



The Our American States podcast—produced by the National Conference of State Legislatures—is where you hear compelling conversations that tell the story of America’s state legislatures, the people in them, the politics that compel them, and the important work of democracy.



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### Debate Thinking | OAS Episode 62

Gene: Welcome to “Our American States,” a podcast of meaningful conversations that tell the story of America’s state legislatures, the people in them, the politics that compel them, and the important work of democracy. For the National Conference of State Legislatures, I’m your host, Gene Rose.

In the chambers of our state capitols, debates are held often on the pros and cons of bills, amendments, budgets, resolutions, and other legislative actions. In the heat of a disagreement, argument or debate, it can be difficult to plot a persuasive strategy that effectively articulates one’s point of view while refuting the position of the opposition.

With May 6<sup>th</sup> through the 10<sup>th</sup>, 2019 being Legislative Staff Week, we wanted to see what we could learn about a critical skillset, debate thinking, especially as it relates to the roughly 30,000 legislative staff working in state legislatures today.

We are fortunate to have returning to our program Curt Stedron, who is a Legislative Trainer with the National Conference of State Legislatures. Curt, welcome back.

Curt: Thank you so much, Gene. Pleasure to be here.

*Time Marker (TM): 1:14*

Gene: So tell us, Curt, in what circumstances would the legislative staffer use debate thinking?

Curt: Well, there’s a whole range of different circumstances in which a staffer may find themselves in need of a little bit of debate thinking in the frontal lobe. They may be speaking in committee and encountering some ideas or points of view that are different than their own. They may be working with other staff or legislators on negotiating the content of what might end up in a bill.

They could be interacting with constituents and, obviously, from time to time those people are going to have different perspectives or points of view of things. I mean, really any time there’s a clash of ideas, perspectives or points of view, a staffer may find themselves in need of some debate thinking.

It could be maybe they're a legislative aide or something and they're on the campaign trail with that legislator. They could be interacting with the media... on and on and on. Even in their own departments, they may have to negotiate an issue with a coworker, and certainly even in their own personal life it's going to be useful. I mean, we all have debates with our spouse or our teenagers or our friends and family, Thanksgiving table-type debates. All of this kind of applies in all of those circumstances.

*TM: 2:22*

Gene: What are the key components of debate thinking, Curt?

Curt: Okay, so debate thinking is really just an awareness of the key dynamics that are involved in any clash of ideas. I mean, Sun Tzu said that "politics is war by other means." Debate is just another way of settling disputes and differences of opinion through more peaceful tactics or means.

So debate thinking is just being aware of all the key dynamics that are going on any time ideas are clashing, and then applying just a few principles that make it possible... and I want to emphasize that word "possible"... this isn't some magic bullet or Jedi mind trick.

What I'm going to tell you today does not allow you to just switch a person's mind from one end of the spectrum to the other, but it makes it possible to shift the thinking of another person in some kind of incremental way. It might be a very small way in that moment; it could be a medium way or a large way. And then over time you may be able to shift from the smaller end of that spectrum to the large end of that spectrum.

So there are really two what I'll call the foundational elements of debate thinking. So those two elements are: to know in advance who the debate is for and what the debate is about.

I'm going to say that again because it's so important: to know who the debate is for and what the debate is about. And that's something most people don't think about until they get into the middle of the debate, if they even think about it then.

So let's start with the first one: Who is it for? In sort of formal debate, like interscholastic debate, the debate team... I was a debate coach for many, many years... when you watch the presidential debates, those kinds of formal debates, what's interesting is that your goal is not to persuade your opponent. In fact, that's the one person in the room who will not be persuaded by you.

In fact, your target is actually an observing audience. In the courtroom it might be the judge or the jury. In a town hall or presidential debate it might be the crowd. At the bar, at the restaurant, it might be the other people at the table. So your target audience is this observing party, not your opponent in the debate.

And a lot of times it's even a subset of that audience, you know, the lawyer at the Supreme Court who is just trying to convince the five conservative justices or the four liberal justices, or you're trying to win points with your own friends at the dinner table as you're debating another person. So in formal debate, the focus is on the other party, this other group that's observing.

But that's not how most of our debates are, Gene. Most of our debates that we have in real life, you know, you're in the car with your spouse arguing about something; you're debating about something. Legislative staffers walking down the hallway with another staffer and they're negotiating or debating something. In that case there isn't this observing audience.

The person that the debate is for is the actual person you're talking to. So suddenly you're not targeting an observing third party, but the person you're trying to persuade or shift their thinking is the person you are actually debating.

So that's a very important thing to keep in mind because it changes the objective and therefore it changes your approach or the tactics that you might employ. So that's sort of the first idea of debate thinking, is to know who your audience really is because your tactics might change depending on the nature of that audience.

The second part that I mentioned is to know what the debate is about. And this is another big question that people don't often ask themselves. So let me just sort of step back a little bit and say that the differences in an opinion that we have, what you might believe is true, Gene, versus what I might believe is true or somebody listening to that, what their set of beliefs is, that is a very complex stew that brings us to any position or ideology that we have. I mean, it's based on life experiences that we've had that are unique to us. It's the culture that we've been raised in.

Some research suggests that we have some biological predispositions, certain ideas or positions, our educational system... all these different things sort of interact together to create these deeply held core values that essentially are the basis of our belief system and create the main criteria for our decision making going forward.

So debate thinking is just simply an awareness of all this reality and it's a philosophy of argumentation that seeks to earn the right to shift the thinking of another person. I want to say that again: to earn the right to shift the thinking of another person. So it's not: I'm going to beat you into submission, convince you I'm right. I'm earning the right to shift your thinking in some incremental way toward a new position.

And the way you're going to do that is by making the debate about that person or that audience's core values and their chief decision-making criteria. So debate thinking is really just a mental posture that always makes the debate about your opponent's or your audience's needs and not your own.

And this is obviously about 180 degrees opposite of what we see employed in our kind of public political discourse, because most people in that realm tend to argue in terms of their own needs and not the needs of the other. But debate thinking avoids that trap and it makes every single debate about them and not about you.

So knowing who the debate is for and what the debate is about are essentially the foundation of debate thinking.

*TM: 7:26*

Gene: So after knowing that, who your audience is and what the debate is about, what debate preparation skills would be useful for state legislative staff?

Curt: Well first, I can't emphasize this enough, anticipation and war-gaming are key whenever possible. Just like a football coach or basketball coach watches tape of their opponent in advance of the game to find out what their tendencies are, the things that they like or don't like, or a general wargame about the scenarios that might happen in the battle the next day, somebody that's involved in good debate thinking has thought in advance about the other person pretty deeply before they've encountered whatever this clash is going to be.

So you need to spend some time in their shoes, because how are you going to be able to make the debate about their needs, their core values, their decision-making criteria unless you've thought deeply enough about what those things actually are? If you don't, you're not going to be able to push that button because you're not going to know what that button really is.

So in interscholastic debate, formal debate, which I used to coach, there's a system in place to make you do this. So debaters are forced to prep for both sides of a topic and they go to a tournament and at 8:00 o'clock in the morning they are emphatically pro and at 11:00 o'clock in the morning they are emphatically con.

And they've prepped through the arguments of both sides and they've thought through every different position that those sides might have, and they've crafted strategies and counter arguments to deal with the positions of their opponents. It's sort of like D Day, you know, you kind of know what the Nazis are going to do and so Eisenhower creates a plan based on what he assumes they're going to do.

But debate thinking takes us one layer deeper. So in addition to considering the most likely arguments that our opponent might have, and arguments are really just a rational manifestation of our points of view; they're kind of the reflection of our head space, if you will... Debate thinking would ask you to also understand the emotional layer that lies beneath almost every argument, and those are embedded in the values that those people care deeply about, and they are tied to those truth-forming entities that I mentioned earlier: your culture, your life experience, your family experiences, your school, culture.

So in debate thinking we need to do more than just inhabit for a little bit their headspace and anticipate their argumentation. We actually need to go a little bit further and get into a little bit of what I'll call their heart space too, thinking questions like: What do they really care about? What are they emotionally attached to ...because arguments are really just the external window dressing of an emotional, internal driving force.

So it's only then that we can effectively make the debate about them, which is what I mentioned earlier. Whether it's an observing audience, a third party, a judge or a jury, or it's actually the person that you're debating across the table, you have to know their mind and you have to know their heart in order to really effectively apply some good techniques. So that's the first thing.

So the second preparatory skill is the crafting of your own arguments, right? You're going to make some arguments at some point in some kind of debate and so you want to craft those

arguments into a coherent whole that can again, as I said, earn the right to shift the thinking of another person.

And so the way to establish that kind of coherence is by creating what I call an argumentative theme, and then you craft arguments that constantly tie and attach themselves to that theme. And the theme should always be about what they care most about, that principle core value that's driving their current thinking in that moment.

So debate thinking strategy in a nutshell really is this: essentially all of your arguments should show that the path to what they most want, their chief principle core value, is best achieved by accepting or adopting your position. This is how you earn their thinking shift – by showing how my side of the debate, Gene, will deliver your deeply held core value. That's the very essence of debate thinking.

So, to kind of wrap up that answer in terms of prep for an expected clash of ideas, you need to spend time in both their headspace and their heart space so that you know kind of what the arguments logically are going to be, but you also know why those arguments exist because you've examined their deeply held core values that underlie that.

And then you create a coherent and cohesive set of arguments that demonstrate how your position in the debate, your point of view, your perspective, is the best path for them to achieve that particular value. So that's the prep.

*TM: 11:51*

Gene: That sounds pretty deep. You mentioned Eisenhower and how he had to prepare for how he expected his opponents to react. But how does one prepare for the unexpected in debate, getting that question or argument you had not anticipated?

Curt: Well, that's a great question. I mean, there's this old adage in the military, you know: no plan survives first contact; everything that you expected tends not to come about the way you expected it. If a coach's game plan worked perfectly, they would win 100 to nothing, but that's usually not the case, right?

So that's a great question. My first answer kind of loops back to my last point, which is you prepare for the expected first, just as we just discussed, because that's the preparation that uncovers the central thrust or theme of everything you're going to say and every argument is going to attach to.

So you're trying to constantly prep in advance for what you know, which is this core value that you've uncovered in them that you know will be a trigger for them, so that if at any point along the way something unexpected happens or some question is asked that you weren't ready for, an argument is made that you had no anticipation for, you can always return back to that central theme because you've done that prior planning in advance.

So on that note let me actually mention a couple of things not to do when you get that outlier comment or question. So the first thing not to do is don't do what I call chase arguments. You know, like in Top Gun type movies or war movies in the air, the bad guy zeroes in on the rear of

the plane, he's got the guy in his sights and then they shoot off a flare and then the flare is the thing that attracts the missile away from the plane; it's a diversionary tactic, right; they're designed to move your opponent off target and onto a tangent.

People do this in argumentation all the time. We see this all the time with the sort of talking heads, partisan talking heads that we see kind of on the news shows. They pivot – that's the term – they pivot to a complete tangent, right? And unfortunately their opponent tends to take that bait, heads off after that flare, and the debate goes off on some far-removed tangent and it's completely removed from your argumentative theme and focus.

So what they're trying to do is change what the debate is about. They're trying to change it from something you want it to be about to something they want it to be about, and what you need to constantly be aware of is to bring it back to that core, back to them, back to what they most want. It's a bit of a paradox, right? You would think that that's what they want to debate about, but very often your opponent will head off on these wild tangents. Don't chase their arguments. So that's the first thing.

The second thing is to not do what I call debating at the margins, which is to say these things that are so external to the crux of the debate that we just spent all this time and energy arguing when we should just concede those things. Let me give you an example.

So let's say a couple is having a debate about what's the next car they're going to buy: Should they buy a minivan? Should they buy a Corvette? So they've got these two very radically different choices, right? And so whoever is arguing for the minivan says something like: Well, we need to get the minivan because it has more storage space. Now, a debate that goes off on the margins, the opponent will, instead of just conceding that point, they'll try and counter that argument, but the truth is the minivan does have more storage space.

That person should just concede that point. They shouldn't waste energy with counter arguments like: well, we should travel lighter anyway; or we have too much junk. Don't engage in those debates at the margin; they tend to take us away from the focus of the debate and they just waste a lot of time and energy.

So on the other side of that debate let's say the Corvette person says: the Corvette is more fun to drive. The other person should just concede that point. It is more fun to drive. But that's not what really matters. So don't waste your breath trying to argue that well, fun is overrated or we're too old to have fun, or something like that. All you're doing is pulling yourself away from the core of the debate. You're allowing yourself to chase an argument and you're wasting your time and energy and getting frustrated, frankly, debating at the margins.

So debate thinking would say that you should concede everything. That's my tagline for my students, my debaters on my time: concede everything that isn't connected to your argumentative theme.

So in addition to maintaining the focus and effectiveness of all your efforts when you do that, this posture also has kind of a secondary benefit. An observing audience, the judge and jury of this debate between say two lawyers, will find the person who concedes everything to be more reasonable.

And if I'm debating against you, Gene, at the dinner table, it's a one-on-one debate and you're the person I'm trying to convince. By conceding all of these minor points, I'm establishing a trust and a rapport with you, my opponent, by giving you all of these small wins. And those small wins accumulate into a posture where you're finding me more reasonable and you're more willing to accept my main point.

So, to sort of wrap up this answer, you constantly refocus the debate back to your argumentative theme, which is always based on them and their core value, and resist this urge to either chase arguments or debate at these marginal elements that don't really matter. And that's the best way to handle anything that's unexpected that comes up in the moment in terms of a question or an argument.

*TM: 17:05*

Gene: Those are really great points, Curt. Keeping focus is something we all struggle with during debate I believe. I want to return to something you mentioned earlier and that is emotion and heart. What role does emotion play in debate, Curt?

I know from a public relations standpoint, I've seen too many video clips of someone losing their cool on the chamber floor. How do you not respond to negative thoughts or respond in anger to comments that inflame you?

Curt: Well, I mean that requires quite a bit of self-discipline obviously, but emotion plays a huge role in debate on a number of different levels. Sometimes it's very obvious, like the example you just gave, and sometimes it's actually happening... it's having an impact on the debate, but it just can't be seen. So I'm going to talk about that in several different ways.

First, remember what we talked about earlier – our points of view, our positions, you know, our opinions, our ideology – they're shaped by these very deeply emotional elements: our life experiences, our tribal allegiances. I mean, look at sports debates and how people just cling to these deeply passionate positions, right?

So our argumentative strategy is always focused on our opponent's deeply held core values and a huge part of those core values is rooted in their emotional state. So emotion is playing a role even at this very strategic level. It's not showing itself necessarily in the debate, but it's a part of how we strategize our debate even though it's not necessarily visible in our performance. So that's one thing.

And then remember that I talked about there being these two different foundational elements of debate thinking. One of them is who the debate is for. So emotion plays a different role when you think in terms of that question. We may use different tactics or different forms of evidence depending on whether our target audience is an observer, somebody who's watching a debate let's say between you and me, or our target audience is our opponent, me trying to convince you of something.

And the decision, for instance, to use a piece of data is going to work a lot better when the audience is already kind of aligned with my general way of thinking. They're already kind of in

my court. This additional evidence that I provide, this data, makes them feel good because it adds an extra element to what I call their pile of rightness. They get this warm, fuzzy feeling: see, there's even more evidence out there to show that I'm already right. So they feel really good about that.

Whereas a more hostile audience, somebody that you're trying to bring from one end of the spectrum to the other end of the spectrum, is probably going to need to have a different emotional experience so that they can feel and understand and relate to their core value in a different way or maybe through a different lens.

So in this case you might employ a different tactic entirely. You wouldn't put a piece of data in front of them because they're just going to smack it away with their confirmation bias. But instead you might employ a very powerful anecdote or story that triggers an emotional response that will shift their thinking in some way. So the form of what approach you take or what evidence you might use probably follows the emotional need that you have in that particular moment.

But there's one other element that emotion plays a big part in and this gets to the heart of your question. It's often thought that how you debate, your tone of voice, your delivery style, the attitude that you express kind of in the moment matter as much and in some studies significantly more than what you actually say, the arguments that you make, the content.

So your attitude actually overwhelms your arguments because of how powerful our emotions are at shaping the way we react to information. I'm not going to quote this exactly correctly, but I'm reminded of like a Maya Angelou quote where she says: you don't remember what people did to you or what they said to you, but you remember how they made you feel. That lingers; that becomes powerful. And so the audience's willingness to either accept or reject your ideas is going to be largely determined by their emotional reaction to you and your demeanor.

So now to your point about like people getting fired up on the floor or whatever... a couple of points on that note... Don't be a jerk is the simplest point I can make, right? At least not to the audience that you're trying to actually shift the thinking of. I mean, it sort of goes without saying that that would be the case, and yet we see people do this every single day and then walk away surprised that they haven't gained any traction with that person they're trying to persuade.

So, you know, they mistake who the debate is for, which is one of these foundational things, considerations of debate thinking. If you just want to whip your fans – people already believe what you believe – into a frenzy, well then sure, you can be a jerk to another person and they'll kind of like that, right?

But if what you're trying to do is change that other person's mindset, then your emotional tone toward them is going to be crucial. If it's rude or jerk-like, you're just going to shut the gates down. So if your goal is to actually persuade or shift their thinking in some way, you need to maintain that self-discipline of being calm and reasonable, because emotion begets emotion, both in a positive and a negative way.

If I'm interacting with you in a warm and compassionate and empathetic way, you're going to tend to reciprocate that back to me. And if I'm interacting with you in a hysterical and upset and

agitated way, you're probably going to reflect that back to me too. So it cuts both ways and if you really want to shift their mindset, you've got to make sure that your emotional tone toward them is in the right place, because the irony is if you don't do that, if you lose your temper, if you lash out, if you in any way communicate sort of negative energy, what you're going to find is at the end of the debate, you've actually lost ground. You've actually given up ground. They have dug their heels in even deeper than they had when you first started talking to them and you are worse off than you were if you just never had a conversation with them.

And then the last thing I'll say in terms of emotion is to constantly express empathy for their position as much as you possibly can, and use what I'll call emotionally intelligent language as much as you possibly can as well – things like: I hear what you're saying, Gene. Or I agree with that point. Actually, you make a good point there. It's understandable that you think that. Or this particular line of thinking that you're expressing is valid. The more I can constantly reinforce that with that language to them, I build trust and rapport, because I'm sincerely communicating my agreement with some of the parts of your arguments, everything that I can possibly agree with.

Remember I talked about: concede everything that's not the core of the debate, and that makes them feel better. That makes them feel better about you and it makes them feel that you understand them, and you've at least established some kind of mutual common ground that you can help move that needle a little bit.

So the bottom line is that emotion plays a role at every single level of debate, whether it's determining their defining core value, whether it determines the type of appeal you're going to make or the type of evidence you might use in a given moment, even it relates to your physical demeanor. No eye rolls, no crossed arms. It relates to the language that you use. All of that stuff combined triggers or provokes an emotion in them, and it's either going to be an emotion that allows the gates to open up and allows them to perhaps embrace your ideas, or it's going to be an emotion that sends up all of their shields, all of their defenses, and nothing that you say after that is going to get through.

Gene: You've certainly given us a lot to think about, Curt, particularly for state legislative staff.

*TM: 24:05*

Gene: Let me ask you this: in terms of partisan and nonpartisan staff, are there differences in the way to prepare or use debate thinking principles?

Curt: I think it's probably a matter of scale rather than a matter of tactic. I would say when you're in the partisan staff world, I think their core values are probably going to be a little bit more clear. It's going to be a little bit more obvious what they care about and that allows you to develop your argumentative theme probably a little bit easier. If it's nonpartisan staff, in general I think the cards are going to be played a little closer to the chest.

The thing that's the biggest difference to me I think if you're dealing in those two different worlds is that in the nonpartisan world, you probably need to do more listening. Instead of locking and loading your mouth with the next statement you're going to make, I think you need to do some real active, reflective and sincere listening when they're speaking because when

they're speaking, you're going to have to parse through their language to really dig down and find out what things matter to them, what core values are driving their belief system and therefore driving the criteria that they're going to use to make whatever decision they're going to make.

So I think the biggest difference might be that one group tends to wear things on their sleeves a little bit more than the other and that listening, while it's important obviously in both scenarios with both groups, it may be even more important when you're trying to really tease out what somebody wants and they're not inclined to let you know that.

*TM: 25:31*

Gene: And finally, Curt, I'm sure we have those listening who have the job of helping prepare legislators for dialogue in committees, floor debates, public meetings, so forth. What's the best way for them to share these debate principles and perhaps do some training for their bosses?

Curt: Well, one great way would be for them to share this wonderful podcast, Gene; that would be... if they can hear this and they get it right from the horse's mouth. But probably the best way that staff can do this is the way that, you know, most people communicate any kind of posture to another person, and that's by modeling it themselves.

In their own interactions with legislators or other staff, in the way they debate, if they use these principles and they conjure up these ideas of debate thinking, I think that becomes a model for others to follow. And sometimes while you're doing that, you may step out of the character and even annotate from time to time what you're doing the same way a parent models a behavior to a child or a teacher models a behavior to a student.

Sometimes you have to stop and say: Do you see what I'm doing here? Do you notice the question I've asked? Do you see that I've got this argumentative theme? Do you notice that my arguments are cohesive and wrapped around that theme? Do you see that I'm really trying to connect to a central core value and not really flying off and chasing every argument or debating at every margin?

So I think the modeling of behavior is always going to be the most powerful way to communicate a mindset and philosophy and set of practices that are really effective in this particular realm.

Gene: We've been talking with Curt Stedron, a Legislative Trainer for the National Conference of State Legislatures. Curt, thanks so much for sharing your expertise with us.

Curt: Thank you so much, Gene, for having me. I appreciate it.

Music and Gene VO:

And that concludes this edition of "Our American States." We invite you to subscribe to this podcast on iTunes and Google Play. Until our next episode, this is Gene Rose for the National Conference of State Legislatures. Thanks for listening.