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ABSTRACT

Cross examination has become a standard and important feature of contemporary debate and a great deal has been written concerning its tactical aspects. Very little, however, has been written about the fundamental strategic problem which is created by the three-minute time limit--specifically, how to use that limited period of time to its best advantage. Most of the better discussions about the tactics of cross examination are so comprehensive that a debater would be unable to employ more than a small fraction of the suggestions in any given session. This creates the strategic problems of how to assess a debate in planning cross examination questions, assessing potential questions according to how much time they will require to be issued and responded to, selecting questions for maximum effect, anticipating responses, and determining the order in which questions should be asked. A model based on a systematic paradigm that can govern the strategy of cross examination sessions is presented and discussed. The paradigm was developed by integrating two pragmatic formulas for decision management: from medicine the concept of triage, or battlefield casualty assessment; and from computer science the decision tree model of structured decision making. This paradigm and model provide a relatively simple and workable technique which debaters can employ to help them manage their cross examination sessions in a coherent, interesting, relevant, and potentially effective manner. (Thirty-one notes and one diagram of a decision tree are included.) (Author/MS)

ON THE STRATEGY OF CROSS-EXAMINATION

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Abstract:

Cross-examination has become a standard and important feature of contemporary debate and a great deal has been written concerning its tactical aspects. Very little, however, has been written about the fundamental strategic problem which is created by the three-minute time limit--specifically, how to use that limited period of time to its best advantage. Most of the better discussions about the tactics of cross-examination are so comprehensive that a debater would be unable to employ more than a small fraction of their suggestions in any given session. This creates the strategic problems of how to assess a debate in planning cross-examination questions, assessing potential questions according to how much time they will require to be issued and responded to, selecting questions for maximum effect, anticipating responses, and determining the order in which questions should be asked. This essay suggests a systematic paradigm to govern the strategy of cross-examination sessions. This paradigm was developed by integrating two pragmatic formulas for decision management: from medicine the concept of triage, or battlefield casualty assessment, and from computer science the decision tree model of structured decision making. An actual model based upon this paradigm is presented and discussed. It is argued that this paradigm and model provide a relatively simple and workable technique which debaters can employ to help them manage their cross-examination sessions in a coherent, interesting, relevant, and potentially effective manner.

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ON THE STRATEGY OF CROSS-EXAMINATION

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Open virtually any textbook on "Argumentation and Debate" and what do you find? A chapter on the value of debate; another on the theory of debate; a chapter on how to do research, a chapter or three on affirmative cases and the same for negative cases; a chapter on reasoning; another on refutation & rebuttal; a chapter on delivery; several miscellaneous chapters on the theoretical and pedagogical interests and biases of the author(s); and, nowadays, a chapter on cross-examination.[1] And while it is certainly true that each text bears the individual stamp of its author(s), it is equally true that most texts are predictably similar in content. And why shouldn't they be; they are, after all, presenting the same basic instructional material on exactly the same topic. Unfortunately, for the debaters who study these texts, the materials on cross-examination leave much to be desired. The problem is, at least as I see it, an overemphasis on tactics and an underemphasis on strategy in the instructional literature on academic debate. We have asked for effective cross-examination, but we have failed to provide the intellectual tools for its attainment. In fact, we have even failed to provide a reasonable set of criteria for the assessment of effectiveness in cross-examination.

Cross-examination is generally acknowledged to be an extremely important and yet extremely weak element in the average debate. There is a general agreement concerning the theoretical importance of cross-examination, while at the same time coaches tend to also agree that the average quality of cross-examination sessions is quite poor.[2] As a practical matter, the general lack of cross-examination skill is easy to recognize. Novice speakers tend to wander around aimlessly, chew their pens, and search for something (absolutely anything) to ask questions about. Junior level speakers are only slightly better. They typically have learned the stylistic form of aggressive cross-examination (both on offense and on defense) but they commonly focus on trivia, drop winning lines of analysis too soon, demand damming concessions of their opponents, and degenerate into frequent hostility and evasiveness. Even many of the most Senior level speakers tend to sound like only slightly improved versions of their Junior level counterparts. The Senior's major superiority over the Junior is an overall improvement in the quality of analysis, reasoning, and general comprehension of issues. On the other hand, Senior Level debaters have a tendency to sound even worse then the Juniors when it comes to belligerency and evasiveness. Real skill at cross-examination is generally the last thing learned and is only rarely mastered by college debaters.[3]

And yet there is relatively little instructional material available to college debaters on the strategic elements of cross-examination. James Copeland's 57-page text devoted exclusively to this subject has little more to offer the average debater (aside from its relatively greater detail, development, and number of examples) than the various individual textbook chapters cited above.[3] The CEDA Yearbook, which has published close to a hundred articles since its

inception, has offered only four on the subject of cross-examination and none of these has dealt with strategic issues.[4] Generally speaking, the closest thing to strategic advice offered academic debaters can be found in admonitions such as, "start with a strong question," "end with a strong point," "don't waste time," "be effective," or in other words "do it well" which is more of a encouraging request than a followable set of educational directives. How is the novice speaker to learn to recognize a "good" question from a poor one? a "strong" point from a weak one? the "effective use of time" from wasted effort?

A survey of the educational literature on cross examination finds it to consist almost entirely of suggestions regarding tactical ploys, gambits, counter-gambits, techniques, etc. Some of the best materials in this regard are compendiums of the "everything-there-is-to-know-about-cross-examination-techniques" variety. Copeland's text includes a great deal of material in this vein, as do the treatments of Miller & Caminker and that of Cirlin.[5] Most of the debate texts cited above include a more or less comprehensive discussion along similar lines. But, the problem with all of these pedagogical treatises is that they provide a myriad of alternative suggestions about what debaters ought to be doing, or about some of the tricks they might be able to use, without having very much useful to say about such strategic questions as 1) What the goals of a Cross-examination session ought to be, 2) How to rank order goals, 3) How to organize questions (what to ask first, second, . . ., last), 4) How to use the three minutes of time most effectively; in short, how to develop a strategic plan for using all of those brilliant tactical techniques in a coordinated, effective manner.

The only discussion which I was able to find that in any way did justice to the topic of strategy in cross-examination, was Steven Wood's chapter in Prima Facie.[6] And this treatment, while both helpful and provocative leaves as much unsaid as said. Rather than coming right out and providing a coherent and unified strategic system, Professor Wood makes an occasional statement concerning strategy and leaves the students to work out the practical details for themselves. He suggests, for example, "questions of clarification are the most important questions to ask,"[7] "if you're going to argue in a future speech that these unstated elements are important and contradictory to your opponent's argument, then lay the groundwork in cross examination,"[8] ". . .if you wanted to develop a line of argumentation against the consistently poor evidence used by the opposition, then you would not ask any questions about their reasoning until you had first disposed of all questions about their evidence,"[9]. And this discussion is at its best when it turns to the "important strategic consideration . . . [of] the order and organization of your questions."[10] But, even this chapter, as valuable as it is, needs to say a lot more before its student readers would be adequately prepared to cross-examine effectively.

This paper will argue that a greater emphasis on developing a strategic theory of cross-examination and training students to think strategically in planning and conducting cross-examination sessions would make a significant contribution to the overall quality of academic debate. As part of this argument, a specific model will be suggested.

Let me begin by providing general definitions of "strategy" and "tactics" in cross-examination. Obviously, the concepts of strategy and tactics are relative

to one another and interdependent--a particular battle may have been a mere tactic in the general strategy for winning a war, a particular engagement of troops a mere tactic in the general strategy for winning the battle, a particular skirmish a mere tactic in the general strategy for winning the engagement, and so on. For the purposes of this essay, therefore, I will define "tactics" as a set of rules (or suggestions) to aid in the design and presentation of particular questions and lines-of-questions in a cross-examination session. And "strategy" will be defined as a coordinating paradigm or model to govern the selection and organization of those tactical rules (or suggestions).

The major goal of this paper is to suggest a pragmatic, workable model which debaters can use to plan and execute cross-examination sessions. The model must itself be simple enough to permit even the novice debater to master its application, yet potentially powerful enough to serve as a strategic tool for the most advanced debaters. The primary strategic problem which this model must address is how to effectively utilize the three-minute time limit effectively.

The strategic model which follows is based upon two important concepts. The first concept is "triage" and the second, the notion of a "decision tree." The medical concept of triage, made popular in the movie, M*A*S*H, was first developed by J.H d'Harcourt, a Spanish Surgeon during the first World War.[11] Stedman's Medical Dictionary defines triage as, "the medical screening of patients to determine their priority for treatment; the separation of a large number of casualties, in military or civilian disaster medical care, into three groups: those who cannot be expected to survive even with treatment; those who will recover without treatment; and the priority group of those who need treatment in order to survive."[12] The analogy to cross-examination is, I think, clear. There are those issues which cannot be won no matter how much time and energy are expended upon them; those issues which one will win whether or not one bothers to attack them in cross-examination; and those critical issues which can be won, but only if they are properly set up during cross-examination. And to the medical definition above and the cross-examination analogy, I would add one refinement to the concept of triage. Since resources are generally limited (in a medical situation: the number of doctors, time, drugs, etc./in cross-examination: evidence, understanding, and most especially time, etc.), then one must also prioritize the priority group to determine maximum effectiveness. For example, a soldier comes in who is not so critically wounded that he couldn't be saved by immediate treatment, but he is in such bad shape that to save him would require such a large expenditure of time and materials that three other soldiers who could also be saved, would die awaiting treatment. As I understand it, battlefield triage also dictates that arms and legs which could easily be saved, given proper treatment, are amputated so that the resources thus conserved can be used save additional lives. Again, I think the analogy to cross-examination is clear--a debater should avoid attacking issues which, though winnable, require too great an expenditure of resources to win.

My conclusion is that triage in cross-examination should be based upon the strategic principle of maximizing effectiveness. And now we are in a position to offer some kind of practical advice for how to achieve maximum effectiveness, viz., to make a cost/benefit determination concerning which questions are likely to have the greatest impact while requiring the least time to issue and/or entail the lowest risk of backfiring. While there is nothing profound about this basic

concept, how often have you heard a cross-examination session conducted as if it had been planned this way, and where have you ever seen this concept explained to debaters? But, this notion of prioritizing questions for maximum impact is only half of the model. What is missing is some kind of a prioritizing paradigm which would enable debaters to perform a "triage of inquiry" effectively. Which brings us to the second important concept which was borrowed for this model.

Theoretically, a cross-examination session can be ideally represented by a decision tree model. The Handbook of Industrial Engineering provides the parallel when it tells us, "Since most decisions constitute a choice of an action by the decision maker from among alternative actions, . . . the decision network usually expands from node to node in a tree form of graph, hence the name [decision tree]."[13] We can see this parallel most clearly if we substitute a few terms in this definition: Since most cross-examination questions (or answers) constitute a choice among many alternatives by the questioner (respondent) from among alternative possibilities, . . . the possible course of the cross-examination session usually expands from question to question (answer to answer) in a tree form of graph, hence the name [decision tree]. In other words, if one were to write down all of the myriad of possible questions and answers in a cross-examination session, the resulting graphic would resemble a continually branching tree diagram. Each initial question would admit of any number of possible responses and each response, any number of additional questions. The decision tree is merely an efficient means of viewing these expanding potentialities. "The idea of the decision tree is delightfully simple. Instead of compressing all of the information regarding a complex decision into a table . . ., one draws a schematic representation of the problem that displays the information in a more easily understood fashion."[14]

But just like the engineering parallel, "a principle difficulty with multiple-state decision trees is in projecting the downstream decisions. . ."[15] The probability of being able to predict accurately the course of a cross-examination session drops off rapidly as one advances through the network of potential answers. Trying to develop a complete decision tree model to cover all possible questions and answers creates a problem which is simply far to great in scope for practical solution, especially in the real-time context of an actual debate round.

This offers an explanation of why debaters, especially novice debaters, can be so completely lost when trying to cope with the inherent complexity of cross-examination. It is not that they have nothing to say, it is that they are completely adrift in a vast sea of possible things to say. Questioners can not decide among the multitude of possible techniques they have been taught, and respondents can not cope the countless variations inherent in their choice of answer. As Harold Schroder's U-curve hypothesis would suggest, the debaters have been placed in a state of cognitive overload and are, therefore, processing information at an extremely low level.[16] Robert Pirsig provides an example of this kind of cognitive overload and points the way toward a solution in his delightful text on human values:

> He'd been having trouble with students who had nothing to say. At first he thought it was laziness but later it became apparent that it wasn't. They just couldn't think of anything to say. One of them, a girl with

> strong-lensed glasses, wanted to write a five-hundred word essay about the United States. He was used to the sinking feeling that comes from statements like this, and suggested without disparagement that she narrow it down to just Bozeman. When the paper came due she didn't have it and was quite upset. She had tried and tried but she just couldn't think of anything to say. . . . She wasn't bluffing him, she really couldn't think of anything to say, and was upset by her inability to do as she was told. It just stumped him. How *he* couldn't think of anything to say. A silence occurred, and then a peculiar answer: "Narrow it down to the *main street* of Bozeman." It was a stroke of insight. She nodded dutifully and went out. But just before her next class she came back in *real* distress, tears this time, distress that had obviously been there for a long time. She still couldn't think of anything to say, and couldn't understand why, if she couldn't think of anything about *all* of Bozemann, she should be able to think of something about just one street. . . . "You're not *looking!*" he said. . ., "narrow it down to the *front* of *one* building on the main street of Bozeman. The Opera House. Start with the upper left-hand brick." Her eyes, behind the thick-lensed glasses, opened wide. She came in the next class with a puzzled look and handed him a five-thousand-word essay on the front of the Opera House on the main street of Bozeman, Montana.[17]

Like the student in this example, debaters do not learn to handle cross-examination very well until they learn to look and think for themselves. The problem is simply too large to be handled by the rote memorization of contingency plans. The only way to deal with the virtually infinite complexity of the problem, like the Pirsig example, is some kind of solution which reduces the size of the problem--something which can pare away the multitudinous branches of the theoretically encyclopedic decision tree and leave a skeletal version which can be more easily grasped.

In theory, the unabridged decision tree is a schematic representation of a decision logic table, "a tabular display of all elements of [the] problem from conception to solution."[18] Decision logic tables are ideally suited for the analysis of complex problems.[19] But they are not necessarily well suited for the analysis of complex problems in real time. That is, they are fine for a computer programmer or debate coach when analyzing a problem in the workroom, but are not of much use to the debater standing before an audience during a three-minute cross-examination session.

Fortunately, decision logic tables can be reduced to manageable proportions by the use of an algorithm, "a problem-solving method suitable for implementation as computer programs."[20] A computer is, after all, a kind of *speedy idiot*. It is capable of performing a variety of manipulations with extreme rapidity and absolutely no judgement. It is therefore necessary to develop computer programs which can substitute for judgement. By this same token a novice debater can be considered a kind of *slow idiot* when it comes to cross-examination--there is a need to learn both speed and judgement. A properly designed algorithm can pedagogically help to bring the problem down to a level where it can be cognitively processed. Thomas Schriber provides an excellent description of the everyday applicability of this kind of solution:

> Although the word algorithm may be new in the reader's experience, the concept of procedure certainly is not. Everyone almost inadvertently follows procedures in his daily routine to accomplish certain tasks. Driving an automobile requires following a specific procedure. Picking up the telephone and dialing a number involves carrying out a procedure. Given that the procedure for using the telephone is not the same in all countries, the person in a foreign country may literally have to ask someone for a set of instructions, or an algorithm, describing how to use the phone. Or, the newcomer to the campus might be given a set of instructions telling him how to reach the library; he might then be further instructed in the steps to follow in order to locate a book of interest to him. It is easy to think of myriad analogous situations in which procedures are followed, either without thought if they have long since become habit, or with conscious effort if they are in the context of an unfamiliar situation.[21]

The major value of such a procedural algorithm is that it can reduce a highly complex problem to a level where even a computer or novice debater can deal with it. And, of course, one of the most important criteria in our selection of, or development of, a proper algorithm should be efficiency--that is, the capability of providing a workable solution in a very short time.[22] Hence, the desirability of developing a scaled-down version of the decision tree which can be used as a decision making tool, rather than a fully developed decision tree which might be more suitable as an analytical tool. Such a practical decision tree can be graphically represented in the form of a flowchart.[23]

Combining the concept of triage with the notion of a decision tree we can develop any number of strategic cross-examination models. The basic idea is to write a decision tree which incorporates the prioritizing paradigm most suitable to the topic and skill level of the debaters who will be actually using it.

To illustrate this strategic model, I am going to provide an example--the same general model I teach in my classroom and to my debaters. There is, however, a basic premise which underlies this illustrative model which has somewhat fallen from grace in recent years. I therefore feel it necessary to digress briefly to defend this premise before presenting the model itself, for fear that the entire argument might otherwise be dismissed before it is even considered. This premise represents a third basic concept underlying the specific model described below.

[Digression]

With a certain amount of trepidation I have incorporated Aristotle's tri-division of "ethos," "pathos," and "logos" into the basic model. I say with trepidation because I've had my nose rubbed in the fact that this division of Aristotle's is currently unfashionable among rhetorical and argumentation theorists. Ever since the critical discreditation of Hovland and Janis and the Yale School's model of persuasion in the 1960's and the spate of low quality, mechanistic rhetorical criticism which was published during that period, the analysis of persuasive appeals by reference to ethos, pathos, and logos has become almost taboo.[24] When Aristotle's tri-division is invoked, there seems to be an almost knee-jerk negative response by the professional community, especially to the term

ethos, as if anything based upon so simple a division must be necessarily worthless. Yet, the serious criticism of Aristotle's theoretical division is that it is too simple for use in developing contemporary models of persuasion as an interactive process, not that it is pedagogically unsound.[25] One notable early attempt to develop a contemporary persuasive model was the Yale Communication and Attitude Change Program in the 1950's which, "has been criticized primarily because of its theoretical inappropriateness. Some critics have observed, for example, that the Yale studies represent a modern-day, empirical elaboration of Aristotle's theory. As such the model employed by the Yale group is overly linear, ignoring interaction and feedback." (author's emphasis)[26]

Thus, the problem with the concepts of ethos, pathos, and logos involves the theoretical inappropriateness of those concepts in the development of theoretical models. The most common practical criticism I have heard about Aristotle's model is that it is too difficult to conceptually isolate these three variables, which I am willing to grant in large degree. The variables do have a good deal of conceptual and pragmatic overlap. On the other hand, there are other uses for which Aristotle's division is well suited, and the blanket rejection of the use of the concepts ethos, pathos, and logos, is, I believe, a case of tossing the baby out with the bathwater. I have found Aristotle's concepts most valuable in the process of training speakers and debaters. So what, if it is theoretically difficult or even impossible to separate the concepts out of a given piece of discourse. So what, if they are interactive in practice. Telling debaters that their logic is weak, or that a certain argument lacks emotional appeal, or even that their style of presentation is objectionable is a perfectly valid and common practice. What difference does it therefore make if we acknowledge Aristotle's contribution to this concept by using his terms? And why should a pedagogical model be rejected simply because it makes use of these terms? I would be willing to bet large sums of money, that even those coach/scholars who reject Aristotle's terms when they see them in a professional paper, use them (or the concepts at least) when training their debaters. So I have incorporated ethos, pathos, and logos into the example which follows. I have done so, because I believe it is an effective use of those concepts. But to be honest, I have also done so with trepidation--not with apologies, but definitely with trepidation.

[End of Digression]

I have also added one element to Aristotle's tri-division of the artistic forms of proof: Perspective. Thus, to define these four elements of the model:

> Ethos = ". . .ethical or personal appeals, includes all of the ways a person projects personal qualities so as to elicit belief on the part of the audience. Such factors as character, knowledge, and goodwill can be projected as ethical proofs."[27]
>
> Pathos = ". . .the emotional appeals brought to bear in the rhetorical act. The purpose of emotional proofs is to involve the audience's feelings and to call on its sympathies."[28]

> Logos = the logical appeals created in support of arguments. Logical appeals can consist of examples, designed to demonstrate the everyday reasonableness of the speaker's position, and reasoned arguments, designed to enhance the probability of an appeal being accepted by virtue of the fact that it conforms with an audience's own concept of rationality.[29]
>
> Perspective = an appeal which alters an individual's world picture, that is, which makes the audience or allows the audience to see some situation from a new perspective. By selecting a perspective which favors a certain interpretation of reality, the speaker is able to alter the audience's belief system and, thus, effect persuasive change.[30]

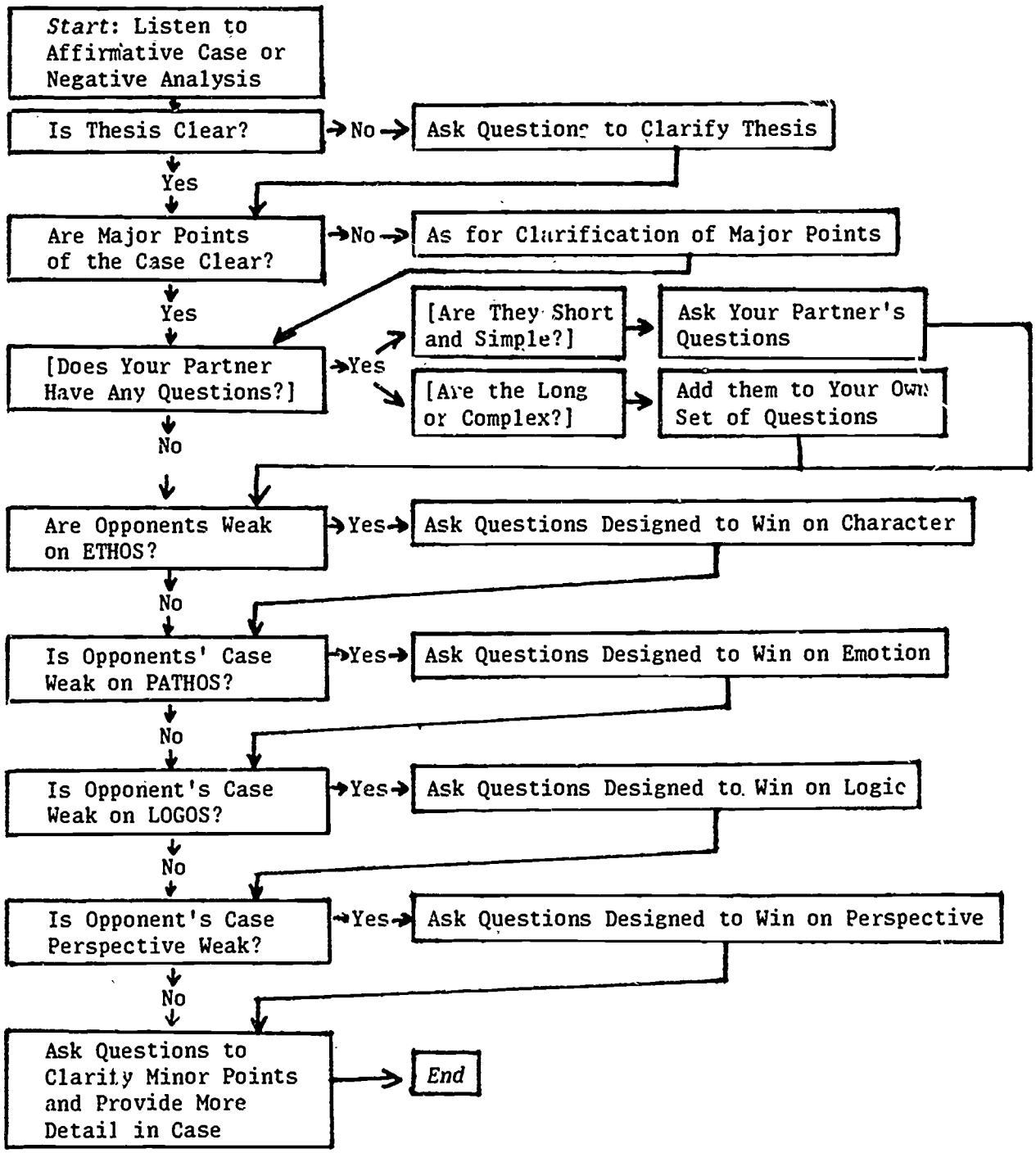
Thus four important persuasive goals which may be pursued during a cross-examination session are:

> to enhance one's own, or to detract from one's opponent's, ethos,
>
> to further one's own, or to detract from one's opponent's, emotional position (which is especially important in value debate),
>
> to defend one's own, or to attack one's opponent's, evidence, logical reasoning, etc., and/or
>
> to further one's own, or attack one's opponent's, case perspective (world view, interpretation of the resolution, etc.).

These are not the only possible goals, but they are the important substantive goals. The other goals which may be, or ought to be, pursued during cross-examination include definition, clarification, etc., which are included in the decision tree flowchart illustrated on the next page. This decision tree model represents a set of prioritized goals. A debater's general strategy ought to be to attack the opponent at the highest possible level of the tree.

The first question is whether or not the case thesis is understood--i.e., does the negative team understand the basic mechanisms of the affirmative case, does the affirmative team understand the basic mechanisms of the negative objections. If the basic thesis of the other team's position is not understood, then questions of clarification deserve the highest priority. If they are understood, or if they have been questioned and time still remains, then the debater should move down to the next priority goal.

The second question is whether or not the main points of the case are understood--i.e., was the negative team able to flow and understand the affirmative team's case superstructure, was the affirmative team able to flow and understand the major points of the negative team's objections. If any major points are missing or vague, now is the time to ask for clarification If they are understood, or if they have been questioned and time still remains, then the debater should move down to the next priority goal.



Strategic Decision Tree
For Planning and Presenting Cross-Examination Questions

At this point, one's partner's questions can be considered. The theory here is that the partner's questions are generally not as important as a basic understanding of the other team's thesis and major points, but they might be more important than one's own attacks and/or the clarification of minor points. Therefore, a partner's questions must be considered on their own merit at this point on the decision tree. If they are brief and/or primarily call for clarification they belong where they have been placed, immediately after the major clarification of the opponent's thesis and major points. If they are more lengthy and/or are argumentative in nature, the debater should consider them in the same pool as one's own questions and assign them their proper (triage) priority.

The next four questions on the decision tree involve questions of ethos, pathos, logos, and perspective in that order. And the question naturally arises, why in that particular order? Why ethos first and perspective last? I will explain my justification for this order by comparing it to the priority during a constructive or rebuttal speech. During a speech, the most important goal is to sell the perspective of the case, the overall defense of the resolution (or the present system), to support this goal a logical case must be presented, and logic is thus the handmaiden of the case perspective. Logic isn't won for its own sake, but only insofar as it leads to an acceptance of the overall perspective. By the same token, emotion is the handmaiden of logic. Emotion is the psychological engine which makes the logical vehicle run. Perspective is the macroscopic view of the resolution, and emotion represents the microscopic forces out of which the perspective has been logically constructed. Thus logic is the glue which holds the structure together. And ethos becomes a vital prerequisite factor for the acceptance of the entire case. i.e., if the speaker lacks ethos, then the audience is unlikely to accept anything which is being advocated, and if the speaker has ethos than the audience is likely to listen to the rest of the argument with sympathy (or at least neutrality).[7] But one cannot generally argue in favor of one's own ethos (you would hardly believe me because I "told" you that you ought to believe me, but would be more likely to believe me if I somehow seemed believable). In a speech, ethos is most properly considered to be a prerequisite (vital) stylistic variable and, thus, should be considered to have the lowest priority among perspective, logos, pathos, and ethos (that is, it is vital to demonstrate ethos, but a low priority to make it the point of your presentation). On the other hand, a cross-examination session, unlike a speech, doesn't lend itself to an uninterrupted and protracted development of a case perspective or of the logic underlying the case. And in a cross-examination session ethos is likely to be the most visible element with the emotional impact of the questions and answers running a close second. I therefore conclude that Ethos, Pathos, Logos, and then Perspective is the proper order of priorities for strategic cross-examination.

The third question, therefore, is whether or not the other speaker is vulnerable on ethos--i.e., does the other speaker appear to be in control of his or her own [illegible]ions, does the other speaker sound confident, competent, knowledgeable, etc. [illegible] other speaker has problems with ethos, then it is possible to gain ground [illegible]italizing on this weakness (ask questions or provide answers calculated [illegible]oke the other speaker, without hurting your own ethos and strive to raise [illegible]n ethos as much as possible to win the contrast). If the other speaker [illegible]onstrating good ethos, then move down to the next priority goal.

The fourth question is whether or not the other team is vulnerable on pathos--i.e., are any of the arguments presented by the other team particularly foolish, badly presented, based upon objectionable value premises, etc. If so, then this is the time to probe those arguments. A good deal of valuable ground can be gained on this level, and it is quite possible that some damaging questions here may provoke a failure at the ethos level. (Which raises an important fiat: it is obviously quite possible to pursue more than one goal at a time, i.e., one can try to win on ethos and expose a weak value position at the same time, or probe a logical weakness while undermining the other team's perspective. A debater should therefore try to avoid becoming wedded to any particular goal. If the attack begins on the value level and the opponent's ethos begins to crack, then shift to the higher priority goal of attacking ethos. Which doesn't mean one must abandon the line of questioning, just that one becomes aware of the ethos factors as the primary goal of the questions.) If pathos is good, then move down to the logos level.

Generally speaking, the fifth question, whether or not the other team is vulnerable on logos, can almost always be answered with a yes. If there is one thing debaters learn in their years of competition, it is that absolutely no position is ever unassailable. Therefore, the only three reasons for ever dipping below this level is either 1) because there is some major flaw in the other team's perspective worth exploiting, 2) because there is some critical argument or piece of evidence which needs clarification, or 3) the debater is a novice who, understandably, can be at a loss for good substantive arguments. One perfectly valid strategy for the novice speaker who wishes to avoid overt pencil chewing and also "use up the three minutes" is to ask minor questions of clarification. It certainly can't hurt to hear some of the evidence read again, nor will it reduce the quality of a rebuttal speech to verify the details of the other teams position.

In the interests of efficiency and decorum, I will terminate the discussion at this point. Like any good cross-examination session, the potential exists for extending this argument indefinitely. But in an effort to reach some kind of closure, I will merely stress that the purpose of this model is to help reduce the cognitive scope of the cross-examination process for pedagogical purposes. Ideally, this model can serve as an intellectual stepping stone, mental training wheels if you like, for novice debaters. But, it can also be easily modified to provide a more sophisticated algorithm and/or a between tournament analytic tool for advanced debaters.

1. Cf., R.T. Church & C. Wilbanks, Values and Policies in Controversy: An Introduction to Argumentation and Debate (Gorsuch Scarisbrick: Scottsdale, Az 1986); J.M. Ericson & J.J. Murphy, The Debater's Guide, Revised Ed. (Southern Illinois University Press: Carbondale, IL 1987); A.J. Freeley Argumentation & Debate: Reasoned Decision Making, 5th Ed. (Wadsworth Publishing Company: Belmont, CA 1981); M. Fryar & D.A. Thomas, Basic Debate (National Textbook Company: Skokie, IL 1979); C. Keefe, T.B. Harte & L.E. Norton, Introduction to Debate (MacMillian Publishing Company: New York, NY 1982); D.W. Klopf & R.E. Cambra, Academic Debate: Practicing Argumentative Theory, 2nd Ed. (Morton Publishing Company: Denver, CO 1979); J.W. Patterson & D. Zarefsky, Contemporary Debate (Houghton Mifflin Company: Boston, MA 1983); G.H. Sanders, Introduction to Debate, 2nd Ed. (Waveland Press: Prospect Heights, IL 1983); R.V. Wood & L. Goodnight, Strategic Debate (National Textbook Company: Skokie, IL 1983); and, S. Wood & J. Midgley, Prima Facie: A Guide to Value Debate (Kendall/Hunt: Iowa 1986).

2. S. Larson, "Cross-Examination in CEDA Debate: A Survey of Coaches," CEDA Yearbook (1987): 33-41; S. Larson & A. Vreeland, "Evaluation of Cross-Examination in CEDA Debate," a paper presented at the National Convention of the Speech Communication Association, Denver, Colorado, 1985.

3. I think that one of the real harms of this lack of cross-examination skill is that it tends to drag down the general quality of debate. When I think back to when cross-examination was not part of the debate format, I remember how the first negative constructive speaker would generally begin his or her speeches with a short set of questions for the affirmative team and that the second affirmative constructive would begin with a short set of answers. As I recall, those questions and answers were almost universally clear, relevant, important, polite, etc. (Or at least, far more so than the average cross-examination session of today.) And it is quite possible that the overall quality and coherence of the debates were better as a result.

3. J.M. Copeland, Cross-Examination in Debate (National Textbook Company: Skokie, IL) 1982).

4. S. Larson (op. cit.); A. Cirlin, "Evaluating Cross-Examination in CEDA Debate: On Getting Our Act Together," CEDA Yearbook (1986): 43-50; R. Norton, "Remembering What the C.E. Stands For: Toward a Greater Role for Cross-Examination in CEDA Debate," CEDA Yearbook (1983): 29-31; and, T.H. Miller & E.H. Caminker, "The Art of Cross-Examination," CEDA Yearbook (1972): 4-15.

5. Copeland, op. cit.; Miller & Caminker, op. cit; A. Cirlin, An Introductory Handbook on the Theory and Practice of Debate (MRI Press: Richmond, VA 1984): 131-147. This last was written as a high school summer debate institute textbook and offers what may be the most comprehensive set of tactical rules of the three sources cited here.

6. Op. cit, pp. 105-120.

7. Ibid, p. 106.

8. Ibid, p. 107.

9. Ibid., p. 113.

10. Ibid., p. 112-114.

11. F.G. Slaughter, The New Science of Surgery (Julian Messner: New York NY 1946): 53-54.

12. 23rd Ed. (Williams & Walkins Company: Baltimore MD 1976): 1476.

13. J.R. Buck & J.M.A. Tanchoco, "Economic Risk Analysis," in Handbook of Industrial Engineering, G. Salvendy, ed. (John Wiley & Sons: New York, NY 1982): 9.5.17.

14. E.S. Buffa & J.S. Dyer, Essentials of Management Science/Operations Research (John Wiley & Sons: New York, NY 1978): p. 53.

15. Ibid.

16. Cf., Littlejohn, op. cit., pp. 128-130.

17. Zen and the Art of Motorcycle Maintenance. (Bantam Books: New York, NY 1975): 184-185.

18. H. McDaniel, An Introduction to Decision Logic Tables (John Wiley & Sons: New York, NY 1968): p. 3.

19. Ibid., pp. 53-55.

20. R. Sedgewick, Algorithms, 2nd. Ed. (Addison-Wesley: Reading, MA 1984): p. 4.

21. Fundamentals of Flowcharting (John Wiley & Sons: New York, NY 1969): p. 2.

22. Cf. E. Horowitz & S. Sahni, Fundamentals of Computer Algorithms (Computer Science Press: Rockville, MD 1978): pp. 1-4.

23. Schriber, op. cit., describes the characteristics of a flowchart when used for this purpose, pp. 1-2.

24. Cf. Steven Littlejohn's provides a brief discussion of Aristotle's theory and the contemporary status of that theory in Theories of Human Communication, 2nd Ed. (Wadsworth Publishing Company: Belmont CA 1983): 133-136. It is important, however, to look for this discussion in Littlejohn's 2nd edition, because all references to Aristotle's ethos, pathos, and logos have been carefully excised from the 3rd (1989) edition.

25. Cf. Littlejohn, ibid., 2nd Ed., pp. 136 and 141.

26. Littlejohn, ibid., p. 141.

27. Littlejohn, ibid., p. 134.

28. Littlejohn, ibid., p. 134.

29. I didn't think Littlejohn's definition of logos was as clear and applicable as his definitions of ethos and logos. I therefore took the liberty of creating a definition which would parallel the other two.

30. This addition to Aristotle's well-known division calls for a bit of explanation. Perspective is a child of the Einsteinian world. My use of this concept is based upon the work of Watzlawick, et al. and the Palo Alto School on the nature of human understanding and communication. (Cf. P. Watzlawick, J.H. Beavin & D.D. Jackson, Pragmatics of Human Communication: A Study of Interactional Patterns, Pathologies, and Paradoxes (Norton: New York NY 1977); P. Watzlawick, J. Weakland & R. Fisch, Change, Principles of Problem Formation and Problem Resolution (Norton: New York 1974); and P. Watzlawick, How Real is Real (Vintage Books: New York, NY 1977). This persuasive appeal is based upon the notion that people respond to their world picture as much as to the world itself and that there is a logic to, and principles of, persuasive communication designed to alter world view.

31. At least this is how ethos works in the real world, as evidenced by the most recent Presidential and Vice-Presidential debates. This, therefore, is how I train my debaters, how I judge rounds, and how I wish the judges who hear my teams would evaluate their rounds. Obviously, this isn't how things always work in practice. In the junior CEDA division of a recent major tournament, a team of mine ran up against an NDT style opponent. I had the good (or bad) fortune to have the round off, so I was able to listen. My 1AC, an obvious novice, especially in light of his cross-examination, presented his case, and the 1NC came back with one of the fastest spreads I have ever heard in a CEDA round, rivaling anything I have ever heard in NDT. The judge, an ex-NDT graduate student, calmly flowed it all. The 2AC argued that the 1NC's presentation was not comprehensible to the affirmative team, and that therefore it did not represent a prima facie response to the affirmative position. The affirmative argued that they, as part of the audience, had a right to be able to understand the other team's arguments (especially since this was the junior division), and that the judge should only disallow the affirmative's line of reasoning if it seemed to him that the affirmative team was so weak it didn't belong in the division (the affirmative team's final record was 3-3); but that if they did legitimately belong in the division, the negative team's style was not appropriate to CEDA debate. The judge replied, on the ballot, that he was able to understand the 1NC, that therefore their rate of delivery was acceptable, that the affirmative team was not part of the audience, and that the negative style was appropriate to CEDA debate. (After reading this ballot, I suggested to my team, only half jokingly, that if they ever have this judge again, they deliver their speeches by sitting next to him and whispering in his ear since he beileves the other team is "not part of the audience." They could also justify this strategy on the grounds that if the other team were allowed to exceed the threshold of comprehensibility in terms of speed, that they should

be permitted to dip below the threshold of comprehensibility in terms of volume.) In effect, the judge defined "appropriateness" solely in terms of his own ability to understand. Had another team spoken too fast for even him to understand, then he would have deemed it "inappropriate" and docked the offending team. To this judge and others of his ilk, the specific model presented in this paper will be unacceptable. For them, ethos may have little or no place in the debate. But even they, might subscribe to the general notion of model based on the concept of a triage of inquiry in the form of a decision tree. One of the advantages of this general model is that it can be reworked to accommodate virtually any theoretical bias.