

Avoiding Discursive Dissonance in Debate

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Consistency is a time-honored test of argument. In the 4th century, B.C., the rhetorician Isocrates praised consistency in speech and action as the highest achievement for any legislator, policy maker, or public speaker. Isocrates' treatise, *Against the Sophists*, censured those men who often shifted their arguments from one position to another. Explaining his twenty-sixth line of argument in the *Rhetoric*, Aristotle introduces the importance of the concept of consistency: "Another line is, when a contemplated action is consistent with any past action, to examine them both together" (154). He also notes that arguments can be attacked by "noting any contrasts or contradictions . . ." (153). Many modern argument and logic texts similarly identify inconsistency as an informal logical fallacy (Herrick 208-11; Kahane 83-87; Freeley 248; Patterson and Zarefsky 75), and that assumption also is found in debate scholarship (Mister and Tolbert 5).

However, scant attention is paid either by the ancients or modern scholars of argument to rhetorical strategies for defending against a charge of inconsistency. Perelman and Olbrechts-Tyteca call inconsistencies in argumentation "incompatibilities." In order to avoid condemnation for incompatibility, they suggest an arguer may be forced to abandon some elements of the position or system (195). However, that is not adequate explanation of possible strategies for avoiding the charge of inconsistency.

Among those who might benefit from knowledge of such strategies are intercollegiate debaters, who likely will be faced with defending their position against a claim of inconsistency. Avoiding the appearance of inconsistency, or, to borrow terminology from Festinger, "discursive dissonance,"¹ involves harmonizing what may appear as inconsistent positions.

¹ Festinger developed a theory of "cognitive dissonance." Cognitive dissonance occurs when an individual holds thoughts or beliefs that are contradictory or inconsistent with one another. Festinger writes that such dissonance produces stress, which an individual attempts to reduce or avoid when possible.

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One way to identify strategies useful to debaters or those engaged in argument in any field is to review the rhetorical strategies used by arguers who attempt to harmonize apparently inconsistent claims. In this essay, I identify tactics employed by the Federal Communications Commission when adopting more stringent regulations for broadcast licensees during the 1980s--a period the Commission hailed as a "deregulatory decade." I then borrow from FCC tactics to identify three major categories of argument for avoiding discursive dissonance, suggesting how strategies within each category might be used to avoid the appearance of inconsistency in debate or any field of argument. In addition, I suggest criteria for evaluating such strategies.

FCC Tactics

At the outset of the 1980s, the FCC, in conjunction with the federal courts, challenged and changed the basic philosophical premises that allowed broadcasting to be regulated differently, and more stringently, than print or other communication media.² Among the many deregulatory actions and statements by the FCC were elimination of various regulations on radio (*Deregulation of Radio*) and television (*Deregulation of Commercial Television*) including elimination of formal ascertainment requirements. The Commission also deregulated its limitations on the number of broadcast licenses that could be held by an individual or group owner (*Multiple Ownership*),³ eliminated rules against fraudulent billing (*Elimination of Unnecessary Regulations*), and limited character qualifications necessary for licensees (*Character Qualifications*). Not only did the FCC deregulate, but it made frequent proclamations of deregulatory intent (*Syracuse Peace Council* 5057-58; *Fairness Report* 246; *Deregulation of Radio* 1077; *Deregulation of Commercial Television* 1077; *Multiple Ownership* 55).

Despite these proclamations, some FCC actions during the 1980s increased regulation on licensees. "Must-carry rules," designed to keep broadcasters competitive in both national and local markets, required cable operators to retransmit signals of all "significantly viewed" broadcast stations in a cable service area (*Must Carry Rules*; *Must*

² For example, although the Supreme Court allowed content regulation of broadcasting (*Red Lion Broadcasting Co. v. F.C.C.*), similar regulations on the print media were held to violate the First Amendment (*Miami Herald Publishing Company v. Tornillo*).

³ The Commission revised the order in *Multiple Ownership* (12-12-12 *Reconsideration*).

Carry Rules (Reconsideration)).⁴ In the area of indecent programming, the FCC imposed tighter standards and attempted to impose time-of-day limitations on certain content (*New Indecency Enforcement Standards; Infinity Broadcasting 933*).⁵

These regulatory actions caused the FCC to seem inconsistent with its deregulatory stance, a position of discursive dissonance requiring some sort of justification. The Commission adopted several strategies to avoid appearing inconsistent. These strategies are: 1) claiming an obligation to authority; 2) employing precedent selection; 3) labeling regulation as a necessary evil; and 4) allying regulation with a "sacred cow."

Obligation to Authority

One strategy for avoiding discursive dissonance is to claim that a present action or position is required by a higher authority, obviating the need to justify an apparent lack of consistency. Because it is bound by the laws and statements of two federal bodies, the Commission attempts to use its obligation to authority as its scapegoat for increased regulations. In both its indecency and must-carry regulatory policy documents, the FCC states that its approach is consistent with statements and laws established by the courts and Congress. In each of the indecency policy documents, the Commission states that it "found its actions consistent with the principle established by the Supreme Court" and allowed by Congress, "[s]ection 1464 of the Criminal Code . . . prohibits the broadcast of obscene or indecent material" (*New Indecency Standards 2726*). The Commission notes also the consistencies between its must-carry regulations and statements made by Congress, highlighting its "statutory mandate" and its "duty" under the Communications Act of 1934, and the U.S. Supreme Court (*Must Carry Rules 879*).

⁴ On two occasions, must-carry regulations were overturned by federal courts as unconstitutional. (*Quincy Cable TV, Inc. v. FCC; Century Communications Corporation v. FCC.*).

⁵ The actions of the FCC were overturned by the federal courts as unconstitutional (*Action for Childrens' Television v. F.C.C. 1988; Action for Childrens' Television v. F.C.C. 1991*).

Precedent Selection

A second, related method that the FCC uses to avoid discursive dissonance is to cite as precedent only those statements with which its present position is consistent. By employing this strategy of precedent selection, the FCC creates a consistent theme in support of its regulations. In its deregulatory decisions, the FCC argued against rules that limited broadcast content and refused to impose regulatory sanctions against any broadcaster who aired material that fell within the 1975 indecency definition. Yet, twelve years later, the indecency definition becomes a selected precedent for the Commission's regulatory action. Asked to articulate a definition of indecency, the Commission replies that it will "use the generic definition of indecency articulated by the Commission in 1975" (*Infinity Broadcasting 930*). The Commission also builds on the notion that its actions are consistent with its well-known goals, stating that the new indecency regulations advance "the governmental interest in safeguarding children" (931). Without a consistent approach toward regulation, the FCC would be reversed when one of its policy statements or sanctions against broadcast stations is appealed to the federal courts. By using precedent selection, the FCC attempts to show where its past and present indecency regulations are consistent.

Necessary Evil

The FCC employs a third strategy for avoiding discursive dissonance when it classifies its must-carry regulations as a "necessary evil" which must be accepted by cable operators. This is the only strategy used by the Commission that acknowledges the regulation/deregulation contradiction. The Commission admits its must-carry regulations "are neither desirable nor sustainable as long-term solutions" (*Must Carry Rules 886*) and explains that the necessary evil caused by the rules will, however, "provide an orderly shift to a less regulated environment" (886). While the FCC admits that must-carry rules limit cable operators' programming choices and that a deregulated marketplace is the "most appropriate method" for controlling cable broadcasts, the Commission states that the "distorted market environment . . . needs to be corrected before economic forces can be relied upon" (885).

Sacred Cow

In its discussion of must-carry regulations, the FCC states that the regulations would support the fundamental, historical goal of the Commission to serve in the "public interest." Required to serve in the "public interest" by the 1934 Communications Act

establishing the FCC, the Commission injects the phrase five times in its first must-carry policy statement. The Commission attempts to give weight to its stance in support of regulations by stating that, in the absence of must-carry rules, "harm to the public interest would ensue" (*Must Carry Rules* 881). This strategy operates to create acceptance for must-carry rules by categorizing them as the most necessary of FCC actions--those in the "public convenience, interest, or necessity" (47 U.S.C.A. 303).

In sum, four strategies are used by the FCC to avoid discursive dissonance. In its efforts to appear consistent, the Commission highlights its obligation to authority, uses precedent selection, discusses its regulation as a necessary evil, and creates a parallel between its regulation and a sacred cow. These four tactics can be analyzed as examples of three major strategies for avoiding inconsistency in debate or a variety of argument fields.

Strategies For Avoiding Discursive Dissonance

In addition to the FCC, nearly all humans attempt to be or to appear consistent in thought and action. In order to avoid a possible charge of inconsistency, debaters, in particular, either must argue that they are consistent or explain why they are not in a manner persuasive to the judge. Competitive debate involves unusual circumstances, as debaters are held to consistency standards only within rounds. Unlike arguers in other arenas, debaters, as they switch from affirmative to negative, are expected to take completely inconsistent positions. Within a round, however, partners or individuals who cannot evade a charge of inconsistency may lose the argument if not the round.

Individual attempts to avoid inconsistency likely will fall under one of three broad categories, as debaters or others attempt to avoid discursive dissonance by 1) denying inconsistency, 2) admitting inconsistency but arguing in support of a higher good, or 3) admitting inconsistency and altering the original position. After analyzing each of the strategies within these three categories, a discussion of how each might be used in public argument and competitive debate will serve to outline the broad applications of the strategies. In addition, I suggest criteria for evaluating each strategy, which can serve as standards for the use of such strategies.

Deny Inconsistency

One way in which the FCC and others attempt to avoid discursive dissonance is to deny the existence of any inconsistency. In the case of a police officer who found drugs after an illegal search, implicit denial of this inconsistent approach might take the

following form: "Cocaine is an illegal substance. I upheld the law by confiscating the illegal drug and arresting the person in possession of the illegal substance." By making such a statement, the officer simply would refuse to admit that an inconsistency arises when, in order to stop illegal activity, an illegal search occurs. This denial approach includes three rhetorical strategies: 1) precedent selection; 2) sacred cow; and 3) dissociation.

Precedent Selection. Precedent selection is one way in which people deny inconsistency. Precedent selection occurs often within the political and governmental arenas, in which past and present positions undergo scrutiny by the press, public and political opponents. Without a consistent position, officials can face ridicule. U.S. Senator Tim Wirth, a Colorado Democrat, used precedent selection in 1989. While Wirth had favored large reductions in defense expenditures, he argued against the proposed elimination of a brigade of troops stationed at Fort Carson in Colorado Springs. When asked specifically about the Fort Carson brigade, Wirth stated that he had a record of supporting a strong defense; he claimed the troops were integral to North Atlantic Treaty Organization forces in Europe. When asked about the federal defense budget, however, Wirth ridiculed its excessive expenditures. In each case, Wirth supported his claim by selecting the precedent with which he appeared consistent.

George Bush used the precedent-selection method to his advantage during the 1988 presidential debates. When debating Democratic Presidential candidate Michael Dukakis about the topics of the death penalty and abortion, Bush was criticized in the media for an apparent inconsistency. While he supported the death penalty, Bush stated that he opposed abortion because he was "pro-life." Despite the apparent contradiction, Bush highlighted his past records in each of the topic areas in an attempt to show his consistent approach to the matters. When discussing abortion, Bush said he had a lasting belief in the "sanctity of life." When addressing the death penalty, however, Bush focused on his established "war on crime" theme.

Precedent selection can be used by arguers required to appear consistent in statements made over an extended time period as well as by debaters within a given round. An affirmative team might cite, for example, Berube when arguing that an example justifies a CEDA value resolution yet deny such an example has to be representative, despite Berube's claim that it does (48). Instead, the team might cite McGee, arguing they need only "prove the reasonability of their inference from subset to whole" (68). Similarly, a team may defend their failure to define a term based on common sense yet demand the judge apply a standard of "best evidence" to another contested point.

Precedent selection is a standard of uncertain cogency and frequently is designed to obscure rather than deny an inconsistency. However, in some cases, separate precedents may appropriately justify seemingly inconsistent results. In order to determine whether precedent selection is an appropriate strategy in a given instance, the following criteria may be useful: 1) Are the precedents selected actually established rules, norms, or accepted positions?; 2) Are the precedents selected appropriate for the particular situation?; and 3) Is the precedent selected in each instance more appropriate to the situation than the contradictory, ignored precedent? In the case of Berube and McGee, although both can be construed as possible precedents of debate theory, nothing justifies switching from one precedent to the other as need dictates. Similarly, Wirth's effort to select precedents may be disingenuous. And, although Bush's choice of precedents seems not to meet these criteria, a more skilled debater might be able to articulate precedents that would allow one, simultaneously, to support the death penalty but not abortion.

Sacred Cow. A second example of the discursive strategy to deny inconsistency occurs when speakers ally their arguments with a topic held in high regard among audience members. By creating a parallel between argument and a "sacred cow," speakers implicitly deny the existence of inconsistency. Instead, they maintain that their arguments or actions are consistent with a sacred notion, the effect being not unlike that described by Richard Weaver in his discussion of ultimate terms, particularly "charismatic" terms (211-32).

The notion of a sacred-cow strategy is that, when employed, it often serves to block analysis of the subject at hand by diverting attention to the sacred subject. Drawing similarities between a proposed policy and a sacred cow, a speaker places her proposal among topics that remain virtually unquestioned. By their nature, sacred-cow strategies may be highly persuasive if the auditor holds the concept in high or "sacred" regard.

Many people use the sacred-cow strategy in an attempt to deny inconsistencies. In his support of "the ballot or the bullet," Malcolm X was criticized for attempting to seek voting rights for blacks with threats of violence. Accused of seeking legal representation through illegal means, Malcolm X denied any inconsistency, stating that his position supported the sacred cow of "Black Power." Joseph McCarthy attempted to avoid inconsistency when he used a sacred-cow strategy during the "Red Scare." In his attempts to oust government officials without proving any wrongdoing, McCarthy simply accused the officials of being affiliated with the negatively valued sacred cow of communism.

Among the many sacred cows heard in CEDA debate are: "This is value debate" or "this is not NDT"; "I don't have to give a plan"; and "the affirmative has the right to

define." In debates from the late 1970s and early 1980s, a citation to Jack Howe or other "founder of CEDA" allied a team's argument with a "sacred-cow." This is neither an exhaustive list nor are such sacred cows always used to avoid discursive dissonance. However, the affirmative debater might challenge a second-negative argument, urging the judge to apply a standard workability, a notion more frequently associated with policy debate. However, when faced with the negative claim that the same standard should be turned against the affirmative case, the affirmative might offer the sacred cow that "this is value debate, so I don't have to have a plan."

As this example illustrates, such a strategy is designed for little more than obfuscation. Although the source of efficacy of the sacred-cow strategy frequently is this tendency to block analysis, the criteria for assessing sacred-cow strategies force such analysis. Possible criteria are: 1) Is the claim appropriately categorized as a sacred cow? and 2) Is the contradictory claim more or less important than the sacred cow? By its very nature of shielding inconsistency from view, the sacred-cow strategy is of questionable ethics, whatever its persuasive appeal.

Dissociation. A third strategy for denying inconsistency is to use Perelman's technique of dissociation, whereby concepts or terms are distinguished:

By processes of dissociation, we mean techniques of separation which have the purpose of dissociating, separating, disuniting elements which are regarded as forming a whole or at least a unified group within some system of thought: dissociation modifies such a system by modifying certain concepts which make up its essential parts (190).

In the debate regarding abortion, people who are "pro-choice" must distinguish the notion of a fetus from the notion of a living, human being. President Johnson dissociated the Vietnam conflict from the notion of war in order to send troops into that country without seeming inconsistent with the requirement that Congress declares war. Calling the intervention in Vietnam a military police action, Johnson sent in troops without Congressional approval. Dissociation also occurs when a landlord defines "reasonable maintenance" differently than a tenant. A tenant might think that he need only keep clean the rooms inside the rental property, whereas a landlord might include painting and lawn care in her definition of reasonable maintenance.

This strategy may be potentially the most cogent of those in the category denying inconsistency, as it actually attempts to analyze why arguments or positions are not inconsistent. In debate, categories and abstract concepts frequently must be dissociated. "Rights" are distinguished from privileges; duties are separated from benefits; and

specifics in definitions are used to place one item within the definition while excluding another. Such strategies, if reasonable, avoid the claim of inconsistency and, if persuasive to the judge, salvage the team's position.

Arguments employing this technique can be assessed according to two criteria: 1) Is the definition used reasonable? and 2) Are the dissociated concepts actually distinct? Johnson's distinction between a war and a military police action likely founders on the second strategy while the discursive dissonance in the landlord/tenant dispute could be resolved by applying the terms of the lease to these criteria.

Inconsistent But Necessary

The second category of strategies for avoiding discursive dissonance includes those strategies in which speakers admit inconsistency but argue a higher good. Farmers who use chemical pesticides but want to support a clean environment use this strategy to avoid charges of inconsistency. While they admit that pesticides cause some harm to the atmosphere, they argue that the pesticides reduce disease and crop infestation, resulting in high crop yields and low food prices. By arguing that pesticides yield a benefit of greater importance than the detriment to the environment, farmers do not deny the inconsistency in their position but instead attempt to ally their action with a higher good, thereby excusing the inconsistency. Included in this category are the following strategies: 1) obligation to authority and 2) necessary evil.

Obligation to Authority. One type of strategy that admits inconsistency while claiming support for a higher good is the obligation-to-authority strategy. When asked why he took part in an illegal arms-for-hostages agreement with Iranian officials, Lt. Col. Oliver North stated during the Iran-Contra hearings that he acted on orders from his superior officers. A similar sort of dissonance might face a reporter who, at the suggestion of her editor, breaks company rules prohibiting the acceptance of gifts from sources. When discussing her actions, the journalist might rely solely on the editor's statement supporting her action. However, as both cases indicate, the obligation-to-authority strategy may not work well when the actions of the person(s) attempting to avoid discursive dissonance are under close scrutiny. As the Oliver North case pointed out, obligation-to-authority strategies do not sufficiently mitigate the fact that a rule, law or policy was broken.

In debate, an affirmative team seeking to avoid discursive dissonance might use a strategy of obligation to authority when it claims that the negative team should lose the argument because it failed to respond to it in first negative constructive. However, the

affirmative team also might claim that it should not lose arguments dropped by the first affirmative rebuttalist, as the speaker was following the judge's request to maintain a reasonable rate of delivery. Although academic debate is obligated to few authorities, to excuse an inconsistency, a debater might appeal to such "authorities" as the traditions of debate (time limits, speaker order, and so on), stated preferences of a judge, or rules of a particular tournament.

Obligation-to-authority strategies can be assessed with the following three-part criteria: 1) Is the rhetor obligated to follow the authority?; 2) Does the authority prescribe the action taken by the rhetor?; and 3) Does the obligation to authority provide reasonable justification for acting inconsistently to prior actions? These criteria are more likely to excuse inconsistency that occurs over time, such as Oliver North attempted, than inconsistencies within the hour or so of a debate round. Further, in debate, few authorities are so compelling that they require inconsistency.

Necessary Evil. Necessary evil is a second strategy that admits the action taken is inconsistent but argues that such inconsistency is necessary. Necessary-evil strategies can be seen in examples that focus on policy. Many politicians argued that using two atomic bombs to kill hundreds of thousands of Japanese in 1945 was a necessary evil in order to end the Second World War. President Bush used the same strategy when he argued in support of the 1991 war against Iraq. Essentially, Bush said that in order to stop aggression, the United States had to be the aggressor. Speakers who use the necessary-evil strategy implicitly or explicitly admit inconsistent claims but attempt to focus on the benefits that result from the required action. Those using necessary-evil strategies admit that problems result from a policy while arguing in support of the same policy. By blaming some set of mitigating circumstances, the people using necessary-evil strategies can support policies simply because they result in the least harmful *modus operandi*.

Debaters may use similar arguments when debating public policies, arguing that a criteria of peace is not inconsistent with justification of U.N. military intervention—a necessary evil designed to keep the peace. Similarly, a team may justify an inconsistency by arguing that a strategy or argument by the opposing team forced them into the inconsistency, and therefore they should not be held accountable for it.

A two-part criteria assesses necessary evil strategies: 1) Is the evil actually necessary? and 2) Does the promised result carry enough significance to outweigh the harms of the necessary evil? These criteria focus analysis on the harmfulness of and need for the evil, resulting in a weighing of harms.

Resolve Inconsistency

A third category involves a strategy that seeks to avoid discursive dissonance by admitting inconsistency and seeking to disavow the former claim. Courts in the United States provide classic examples of the disavowal strategy each time they resolve legal inconsistencies. In *Plessy v. Ferguson*, the Supreme Court handed down the decision that allowed separate but equal public facilities for blacks and whites. Specifically reversing that decision, the Court disavowed the former claim and set a new precedent against segregation in *Brown v. Board of Education*. Courts overturn precedent by detailing the faults of the former claims and explaining the need for a new precedent.

In debate, a team faced with admittedly inconsistent arguments may try to "drop" one argument in order to salvage the other, thereby admitting and attempting to resolve the inconsistency. This strategy may be the most honest manner of dealing with truly inconsistent positions or arguments. The danger is that the audience or judge will not allow such a face-saving strategy and, rather than give credence to the position the arguer attempts to salvage from the inconsistency, will ignore both. Certainly this frequently is the response of debate judges.

The resolve-inconsistency strategy could be assessed according the following criteria: 1) Do the benefits and costs of the new claim outweigh the benefits and costs of the existing claim? and 2) Is the change in position an honest statement of belief? This strategy is far less reasonable in a debate round, where the inconsistency is not due to any reasoned change of opinion but rather a strategic error, than when the resolution of the inconsistency comes over time.

Summary

Consistency is a notion held valuable by audiences and a standard by which speakers are judged. By understanding strategies for remaining consistent, debaters and other speakers may be able to avoid discursive dissonance and deflect charges of inconsistency. Both opponents and audiences, including judges, also need to understand such strategies and have methods for evaluating them. The suggested criteria for assessing strategies to avoid discursive dissonance do not attempt to evaluate the persuasive efficacy of speech; instead, they are designed to serve as tests of the cogency of such strategies. In addition, they may serve to assist in judging the ethics of efforts to avoid inconsistency.

Attempting to avoid charges of inconsistency is not always unethical. Outside the realm of competitive debate, individuals, as they gain new information, change positions.

Further, in some cases, inconsistency is explainable. An individual may be forced into inconsistency or take an inconsistent position in order to achieve a higher good. Indeed, all humans hold a variety of values, many of which may be inconsistent. By analyzing these inconsistencies and learning more about how people attempt to harmonize their argumentative claims, debaters and others can strengthen their own claims and evaluate the cogency of opponents' attempts to avoid discursive dissonance.

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