewritten and combined as they work their wav through the legislative process. In the final stage a joint House and Senate Conference Committee will frequently have the duty to combine the varying House and Senate versions of the same bill. Processes highly analogous to permutation thus clearly seem to go on in the real world. The permutations of policy which real world policy makers go through are slower and more deliberate than those of debaters, but that reflects a difference in the amount of deliberation time available in Congress vs. debate rather than a difference in kind between the processes being undertaken. Even, however, if permutation wasn't "real world," there seem to be preferable alternatives in debate for mitigating artificial and overbroad counterplans.

A second claim frequently advanced is that "the permutation must be topical." What this claim usually means is that the permutation must be net topical, since almost all permutations 7e-xcept some intrinsicness permutations) will, by the nature of the beast, contain both a topical element (the affirmative plan) and a non-topical element derived from the counterplan. In most instances the totality of the permutation would be topical; however, on topics calling for an increase in something (i.e., the exploration or development of space) this might not be the case. For example, a permutation which both required a satellite to monitor ocean pollution and banned all other forms of space activity would not presumably provide a net increase. This is a difficult issue which has been widely debated in terms of the so-called "offset" counterplan, and is too complex to resolve in the space available here. Ultimately, however, this issue, as many others in debate, basically turns on the question of whether the resolution is regarded as a starting point or a finishing point. If at the end of the round the judge believes that s/he is either assenting to or rejecting the proposition embodied in the resolution, then a net anti-topical permutation would seem to justify a negative ballot. If, however, the resolution is merely a problem area from which the affirmative is obliged to select a specific plan which then becomes the focus of the debate (that is, the resolution serves as a starting point for discussion but is not the ultimate end and focus of that discussion), then the net topicality of the policy package which emerges as optimal by the end of the round is probably irrelevant.

A third important question is to what degree can permutations be used to answer disadvantages? (Another way to pose this question is to ask, what is the disposition of a non-competitive counterplan?) There are at least three alternatives here. one answer is that a non-competitive counterplan merely drops out of the round4 This allows the negative to claim that a non-competitive counterman advantage can still function as a DA in the absence of the counterplan. In the space example, the negative would not be able to ban space activities other than the affirmative plan (creating uniqueness problems in terms of space militarization), hut they could still try to uniquely link the plan, arguing that it would have potential military spin-offs or applications. A second alternative, however, is for the affirmative to use the Permutation--the non-competitive part of the counterplan--to answer the disadvantage. In that instance the counterplan would stay in the round and cut against the DA's link. In terms of the example, it could be argued that if all space activities except the plan were banned there would be no possible spillover or spinoff--the permutation would prevent it. Of these two formulations, the latter seems clearly preferable because the judge as a rational decision maker would want to design the most advantageous policy possible based on the policy elements with which s/he was presented. In this case it would be irrational to discard the counterplan if it could be used to answer the DA. A secondary question, however, concerns for how long the permutation can be used to spike the disadvantage. The more utopian answer would be that the permutation can stop further space development forever (based on the notion that fiat continues indefinitely and that we are concerned purely with what should he done in a highly sanitized world). A more realistic answer, however, might be that the disadvantage still has viability provided that it can be shown that the plan would tend over time to erode the absolute prohibition on space activity envisioned by the counterplan. (If this exception is allowed why won't others be on similar grounds?) This formulation would be based on a notion of fiat as involving a process of persuasion culminating in action at a particular moment in time but not continuing indefinitely. Optimally, therefore, the permutation could be used to answer the DA in the short run but would not block any long term precedential erosion effects of plan adoption as an exception to an otherwise absolute prohibition.

Another issue, one raised by Jonathan Massey in his article in this handbook, concerns whether or not there really is a distinction between "pure" and "new" permutations, or as I have formulated the issue between mechanical, logical, and intrinsicness permutations. Massey's example of disarmament being an implicit element in a world government counterplan is a good one and would presumably meet my standard for being a "logical" rather than an "intrinsic" permutation. One can, however, reverse the terms of the example and see how a "new" element clearly emerges from the permutation. If the counterplan was disarmament and the permutation to do the plan through a world government then one could hardly say that the permutation (world government) was implicit in the idea of disarmament. Surely there are numerous other "repairs" which could gain counterplan advantages which have nothing in common with the counterplan itself. There is, therefore, a meaningful distinction between types of permutations.

Even if the fact of a counterplan does not in itself justify intrinsicness, it might be argued that a conditional counterplan would do so. If negative conditionality is justified then presumably affirmative conditionality is justified as well. This claim certainly has a certain amount of surface credibility; there are, however, defensible grounds for its rejection. On pragmatic grounds alone it might be argued that most contemporary conditional counterplans are far better articulated and defended than are most intrinsicness repairs. Thus on grounds of frequency of abuse the conditional counterplan seems on stronger ground than the intrinsicness repair. A more principled objection would stem from the notion that the affirmative plan is the central focus of the debate and thus that it should remain constant throughout the round. A conditional counterplan, however, could be one of a number of arguments advanced opposing the desirability of the plan without its justifying a reorienting of the debate's central focus.

Finally, the question can be raised of whether permutation justifies plan amendment. Again, based on the concept of the plan as central focus of discussion, I would argue that it does not. Permutation involves accommodating the counterplan to the plan, not as sometimes occurs rewriting the plan so as to make it compatible with the counterplan.

All argument forms involve a potential for abuse, and in recent years two of the most abused have been spuriously linked mega-impact disadvantages and overbroad generic counterplans. Intrinsicness argument, as relating both to disadvantages and to counterplans, has risen in part anyway as a response to the abuses of these two argument forms. In particular, we seem to be in the midst of a backlash against counterplans, with the concept of permutation as intrinsicness in the forefront of that attack. The position that there is no negative, fiat power is another element of this reaction. While abuse undoubtedly exists, these two "solutions" go too far in that they tend to undermine the viability of the counterplan as an argumentative strategy altogether. And surely an optimal discussion of policy assumes the ability to discuss options beyond a plan and the present system. Innumerable non-abusive counterplans and germane policy issues are sabotaged in an attempt to eliminate world government and other members of that generic counterplan family clan. The cure is worse than the illness.

Debate tends toward extremes: counterplans are abused, so we should essentially prohibit them; disadvantages are abused, so we should systematically undermine meatballs. The primary tool selected to accomplish this end, intrinsicness, is however excessively blunt and indiscriminate. A variety of more parsimonious, less restrictive alternatives exist- In terms of major-impact disadvantages Danny Povinelli outlines one such strategy in his article on debating DA links. For the problem of abusive counterplans several alternatives exist. The less extreme forms of permutation--those I've termed mechanical and logical--have already gone a good way toward mitigating counterplan abuses without resort to intrinsicness analysis. A second alternative to intrinsicness is to develop narrower standards for negative fiat. Perkins' standard that the counterplan must be at least as probable as the plan may go too far, but simply accepting as a convention the premise that academic debate is concerned with and assumes as its relevant context questions of United states public policy would eliminate such abuses as international and private sector fiat. A stipulation of procedural realism might effectively eliminate such arguable abuses as the uniform, simultaneous fifty states counterplan.

Still another alternative, albeit a more radical one, would be to allow the affirmative to introduce additional, non-conditional, topical or extra-topical plan planks in 2AC. In essence these would be intrinsicness arguments, but since non-conditional they would stop the moving target problem and minimize argument irresponsibility. Once upon a time plans were presented in second affirmative, so there is at least some precedent for this not totally immodest proposal. And requiring the repair to be articulated as a plan plank would give it a degree of specificity and tangibility now lacking in intrinsicness argument. At minimum, standards for acceptable use of intrinsicness arguments need to be developed. Several possible standards have been suggested already in this article: the repair should not dwarf the plan, it should be as politically realistic as the counterplan, it should be clearly (and perhaps non-conditionally) articulated, and as Jonathan Massey suggests in his article it should be documented if not clearly intuitive.

Debate theory moves dialectically. Between the thesis of the meatball and the counterplan and the antithesis of the intrinsicness argument there is presumably a synthesis conducive of better argument. On this issue, as with many others in debate theory, we need to be working toward that synthesis rather than dogmatically defending our prior assumptions. Debate would profit from such flexible and ameliorative argument strategies.