

"On that point, Madame Speaker!" A Critical Examination of the Use of Points of Personal Privilege and Points of Order in Parliamentary Debate

Kevin T. Jones, *Azusa Pacific University*

Introduction

As intercollegiate Parliamentary debate has emerged over the past decade, various written and implied nuances and traditions of the activity have evolved in several different directions. For example, the use of "time-space" cases, once quite popular, are currently seldom used. Defining "This House," once viewed as an important part of a case, has not only diminished in importance, but many tournaments employ propositions that no longer include the phrase. While these examples involve unwritten nuances, there are several aspects of Parliamentary debate that are governed by written rules in the National Parliamentary Debate Association (NPDA) Constitution which can also invoke confusion or require clarity. Points of order (POO) and points of personal privilege (POPP) are two formal rules that have lacked consistent use in the past several years (based upon observations from this author). While the NPDA constitution provides guidelines for the use of Points of Order and Points of Personal Privilege, students and judges alike differ greatly as to the importance and use of these guidelines. As a coach, I have often had students approach me after a round convinced that they won a round because they raised a point of order in a round and the judge concurred with them. However, upon reviewing the ballot, they were shocked to discover that they had lost the round. To the student, the role of the point of order in the round was obviously quite different from the judge's perception. Furthermore, as a judge, I have also encountered many debate teams who believe that raising as many points of order or personal privilege as possible during rebuttals is a required part of the activity.

This confusion may exist from a lack of clear understanding of what these procedures are designed to accomplish. This essay will examine the current status of the Point of Order and the Point of Personal Privilege in parliamentary debate by first reviewing the written guidelines for these procedures. Second, feedback will be solicited from coaches/judges and students regarding their perspective on these procedures through a survey. The results of this survey will be reviewed, examined, and evaluated. A final conclusion will be presented which will include suggestions for the future use of Point of Order and Point of Personal Privilege.

Problem

The National Parliamentary Debate Association has gone to great lengths to keep the "official" rules of the activity to a minimum. This desire has allowed the activity to evolve over the years and explore how to best meet the needs of students and coaches alike. To that extent, the NPDA Constitution devotes only two pages to official "Rules of Debating and Judging." Some of the rules presented in this section of the Constitution are written somewhat loosely which allows for various interpretations. This openness, however, could contribute to some of the inconsistencies in the execution of these procedures. Additionally, the explanations of these procedures, which have appeared in print, have differed thus allowing for more misunderstanding.

In the *NPDA Constitution* (revised August 2000), the "official" definition of a Point of Order states:

Points of order can be raised for no reason other than those specified in the Rules of Debating and Judging. If at anytime during the debate, a debater believes that his or her opponent has violated one of these Rules of Debating and Judging, he or she may address the Speaker of the House with a point of order. Once recognized by the Speaker of the House, the debater must state, but may not argue for, the point of order. At the discretion of the Speaker of the House, the accused may briefly respond to the point of order. The Speaker of the House will then rule immediately on the point of order in one of three ways: point well taken, point not well taken, or point taken under consideration. The time used to state and address the point of order will not be deducted from the speaking time of the debater with the floor. A point of order is a serious charge and should not be raised for minor violations (p. 24).

In their textbook, *Elements of Parliamentary Debate*, authors Knapp and Galizio (1999) define a Point of Order as:

A set of questions of procedure addressed to the judges rather than to the opposing team. Points of order ensure that the rules of procedure are being followed and that the debate evolves in as fair a manner as possible. The original set of guidelines included in the National Parliamentary Debate Association Constitution lists four possible uses of the point of order: when a new argument is introduced in rebuttal, when a speaker carries a pen to the lectern or places his or her hands in his or her pockets, when the speaker goes

beyond the time limit, or when prepared material has been brought into the debate (p. 134).

The differences between the two documents, while not extreme, are dissimilar enough to cause some potential discrepancy between debaters and judges in a round.

Furthermore, similar discrepancies exist regarding points of personal privilege. According to the *NPDA Constitution*, a Point of Personal Privilege is to be used as follows:

At any time during the debate, a debater may rise to a point of personal privilege when he or she believes that an opponent has personally insulted one of the debaters, has made an offensive or tasteless comment, or has previously misconstrued another's words or arguments. The Speaker will then rule on whether or not the comments were acceptable. The time used to state and address a point of personal privilege will not be deducted from the speaking time of the debater with the floor. Like a point of order, a point of personal privilege is a serious charge and should not be raised for minor transgressions. Debaters may be penalized for raising spurious points of personal privilege (p. 24).

In their textbook, Knapp and Galizio (1999) note that:

Though rarely used, points of personal privilege are permitted in parliamentary debate, usually to refer to conditions of the room and the debate. Conditions of the room include requesting that a door be closed or a window be opened. A more frequently used version of the point of personal privilege is to point out an *ad hominem* attack. Since parliamentary debate believes in the fundamental fairness and civility of debate, *ad hominem* attacks, which attack the person rather than the argument, can be called to the judge's attention (p. 136).

Again, while not severe, the differences are enough to allow for confusion and misunderstanding between debaters and judges. Additionally, in the conclusion to their chapter on the use of "points," the authors note "Points of information, order, and personal privilege are tools that the savvy parliamentary debater will use to advantage" (p. 137). This statement could lead a debater to believe that the role of a Point of Order or Personal Privilege in a debate to be fairly significant. Since published discrepancies exist in the role, use and function of Point of Personal Privilege and Point of Order, the question arises as to what extent these differences have affected

the use of these procedures in intercollegiate parliamentary debate competition. A survey was conducted to attempt to explore this question and is described in the next section.

Method

A survey was distributed to members of the parliamentary debate community via the Parli-L listserv. Fifty-one surveys were returned. The same survey was distributed in hard copy at a regional coaches conference and at two regular tournaments in the Southern California area. A total of sixty-six hard copies were returned which created a total of 117 surveys used for this study. Not all respondents answered all of the questions for unknown reasons and some respondents felt led to provide more than one answer to a single question (the survey instructions did not prohibit this behavior). However, upon review of those answers, it was determined that the surveys were not contaminated as a result of varying answers so no surveys were removed from the Point of Order (See Appendix One).

The survey consisted of fourteen questions. The first two questions asked the respondent to identify himself or herself as a coach/judge or a student and then to list how many years they have been involved in parliamentary debate. The remaining twelve questions were equally divided and identical in content with six questions addressing a point of personal privilege and six questions addressing a point of order. Each question asked the respondent to check a Likert type scale for their answer. The first question in each section was addressed specifically to competitors and the fourth question in each section was addressed specifically to coaches/judges. The remaining four questions in each section were to be answered by all respondents. No surveys were discarded because of perceived contaminated results. The responses were tallied in chart form for interpretation and evaluation (see attached tables).

Analysis and Results

Question One: "If you are a competitor, how often have you used Point of Personal Privilege/Point of Order in a debate round?" 75% of competitors indicated that they had never used a Point of Personal Privilege in a debate and 20% indicated they seldom used a Point of Personal Privilege. However, 60% responded that they occasionally used a Point of Order, 15% often used Point of Order, and 5% used Point of Order all the time. Zero responded that they never used a Point of Order.

Table 1

	All the time	Often	Occasionally	Seldom	Never
Q1: POPP N = 60	0 0%	3 5%	0 0%	12 20%	45 75%
Q1: POO N = 60	3 5%	9 15%	36 60%	12 20%	0 0%

Q1: if you are a competitor, how often have you used Point of Personal Privilege in a debate round? (N=60)
Q1: If you are a competitor, how often have you used Point of Order in a debate round? (N = 60)

Questions Two and Three: "How important do you believe Point of Personal Privilege/Point of Order is in Parliamentary debate?" and "How important do you believe a Point of Personal Privilege is in effecting a judges decision in a debate?" While only 6% of all respondents felt a Point of Personal Privilege was "very important" in around of debate, 36% (the largest response) felt that a Point of Order was very important. The largest response for the importance of a Point of Personal Privilege in a round was a 55% reaction to the "somewhat important" category. However, despite the 55% response to the Point of Personal Privilege being somewhat important, 46% (the largest response) believed that Point of Personal Privilege were "not important at all" in effecting a judges decision.

The role of a Point of Order in effecting a judges decision received an extremely mixed review with 21% responding "very important," 32% responding "important," 35% responding "somewhat important" and 12% claiming that a Point of Order is "not important at all."

Table 2 Student (S) and Coach (C) responses, also combined (Ttl).

	Very Important			Important			Somewhat Important			Not important at all		
	S	C	Ttl	S	C	Ttl	S	C	Ttl	S	C	Ttl
Q2: POPP (N=99)	3 3%	3 3%	6 6%	9 6%	0 0%	9 6%	30 30%	24 24%	54 55%	15 15%	15 15%	30 30%
Q2: POPP (N=105)	0 0%	0 0%	0 0%	6 6%	6 6%	12 11%	30 29%	15 14%	45 43%	27 26%	21 20%	48 46%
Q2: POO (N=99)	21 21%	15 15%	36 36%	24 24%	9 9%	33 33%	15 15%	9 9%	24 24%	0 0%	6 6%	6 6%
Q2: POO (N=105)	12 12%	9 9%	21 21%	21 21%	12 12%	33 32%	18 18%	18 18%	36 35%	6 6%	6 6%	12 12%

Table 2 questions:

Q2: How important do you believe a Point of Personal Privilege is in a Parliamentary debate. (N = 99)

Q3: How important do you believe a Point of Personal Privilege is in effecting a judge's decision in a debate? (N=105)

Q2: How important do you believe a POO is in a parliamentary debate? (N = 99)

Q3: How important do you believe a POO is in effecting a judges decision in a debate? (N = 102)

Question Four: "If you are a coach or a judge, have you ever voted for or against a team primarily because of a Point of Personal Privilege/Point of Order?" The reaction to this question was not very surprising for a Point of Personal Privilege with 95% (the largest single response to any single question in the survey) of the respondents stating "no" leaving only 5% responding "yes." However, the response to this question for a Point of Order was very close with 47% claiming "yes" and 53% claiming "no."

Table 3

	Yes	No
Q4: POPP N = 57	3 5%	54 95%
Q4: POO N = 57	27 47%	30 53%

Q4: If you are a coach/judge, have you ever voted for or against a team primarily because of a Point of Personal Privilege? (N = 57)

Q4: If you are a coach/judge, have you ever voted for or against a team primarily because of a POO? (N= 57)

Question Five: "Do you consider a Point of Personal Privilege/ Point of Order to be a waste of time, just part of the activity, important to have in parliamentary debate, important to have available if needed, need to be eliminated." A small majority, 52%, felt that a Point of Personal Privilege was "important to have available if needed," 27% felt it is "just part of the activity," and 7% felt it was "important in debate." Conversely, 9% responded that Point of Personal Privilege is "a waste of time," and 5% felt that a Point of Personal Privilege "needed to be eliminated."

For Point of Order, 46% of the respondents felt that they are "important to parliamentary debate," and only 35% responded that they were "important to have available if needed." 15% claimed that a Point of Order is "just part of the activity," while only 2% felt they were a "waste of time," and another 2% wanted to see them eliminated.

Table 4 Student (S) and Coach (C) responses, also combined (Ttl).

	R1			R2			R3		
	S	C	Ttl	S	C	Ttl	S	C	Ttl
Q5: POPP N= 132	6 5%	6 5%	12 9%	21 16%	15 11%	36 27%	3 2%	6 5%	9 7%
Q5: POO N=138	0 0%	3 2%	3 2%	9 6%	12 9%	21 15%	33 24%	30 22%	63 46%
	R4			R5					
	S	C	Ttl	S	C	Ttl			
Q5: POPP N=132	39 39%	30 23%	69 52%	3 2%	3 2%	6 5%			
Q5: POO N=138	33 24%	15 11%	48 35%	0 0%	3 2%	3 2%			

R1: Waste of Time

R2: Just part of the activity

R3: Important in a debate

R4: Important to have available if needed

R5: Need to be eliminated.

Q5: Do you consider a Point of Personal Privilege to be: (N = 132)
 Q5: Do you consider a POPP to be: (N = 132)
 Q5: Do you consider a POO to be: (N = 138)

Question Six: "Do you believe most parliamentary debate participants understand what a Point of Personal Privilege/Point of Order is designed to be used for?" This question drew the second largest response to a single answer in the entire survey with 85% of the respondents claiming "no" for a Point of Personal Privilege, leaving only 15% responding "yes." The response for a Point of Order was much closer with 44% responding "yes" and 56% claiming a "no" response.

Table 5

	Yes			No		
	Students	Coaches	Total	Students	Coaches	Total
Q6: POPP N=117	15 13%	3 2%	18 15%	45 38%	54 46%	99 85%
Q6: POO N=117	33 28%	18 15%	51 44%	27 23%	39 33%	66 56%

Q6: Do you believe most parliamentary debate participants understand what a Point of Personal Privilege is designed to be used for? (N = 117)
 Q6: Do you believe most parliamentary debate participants understand what a POO is designed to be used for? (N=117)

While the survey did not directly solicit additional comments or feedback beyond the questionnaire, two respondents added footnotes to their answers. One respondent noted "Get rid of both of these (Point of Personal Privilege/Point of Order) and add a formal cross-X to Parli." The second respondent noted most Point of Personal Privilege and Point of Order problems would be resolved by adding cross-examination periods to the parliamentary format. Despite defenses of the current format on 'purity' grounds, in my opinion the combined lack of cross-examination periods and a second round of rebuttal speeches is a serious deficiency in the parliamentary format. Student's frequently haven't figured out the arguments until too late in the debate for meaningful clash to take place.

Discussion

The results of the survey raise the most questions about Point of Personal Privilege. Ninety-five percent of the competitors responding had either seldom used or never used a Point of Personal Privilege in a debate round. Additionally, ninety-five percent of the judges/coaches responding had never voted for or against a team based upon a Point of Personal Privilege. Furthermore, forty-six percent of the respondents claimed that a Point of Personal Privilege was not important at all in effecting a judge's decision in debate. While these responses might lead us to believe that Point

of Personal Privilege are viewed as insignificant in parliamentary, it is interesting to note that over half of all the respondents, fifty-five percent, felt that a Point of Personal Privilege was somewhat important in a debate and fifty-two claimed that it was important to have available if needed.

With such strong support for Point of Personal Privilege in parliamentary debate, a very revealing response is found when an overwhelming majority, eighty-five percent, believed that parliamentary debate participants did NOT understand what a Point of Personal Privilege was designed to be used for. Respondents appeared to believe that competitors had a much better grasp of the role of a Point of Order. Only fifty-six of the respondents claimed that the parliamentary debaters did not understand how to use a Point of Order while forty-four percent believed debaters did understand. While other respondents may have felt similar, only two individuals expressed direct opposition to the presence of Point of Personal Privilege and Point of Order and advocated eliminating the procedures and replacing them with cross-examination periods. Other respondents may have felt similar but the survey did not solicit or encourage responses of that nature.

Overall, the members of the Parliamentary debate community responding to the survey appear to believe that Point of Personal Privilege and Point of Order may not be that crucial to a debate, but the presence of these procedures appears valued. However, there does appear to be some consensus that clearer definitions of the function, role, purpose, and use of a Point of Personal Privilege or Point of Order is needed. Furthermore, there appears to be agreement among the community that better teaching, coaching, and/or training in the purpose and use of Point of Personal Privilege and Point of Order is very much in order. Coaches not currently devoting team practice and/or meeting time to this training should make the necessary time to do so. Perhaps with a better understanding of "why" these procedures exist in the first place, debaters can better utilize and engage in a Point of Personal Privilege or a Point of Order not only to their advantage but could contribute to a higher quality debate round.

Conclusion

Points of Personal Privilege and Point of Order appear destined to be a part of Parliamentary debate, at least for the near future. However, further research is needed to better understand the depth of the devotion to these procedures. Additional surveys/research should explore the sentiments expressed by the two respondents who advocated the creation of a cross-examination period into parliamentary debate. While that inclusion may or may not have to be at the expense of Point of Personal Privilege

and/or Point of Order, there may be merit to the claim.

Additionally, a clearer explanation of the definitions of both a Point of Personal Privilege and a Point of Order appear justified. The differences found between current published material and the N.P.D.A. constitution, although minimal, can and does create confusion on the debating circuit. Once clearly defined and explained, coaches need to engage their teams in mastering these procedures for optimal use in debate rounds.

While the future of Point of Personal Privilege and Point of Order may not be to suffer a similar fate bestowed upon "time-space" cases or the urgency of defining "This House," preliminary research does indicate that further clarification and attention is not only clearly warranted, but justified as well.

References

Knapp, T. G. & Galizio, L. A. (1999). *Elements of parliamentary debate: A guide to public argument*. New York: Longman.

Constitution of the National Parliamentary Debate Association (August, 2000). (Downloaded from the N.P.D.A. home web page October 30, 2000).

Appendix 1

Parliamentary Debate Procedural Survey

1. I am currently a _____ coach/judge _____ student/competitor.

2. Total years experience in parliamentary debate? _____

The following questions address Points of Personal Privilege (Point of Personal Privilege):

1. If you are a competitor, how often have do use a Point of Personal Privilege in a debate round?

_____ All the time _____ Often _____ Occasionally
_____ Seldom _____ Never

2. How important do you believe a Point of Personal Privilege is in a parliamentary debate?

_____ Very important _____ Important _____ Somewhat important
_____ Not important at all

3. How important do you believe a Point of Personal Privilege is in effecting a judges decision in a debate?

_____ Very important _____ Important _____ Somewhat important
_____ Not important at all

4. If you are a coach/judge, have you ever voted for or against a team primarily because of a Point of Personal Privilege?

_____ Yes _____ No

5. Do you consider a Point of Personal Privilege to be:

_____ A waste of time _____ Just part of the activity
_____ Important to a parliamentary debate
_____ Important to have available if needed _____ Need to be eliminated

6. Do you believe that most parliamentary debate participants understand what a Point of Personal Privilege is designed to be used for?

Yes No

The following questions address Points of Order (Point of Order):

1. If you are a competitor, how often have do use a Point of Order in a debate round?

All the time Often Occasionally
 Seldom Never

2. How important do you believe a Point of Order is in a parliamentary debate?

Very important Important Somewhat important
 Not important at all

3. How important do you believe a Point of Order is in effecting a judges decision in a debate?

Very important Important Somewhat important
 Not important at all

4. If you are a coach/judge, have you ever voted for or against a team primarily because of a Point of Order?

Yes No

5. Do you consider a Point of Order to be:

A waste of time Just part of the activity
 Important to a parliamentary debate
 Important to have available if needed Need to be eliminated

6. Do you believe that most parliamentary debate participants understand what a Point of Order is designed to be used for?

Yes No