

# ISSA Proceedings 2002 - The 2000 American Presidential TV Debates: Dialogue Or Fight?



This paper is an attempt to apply a maximally argumentative pragma-dialectical analysis to the first of the three 2000 Presidential Debates between the Democratic candidate for president, Vice President Al Gore, and the Republican candidate, Governor George W. Bush of Texas, with the aim of identifying how both form and substance of debate compliment each other in making a debate a fight or a critical discussion. Most commentators who have touched on both of these aspects aimed rather to establish the winner in the debate than to resolve whether the debate conformed with a reasonable exchange of ideas, a rational dialogue.

In terms of the goals the parties in dispute aim to achieve there are two different approaches to debating: rhetorical and dialectical. The rhetorical perspective looks at debate as a competition in which the parties engaged strive to win the dispute sometimes at any cost, because the ultimate goal for them is to persuade the audience of the rightness of their opinions. If the participants look at debate, however, as a critical discussion the purpose of which is to resolve the differences of opinion and arrive at the truth of the matter, they use the dialectical approach in an argumentative dialogue. In other words a rhetorical strategy can be defined as a confrontational strategy and a dialectical strategy as a cooperative one.

In order to achieve a resolution of the conflict of opinion, following the pragma-dialectical theory of argumentation the arguers must comply with the following ten rules of critical discussion:

1. parties must not prevent one another other from advancing standpoints or casting doubt on standpoints;
2. a party who advances a standpoint is obliged to defend it if the other party asks him to do so;
3. a party's attack on a standpoint must relate to the standpoint that has indeed been advanced by the other party;

4. a party may defend his standpoint only by advancing argumentation relating to that standpoint;
5. a party may not falsely present something as a premise that has been left unexpressed by the other party or deny a premise that he himself has left implicit;
6. a party may not falsely present a premise as an accepted starting point;
7. a party may not regard a standpoint as conclusively defended if the defense does not take place by means of an appropriate argumentation scheme that is correctly applied;
8. in his argumentation a party may only use arguments that are logically valid or capable of being validated by making explicit one or more unexpressed premises;
9. a failed defense of a standpoint must result in the party that put forward the standpoint retracting his doubt about the standpoint; and finally
10. a party must not use formulations that are insufficiently clear or confusingly ambiguous and he must interpret the other party's formulations as carefully and accurately as possible. (van Eemeren, Grootendorst, 1992, 208-9) Any violation of the pragma-dialectical rules is an unreasonable discussion move, interfering with the aim of resolving the difference. I believe such violations may turn the debate into a fight.

Let me now identify the criteria that we use in analyzing the debate. They can be divided in two groups: the issues of the manner in which the speakers performed in the debate and the issues of content that their speeches presented. The latter analysis for the purposes of this paper will be further subdivided into Debating Content Analysis 1 in which non-fallacious moves are identified, and Debating Content Analysis 2 in which committed fallacies are tackled. In all cases I use both quantitative and qualitative approaches. While in my quantitative analysis I will separate manner from content I will bring them together in my qualitative analysis of the data.

The ninety-minute debate to be analyzed here was moderated by the news anchor Jim Lehrer of Public Broadcasting Service. It took place at the Clark Athletic Center at the University of Massachusetts in Boston. All three debates were sponsored by the Commission on Presidential Debates, and they were conducted within formats and rules agreed to by the commission and the two campaigns. At the first debate the candidates were at podiums. No answer to a question could exceed two minutes. Rebuttals were limited to one minute. The moderator had the option to follow up and to extend any particular give-and-take another 3-1/2

minutes, but even then, no single answer could exceed two minutes. The candidates, under their rules, were not allowed to question each other directly. There were no opening statements, but each candidate had up to two minutes for a closing statement. The questions and the subjects were chosen by the moderator alone and were not known to the candidates or anyone else. The transcripts of the debates quoted in this paper and video recordings of the debates can be found at the official site of the Commission on Presidential Debates at <http://www.debate.org>.

#### Debating Manner Analysis

|  | Gore | Bush |
|--|------|------|
| Speeches   | 74   | 79   |
| Words total  | 7397 | 8078 |
| Words in longest speech  | 392  | 450  |
| Short speeches (15 words or less)  | 37   | 24   |
| Interruptions of opponent or moderator or otherwise non-complying with rules of debate (e.g. taking the floor or continuing to speak when asked by moderator to stop, and questioning the opponent directly) | 23   | 17   |
| Requests to speak  | 16   | 4    |

#### Debating Content Analysis 1

| Action  | Gore (number of instances) | Bush (number of instances) |
|---|----------------------------|----------------------------|
| Calling for consensus   | 3                          | 10                         |
| Acknowledging partial agreement with opponents (agreement as a base for further disagreement) | 10                         | 1                          |
| Acknowledging genuine agreement   | 5                          | 7                          |

Let me now assess the data we have on the manner of performance in the debate of the two candidates. Vice President Gore and Governor Bush uttered almost the same number of speeches, while Bush uttered more words during the debate than his opponent. However, many observers including me noted that the impression was that Gore was occupying more time on the screen than his opponent. I believe the answer lies in two factors. The first one is that Vice President Gore occupied more presence on the screen by moving more or even gesticulating more, but more importantly Al Gore interrupted his opponent or moderator or in other ways drew the audience's attention to himself in violation of the rules in more instances (23 versus 17). The number of Gore's short speeches also exceeds the number of short speeches produced by his opponent (37 versus 24). This is an important factor, because most of these short speeches are either interruptions of the opponent or moderator or other breaches of the rules of the debate. Those speeches were simply not allowed to grow into full-size passages. The next line also presents a direct indicator that Gore's tactic was to dominate in the discussion: the ratio between his requests to be given the floor and those of his

opponent is even higher - 16 instances versus 4. In fact, one of these requests consisted of the following phrase, "Well, can I have the last word on this", which so well characterizes Gore's style in this debate. This style did not seem to give him any advantage over his opponent, but rather lent him an image of an overbearing debater, too pushy in striving for domination. "I have no training in debates, but was wondering why you think Al Gore was being so rude and obnoxious with his long sighs, head shaking, and "dancing around" behind his podium during Governor Bush's allotted time to speak? Is this an acceptable tactic often used in debates? Why did the camera show Al Gore nearly all the time that Governor Bush was speaking and hardly ever visa-versa??" is a quotation from an American viewer expressing his opinion during a live chat with Alan Schroeder, a expert on televised presidential debates and Assistant Professor in the School of Journalism at Northwestern University in Boston (USATODAY.Com, 2000). It is not always true that the debater that leads in the debate wins it, because such a technique may only contribute to making the debate a less organized, less orderly exchange of opinions.

Debating Content Analysis 1 shows important characteristics of the debaters' strategies in terms of the content of their speeches. The statistical data give us a

|  |    |    |
|--|----|----|
| Acting as antagonist and protagonist (criticism of opponents that constitutes only part of speech) | 32 | 41 |
| Acting as antagonist only (criticism of opponents that constitutes whole speech)                   | 9  | 5  |
| Use of irony and sarcasm to attack opponent  | 1  | 2  |
| Good use of humor  | 1  | 2  |
| Complimenting opponent as a base for further criticism   | 0  | 2  |
| Complimenting opponent as a base for complimenting oneself   | 2  | 1  |
| Complimenting opponents genuinely  | 0  | 2  |
| Credibility building   | 15 | 10 |

#### Debating Content Analysis 2

| Fallacy  | Gore (number of instances) | Bush (number of instances) |
|--|----------------------------|----------------------------|
| Argumentum ad hominem <sub>1</sub> (direct personal attack, abusive)                                       | 0                          | 18                         |
| Argumentum ad hominem <sub>2</sub> (indirect personal attack, circumstantial)                              | 12                         | 8                          |
| Argumentum ad hominem <sub>3</sub> (tu quoque)   | 0                          | 4                          |
| Argumentum ad misericordiam  | 6                          | 0                          |
| Argumentum ad baculum  | 5                          | 1                          |
| Denying an unexpressed standpoint or premise   | 1                          | 3                          |
| Fallacy of misusing unclearness  | 0                          | 1                          |
| Straw man (imputing a fictitious standpoint to the other party or distorting the other party's standpoint) | 2                          | 2                          |
| Indication by speaker that he wants to avoid committing a fallacy  | 3                          | 0                          |
| Pointing out opponent's fallacy  | 5                          | 7                          |
| Misinterpreting opponent's fallacy   | 0                          | 1                          |

dual picture in terms of the arguers being confrontational or non-confrontational. On the one hand, Bush called for consensus in more instances (10 versus 3), acknowledged genuine agreement with the opponent 7 times versus 5 times Gore did. He was not afraid to compliment his opponents genuinely without looking for benefits for himself. The governor criticized his opponents less on the whole (46 versus 32). Finally, fewer of his speeches consisted solely of criticizing his opponents (5 instances versus 9). On the other hand, the same speaker used irony and sarcasm to attack his opponent in slightly more

instances (2 against 1) and paid a compliment to Vice President Gore only to use it a platform for criticism (2 versus 0 instances).

The second part of the Content Analysis yields even more interesting data to describe. Before we start evaluating the instances where the three types of ad hominem fallacies were committed by the arguers, it is worthwhile to note that it

is in many cases very difficult to differentiate argumentum ad hominem abusive and argumentum ad hominem tu quoque. The analyst should decide when the speaker committing a fallacy is accusing the opponent of having not delivered on his promise either because he was not competent enough to accomplish it or because he did not intend to do it in the first place, the last being a tu quoque ad hominem, a discrepancy between words and deeds. While Bush's attack in (1) can be interpreted both ways, (2) is clearly an abusive type of argumentum ad hominem.

1. Gore: This current campaign financing system has not reflected credit on anybody in either party. And that's one of the reasons I've said before, and I'll pledge here tonight, if I'm president, the very first bill that Joe Lieberman and I will send to the United States Congress is the McCain-Feingold campaign finance reform bill.

Bush: You know, this man has no credibility on the issue. As a matter of fact, I read in the "New York Times" where he said he co-sponsored the McCain-Feingold Campaign Fundraising Bill. But he wasn't in the Senate with Senator Feingold. And so, look, I'm going to - what you need to know about me is I will uphold the law, I'm going to have an attorney general that enforces the law. The time for campaign funding reform is after the election. This man has outspent me and the special interests are outspending me. And I am not going to lay down my arms in the middle of the campaign for somebody who has got no credibility on the issue.

Gore: Look, Governor Bush, you have attacked my character and credibility and I am not going to respond in kind. I think we ought to focus on the problems and not attack each other.

2. Gore: They get \$25,000 a year income, that makes them ineligible.

Bush: Look, this is a man who has great numbers. He talks about numbers. I'm beginning to think not only did he invent the Internet, but he invented the calculator. It's fuzzy math. It's a scaring - he's trying to scare people in the voting booth.

In both examples, Governor Bush violates Rule 1 of critical discussion, because he prevents his opponent from arguing his points. (1) is a classic example of an ad hominem fallacy, because Bush says there that since Gore has acted

inconsistently with his proposal earlier his proposal is not worth listening to, nor should the viewers believe that Gore will actually act on his promise. Most examples as (1) indicate that every time Gore sets on to build his credibility on an issue, Bush is quick to attack his credibility with an abusive argumentum ad hominem or an argumentum ad hominem tu quoque. In (2) Gore is denied the right to bring up numbers freely in the discussion, because it is “fuzzy math” or in other instances “phony numbers”. Bush does not address the numbers as Gore later points out in the following passage, “The governor used the phrase “phony numbers,” but if you - if you look at the plan and add the numbers up, these numbers are correct. He spends more money for tax cuts for the wealthiest 1 percent than all of his new spending proposals for health care, prescription drugs, education and national defense all combined.”

The last two lines in (1) are important for our analysis, because they are the signs of a debater’s desire to bring the dialogue back to a reasonable exchange of opinion. In this example we witness both an understanding that the opponent has committed a fallacy and an indication by the speaker that he wants to avoid committing a fallacy himself.

The problem with circumstantial argumentum ad hominem in this debate is that the arguers seem to be competing to see who can commit the fallacy the most number of times. Gore implies that, firstly, Bush is the candidate of the rich and therefore wants to give an enormous tax cut to the wealthy 1 percent while pretending to cut taxes for every American taxpayer, and thus he would squander the surplus. Secondly, Gore implies that Bush wants to pay back the “soft money” provided by the big oil companies and thus open the Arctic National Wildlife Refuge under the pretense of reducing the American consumer’s dependency on world oil prices. Thirdly, Gore implies that Bush intends to pay back the soft money provided by the powerful drug companies, which follows from the fact that they support Bush’s prescription-drug proposal.

For his part, Bush implies that Gore is a control-thirsty Washington politician and therefore will pick and choose the recipients of his tax cut, while trying to portray himself as the man of the hard-working, middle-class American. Secondly, Gore, Bush claims, is a true bureaucrat who wants above all to create more bureaucratic jobs and therefore opposes the universal tax cut. According to Bush, Gore’s grounds for doing that such as guarding America’s interests keeping the surplus for paying down the national debt, etc. are a diversion from the true

motives out of which he acts. Finally, Bush states that the problem of Social Security has always been used by Gore as a political tool to earn votes and therefore Gore again has a “hidden agenda”, when he talks about reforming Social Security. Those are the main lines of attack the debaters use throughout the debate, so the number of times argumentum ad hominem circumstantial has been committed is only schematic as these accusations are impossible to count, since they run through almost every speech. The count shows the most obvious cases of this fallacy. Let us look at some examples:

3. Bush: And my point has been, as opposed to politicizing an issue like Medicare, in other words, holding it up hoping somebody bites it and try to clobber them over the head for political purposes, this year it's time to get it done once and for all. That's what I've been critical about the administration for.

4. Bush: And that stands in contrast to my worthy opponent's plan, which will increase the size of government dramatically. His plan is three times larger than President Clinton's proposed plan eight years ago. It is a plan that will have 200 new programs - expanded programs and creates 20,000 new bureaucrats. It empowers Washington. My vision is to empower Americans to be able to make decisions for themselves in their own lives.

5. Gore: You can see it in this campaign. The big drug companies support Governor Bush's prescription drug proposal. They oppose mine because they don't want to get Medicare involved because they're afraid that Medicare will negotiate lower prices for seniors who currently pay the highest prices of all.

6. Gore: Yes, Jim. I said that his tax cut plan, for example, raises the question of whether it's the right choice for the country. And let me give you an example of what I mean. Under Governor Bush's tax cut proposal, he would spend more money on tax cuts for the wealthiest 1% than all of the new spending that he proposes for education, health care, prescription drug and national defense all combined. Now, I think those are the wrong priorities.

7. Gore: I strongly support new investments in clean coal technology. I made a proposal three months ago on this. And also domestic exploration yes, but not in the environmental treasures of our country. We don't have to do that. That's the wrong choice. I know the oil companies have been itching to do that, but it is not the right thing to do.

The only instance where the fallacy concerns another area of the debate but is linked to the above in essence is this. Vice President Gore plays the opponent with absolutely the same token in the pro-life versus pro-choice debate. He points out that Governor Bush trusts the government to order a woman to do what it thinks she ought to do. Gore then continues that he trusts women to make decisions that affect their lives, their destinies, and their bodies. In this picture it is Bush that stands out as a control thirsty politician.

Let me now turn to some of other fallacies that were not infrequently committed by the arguers: the *argumentum ad misericordiam* and *argumentum ad baculum*. All instances of *ad misericordiam* are attributed to Vice President Gore. Here are some examples:

8. Gore: Two days ago we ate lunch at a restaurant. The guy that served us lunch gave me a letter today. His name is Randy Ellis. He has a 15-year-old daughter named Caley, who is in Sarasota High School. Her science class was supposed to be for 24 students. She's the 36th student in that classroom. They sent me a picture of her in the classroom. They can't squeeze another desk in for her, so she has to stand during class. I want the federal government, consistent with local control and new accountability, to make improvement of our schools the number one priority so Caley will have a desk and can sit down in a classroom where she can learn.

9. Gore: Let me give you one quick example. There is a man here tonight named George McKinney from Milwaukee. He's 70 years old, has high blood pressure, his wife has heart trouble. They have an income of \$25,000 a year. They can't pay for their prescription drugs. They're some of the ones that go to Canada regularly in order to get their prescription drugs. Under my plan, half of their costs would be paid right away. Under Governor Bush's plan, they would get not one penny for four to five years and then they would be forced to go into an HMO or to an insurance company and ask them for coverage, but there would be no limit on the premiums or the deductibles or any of the terms and conditions.

We believe that in both examples Gore has crossed the line of legitimate use of the appeal to pity and a fallacious use thereof by drawing an exaggerated picture of the suffering the persons in question have to endure. In fact, Vice President had to apologize for this exaggeration after Caley's school teacher called and said the information was not true. To quote the Internet chat with Alan Schroeder,



“Cherry Hill, New Jersey: I was told that CNBC reported they received a phone call from the teacher Gore mentioned during the debate last night who supposedly had a female student that had to stand in the back of the classroom because there was no room to place a desk for her. The teacher was furious and said that it was absolutely not true, that Gore lied. CNBC also reported that Gore’s statement that he accompanied FEMA to Texas was an out and out lie, that he did not. Have you heard anything about this? Is this true? Alan Schroeder: I don’t know the particulars about the student in the crowded classroom, but if you check around online most of the major national newspapers did “truth squad” stories that ran either yesterday or today. As for the trip to Texas, apparently there was a discrepancy of some sort between Gore’s statement in the debate and the details of what actually happened. Gore was asked about this yesterday on Good Morning America and admitted he may have made a mistake. It didn’t sound to me like an “out and out lie,” more an error in the details. Gore apparently did go to Texas on a FEMA trip, but perhaps not with the person he cited in the debate.” (USATODAY.Com, 2000).

The issue with the FEMA brings us back to the Content Analysis 1 categories of credibility building, good use of humor, complimenting one’s opponents genuinely, and complimenting one’s opponents as a way to compliment oneself. In the following exchange Vice President Gore builds his credibility in his answer to the first question, Governor Bush displays a good sense of humor in his response, and genuinely compliments his opponents in his next speech, and in the last speech of the fragment Vice President Gore pays back the compliment , however, only to compliment himself a little later. This intention to parade his qualities might be the reason why Gore made the factual mistake about his trip with FEMA.

10. Moderator: New question. We’ve been talking about a lot of specific issues. It’s often said that in the final analysis, about 90 percent of being the president of the United States is dealing with the unexpected, not with issues that came up in the campaign. Vice President Gore, can you point to a decision, an action you have taken that illustrates your ability to handle the unexpected, the crisis under fire, et cetera?

Gore: When the action in Kosovo was dragging on and we were searching for a solution to the problem, our country had defeated the adversary on the battlefield without a single American life being lost in combat, but the dictator, Milosevic,

was hanging on, I invited the former prime minister of Russia to my house and took a risk in asking him to get personally involved, along with the - the head of Finland, to go to Belgrade and to take a set of proposals from the United States that would constitute basically a surrender by Serbia. But it was a calculated risk that - that paid off. Now I could probably give you some other examples of decisions over the last 24 years. I have been in public service for 24 years, Jim, and throughout all that time, the people I have fought for have been the middle-class families. And I have been willing to stand up to powerful interests, like the - the big insurance companies, the drug companies, the HMOs, the oil companies. They have good people, and they play constructive roles sometimes, but sometimes they get too much power. I cast my lot with the people even when it means that you have to stand up to some powerful interests who are trying to turn the - the - the policies and the laws to their advantage. That's - you can see it in - in this campaign. The big drug companies support Governor Bush's prescription drug proposal. They oppose mine because they don't want to get Medicare involved, because they're afraid that Medicare will negotiate lower prices for seniors, who currently pay the highest prices of all.

Moderator: Governor Bush?

Bush: Well, I've been standing up to big Hollywood, big trial lawyers - what was the question? It was about emergencies, wasn't it? (Chuckles.) (Subdued laughter.)

Moderator: Well, it was about - well, yeah, okay.

Bush: (Chuckles.) I - you know, as governor, one of the things you have to deal with is catastrophe. I can remember the fires that swept Parker County, Texas. I remember the floods that swept our state. I remember going down to Del Rio, Texas. I've got to pay the administration a compliment - James Lee Witt of FEMA has done a really good job of working with governors during times of crisis. But that's the time when you're tested not only - it's a time to test your mettle, it's a time to test your heart when you see people whose lives have been turned upside down. It broke my heart to go to the flood scene in Del Rio where a fellow and his family just got completely uprooted. The only thing I knew to do was to get aid as quickly as possible, which we did with state and federal help, and to put my arms around the man and his family and cry with them. But that's what governors do. Governors are oftentimes found on the front line of catastrophic situations.

[...] Gore: Yeah, first I want to compliment the governor on his response to those fires and floods in Texas. I accompanied James Lee Witt down to Texas when those fires broke out, and FEMA has been a major flagship project of our reinventing government efforts, and I agree, it works extremely well now.

The following example is not clear case of argumentum ad baculum. However, coupled with the fallacy of exaggeration this example does constitute a violation of Rule 1 by putting obstacles to the exchange of ideas. The audience is threatened with the prospect.

11. Gore: The governor wants to divert 1 out of every \$6 off into the stock market, which means that he would drain a trillion dollars out of the Social Security Trust Fund in this generation over the next ten years, and Social Security under that approach would go bankrupt within this generation.

Another important fallacy committed by both speaker is a straw man<sup>1</sup> fallacy which consists in imputing a fictitious standpoint to the other party or distorting the other party's standpoint and then attacking it as in the following exchange:

12. Bush: Okay. First of all, most of this is at the state level. See, here is the mentality. I'm going to make the state do this and make the state do that. All I'm saying is if you spend money, show us results and test every year, which you do not do, Mr. Vice President. You don't test every year. You can say you do to the cameras but you don't, unless you've changed your plan.

Gore: I didn't say that. I didn't say that.

Bush: You need to test every year. That's why you determine if children are progressing to excellence. Secondly, one of the things that we have to be careful about in politics is throwing money at a system that has not yet been reformed. More money is needed and I spend more money, but step one is to make sure we reform the system to have the system in place that leaves no child behind. Stop this business about asking gosh, how old are you? If you're 10 we'll put you here, 12 you put here. Start asking the question, what do you know? If you don't know what you're supposed to know, we'll make sure you do early before it's too late.

A similar fallacy is that of misusing unclearness. Governor Bush takes advantage of the opponent's unclear formulation of the components of his plan. In the last speech in the exchange Gore reaffirms that his opponent did not understand him

correctly.

13. Gore: We agree on a couple of things on education. I strongly support new accountability, so does Governor Bush. I strongly support local control, so does Governor Bush. I'm in favor of testing as a way of measuring performance. Every school and every school district, have every state test the children. I've also proposed a voluntary national test in the fourth grade and eighth grade, and a form of testing the governor has not endorsed. I think that all new teachers ought to be tested, including in the subjects that they teach.

Bush: The first is, the difference is there is no new accountability measures in Vice President Gore's plan. He says he's for voluntary testing. You can't have voluntary testing. You must have mandatory testing. You must say that if you receive money you must show us whether or not children are learning to read and write and add and subtract. That's the difference. You may claim you've got mandatory testing but you don't, Mr. Vice President. That's a huge difference. Testing is the cornerstone of reform. You know how I know? Because it's the cornerstone of reform in the State of Texas.

Gore: First of all, I do have mandatory testing. I think the governor may not have heard what I said clearly. The voluntary national testing is in addition to the mandatory testing that we require of states. All schools, all school districts, students themselves, and required teacher testing, which goes a step farther than Governor Bush has been willing to go.

The last fallacy to which I would like to draw your attention can be only identified if we take a longer sequence of exchanges. As we shall see Governor Bush violates Rule 5 by denying an unexpressed standpoint or premise that he has actually advanced earlier. This premise of course can be formulated that the judges Bush would appoint to the Supreme Court would in fact be pro-life.

14. Moderator: All right. On the Supreme Court question, should a voter assume - you're pro-life; you just stated your position.

Bush: I am pro-life.

Moderator: Should a voter assume that all judicial appointments you make to the Supreme Court, or any other court, federal court, will also be pro-life?

Bush: Voters should assume that I have no litmus test on that issue or any other issue. But the voters will know I'll put competent judges on the bench, people who will strictly interpret the Constitution and will not use the bench to write social policy. And that's going to be a big difference between my opponent and me. I believe that - I believe that the judges ought not to take the place of the legislative branch of government; that they're appointed for life, and that they ought to look at the Constitution as sacred. They shouldn't misuse their bench. I don't believe in liberal, activist judges; I believe in strict constructionists, and those are the kind of judges I will appoint. I've named four Supreme Court judges in the State of Texas, and I would ask the people to check out their qualifications, their deliberations. They're good solid men and women who have made good sound judgments on behalf of the people of Texas.

Moderator: What kind of appointments should they expect from you, Vice President Gore?

Gore: Both of us use similar language to reach an exactly opposite outcome. I don't favor litmus tests. But I know that there are ways to assess how a potential justice interprets the Constitution. And in my view, the Constitution ought to be interpreted as a document that grows with the - with our country and our history. And I believe, for example, that there is a right of privacy in the Fourth Amendment. And when the phrase "strict constructionist" is used, and when the names of Scalia and Thomas are used as benchmarks for who would be appointed, those are code words, and nobody should mistake this, for saying that the governor would appoint people who would overturn *Roe v. Wade*. I mean, it's very clear to me. And I would appoint people who have a philosophy that I think would make it quite likely that they would uphold *Roe v. Wade*.

Moderator: Is the vice president right? Is that a code word for overturning *Roe v. Wade*?

Bush: Sounds like the vice president is not very right many times tonight. I just told you the criterion on which I'll appoint judges. I've had a record of appointing judges in the state of Texas. That's what a governor gets to do. A governor gets to name supreme court judges. And I've given my answer.

Moderator: All right.

Bush: He also reads all kinds of things into my tax plan and in my Medicare plan.

And I just want the viewers out there to listen to what I have to say about that.

Gore: That's a yes. It is a code.

Moderator: Reverse the question. Reverse the question. (Laughter.) What code phrases should we read by what you said about what kind of people you will appoint to the U.S. Supreme Court?

Gore: It would be very likely that they'd uphold *Roe v. Wade*. But I do believe it's wrong to use a litmus test. But - (laughs) - if you look at the history of a lower court judge's rulings, you can get a pretty good idea of how they're going to interpret questions. Now, a lot of questions are a first impression, and these questions that have been seen many times come up in a new context. And so - but, you know, this is a very important issue because a lot of young women in this country take this right for granted, and it could be lost. It is on the ballot in this election, make no mistake about it.

In conclusion, I would like to emphasize the importance of a reasonable dialogue even in such a hotly-contested political context as presidential debates. Our analysis demonstrated that both arguers made reasonable and unreasonable moves, engaged in sophistic and ethic argumentation during the debate. We believe the speakers could well have benefited from a less confrontational strategy, from the dialectical approach to debating. I believe the viewers can intuitively identify fallacies as violations of the critical discussion and see other violations of the rules set for a debate and make their judgement about the arguers based on their perception of each of the debaters' contribution to turning the debate into a fight or keeping it a rational exchange of ideas.

The issues to be discussed in subsequent papers include the following: whether the tactics of the opponents change between the debates, especially in the third one where questions are asked by the people in the audience, whether the debaters become overtly rhetorical trying to impress the people asking the questions even more than in the previous debates, as they are now engaged in direct dialogue with the audience - their primary target of persuasion, whether a public media discussion of the preceding debates affect these possible changes in the candidates' debating techniques.

## REFERENCES

Eemeren, F.H. van, & Grootendorst, R. (1992). *Argumentation, communication,*

*and fallacies: a pragma-dialectical perspective.* Hillsdale, New Jersey Lawrence Erlbaum Associates, Inc., Publishers

*Presidential Debates: Alan Schroeder.* USATODAY.com.

<http://www.usatoday.com/community/chat/1005schroeder.htm>