During this year's Third Presidential Debate, Chris Wallace of Fox News opened up a discussion about the issue of gun control in the United States. The candidate's views on gun control was one of the top voted questions for the debate, and so the discussion was opened up for both Donald Trump and Hillary Clinton to make a clear and final clarification of their views and suggest policies that they would or would not enact. Despite the framing of the questions within the debate, the nature of the topic, and Trump's lack of debate experience, Clinton delivered a strong argument by employing strong rhetorical techniques. The Democratic candidate won the debate due to her ability to re-open stases, make strong appeals to pathos, and construct backed up claims using Toulmin's structure, resulting in a clear presentation of values and policies on the issue of gun control. Unfortunately, despite her expert use of rhetorical tools, the debate fails to work as a whole, as opportunities for clash are missed and potential arguments dismissed by both the Moderator and the Republican Candidate.

The debate begins with a question to Clinton about her position o the second amendment and the Supreme Court's application of it. The Moderator (Wallace) questions her views by contrasting two quotes, one said by Clinton last year, "the Supreme Court is wrong on the 2nd amendment", and the other by late republican Supreme Court justice Scalia, in which he said that the court ruled that there was a constitutional right to bear arms, but a right that is reasonably limited. After presenting both quotes, Wallace asks the question, "what's wrong with that?". This question is based in the stasis of value, as it requires Clinton to state her position and clarify her opinion on whether the supreme court was correct in their decision. Within a debate, it is useful to work through the five stases: fact, definition, value, policy and procedure; as it help describe the logic inherent in the development of an argument (Fahnestock, Secor 1988). The way the question is phrased, however, highlights the first hurdle Clinton must overcome. Wallace frames the questions in a negative light which doubts Clinton's views and requires her to defend her position. Instead of asking a more neutral question such as, "do you still hold this opinion?", or even "why are you right?", the Moderator's question requires Clinton to explain herself before building on her position, putting her a step back in the debate.

To move the debate back towards a positive light, and present her values in her own words, Clinton answers in three strategical stages: She defines her position of the issue of gun control, states the reason for policies and what they should be, and clarifies her stance on the Supreme Court decision. She must re-open the stasis of value, and close it before moving onto the stasis of policy, to ensure the audience is happy with her logic.

Clinton is clear when defining her position within the stasis of value. She states "I support the second amendment" and makes an argument from the position-to-know argument scheme to back this up. Clinton does this by providing her history of living in Arkansas and representing Upstate New York as an example to show that she "understand[s] and respect[s] the tradition of gun ownership". By providing an example of where she's lived, she shows herself as being in a position to know about the gun issues, and can therefore provide an opinion that can be believed by the audience.

She uses this same background and position to know to introduce her belief in "reasonable regulations". Clinton uses the statistic of 33,000 annual deaths due to guns to strengthen her suggestion of policies, which she reads through briefly, as she wants to focus on the reason for policies rather than their exact

nature. Never the less, her policies (comprehensive background checks, closing the online loophole and closing the gun show loophole) are clear and well defined in an attempt to close the stasis of policy.

To counter the Moderators negatively bias question about the Supreme Court Decision, Clinton gives a direct and well defined response. She creates a micro-argument to back up her claim that the Supreme Court was wrong in their use of the second amendment in the Heller case. To strengthen her claim, Clinton follows Toulmin's structure, which suggests that data and warrants are needed to strengthen the validity of a claim (Toulmin 1922). Clinton makes her claim based from the data that the District of Columbia was trying to protect toddlers from guns. She warrants her claim, that the Supreme Court was wrong in their application of the second amendment, by stating that the District of Columbia wanted a reasonable regulation to be put in place, which was for guns to be stored safely. Stating that the regulation was reasonable shows the audience her logical step leading to the claim that the court was wrong not to allow the regulation. She additionally provides a reservation, "but they've accepted many others", to support the claim that they were wrong in this one case, but not in all of them. This reservation further strengthens the validity of her claim. Presenting this micro-argument allows Clinton to state that she agrees with the Supreme Court in other cases when judge Scalia's words "a right that is reasonably limited" are followed.

The Moderator introduces Trump into the discussion at this point. He asks Trump about how he will ensure the second amendment is protected, and whether Clintons answer was persuasive. There is a clear contrast between the tone of this question presented to Trump and the previous one given to Clinton, highlighting the fundamental problem with the nature of this topic. The 2nd Amendment is a troublesome topic for Democrats who wish to introduce policies such as safety checks, yet an easy topic for Republicans who strongly believe that the amendment should have no restrictions. This is due to the opinion shared by many citizens, that the wording of the 2nd is clear and there is no place for policies to restrict gun ownership or a citizens 'right to bear arms'. The means that questions directed to right-wing republicans never question their values, as a politician following the exact words of the 2nd amendment shouldn't be doubted... whereas a democrat attempting to restrict the extent of the amendment should be met with speculation and scrutinized for questioning the constitution. This attitude is evident when comparing the questions given to both Trump and Clinton. Wallace's phrasing is much more positive towards the Republican candidate, and gives Trump the opportunity to talk within the stasis of policy and convince the audience of how he will 'protect' the amendment. More over, the question allows Trump to easily dismiss Clinton's views and build upon his own position rather than waste time explaining or defending his views like Clinton had to. Simply from the phrasing of the question Trump is given an advantage in the discussion.

Instead of using this opportunity to strengthen his position and close the stasis of policy, However, Trump focusses purely on Clinton's previous answer and provides a weak rebuttal. It is clear that Trump's message is that he was not persuaded by Clinton's answer, due to her reaction after the decision was made by the Supreme Court. He describes Clinton's reaction as very, very angry. An argument he makes from position to know, which he claims he has as "[he] watched" her reaction at the time. His position-to-know argument is much weaker than Clinton's in her previous response because of the evidence used. Trump claims he saw a reaction, whereas Clinton talks about her 17 years in Arkansas, a much stronger set of evidence. Trump's main rhetorical tool within his answer is his strong appeal to pathos. He focusses on the extreme reaction of Clinton, and introduces the effect this had on those who believe in the second amendment, which caused them to be "very upset". Trump's first response showcases another weakness in this debate. His lack of experience in this situation resulted in the debate failing to provide strong arguments, and a loss of clash among stases. By not continuing in the same stasis as the question, he stops the flow of the debate, which would see the moderator move the candidates to specific stases for clash to occur. Trump doesn't strengthen his values or policies and fails to state how he will uphold the 2nd amendment. And instead of providing warrants for his own claims which Clinton could respond to, he only explaines why she was not persuasive. The failure of clash prevents the candidates from employing questions against argument schemes, which would provide an interesting and strong debate.

When Wallace returns to Clinton, he asks another negatively bias questions "were you extremely upset?" (Questions of the same nature but asked more neutrally could have been: "How upset were you?" Or "Does Donald persuade you?" Allowing for an equal and unbiased debate.)

Clinton clarifies that she was upset, but supports this by mentioning that "toddlers injure themselves, even kill people". By highlighting the young affected by lack of gun control she is appealing to the emotions of the audience, and makes an arguments from negative consequences as she shows what happens when there aren't "reasonable regulations". Once she gives reason to her emotions, and therefore re-instates her values, she moves on to her claim that there is no "conflict with sensible, common sense regulation" and supporting the second amendment. In fact, in her previous answer she made this claim pre-emtively, and backed it up with the Supreme Court's expert opinion, that the right is reasonably limited. She takes this opportunity to move to the stasis of policy again, stating her wish for "people to come together... to protect and defend the second amendment... in a way that tries to save some of these 33,000 lives that we lose every year." While her policy lacks much detail, she is clear with what she wants to achieve.

When the Moderator turns to Trump for the final answer in the discussion, he asks "You support a national right-to-carry law. Why, Sir?" Once again, the framing of the question determines how the candidate answers. If it is negatively bias, the candidate must provide an explanation, if positively bias, the candidate only needs to agree with the moderator to strengthen their position.

Rather than make an unwarranted claim that gun control results in gun violence, it would have been stronger for Trump to support and elaborate his values as asked. Trump provides no answer to the directed question. Instead, he delivers a claim that clashes with the policies supported by Clinton. He uses data from the example of Chicago, where there have been tough gun laws, to claim that laws result in violence. Unlike Clinton's claim, however, there is no warrant or qualifier or any reservation. Trump jumps from the data, to the claim: "So, we have the toughest laws and you have tremendous gun violence." His lack of expert opinion or specific statistics in this case hurt his claim, and leave it unsupported. Trump then moves to the stasis of policy, as asked in the previous question. His policy is quick and basic, with little information, but one that comes from the argument scheme of positive consequences. His logic is: Appoint justices who feel strongly about the second amendment, and it will not be damaged. Trump finishes his response without ever answering the directed question.

By following the flow of stases, it is unfortunate to see that there was little clash among the stasis of value or policy. This is due to Trump's lack of debate experience and failure to address the questions being asked. Clinton, on the other hand, provided strong use of rhetoric. She re-opened and closed stases with ease and provided logical and warranted claims, another rhetorical tool that Trump used poorly. Clinton's responses become even more impressive when we understand the hurdles she had to

overcome within this debate – specifically the nature of the topic and phrasing of the questions. Clinton delivers strong reasoning for her values and presents possible policies, unlike Trump, who never provides explanation for his views. This results in the audience having a better understanding, and therefore a higher chance of being persuaded by Clinton's values which demonstrates that her skilled use of rhetorical techniques won her the debate, even if the debate itself wasn't very strong.

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