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# The “comeback” second Obama-Romney debate and virtues of argumentation

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**ABSTRACT:** By consensus, President Barack Obama’s performance in the first 2012 Presidential debate was weak. Anticipating the second debate, commentators asserted that he must make a strong comeback to revive his candidacy. He is widely judged to have done so. I will examine the major argumentative exchanges in the debate to determine to what degree it exhibited virtues of argumentation and whether Obama’s perceived comeback was a matter of argumentative superiority as well as performance.

**KEYWORDS:** Barack Obama, campaign rhetoric, Candy Crowley, Mitt Romney, presidential debates, 2012 presidential election, town hall debates

## 1. INTRODUCTION

Since their advent in 1960, debates between U.S. presidential candidates have been touted for increasing voters’ interest in the campaign, educating voters, and improving the quality of campaign discourse (“White Paper” 2002). While hardly without weaknesses, they are the least scripted communications of the campaign. They are more likely than other messages to reveal a candidate’s characteristic mode of reasoning, problem-solving, and advocacy. And they offer insight into a candidate’s ability to think quickly, to respond to challenges, and to be adept on multiple subjects at once. Even though they typically change very few votes, they are thought to have potentially powerful effects on the campaign.

What is less evident is whether these debates demonstrate virtues of argumentation, and if so whether there is any connection between these virtues and the effects of the debates. I will use “virtues of argumentation” loosely, focusing primarily on dialectical engagement (taking into account the claims of one’s opponent and the implications of questions), framing of disputes to permit their resolution, judicious use of evidence and inference, and norms of civility and restrained partisanship.

I will investigate these questions through analysis of an important case: the second debate in the general U.S. election of 2012 between President Barack Obama and former Massachusetts Governor Mitt Romney. The debate took place on October 16, 2012 at Hofstra University. It was presented in a “town hall” format, with questions posed by undecided citizens in the audience, and it was moderated by

Candy Crowley of CNN. Several factors make this debate an interesting study. To begin with, there was widespread agreement that the President's performance in the first debate had been disappointing. Whether this judgment was warranted by assessment of the arguments is another matter (Zarefsky, 2013), but the judgment was widespread. In post-debate polling, Romney appeared to have closed the gap Obama had opened in almost all the swing states, and the momentum of the campaign shifted in his direction. For Obama, then, the second debate offered both the opportunity and the need to regain the initiative. Most analysts regarded the debate as a success for Obama, but again it is not clear whether this success resulted from exhibiting virtues of argumentation or whether it had some other cause.

## 2. "BINDERS FULL OF WOMEN"

The debate was perhaps best known for two exchanges. One involved a verbal gaffe on Romney's part; the other, a dispute over evidence. In the fourth exchange of the evening, a woman named Katherine Fenton asked, "In what ways do you intend to rectify the inequalities in the workplace, specifically regarding females making only 72 percent of what their male counterparts earn?" The question clearly was about pay equity and it sought to elicit proposals above and beyond what was being done already.

Obama reminded listeners that the first bill he signed as president was the Lilly Ledbetter Act, reversing a Supreme Court decision that had denied a woman equitable relief because her suit was filed too late, even though she could not have been aware earlier of her discriminatory treatment. This sort of advocacy was valuable, he asserted, because pay equity was "not just a woman's issue, this is a family issue, this is a middle-class issue and we've got to fight for it." Improving access to college was part of Obama's solution, and it was to be achieved by eliminating banks from the middleman role in the student loan program. The president did not link the arguments, but presumably his claim was that education would enable women to command higher salaries.

When his turn came to respond, Romney took a different tack. He did not comment on Obama's answer; nor did he focus on pay equity specifically. Rather, he shifted focus to affirmative action in employment. He told of seeking to fill his cabinet after he had been elected Governor of Massachusetts and discovering that all the applicants were men. So, he said, he asked "a number of women's groups" to help find qualified women "and they brought us whole binders full of women." In context, Romney was saying that there were many qualified women available, so that limited supply could not be used as an explanation for failure to hire women. But his choice of words was spectacularly inept. First, one doesn't put women in a binder; Romney should have said something like "binders full of women's resumes," suggesting the abundance of papers to read. Instead, the image of women being stuffed into binders was ridiculous on its face and was demeaning to women. Second, it easily could imply that Romney, insensitive to women, commodified them in his discourse. Rather than being people to be considered individually and respectfully, they were objects to be inserted indiscriminately into a binder. Not surprisingly, "binders full of women" became one of the laugh lines of the campaign.

Romney's response was not taken seriously, and even if it had been, third, it was not responsive to the question. By not endorsing the Ledbetter Act, Romney opened himself to the charge that he was not really committed to pay equity and was raising non-discriminatory hiring as a diversion. Romney's position was not advanced when he went on to support flexibility in women's work schedules, because that was related to hiring women, not to pay equity.

In his response, Obama did not call Romney out for evading the question. Nor did he comment on the "binders full of women" phrase or call attention to its objectionable connotations. He did note that Romney was noncommittal on the Lilly Ledbetter Act and then introduced a new dimension of the issue: the requirement in the health care law (which Romney opposed) that insurance companies provide contraceptive coverage for women. Romney had opposed that requirement, and Obama characterized his opposition first as "having politicians in Washington decide the health care choices that women are making," and as endorsing the view "that in fact employers should be able to make the decision." He also mentioned Romney's proposal "that we should eliminate funding for Planned Parenthood" and noted, "there are millions of women all across the country who rely on Planned Parenthood" for mammograms and cervical cancer screening as well as preventive care.

Though irrelevant to the question and connected only loosely as a "women's issue," the discussion of health care was a bonus for Obama because it came in the closing comment of an exchange and Romney was not invited to respond. Obama linked it to his earlier point about Romney's silence on the Ledbetter Act, saying of both views, "That's not the kind of advocacy that women need." He ignored Romney's entire discussion of affirmative action in hiring, just as Romney had ignored the specific question of pay equity. What was remembered from the entire exchange, however, was not any of these arguments but the ill-chosen phrase, "binders full of women." If Obama prevailed in this exchange, it was not because of virtues of argumentation but because of Romney's verbal gaffe.

### 3. THE ATTACK ON BENGHAZI

"Binders full of women," seen in retrospect as a Romney blunder, may have been the most memorable moment of the debate. But in my judgment a far more consequential encounter took place on the eighth question, concerning the recent attack on the United States diplomatic mission in Benghazi, Libya. Audience member Kerry Ladka asked the president, "Who was it that denied enhanced security and why?"

Obama evaded the specific question but offered a general review of the situation. He expressed his sympathy for the diplomats and described his actions in the aftermath of the attack, motivated by a desire to find out exactly what had happened. In contrast, the president said, "Governor Romney put out a press release, trying to make political points, and that's not how a commander in chief operates." Finally, he buttressed his own *ethos* by pointing to several foreign-policy matters on which he had done what he said he would, implying that he would do so in this case.

Romney began his reply with a rambling expression of sympathy for the diplomats, mixed with an affirmation that Obama was responsible for their fate. He then said, “There were many days that passed before we knew whether this was a spontaneous demonstration, or actually whether it was a terrorist attack.” It became clear that it was a terrorist attack, and “it took a long time for that to be told to the American people. Whether there was some misleading, or instead whether we just didn’t know what happened, you have to ask yourself why didn’t we know five days later” when United Nations Ambassador Susan Rice mistakenly labelled the incident a demonstration. This was argument by innuendo, implying that the administration was concealing the truth. Even more troubling, Romney said, was the fact that Obama the next day attended political fund-raisers instead of personally investigating what had happened.

Then things got interesting. Moderator Candy Crowley may have anticipated a brief exchange when she said, “I want to still get a lot of people in,” and she asked the president a narrow question. Secretary of State Hillary Rodham Clinton, Crowley said, had taken full responsibility for the attack. Then she asked, “Does the buck stop with your secretary of state as far as what went on here?” Obama answered the narrow question by saying that Clinton “has done an extraordinary job. But she works for me. I’m the president and I’m always responsible.”

But then Obama shifted into a dialogue, addressing remarks directly to Romney. Obliquely referring to the assertion that he had been off attending fund-raisers, Obama said, “The day after the attack, governor, I stood in the Rose Garden and I told the American people in [*sic*] the world that we are going to find out exactly what happened. That this was an act of terror and I also said that we’re going to hunt down those who committed this crime.” He added that “the suggestion that anybody in my team . . . would play politics or mislead when we’ve lost four of our own, governor, is offensive. That’s not what we do.” These remarks need to be set in context. Republicans had criticized the president for waiting too long to announce that the attack was a terrorist act undertaken by a group with ties to the Libyan branch of al-Qaeda. The alleged motive for delay was that an earlier announcement would have undercut the president’s claim to have significantly weakened al-Qaeda as a result of the 2011 killing of Osama bin Laden. In short, the allegation was that the administration was manipulating a tragedy for political benefit in the campaign. By shifting to dialogue and addressing his remarks directly to Romney rather than to the moderator or the public, Obama associated his opponent with these charges that he labeled “offensive.”

Invited to make a quick response, Romney zeroed in on one point. He noted that Obama had just said “that on the day after the attack he went into the Rose Garden and said that this was an act of terror.” Obama interrupted to confirm, “That’s what I said.” His reply invited Romney into the dialogue, and the governor began to talk directly to the president. In the manner of a prosecuting attorney, he tried to pin Obama down: “You said in the Rose Garden the day after the attack, it was an act of terror. It was not a spontaneous demonstration, is that what you are saying?” In the manner of a lawyer objecting that the question had been asked and answered, Obama urged his opponent to “Please proceed, governor.” Romney then shifted from the dialogue mode and explained (presumably to the audience) that he

wanted to get Obama's answer "for the record because it took the president 14 days before he called the attack in Benghazi an act of terror." Romney did not explain at the time why this was so important. Presumably he thought it not just a factual error over a minor matter but proof that the president was lying and that he either presided over an inept intelligence operation that took so long to get to the truth or else that he had indeed misled the people at the time of the attack. But these parts of Romney's potential argument were left unstated and Obama chose not to reply to them. He drew the *stasis* of the argument at conjecture ("Did I say what he claims I did?"), instructing no one in particular, "Get the transcript."

As though responding to this request, Moderator Crowley intervened, saying, "It – it – it – he did in fact, sir. So let me – let me call it an act of terror." Pleased with his apparent victory, Obama enthused, "Can you say that a little louder, Candy?" and she proceeded to do so. She then, in a nod to Romney, acknowledged that "it did as well take two weeks or so for the whole idea there being a riot out there about this tape to come out." Her implication was that both men were partly correct. But Romney persisted in the claim that "the administration indicated this was a reaction to a video and was a spontaneous reaction" and that "It took them a long time to say this was a terrorist act by a terrorist group." But he then undercut his authoritative stance by asking the moderator, "Am I incorrect in that regard?" This question hurt Romney. First, it implied that he was not sure of his position – especially damaging in light of the seriousness of his charge. Second, it implied that he accepted Crowley's authority to answer the question. And third, it shifted Romney back into dialogue mode, but now he was engaged in dialogue with Crowley rather than with Obama.

Taking advantage of this shift in the mode of discussion, Obama called, "Candy?" and then indicated that he would be happy to engage in a longer discussion of foreign policy. After some brief crosstalk, however, Crowley said, "I want to move you on," and introduced another question on a different topic. The way the exchange ended, then, Romney had made a serious charge against Obama (that he was either incompetent or misleading), which Obama had denied and to which he had taken offense, casting doubt on Romney's character for making this charge. On the subsidiary question of fact, Romney had been declared wrong by the moderator. The overall impression was not only to vindicate Obama but to suggest that Romney did not know what he was talking about on a key matter of foreign policy. The combination of his ignorance of the facts and the seriousness of his charges suggested that he was irresponsible – confirming that Obama's taking offense was justified. In all, this exchange was a decisive victory for the president on an important issue.

And yet, when the "transcript" was reviewed, in the form of a video of Obama's Rose Garden remarks, it proved to be far more ambiguous. What the president said was, "Terrorist acts will not be tolerated." This could have been construed as an enthymeme of the categorical form: Terrorist acts will not be tolerated; this was a terrorist act; so it will not be tolerated. But it *also* could have been construed as an enthymeme of the conditional form: Terrorist acts will not be tolerated; so, if this was a terrorist act, it will not be tolerated. The former possibility supports Obama's interpretation; the latter supports Romney's. Moreover, it is true

that Obama in the Rose Garden also mentioned the possibility that the attack was a spontaneous demonstration turned sour. This claim too is subject to multiple interpretations. It could be taken as a false and misleading statement, or as an acknowledgment that the administration was not able to tell the difference – interpretations that would favor Romney. But it also could be taken to suggest that the attack had elements of *both* a terrorist act and a spontaneous demonstration, or that the reality was complex and legitimately took time to sort out – interpretations that would favor Obama.

One of the virtues of argumentation is that it invites careful scrutiny of the inferences linking evidence to claims, since that is how one determines whether claims are justified. Such scrutiny was clearly lacking in this case. That might have been a serious deficiency if the evidence had been unequivocal and dispositive of the claim. But as I have tried to suggest, that was not the case. Anyone inclined to argue that “instant fact-checking” would improve presidential debates by unmasking erroneous or evasive claims should take pause. At least in this example, examination of the evidence would have served only to take the ambiguous discussion to a different level.

Instead, this exchange reveals a different virtue of argumentation. It permits people to reach justified decisions even when (as is most often the case) not all the evidence is available. Taking the statements in this exchange at face value, noticing the choices made by each debater, and seeing where those choices lead and what they imply, one reliably could conclude that the charge that the president was playing politics with tragedy did not hold up. As argued in the debate, the exchange favored Obama.

This episode also triggered a brief controversy in the press about the appropriate role of the moderator in a presidential debate. Some saw Crowley’s statement confirming Obama as an unwarranted intervention by the moderator into the substance of the debate; others saw it as a perfectly acceptable way to focus the discussion and keep it on track; and still others saw it as an intuitive move by Crowley, lapsing from the role of moderator into that of reporter. This question warrants continued attention, particularly in light of the 2012 format changes that removed the requirement for exactly equal time between the candidates and that enhanced the prominence of the moderator. Whether that enhanced role permits the moderator only to ask follow-up questions or whether it also permits making judgments about matters in dispute is an issue for continued study.

#### 4. ROMNEY’S ETHOTIC ARGUMENT

Although time does not permit discussion in comparable detail, three other aspects of the argumentation in this debate are worthy of note. First, on economic matters Romney relied heavily on argument from his own *ethos*. Rather than answer a question about what he would do, he proclaimed that he *knew how to solve the problem* referenced in the question. He was appealing for support not on the basis of his proposed policies but on his knowledge base and the belief that he could be trusted to do what needed to be done.

An answer along these lines was put forward in almost half the question sequences – five out of eleven. Asked in the very first question how he could reassure college students that they would be able to find jobs after graduation, he said in part, “I know what it takes to get this economy going.” Importantly, he did not state what that was but asked people to trust him, presumably because of his extensive private-sector experience.

On the third exchange, when asked what tax credits and deductions he would eliminate to pay for his proposed tax cuts, Romney hedged. He said he might simply cap the total amount of deductions a taxpayer could claim. Later in the same discussion, he distinguished himself from Obama by saying, “I want to make small businesses grow and thrive. I know how to make that happen.” In a follow-up question, Crowley asked the governor what he would do if the tax cut numbers in his budget plan did not add up. Romney’s reply: “Well of course they add up. I – I was – I was someone who ran businesses for 25 years, and balanced the budget.” His financial plan was defended not on its merits but on his prior business experience. Yet one more time, during the follow-up, Romney said explicitly, “I know what it takes to balance the budget.” Voters were asked to support his policies on the basis of trust in that statement.

Moreover, in the discussion of gender inequities in the workplace, Romney stated, “I know what it takes to make an economy work.” In the course of his response to the very next question, although it was not directly pertinent, he said again, “My priority is jobs. I know how to make that happen.” Finally, on the last question, a “softball” that asked each candidate the biggest misperception the American people had of him, the governor said that he cared about 100% of the people, an implicit reference to the unfortunate remark earlier in the campaign when he had said that 47% were takers who saw themselves as victims and never would vote for him in any case. He added, “I understand what it takes to make a bright and prosperous future for America again,” and, as if in explanation, said, “I spent my life in the private sector, not in government.”

There is a clear pattern to these statements. They all concern the economy; they all maintain that Romney should be favored because he knew what to do about this key issue, based on his experience in the private sector; and they were all silent about what he actually would do. Ethotic argument substituted for any substantial claims. It is easy to see why Romney made this choice. Once he offered specific policy proposals, they were fair game for criticism. There was typically a gap between what a proposal could achieve and the magnitude of the problem; this is why some would say that Romney’s numbers did not add up. Yet Romney could not propose more ambitious proposals because they would cost more than the public was willing to pay, or they would increase the tax burden on the middle class, or both. There was division even within the Republican Party over the proper role of government. Far better, then, if the election could be turned into a referendum on the incumbent president. His policies, too, inevitably would fall short of their promise. Then the challenger could be endorsed on a vague promise to do better.

The difficulty for Romney was, first, that he had previously presented some specifics and the numbers had been challenged by professional economists, not just Democratic hacks. These challenges affected the ethotic argument because they



suggested that, despite his confident assertions, the governor did not know what to do. Second, Romney's private sector experience had been contested specifically by Democrats. Bain Capital, the company Romney headed, stood accused of destroying at least as many jobs as it created. In this very debate, Obama referred to it as investing in "pioneers of outsourcing" American jobs to other countries, being guided not by the broad economic impact of its decisions but only by concern for its own bottom line. These attacks had been part of the Obama campaign's effort to "define" Romney so as to discredit him.

These answers by Romney do not display many of the virtues of argumentation. They are attempts to evade difficult choices. They were particularly ill-chosen because they had been pre-empted by refutation that the Romney campaign did not effectively answer or weaken. But given a different stance toward Romney by Democrats earlier in the campaign, the governor's reliance on ethotic argument might have been more successful. This observation is a reminder of the importance of argumentative context.

## 5. ASSOCIATIONS AND DISSOCIATIONS

Another dimension of the debate was the attempts at making or breaking links between claims or between people. Perelman and Olbrechts-Tyteca (1958/1969) have explained that much of argumentation is about associations and dissociations. This is because the adherence elicited by one person or idea can be transferred to another with which it is linked or insulated from another from which it is separated.

Several of the question sequences invited the candidates to engage in making or breaking links. For example, the fifth question asked Romney to distinguish himself from former President George W. Bush. This question was fraught with pitfalls. If Romney were to make too sharp a break with Bush, he might appear ungrateful and might alienate some within his own party. Fail to break with Bush, on the other hand, and the stigma of the unpopular former president would transfer to him. Successfully negotiating this dilemma was required for Romney to answer this question.

Romney's major strategy was to argue that the times were different, so he and Bush needed to be different. For example, under Bush America was not able to be self-sufficient with respect to energy; now, thanks to technological advance and new discoveries of shale oil, it can be. Accordingly, Romney can be less committed than Bush to safeguarding oil imports from the Middle East. Romney also said that he would be "tougher" on China than Bush was, that he would achieve a balanced budget whereas Bush had been unable to do so, and that, unlike Bush, he would make championing of small business a priority. But he did not argue that on any of these dimensions he was better than Bush (although that may have been implicit). Rather, his contention was that Bush "had a very different plan for a very different time." This enabled him to sidestep any direct assault on President Bush while clearly distinguishing himself from him.

In his response, Obama tried both to yoke Romney to Bush when that was to his advantage, and also to distinguish him from Bush when *that* was to his advantage. He pointed out, for example, that Romney's promise of "a very different

economic plan” relied on tax cuts, the very centrepiece of Bush’s economic policy and arguably a major source of current difficulties. Similarly, Obama argued that Romney could not distinguish himself from Bush on China. Alluding vaguely to Romney’s pro-business stance, he said, “Governor, you’re the last person who’s going to get tough on China.”

But Obama also named other respects in which Romney would be different from, but worse than, Bush. For example, “George Bush didn’t propose turning Medicare into a voucher”; George Bush “didn’t call for self-deportation” of illegal immigrants; “George Bush never suggested that we eliminate funding for Planned Parenthood.” By both tying Romney back to Bush and distinguishing the two when it was to Romney’s disadvantage, Obama had the more versatile argumentative position.

The very next question focused on Obama and raised the question of a gap between Obama’s 2008 campaign promises and his actual performance. This was an important distinction for Romney to invoke, in the hopes of picking up votes from 2008 Obama supporters who were disappointed that the president had not delivered on his promises. This line of argument will always put the incumbent on the defensive.

Obama began his reply by acknowledging that “we’ve gone through a tough four years. There’s no doubt about it.” Unlike his remarks on some previous occasions, he did not recite a litany of problems he had inherited; nor did he blame his predicament on his predecessor. These were wise omissions. The circumstances of 2008 were well known, and after four years in office the “blame” argument was well worn. The president then identified specific areas in which he *had* kept his promises: a tax cut for the middle class and for small business, ending the war in Iraq and focusing on al-Qaeda, passing health care reform, adopting tough financial reforms, creating 5 million jobs, and saving the auto industry. These were significant achievements, but the danger of stopping there was that it might convey the impression that Obama thought there were no serious problems remaining. He specifically denied that that was the case and enumerated some of his objectives for a second term, in which he also hoped to “get it done” with respect to the 2008 promises he had not yet been able to keep. Finally, he urged his listeners to focus also on Romney’s promises, which Obama said the challenger would keep: rejecting tax increases even for billionaires, cutting funding for Planned Parenthood, and repealing Obamacare.

All in all, Obama had a strong response to a potentially harmful question. He rejected a distinction between the Obama of 2008 and the Obama of 2012, associating himself with his earlier pledges, taking credit for successes, reaffirming and extending his commitments, and urging a comparative focus on the two candidates. When it came Romney’s turn to respond, he started off by saying to the audience, “I think you know better,” suggesting that Obama’s answer was a fabrication. He stated, “I think you know that these last four years haven’t been as good as the president described,” which was a weak opening because Obama had *not* described the past four years as “good”; in fact, he had said they were “tough.” But Obama had enumerated specific achievements and Romney did not dispute them. Thus Romney had laid no foundation for the conclusion of his sentence, “you

don't feel like you're confident that the next four years are going to be much better." In fact, Romney said, the next four years under Obama will be "a repeat of the last four years."

But then the challenger hit his stride. He moved from these generalities into a list of specific Obama promises that had not been fulfilled. Unemployment had not dropped to 5.4 percent, as promised. Obama had not submitted plans to reform Medicare and Social Security, as promised. He had not cut the deficit in half, as promised. He had not reduced health insurance premiums for middle-class families, as promised; they had increased instead. He had not created any more jobs than he had lost. Moreover, Romney contended, there were now more people in poverty, more people on food stamps, and slower economic growth than when the president took office. Romney's conclusion: "The middle class is getting crushed under the policies of a president who has not understood what it takes to get the economy moving again. ... The president has tried, but his policies haven't worked. He's great as a – as a – as a speaker and describing his plans and his vision. That's wonderful, except we have a record to look at."

All told, this was a strong comeback by Romney, perhaps his strongest performance in the entire debate, especially since he had the last word on the question and there was no follow-up discussion. But a careful analysis of the argument suggests that Obama and Romney were on two somewhat different planes. Obama was saying that he had kept several specific promises, that he had done reasonably well under the circumstances he faced, that he was not giving up, and that his promises were better for the American people than were Romney's promises. Romney identified *other* campaign promises where Obama had fallen short and cited specific indicators of worsening economic performance. He granted that Obama would keep trying and asserted that the result would be continued failure. He did not defend his own promises as being better than Obama's but instead argued that the recovery from the early 1980s recession under Ronald Reagan was stronger than the achievements Obama could cite, a statement of dubious relevance to the discussion at hand. Despite Romney's impressive performance, the exchange did not clearly establish either that the president of 2012 should or should not be dissociated from the candidate of 2008. Since the incumbent was on the defensive in this exchange, a stalemate works to his advantage, particularly since it is widely understood that candidates will be unable to keep all their promises.

## 6. INTERRUPTIONS AND THE RULES OF THE GAME

One other aspect of this debate warrants attention. Unlike most previous debates, those of 2012 did not have firm time limits for each candidate. Instead, after two-minute opening statements by each in response to a question, time was set aside at the discretion of the moderator for a free-form follow-up discussion in which the moderator could pose additional questions to one or both candidates. There was no assurance that there would be follow-up discussions on each question and no assurance that the candidates would get equal amounts of speaking time or an equal number of follow-up questions, although it was assumed that minor differences in

speaking time would “come out in the wash.” The resulting ambiguity created incentives for each candidate to try to control the discussion time, by speaking expansively, interrupting the opponent, and resisting efforts by the opponent to interrupt him. This situation required careful policing by the moderator, and although Crowley was more aggressive than some, her performance in this respect was uneven.

Almost every discussion period ended with what the transcript calls “crosstalk” in which the candidates were talking over each other in an attempt to dominate the discussion. Sometimes the interruptions were polite; sometimes not. At the end of the first exchange, Romney interrupted Crowley to observe that Obama’s “Detroit answer ... and the rest of the answer, way off the mark.” In the second exchange, on oil and gas prices, there was a back-and-forth between the two candidates that Crowley allowed to continue. Obama said of Romney’s answer, “Not true, Governor Romney.” Romney then shifted into dialogue mode and asked Obama, “So how much did you cut ...,” and Obama repeated, “Not true.” Romney persisted with his question; Obama answered a different question. Romney clarified the question; Obama began an explanation; Romney interrupted to say, “No, no, I had a question, “ which he repeated; Obama said, “You want me to answer a question”; Romney repeated it again; Obama said, “I’m happy to answer the question” and then gave a five-sentence explanation that did not answer the question but stated that its premise was misleading. It is unlikely that this exchange was enlightening for viewers. It did make it seem that Obama was evading the question, except that Romney never explained why the question was important to the larger issue.

This exchange actually continued for some time, shifting from cancellation or renewal of leases to oil production, and proceeded in this unenlightening vein:

ROMNEY: And production on private – on government land.”

OBAMA: Production is up.

ROMNEY: ... is down.

OBAMA: No, it isn’t.

ROMNEY: Production on government land of oil is down 14 percent.

OBAMA: Governor –

ROMNEY: And production on gas –

(CROSSTALK)

OBAMA: It’s just not true.

ROMNEY: It’s absolutely true.

After witnessing an exchange such as this, it may be less surprising that Crowley intervened to try to resolve a similar “’tis/’taint” dispute about the attack on Benghazi.

In the third exchange, Romney interrupted Crowley to object to the unfairness of the proceedings, noting that Obama spoke first and therefore that he, Romney, should have the last response. Apparently he did not understand that the discussion period was free-form at the discretion of the moderator. Crowley’s clarification was not helpful: “... in the follow-up, it doesn’t quite work like that.” She

then said, “But I’m going to give you a chance here,” meaning that the next question was for Romney but perhaps implying that he was right on the merits of his complaint. He would make a similar complaint during a later exchange. Obama would mention once that he hoped the timekeepers were working.

There were similar interruptions and exchanges throughout the debate. On several occasions, each candidate tried to interrupt by calling out, “Governor Romney” or “Mr. President,” or by addressing the moderator, but the opponent continued speaking. After reviewing the amount of time devoted to these encounters, I am not sure that the free-form discussion period or the invitation to the candidates to engage in dialogue well served the goals of the debate. A series of unmoderated but time-limited follow-up opportunities for both candidates might be an improvement on this procedure.

## 7. CONCLUSION

There were a few other question sequences I have not fully discussed – one on whether the price of gasoline at the pump was an appropriate criterion for judging energy policy, one on immigration, one on limiting the availability of assault weapons, and one on bringing back and keeping jobs in the United States. In my judgment, these exchanges did not advance beyond the initial statement of each candidate’s position, or they were cut short, or they were inconclusive.

What does this debate, taken as a whole, reveal about the virtues of argumentation I mentioned at the outset – dialectical engagement, framing of disputes to permit their resolution, judicious use of evidence and inference, and norms of civility and restrained partisanship? On the surface the answers are not encouraging. When the debate shifted into a dialogue mode, the result was not dialectical engagement but a standoff between assertions that something was or was not true. Seeming acknowledgment of an opponent’s commitments during the speeches themselves was more typically a case of damning with faint praise, such as granting that the opponent had tried in order to make the point that he has failed or that he was sincere in order to make the point that he was wrong. Perhaps the closest to dialectical engagement came on the “softball” final question, when each candidate tried to identify and to respond to a misperception about him.

As for the virtue of framing disagreements to permit their resolution, this debate if anything did the opposite. Often the candidates discussed different aspects of a question, or sometimes different questions entirely, and the moderator only on rare occasions intervened to identify the difference or to try to get one candidate either to stipulate to or to dispute a specific statement made by the other. When the candidates drew distinctions in order to try to sharpen the focus of the question, such as the difference between drilling for oil on private and on government land, they typically failed to explain why the distinction was important or how it would contribute to resolving a larger issue.

Certainly evidence and inference were not used judiciously. There was plenty of evidence, to be sure, but it was inexact or misleading more often than one would wish, even after making allowance for the tension level of such a high-stakes debate and for the fact that no candidate can be expected to know everything. Inferences

were often left implicit, which meant that the nature of the links between evidence and claims was not always well understood.

The norms of civility were observed reasonably well. Each candidate addressed the other by title, they both were courteous to the moderator, and they branded the other's statements "not true" rather than calling the opponent a liar or directly attacking his character. On the other hand, each frequently interrupted the other and they often spoke over each other – weaknesses, I believe, with the format they used. It certainly would not be accurate to call their partisanship "restrained," but in the midst of a close presidential campaign one would not expect it to be. Indeed, like the other virtues of argumentation, this one must be understood in relation to its context.

This analysis suggests that the perception of an Obama "comeback" during the second debate is not primarily a result of his argumentative superiority but rather the influence of two factors: Obama's persona, which was confident, forceful, assertive, and decisive; and a number of weaker strategic choices on Romney's part.

It may well be that the hurly-burly of a presidential election campaign is not the best place for the display of virtues of argumentation as we understand them normatively. "Politics ain't beanbag," Mr. Dooley reportedly said over a century ago. This does not mean, as some have alleged, that presidential debates are not "really" debates, but rather that they are debates of a special kind and need to be evaluated not against *a priori* standards but against the requirements and expectations of the genre.

Indeed, these debates remind us that argumentation is not just the relationship among a series of statements or propositions, but a social practice. It takes place with an audience in mind. Premises and warrants are drawn from the social knowledge and the beliefs of the audience, and the conclusions toward which candidates reason are guidelines for prudential action. The second presidential debate of 2012 was virtuous in contributing to that goal, even if not by the criteria that I would prefer to use.

#### NOTE

All quotations from the debate are taken from the transcript provided by the Commission on Presidential Debates and accessible on the Commission's website at [www.debates.org/index.php?page=debate-transcripts](http://www.debates.org/index.php?page=debate-transcripts).

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