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Speaker and Gavel

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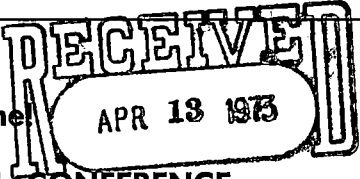
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Welcome

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April 18, 19, 20, 21, 1973

"T'WAS A DAY IN NOVEMBER

'Twas a day in November when at old Purdue
 The collegiate debates were down to the top two.
 They set up their cases and files with care;
 The timer, onlookers, and judges were there.

The first man was ready and rose to his place,
 With file cards in hand, he began the debate.
 Point after point with his voice did he beat,
 And those things important he'd be sure to repeat.

He said, "Guaranteed health care is a citizen's right,
 And the system won't give the poor power to fight."
 Yet all of his faults did the negative see,
 For when giving his speech he cried, "CAUSALITY!"

"You can't blame the system for all of the cause!",
 The negative cried as he quoted some laws.
 Point by point he cut down their case,
 And made the affirmative side a disgrace.

The second affirm. had the common cold blues,
 And when he would cough his fast pace would he lose.
 His ten minutes up, he quit with a frown,
 Returned to his seat, some cough syrup to down.

The last one was up for the constructive round;
 His speech was the same kind of fast beating sound.
 Yet one thing was done that was quite unique,
 He had his partner read a list from his seat.

The time was reduced from ten minutes to five,
 Yet the rebuttal speeches were just as alive.
 So fast did they speak throughout the whole round,
 It was lucky I heard, let alone write it down.

The judges were fast and could write every word;
 But too, this topic before had they heard.
 The sources and quotes were foreign to me,
 Yet all of the meaning they could easily see.

The speeches were done, they'd presented their case;
 For the judges' decision the whole room did wait.
 It seemed like hours till one judge arose,
 "The victory today to the negative goes!"

Cynthia Essex

Timekeeper

COLLEGIATE DEBATE: THE CONFESSIONS OF A FRUSTRATED DEBATER

HERMAN J. MARINO

H. W. Johnstone, Jr., in the introduction of his book, *Philosophy, Rhetoric and Augmentation*, states: "When we wish to control the actions or beliefs of another person, but either lack an effective means of control or have an effective means that we nevertheless do not wish to use, we argue with the person."¹⁻² This is a fairly adequate description of the contemporary collegiate debate circuit. However, to assume that logic in general and formal logic in particular is a *sine qua non* of debate, as was the case for Aristotle, is more equivocation than actual fact. Recent criticisms of debaters for their lack of *ethos* and their refusal to employ *pathos* has deteriorated their use of *logos*.³ It is my intention to demonstrate this lack of logical rigor in collegiate debate, based on my three years of experience with college debate theory,⁴ and to present some remedial suggestions.

With respect to the classroom situation, a quick survey of debate texts demonstrates that few do adequate justice to the field of logic. Further analysis reveals that (1) no book presents the tenets of logic in any completeness, (2) there is no consistency among the books in the degree of completeness, and (3) there is no agreement on which tenets of formal logic need to be presented.⁵ When I was taught debate by a collegiate debate coach⁶ and by one of the more reputable former debaters of the college circuit,⁷ less than two lectures apiece were devoted to the modes of logic, formal or material.

Within the debate setting itself most collegiate advocates present superficial analyses of "needs, desirability and practicality," resulting in cases constructed of equivocation, oversimplification and illogicality.⁸ There are several reasons for this phenomenon. First, the debate proposition, and ultimately the debate itself, mandates a two-valued type of logic. The debate proposition, by definition, is answerable by a yes or a no. The

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¹ Maurice Natanson and Henry W. Johnstone, Jr., *Philosophy, Rhetoric, and Augmentation* (University Park, Pennsylvania: Pennsylvania State University Press, 1965) p. 1.

² Douglas Ehninger, "Argument as Method: Its Nature, Its Limitations and Its Uses," *Speech Monographs*, 37 (June, 1970), pp. 101-108.

³ Arthur N. Kruger, "The Ethics of Persuasion: A Re-Examination," *The Speech Teacher*, 16 (November, 1967), pp. 295-305.

⁴ The author has had three years experience with argumentation under the study of two noted and experienced debate coaches: Dr. M. Jack Parker, Head Coach, Northern Illinois University, and Mrs. Cheryn Wall, former captain, Butler University Debate team.

⁵ William S. Smith, "Formal Logic in Debate" *Southern Speech Journal*, 27 (February, 1968) pp. 330-338.

⁶ Dr. M. Jack Parker, Head Debate Coach, Northern Illinois University.

⁷ Mrs. Cheryn Wall, Captain, Debate Team, Butler University.

⁸ Arthur N. Kruger, "Logic and Strategy in Developing the Debate Case" *The Speech Teacher*, 18 (February, 1969), pp. 89-106.

debate proposition is one of policy and by demanding a yes or no answer, it assumes the fallacy of the all or nothing assumption and precludes middle-ground analyses.

Second, the parameters of validity employed in debate are not in line with those of formal logic. Validity of the debate case gravitates around the establishment of a need for altering the status quo, the advantages of this change and the operational efficacy of such action.⁹ The structure of these three phases of the case can and generally are fraught with fallacious reasoning but this possibility is not paramount in the judge's consideration.¹⁰ While a possible major consideration within the political realm, the establishment of a need for a change from the status quo does not constitute a necessary AND sufficient condition for acceptance of the proposition. For example, in the following argument the conclusion seems warranted through the "needs" imperative:

All those programs that stifle freedom are programs that should be abolished.

The Selective Service Commission is a program that stifles freedom.
Ergo., The Selective Service Commission should be abolished.

While the argument is formally valid it presumes an existential commitment in the premises, namely that the term "all those programs" includes the specific program of the Selective Service Commission, thus qualifying the formal validity of the argument.

In addition, debaters often equivocate the term "needs" in an argument. While the term, in a strict sense, refers to the quantified establishment of evils in the present system, many debaters employ "needs" to mean a motivational need for change, and thus resort to appeals to authority to justify this "felt, inner need."

This same analysis can be applied to both the desirability and practicality issues in a debate. While often helpful in decisions of a political policy, such concepts are not necessary *and* sufficient parameters of validity as they reduce advocacy to mere pragmatic considerations.¹¹ Although one might argue that the issues of need, desirability and practicality constitute a pattern of thought—a distinct logic endemic to the debate setting—the point is that there is little logical rigor involved in this rhetorical framework.

There are several other non-logical considerations which must permeate the substructure of a debate before the judge's decision is final. Internal consistency is considered to be almost mandatory within the debate structure.¹² While inconsistency is one of the formal fallacies that should be avoided, internal consistency is by no means equivalent to logical rigor *in toto*. There are numerous other fallacies which can neutralize an argument but which do not gravitate around internal consistency. To ignore this fact is more of a fallacy than to emphasize the *non-contradictory* imperative.

Another heretofore significant measure of validity has been the number

⁹ Wayne Eubank, "Developing the Case," *Argumentation and Debate: Principles and Practices*, ed., James McBath (New York: Holt, Reinhart and Winston, 1963), pp. 103-123.

¹⁰ Douglas Ehninger, "Validity as Moral Obligation" *Southern Speech Journal*, 33 (1968), pp. 215-222.

¹¹ *Ibid.*, p. 218.

¹² *Ibid.*, p. 217.

of kinds of facts promulgated to support a contention. There seems to be a type of "king-of-the-hill" imperative that debaters adhere to—presuming that the team with the largest pile of note cards is victor. Often debaters will cart several fileboxes of empty cards to a meet for the psychological effect it has on both the opposition and the judges. Although the more perceptive judges can pierce this façade, one must remember that this "technique" is less than logical. Some isolated facts are a *sine qua non* to the conclusion, while others are parenthetic, at best. In neither case does an abundance of facts enhance argumentative validity.

Within this context one can also note that, since the presentation of facts is a function of the advocate who presents them and not subject to total scrutiny by the opposition, testimony can and generally is lifted out of context and rather distorted. This demonstrates a further inadequacy of facts *per se* being a major determinant of validity.

The final and ultimate source of validity, as expounded by Douglas Ehninger, is that the argument as a whole "forces a fundamental re-adjustment in the thinking of the person to whom it is addressed."¹³ This reversion to "situation logic" presupposes an operational knowledge of logic on the part of all debaters. The question of whether there exist inherent logical patterns in our rhetoric and thought is so controversial itself, that to assume not only that such patterns exist but also that these ordered relations are endemically logical is the rankest form of the fallacy of a suggestive question.

However, the importance of inductive reasoning must not be ignored. Formal logic epitomizes the significance of formal validity over material validity. In criticizing the role of formal logic in debate Dr. William Smith of Stanford University suggests that a fallacy of reasoning can only be a sign suggesting investigation of the material validity of an argument, not a fatal invalidation of the reasoning process.¹⁴ In distinguishing between the two means of reasoning we note that deductive logic assumes the world does not change and that matter can be classified in independent and exclusive categories. Inductive reasoning holds the world is in a constant state of flux and that all matter is continuous and cannot be classified in exclusive categories.¹⁵ With this distinction it seems evident that material validity is equivalent to formal validity in import, at least within the debate setting.

Working independently of the material content, formal logic assumes reason, as opposed to verification, to be the supreme and only test of validity. By operating independently of the world deductive logic further assumes that one form of logic can be extracted from one situation and be applied to other times and places. With respect to this last point, F. C. S. Schiller states, "It is impossible to abstract from the actual use of logical material and to consider 'forms of thought' *in themselves*, without incurring thereby a total loss, not only of truth but also of meaning."¹⁶ Argumentative considerations must transcend the static argument form if absolute validity is to be achieved. In addition to these flaws of the

¹³ *Ibid.*, p. 219.

¹⁴ William S. Smith, *op. cit.*, p. 335.

¹⁵ *Ibid.*, p. 335.

¹⁶ F. C. S. Schiller, *Formal Logic, A Scientific and Social Problem* (London: Macmillan and Co., 1931), p. xiii.

static deductive reasoning, there are motivational and artistic arguments that debaters employ but that deductive logic can not handle.

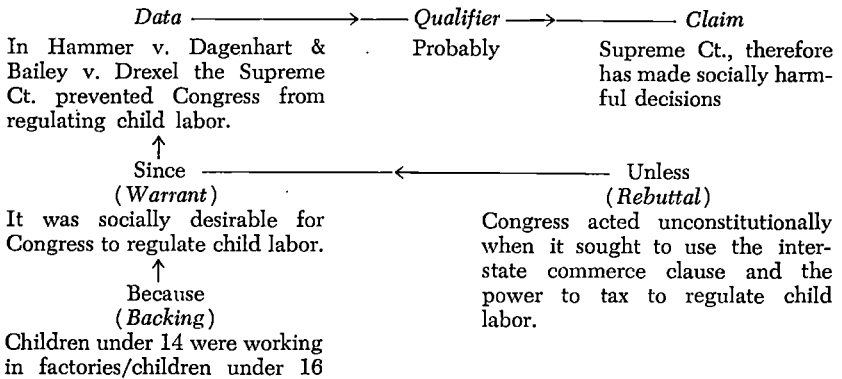
Although most contemporary advocates adhere to the inductive imperative, the form of their arguments must not go ignored. A proper convergence of these seems to materialize in Stephen Toulmin's "syllogism lying on its side." In *The Uses of Argument* Toulmin presents a formal structural model which not only presents a substantive imperative for arguments to conform to but also displays a system which can analyze "artistic" proofs that employ arguments as their nucleus.¹⁷

For Toulmin, an argument is a dynamic movement of accepted *data* through a *warrant* to a *claim*.¹⁸ The data corresponds to the accepted definition of evidence. The initial point of departure in an argument must be some inductively accepted premise in order for the argument to possess structural validity. The claim is the conclusion you wish to establish. It may be either the ultimate or intermediate end of an argument but, for Toulmin, it is always of a controversial nature. The data-claim hookup is the *main proof line* of this framework; it is the contention asserted. The warrant is the intermediate connective that "carries" the data to the claim, establishing the causal link for acceptance of the claim through the data.

There is a *second proof line* that operates along with the warrant but that is not a necessary condition for a valid data-claim hookup. One element is the *backing*, which presents the credentials that justify the assumption of the warrant and which is usually employed before antagonistic audiences. The *rebuttal* element recognizes those limiting areas to which the claim will not be applicable, thus attempting to meet objections to the argument before they occur. The *qualifier* admits the degree of confidence (possibly, probably, etc.) that the claim possesses.

A second look at Toulmin's analysis demonstrates that the structural necessity he requires seems to keep the sense of Aristotle's categorical syllogism while permitting enough "leg-room" for the demands of inductive reasoning and of the debate framework itself. By graphical analog we can see how the traditional syllogism fits into Toulmin's structure:

TOULMIN MODEL



¹⁷ Stephen Toulmin, *The Uses of Argument* (London: Cambridge University Press, 1964), pp. 94-188.

¹⁸ *Ibid.*, pp. 94-188.

were working in mines & quarries/children were working more than 8 hours a day/etc.

Above argument in syllogism form:

MAJOR PREMISE: All decisions which prevent Congress from regulating child labor are socially harmful decisions.

MINOR PREMISE: Some decisions of the Supreme Court are decisions which preclude the Congress from regulating child labor.

CONCLUSION: Therefore, some of the decisions of the Supreme Court are socially harmful decisions.

(in this syllogism, the warrant is unstated & the qualifier, the backing, and the rebuttal are omitted.)

Although his analysis is vulnerable in several areas,¹⁹ Toulmin's structure can claim superiority over traditional modes of analysis for several reasons: first, as opposed to traditional logic, Toulmin's analysis meets the arguments of deductive reasoning mentioned above. His analysis assumes the world to be in a constant state of flux, giving verification by way of the warrant at least equal status to that of reasoning. Toulmin's structure further presupposes the inferential nature of reasoning by displaying arguments as a step-by-step process as opposed to establishing exclusive and exhaustive categories.

A second advantage lies in the fact that Toulmin's structure requires the substantiation of an argument's underlying assumptions through the warrant, whereas deductive logic tends to assume the warrant *a priori*. This distinguishes the "warrant-establishing" process of Toulmin's structure from the "warrant-using" process of traditional reasoning.²⁰

Another advantage of Toulmin's structure is that, through its second proof line of rebuttal, backing and qualifier, it seeks to establish contingent rather than universal contentions. For, by giving each step in the proof a "geographical" spot in his analytical structure, Toulmin provides a more structural analysis for the argument and its parts.

However, in transcending the static conception of deductive reasoning, Toulmin's structure does not completely abandon traditional logic. By providing a structural necessity within the essentially inductive imperative of debate which can remain constant but change as demanded by the situation, Toulmin has achieved a somewhat successful synthesis of the two disciplines.²¹

Proponents of Toulmin's analysis maintain that most conceivable arguments can be explicated within this framework.²² A distinction can be made between purely deductive, inartistic arguments, where the data unequivocally establishes the claim without the use of a warrant, and artistic arguments where validity is a function of the innovative powers of the advocate in manipulating the warrant. Within the realm of artistic reasoning Toulmin suggests three all-inclusive categories that account for traditionally used argument forms: first, the warrant can be used to

¹⁹ Wayne Brockriede and Douglas Ehninger, "Toulmin on Argument: An Interpretation and Application" *Quarterly Journal of Speech*, 54 (October, 1968), pp. 44-55.

²⁰ *Ibid.*, pp. 47-50.

²¹ Stephen Toulmin, *op. cit.*, pp. 135-178.

²² Wayne Brockriede and Douglas Ehninger, *op. cit.*, pp. 46-49.

establish the claim by assuming a relationship is existent among phenomena in the world. These substantive or logical arguments reason either from *sign* or from *cause*, or from *generalization* or from *parallel case* or from *analogy* or from *classification*. The arguments in the second category, traditionally called ethical, are described as authoritative and purport to establish the claim through an assumption about the quality of the source from which the data came. Those in the third, called pathetic or motivational, attempt to establish the claim through the inner values and attitudes held by the audience.²³

By way of summary it seems evident that the logical ills of collegiate debate are far from exhaustive. One can further see a number of drawbacks to both inductive and deductive reasoning. However, it seems that Toulmin's analytical structure, together with a working knowledge of informal fallacies, provides the best solution to the illogicality of the collegiate debate as well as a resolution of the deductive—inductive dilemma. Toulmin's structure approximates the stable analytical framework of traditional logic while providing adaptation of this structure to changing situations.

The issues presented in this paper are by no means exhaustive ends but hopefully are dynamic incentives to further analysis and resolution of the "illogical logic" of the collegiate debate setting. I hope this present analysis has promulgated just as many questions as it has solved with respect to collegiate debate.

²³ *Ibid.*, pp. 48–53.

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THE ROLE OF FORMAL LOGIC IN ARGUMENTATION

JOHN BERTOLOTTI

The role which formal logic should play in argumentation has been contested for some time by the theorists of argument.¹ At issue has been whether rigorous philosophical argument and its primary tool, the syllogism, are useful in understanding what is often referred to as "marketplace argumentation."² My position is that formal logic, properly used, is a relevant tool for the understanding of everyday argument. The asserted shortcomings of formal logic result, not from inherent flaws, but from misapplication by the theorists of argument. As Hugh G. Petrie has observed,

. . . the failures attributed to logic are surely failures not of logic, but rather of the practitioners, or better, mispractitioners of logic.³

I have chosen to analyze two issues which I feel are key to the dispute: the material validity of premises and the clarity of logical connectives.

With regard to the first issue, formal logic is often faulted because it provides no method for evaluating the truth or falsity of the premises used. An argument based on a false premise can be logically true, as can an argument based on an unproven value premise. Ehninger and Brockriede, in extolling the advantages of the informal Toulmin model of argument, stated,

The Toulmin model emphasizes the factual analysis of a unit of proof and material validity by investigating a unit of proof within the context of all related information; the syllogism, more concerned with class relationships, emphasizes formal validity.⁴

While the allegation is, in a sense, true, it stems from an over-extension of the purpose of logic. Logic is concerned with relational, not factual, analysis. The logical validity of an argument depends on whether the conclusion follows from the premises. Formal logic does not rule out any questioning of premises; they can be rejected on their merits. In fact, if a seemingly acceptable premise leads to an obviously absurd conclusion, then the syllogism has provided a test for that premise and it can then be rejected. Ehninger and Brockriede attack formal logic because its premises can at times be supported only by extralogical operations. They then proceed to demonstrate the usefulness of the Toulmin model by supporting a premise in one example with the assertion that economist 'Y' says it's true, certainly an extralogical operation.⁵ The proposed system

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¹ King Broadrick, "The Relationship of Argument to Syllogistic and Experimental Logic," *Quarterly Journal of Speech*, XXXVI (December, 1950), pp. 476-482.

² Ray Lynn Anderson and David C. Mortensen, "Logic and Marketplace Argumentation," *Quarterly Journal of Speech*, LIII (April, 1967), pp. 143-151.

³ Hugh G. Petrie, "Does Logic have any Relevance to Argumentation?," *Journal of the American Forensic Association*, VI (Spring, 1969), p. 59.

⁴ Douglas Ehninger and Wayne Brockriede, *Decision by Debate*, (New York: Dodd, Mead and Co., 1967), p. 99.

⁵ *Ibid.*, p. 107.

of informal logic reveals nothing that logicians have not known for centuries. If anything, it is not a 'new logic' but a different framework for an old logic.

A somewhat more complex issue is that of the clarity of logical connectives, such as 'if—then.' The degree to which logical connectives are understood is important, since they establish the relation between premises and conclusion which is essential to any argument. Formal logic is faulted in this area because of the difficulty in translating statements of inference which are used in conventional argument into the rigorously defined connectives used by logicians. Anderson and Mortensen wrote,

Unfortunately for the critic, the inference-carrying powers of most connective terms in conventional arguments do not behave as do their counterparts in formal systems. Ordinarily, there is no way of extracting from rhetorical arguments some set of logical constants with equivalent meanings to be credited with defining the movement from premises to conclusion.⁶

This is admittedly a major obstacle to the analysis of marketplace argument, and some difficulty is involved. Yet the question is whether another system can provide greater clarity. If a connective is unclear in its meaning and thus not translatable into logical form, leaving it in its unclear form and labelling it a 'context-variant warrant,' as in the Toulmin model, will provide no greater clarity. By the same token, if a connective has emotional components which lend additional force to the argument, informal logic fails just as surely as formal logic to take that force into account. Mills and Petrie pointed out,

... although such translation may necessarily lose some of the emotional impact, that is totally irrelevant to the role of logic proper in rhetoric, even though the emotional impact cannot be ignored in a more comprehensive rhetorical analysis . . . formal logic is explicitly designed to exhibit in the most perspicuous way those features of propositions which contribute to the validity of the arguments in which they appear.⁷

Although a connective may be value-laden, logical analysis is not precluded. The objections raised to the adequacy of formal connectives is another case of the over-extension of formal logic.

Formal logic provides a system whereby relational questions about propositions may be tested. To expect it to do more than that is unrealistic. Systems of informal logic, in particular the highly touted Toulmin model, do not invalidate formal logic or substantially improve upon it. At best, the Toulmin model offers another conceptual framework in which to consider extralogical factors and any claim which is made for it beyond that is unwarranted.

⁶ Anderson and Mortensen, p. 146.

⁷ Glen E. Mills and Hugh G. Petrie, "The Role of Logic in Rhetoric," *Quarterly Journal of Speech*, LIV (October, 1968), p. 266.

ACCESS TO THE BROADCAST FORUM: A RHETORICAL PROBLEM

J. MICHAEL SPROULE

It seems fitting that Olympic and Presidential contests follow parallel quadrennial cycles. Both are political, and while the Olympiad might squirm under the rubric, "political," no one would deny the partisan credentials of an American Presidential election. Of the many issues surrounding a contest for the office of chief executive, most are rhetorical—subject to opinion and argument. Yet, while the question of the moment might be political ethics, campaign costs or the use of "spot" commercials, one single issue predominates—the need to assure fair access to broadcast facilities.

The question of access to broadcast communication has been viewed as both political and legal. However, the issue is essentially rhetorical since it involves a speaker's very ability to communicate his ideas to the society at large. Every rhetorical effort assumes, at a minimum, access to a channel of communication. Much has been said about attempts to shout down one's opponent in a face-to-face situation—i.e., heckling—less has been written about the rhetorical problem posed by legally-sanctioned unequal access to communication channels for political candidates.

The democratic ideal—founded in classic libertarian thought—assumes that the best ideas and men (the truth) will triumph through a process of dialectic in which the merits of all sides are debated.¹ The tradition of equal opportunity for political candidates may be further traced to Aristotle, who held that in a democracy, magistrates should be chosen by lot.² Today, however, political decisions can be made on the basis of the ability of one candidate to literally drown out his opponent via greater use of the media of mass communication.

Lloyd Bitzer argues that the total environment governs the production of discourse. "When I ask, What is a rhetorical situation?" writes Bitzer, "I want to know the nature of those contexts in which speakers or writers create rhetorical discourse: How should they be described?"³ Bitzer's concern for the controlling set of circumstances which shapes a particular rhetorical response may be compared to Burke's discussion of the impact of a particular scene and agency on the conduct of rhetors.⁴ The focus in both philosophical conceptions is on those controlling forces which, by their nature, breathe a certain spirit into a particular message. Just as a situation of sorrow calls forth eulogy so too does the underlying frame of broadcast law shape the contours of political discourse—*who* hears *what*

J. Michael Sproule is Director of Forensics at Ohio State University.

¹ Fred S. Siebert, "The Libertarian Theory of the Press," in *Four Theories of the Press* (University of Illinois Press, 1956), p. 41.

² Aristotle, *Politics* VI. 2. 1317b.

³ Lloyd Bitzer, "The Rhetorical Situation," *Philosophy and Rhetoric*, I (January, 1968), 1-2.

⁴ See especially a situational application of Burke in Richard E. Crable and John J. Makay, "Kenneth Burke's Concept of Motives in Rhetorical Theory," *Today's Speech*, XX (Winter, 1972), 11-18.

from *whom*. The purpose of this paper is to examine some of the rhetorical implications of current media access law.

Access to the Political Forum

Political communication has always depended on the technology of society. In the pre-electronic era direct communication was bounded only by the strength of the voice, capacity of the hall or height of the platform. Legal concern for equal opportunity to communicate was only negative in the form of prohibitions against attempts to forcefully suppress or silence a candidate. Legal safeguards to *guarantee* equal access to the public eye and ear were unnecessary for candidates did not differ in their ability to travel and speak—although early nineteenth century custom mitigated against extensive stump or “whistle-stop” campaigns. While newspapers openly backed candidates, such indirect support was also relatively equal. The costs of founding a newspaper were small.

The state of the art of communication was radically altered by perfection of mass point-to-point communication—electronic broadcasting. The development of radio allowed a single communicator to capture and control the attention of millions. The political implications of the new device were not long ignored. Campaign broadcasting was well developed by the time of the depression. Yet, in the Radio Act of 1927 lawmakers chose to treat political access to the new medium as a *commodity* to be bought, sold or given only by the station owner.⁵ Broadcasting by candidates for public office was not seen as a right owing to the candidates or to their audience.

In 1934, the new Federal Communications Act superseded the old Radio Act.⁶ Section 18 of the radio law was incorporated virtually intact into the new communications law as Section 315.⁷ This section became (and still is) the basis of law in political broadcasting. The section dealt chiefly with limitations on broadcaster-donated free time to candidates. Broadcasters were to accord “equal opportunity” to “legally qualified” candidates for the same office. The program time purchased by candidates was treated in the first amendment to the section which came in 1952. Congress prohibited the then-common practice of charging candidates higher rates for political broadcasts than were normally assessed non-commercial programs. A second amendment came suddenly in 1959 when Congress exempted certain forms of “bona fide” news programs from the general requirement of “equal opportunity.” This legislation was prompted by a FCC ruling granting equal opportunity to perennial candidate Lar (America First) Daly on grounds that his opponent, the incumbent Mayor of Chicago, had been shown in certain newsclippings. A final amendment to the political broadcasting section was the temporary suspension of “equal opportunity” for the 1960 presidential and vice-presidential campaigns. The suspension did not apply to any other office and has not been renewed.

Section 315 and the Problem of Access

While the political broadcasting section of the Communications Act prevented outright discrimination in the provision of free and paid time

⁵ 44 Stat. 1162 (1927).

⁶ 48 Stat. 1064 (1934).

⁷ 48 Stat. 1088 (1934).

(a negative provision much like earlier laws preventing forceable silencing of an opponent) the law did nothing to assure positive media access to candidates. In fact, the section specifically allowed a station to refuse *all* requests for political communication: "No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate."

Further, it has long been argued that Section 315 actually inhibits political dialogue. Many broadcasters and some commentators on broadcasting argue that this requirement causes such extra expense and effort that media managers refrain from providing any free sustaining time to candidates. Office-seekers are forced to turn to paid broadcast advertising as their sole means of communicating to mass audiences. Thus, it is reasoned, repeal of Section 315 will increase availability of the electronic media by: (1) giving incentive to broadcasters, and (2) lessening the need for paid broadcast advertising. These claims merit investigation.

The belief that Section 315 works to reduce broadcasting time offered to candidates is long-standing and commonly held. Industry spokesmen—Stanton (CBS), Goodman (NBC), Adams (ABC), Sarnoff (NBC)—argue to this effect.⁸ Editorials in *Broadcasting Magazine* take a similar position.⁹ John W. Dean summarizes these claims.

Broadcasters persuasively argue that they cannot grant free broadcast time because of Section 315. If free time is given to major or leading candidates it must be given to all other candidates. The broadcaster can neither afford this from the standpoint of losses of revenue during the free programming nor the loss of audience that would result if there were a large number of splinter group candidates. The result is that time must be purchased by any who wish broadcasting time.¹⁰

Of further interest is the fact that network broadcasters promise significant amounts of free time if Section 315 is repealed. On June 10, 1971, Dr. Frank Stanton pledged CBS to the provision of eight hours of free time for major Presidential and Vice-Presidential candidates in the 1972 election.¹¹ ABC was willing to match the offer.¹²

In general, however, the case for an across-the-board repeal of Section 315 would not appear promising in light of surveys revealing local station reluctance to provide free time where there are only two candidates for office.¹³ But, on the Presidential level such a repeal might work, given network promises of free time. And to this end FCC chairman Dean Burch favors abolition of "equal time" for Presidential contests.

⁸ See for example Adams and Sarnoff in U.S. Congress, Senate, *Presidential Campaign Broadcasting Act, Hearings* before the Communications Subcommittee of the Committee on Interstate and Foreign Commerce, 86th Cong., 2nd sess., 1960, pp. 230-33.

⁹ See Editorial, *Broadcasting*, July 20, 1970, p. 74 and Editorial, *Broadcasting*, August 24, 1970, p. 70.

¹⁰ John W. Dean, "Political Broadcasting: The Communications Act of 1934 Revisited," *Federal Communications Bar Journal*, XX (1966), 40.

¹¹ Frank Stanton, U.S. Congress, House, *Political Broadcasting—1971, Hearings* before the Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce, House of Representatives, 92nd Cong., 1st sess., 1971, p. 149.

¹² Everett Erlick, *Political Broadcasting—1971*, p. 184.

¹³ Herbert E. Alexander, E. Stimson Bullitt and Hyman H. Goldin, "The High Costs of TV Campaigns," *Television Quarterly*, V, No. 1 (Winter, 1966), 50, 64-65.

Paid Broadcast Advertising

Although discussion of Section 315 and network time is widespread it may be increasingly irrelevant. Indeed, recent campaign statistics seem to show that the real fact of access is one of paid political advertising—much of it on local stations. More than ninety per cent of television stations responding to a survey reported significant sales of paid time excluding network sales.¹⁴ And the sale of national and local broadcast time will increase irrespective of the Communications Act. Dean observes that, "Section 315 does not prevent one candidate from attempting to outspend his competitors in purchasing broadcast time, so as to cause an unbalanced political coverage."¹⁵ We may assume that even with greater free time candidates would choose to purchase spot advertisements so as to increase their recognition.¹⁶ The continuing desire to spend more is borne out by the comments of former Republican Party Chairman, Thruston Morton. "I think," he said, "I can safely speak for both myself and my opposite number that we will be as vigorous as we can in raising money because there are always demands for programs that have a substantial cost."¹⁷

The evidence that additional free time would not lessen the furious pace of broadcast advertising goes a long way toward proving the claim that the cause of increased campaign costs is broadcasting itself, not Section 315. The electronic media have greatly affected campaign finance, for radio-television advertising is the major cost factor in many political campaigns.¹⁸ The figures on broadcast spending and the effect of that spending are significant. Some argue that our national elections are fast becoming situations where the party with the most money gains the advantages of broadcast communication.¹⁹ And few would doubt that broadcast costs will rise in the future.²⁰

The Need for Access: A Growing Concern

It is inescapable, then, that the increased costs of paid time have become the major barrier to equitable access to the broadcast forum. And for some time the intellectual and legal groundswell for guaranteed political access has been growing. One of the strongest endorsements of the right of access to the media came in the form of a 1946 ruling by the FCC that the constitutional right of free speech implied reasonable access to broadcast facilities.²¹ Indeed, early rulings by the Commission tended to chip away the provision in 315 that broadcasters could exclude all candidate use of station facilities.²² George O. Gillingham, retired chief

¹⁴ Richard D. Porter, "Some Values to the Broadcaster of Election Campaign Broadcasting," *Journal of Broadcasting*, VII (Spring, 1963), 146.

¹⁵ Dean, 42-43.

¹⁶ Alexander, et. al., 52 and 63.

¹⁷ Thruston Morton, *Presidential Campaign Broadcasting Act*, p. 31.

¹⁸ Committee for Economic Development, *Financing a Better Election System* (Washington: CED, 1968), pp. 7-8 and Rowland Evans, "TV in the Political Campaign," *Television Quarterly*, V, No. 1 (Winter, 1966), 25-26.

¹⁹ Edward W. Chester, *Radio, Television and American Politics* (New York: Sheed and Ward, 1969), p. 280.

²⁰ Dean, 16.

²¹ 3 Pike and Fischer R.R. 259 (1946). See also 11 FCC 312 (1946).

²² 10 FCC 515 (1945), 11 FCC 989 (1947), and 13 FCC 1246 (1949).

of the FCC Office of Reports and Information, reinforced this opinion in 1968. "Though Section 315 states that 'no obligation is hereby imposed upon any licensee to allow the use of its station by any candidate,' the Commission regards political broadcasts as an element of public service, and, accordingly questions stations that do not carry any."²³

With the increased costs of paid political message sending much effort has been made to legally regulate candidate access via a ceiling on allowable broadcast spending. In 1970 legislation to this effect was passed by both Houses of Congress. The President vetoed this on October 12, 1970 alleging that it discriminated unfairly against broadcasters. However, like-minded efforts resulted in enactment of the new Federal Election Campaign Act of 1971.²⁴ In the section on campaign communications the law specifically acknowledges the importance of media access for political candidates and limits broadcast spending to sixty per cent of the overall spending ceiling for each federal candidate.

The limits on broadcast spending provided for in the legislation are useful, but problems of access remain. The legislation in no way guarantees time to every candidate—for the burden of securing time is still a private one. In other words, the opportunity to communicate a political message is still a matter of purchasing a commodity, not exercising a right. This basic rhetorical problem is compounded: although the potential imbalance is limited, candidates will continue to differ in abilities to raise the sums of money necessary to gain an audience. Senator McGovern faced this problem in the 1972 election campaign, reporting difficulty in financing the *allowable* level of broadcast spending.²⁵ In 1968 the situation was more stark: candidate Nixon outspent candidate Humphrey two-to-one in broadcast communication. Representative John H. Murphy suggests that in such a close election broadcast differentials may be critical.²⁶

One mitigating fact must be remembered, however. There is little evidence to support the thesis that the candidate spending the most on broadcasting *always* wins. Yet, to argue from this that differential access is inherently "not harmful" is to miss the point. The existence of unequal opportunity to communicate political messages exerts a deleterious influence on the quality of American campaign rhetoric. The present framework of law requires that candidates spend much time and effort merely to secure an audience—time which could be better spent in communication. The media-induced financial burden injects an irrelevant factor into elections: candidate ability to pay. Further, the resulting advertisement format does little to initiate meaningful discussion of the candidates and issues. James L. Golden has argued that the quality of American political dialogue has declined.²⁷ Certainly, the pressures of paid media campaigning have contributed to this phenomenon.

One alternative to the commodity-purchase plan of media exposure is to provide free time to all federal candidates as a matter of right. To

²³ George O. Gillingham, "That Foggy Program Control Issue," *Television Age*, XV (May 6, 1968), 26.

²⁴ Public Law 92-225, approved February 7, 1972.

²⁵ "Money Runs Out, McGovern Says," *Columbus Citizen-Journal*, October 5, 1972, p. 7.

²⁶ *Political Broadcasting—1971*, p. 65.

²⁷ James L. Golden, "Political Speaking since the 1920's: Changes in the Idiom," *Vital Speeches*, XXIX, No. 24 (October 1, 1963), 763-67.

this end several bills were introduced into the Ninety-Second Congress.²⁸ Most of them provided apportionment of blocks of "voters time" in varying amounts for major and minor party candidates with the charges to be borne by the U.S. Treasury. This plan has the advantage of removing all legally-based differential access barriers. The "voters time" concept might have the further effect of dampening the use of advertising technology to "sell" candidates. The format of political broadcasts could be controlled and the use of mini-messages or "spots" eliminated. Such might easily have the effect of improving the relevance and quality of American political dialogue.

Access to Broadcast Facilities: Whither or Wither?

There can be little doubt that the enactment of the Federal Election Campaign Act of 1971 has improved the opportunity of candidates to achieve equal access to mass communication facilities. The law eliminates the potential for infinite margins of advantage for one candidate over another. The limitation of broadcast spending goes a long way toward implementing the emerging notion that candidates for public office *deserve* opportunities to communicate with mass audiences and that such opportunities should be apportioned fairly. Yet, access under the law is still handled on a fee-for-service basis allowing for mass communication inequities based solely on ability to pay. As the right to "free speech" is first among constitutional amendments, so, too, is fair availability of the public forum basic to the electoral process. The marketplace of ideas concept allows no room for prior idea-sorting via the dollar sign. Those inequities now sanctioned under law are political but they have a rhetorical dimension. A communicative act requires use of a channel of communication. That such use is yet tempered by a financial barrier amounts to a rhetorical problem.

²⁸ H.R. 5090, H.R. 5091, H.R. 5092, H.R. 6112, H.R. 7911.

SUBSCRIPTION INFORMATION

The Delta Sigma Rho-Tau Kappa Alpha National Council has established a standard subscription rate of \$5.00 per year for *Speaker and Gavel*.

Present policy provides that new members, upon election, are provided with two years of *Speaker and Gavel* free of charge. Life members, furthermore, who have paid a Life Patron alumni membership fee of \$100, likewise regularly receive *Speaker and Gavel*. Also receiving each issue are the current chapter sponsors and the libraries of institutions holding a charter in the organization.

Other individuals and libraries are welcome to subscribe to *Speaker and Gavel*. Subscription orders should be sent to Allen Press, P. O. Box 368, Lawrence, Kansas 66044.

THE MASTER INDEX

BRAD BISHOP

"Hey Colleague, have you got anything to refute that second need contention? I can't find a thing."

"I know I've got something somewhere, but I can't remember where I put it. It's either on a note card or in a dark green pamphlet."

"Listen, I'll get up and use my evidence against the first point and you keep looking for it..."

The above conversation is not an unusual one. It could be overheard during the last few minutes of many first affirmative constructives as the negative team frantically rifles through their information to find evidence they know is there. This situation could be avoided if debaters used a system of recording evidence which I have termed the MASTER INDEX. Very simply, the MASTER INDEX is a total organization of all evidence by subject, in index form, so that the debater can very quickly glance at the index and be reminded of what evidence he has on a specific point and where it can be located. The purpose of this article is to explain what the MASTER INDEX is and the advantages to be derived from its use.

Nearly every debate text contains at least one chapter on research dealing with the gathering and recording of information to be used in a debate. However, most only go so far as to explain where to find information and how to record it on a note card. After absorbing this basic information, each debater, through experience and the trial and error method, usually devises his own system of putting his evidence where he can get to it. Some use the file box system, recording affirmative and negative evidence on index cards and filing each card under general categories relating to the stock issues involved in the proposition. Others use the file folder system, devoting a folder to each of the stock cases they might meet during a season. Others use both, along with books, pamphlets, and magazines underlined and carried in the briefcase for possible reference. Each of these systems, as well as many others, has worked well for individual debaters through the years. However, the system to be explained in this article has several distinct advantages over these and it has been proven successful by those who have tried it.

What is the MASTER INDEX? It is an orderly system of recording all evidence on a central master sheet or sheets in index form. The index allows the debater to survey all of his evidence without looking through his file box, magazines, etc. It is based on a system using a code in the form of letters, numbers, and a coloring system. The evidence is arranged according to cases and possible contentions and not as unrelated categories. The mechanics of the index can best be understood by first examining a sample of segments from an affirmative and negative index. The following sample is taken from one contention of an index on the 1966-67 collegiate debate proposition, "Resolved: That the United States should substantially reduce its foreign policy commitments."

Brad Bishop is Director of Forensics at Samford University.

SAMPLE CONTENTION FROM A MASTER INDEX ON A NATO CASE

Affirmative MASTER INDEX

1. *Europe can defend itself*

Europe's economy is strong	A123	Church	1966
Europe has more gold	M099	US News	1965
Europe has military power	B189	Rusk	1964
Europe will have the bomb	A129	McNamara	1967

Negative MASTER INDEX

1. *Europe can not defend itself*

Not enough money	N013	Wilson	1966
Economy weak	N019	LBJ	1966
Military weak	B023	Brosio	1967
Russia too strong	B072	Eisenhower	1964

From left to right under each contention the columns represent the subject to be dealt with, the index code, the source, and the date of each particular piece of evidence in support of the contention. The index code, as is readily seen, is divided into three general ciphers: those beginning with *A* or *N* (A123 or N013), those beginning with *B* (B023), and those beginning with *M* (M099). An *A* or *N* cipher indicates evidence cards, affirmative and negative respectively, contained in the file box. A *B* cipher indicates books or pamphlets. And an *M* cipher indicates magazines.

Following each letter are some numbers. The first two numbers make up the first ordinate. These further narrow the evidence down by selecting a particular category, book, or magazine. For example, the first two numbers of N013 indicate the first category of the negative card file; the first two numbers of B023 indicate book number two; the first two numbers of M099 indicate magazine number nine. The remaining number or numbers then identifies the particular piece of evidence sought. N013 would then refer to the third card under the first category in the negative card section. B023 would mean the third quotation in book number two and M099 would refer to the ninth quotation in magazine number nine.

In action, the MASTER INDEX is quite simple to use. Let's say that your opponent has just presented the contention that Europe can defend itself. You would then go to your MASTER INDEX of negative information under the appropriate contention. Here, using only the index, you can survey all the evidence you have on that point without shuffling through cards or thumbing through magazines. You decide to use the Wilson quote that says that Europe does not have enough money to defend itself—N013. You then go to your negative card box, first category, third card. This operation is identical for *A*, *B* or *M* ciphers also.

To prepare your evidence for the MASTER INDEX, merely catalogue your cards by the appropriate numbers, and insert tabs into books and magazines for easy reference. Then divide your evidence into cases and subdivide it into possible contentions for a negative index or into the contentions for your affirmative case. To further simplify matters a coloring system is helpful. All negative information could be colored yellow (card categories marked, tabs for books, magazines, etc.) and all affirmative evidence could be colored blue.

There are several distinct advantages of using the MASTER INDEX system. The first is that the debater can locate his evidence easily and quickly. The index provides a very quick reference in the hour allotted

to a debate by telling the debater not only the entire scope of evidence he has for refutation on a certain point, but exactly where it is located. The debater who is in the habit of collecting two full brief cases of material would find this advantage very worthwhile. Further, it allows the debater a choice in shades of meaning so that exactly the right evidence can be selected. By being able to select quickly the evidence that applies to specific contentions of each case, the debater can avoid using the "stock block of evidence" that can be generally applied to any stock issue of a proposition.

Another advantage of using the index is that the debater will have more time to organize his own attack and listen to the presentation of his opponent. This allows him to concentrate on how he will say things as well as what he will say. Also, by having the author or source of the information listed on the index, the astute debater can scan this column for particular spokesmen quoted by the opposition to see if he has evidence by the same sources to use against them.

Another consideration in using the index is that it aids in organizational work before the tournament season ever begins. As the debater begins to accumulate his evidence from various sources and brings it together in one heap, the MASTER INDEX helps to organize it into a meaningful tool. As the season progresses the debater will be finding new evidence and with the index he is never unsure of where he can use it. Following each tournament the debater can easily add to or revise the index by concentrating his research in areas where his index lacked needed support during the debates.

This index system also helps to boost the confidence of beginning debaters. With the index before him, the novice debater is relieved of the fear of hurriedly thumbing through many note cards to locate a specific piece of evidence. By compiling his own index and keeping it up to date, the debater can go into a debate with the confidence that at least he knows what evidence he has and where it is located. To be sure, he will have many opportunities to use it.

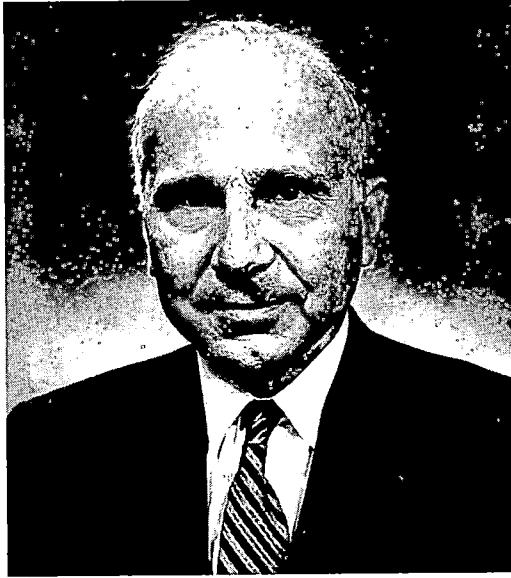
ERIC FIRST ANALYSIS

A new forensics publication, ERIC FIRST ANALYSIS: 1973-1974 NATIONAL HIGH SCHOOL DEBATE TOPIC, will be available from the Speech Communication Association April 23, 1973. The 32-page printed document under the co-authorship of William M. Reynolds, George Washington University, Washington, D.C. and John E. Sexton, Saint Brendon's High School, Brooklyn, New York, will provide high school debaters with an introductory analysis of the impending high school topic and a selected, annotated bibliography.

An ERIC (Educational Resources Information Center) research team directed by the co-authors and appointed by the Speech Communication Module, ERIC Clearinghouse on Reading and Communication Skills, will identify bibliographic resources for the document during the month of March.

The price: 25 cents each, 15 cents each for orders of ten or more. Order in advance from: ERIC FIRST ANALYSIS, Speech Communication Association, Statler Hilton Hotel, New York, New York 10001. Please enclose full payment (stamps acceptable) with each order.

SCHUG COMPLETES 40 YEARS AT PENN STATE



When Professor Clayton H. Schug received DSR-TKA's Distinguished Service Award last year, he had completed 40 years of coaching the women's debate teams at Pennsylvania State University.

During the years between 1931 and 1971 he worked with 1,072 debaters, maintaining standards of full participation and excellence in achievement which earned him nationwide admiration and respect. He has frequently cited as part of his philosophy the "unrelenting" policy through the years that "everybody participates." In 1970-71, for instance, every member who remained on the squad for at least two terms participated in one or more intercollegiate forensic tournaments. Among the team statistics accumulated in four decades, by the way, was a total of 146,331 miles travelled.

Clayton Schug had served as chapter sponsor for the Pennsylvania State chapter of Delta Sigma Rho and of DSR-TKA since before I can remember. He also was a vice-president of Delta Sigma Rho for 10 years and was an associate editor of *The Gavel*.

In December of 1971, more than 175 friends attended a retirement dinner staged in his honor, where he was presented with a bound volume of letters of appreciation and entertained with dramatizations of colorful episodes from debate trips of the past. His own most vivid memory, he says, was of the time when the roof of a restaurant in which the team was taking shelter was torn off by a tornado and landed on his brand-new Plymouth automobile.

The annual survey of Penn State Women's Forensics for 1971 provides an interesting set of reflections on these 40 years of achievement.

Clayton Schug's friendly spirit and high standards as a speech educator have contributed greatly to this organization and to the whole forensics enterprise.

R.O.W.

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STUDENT SPEAKER-OF-THE-YEAR CONTEST

Nominations for the 1973 Student Speaker-of-the-Year Award should be submitted to Mac Haddow, First Vice President of the National DSR-TKA Student Council, Brigham Young University, at the National Conference in Urbana. To be eligible, students must be members of DSR-TKA, graduating seniors, and in attendance at the conference. A resume should be submitted which includes a record of their performance in intercollegiate forensics, their scholastic record, other extracurricular activities, and any form of community service in which they have been engaged.

Judgment will be made by a committee of chapter sponsors. The recipient of the award will be announced at the final banquet of the National Conference.

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