At the heart of the academic discipline of communication is the assumption that discourse has meaning; scholars who conduct rhetorical analyses know that what one says and how it is said reveal a great deal about the speaker’s disposition and demeanor.

Case in point: the two Senate Judiciary Committee hearings for Supreme Court nominee Judge Brett Kavanaugh. What does his verbal and nonverbal communication tell us?

In the first hearing, Kavanaugh stated explicitly and dispassionately that the Supreme Court must not be partisian—that in order to be an objective fact-finder, jurists must be independent. He made clear that he always has been committed to fairness and impartiality, and always would.

Both the tone and content of Kavanaugh’s message changed dramatically at the second hearing regarding allegations of sexual misconduct. To be fair, Kavanaugh and his family had every right to be upset; after all, his life and reputation have been negatively impacted.

What was surprising, though, is that in a vitriolic, enraged and unprofessional opening statement, as well in emotionally charged responses to Senate questions, Kavanaugh viciously blamed what was transpiring on revenge for his role in President Bill Clinton’s impeachment, a left-wing conspiracy to derail his nomination, opposition to President Donald Trump and anger about the results of the 2016 presidential election. He also heatedly attacked Democrats on the Senate judiciary Committee for their participation in this “search and destroy” campaign.

Moreover, as a recent Vox analysis of the hearing transcript demonstrated, unlike Dr. Christine Blasey Ford, Judge Kavanaugh skirted and failed to answer many questions. He also asked senators— including Minnesota’s Amy Klobuchar—to answer inappropriate questions about drinking.

In fact, on Sunday, Klobuchar said she was “really stunned” by how the Supreme Court nominee acted. All of this was an unprecedented rhetorical move by a Supreme Court nominee. Never before have we seen this kind of acrimonious and spiteful rhetorical posture by a Supreme Court nominee.

What is important is not whether we agree with how Kavanaugh has been treated, nor whether claims about him are true or false. Perhaps the charges against him are untrue and perhaps he was treated unfairly. That does not vitiate the fact that the tone and tenor of Kavanaugh’s words, as well as his facial expressions and gestures, say a great deal about him and his character and temperament.

Regardless of his prior judicial record and published legal views, Kavanaugh’s rhetoric now documents persuasively that, by his own standard of impartiality, he lacks the required judicial temperament to serve as an objective finder of fact on the nation’s highest court—a concern raised before the sexual misconduct allegations and Kavanaugh’s nomination to the Supreme Court.

In view of his rhetoric at the second hearing, it is reasonable to wonder for example whether Democratic attorneys or those representing politically liberal persons and issues who come before the Supreme Court will or can be treated fairly by Kavanaugh.

The country is preoccupied with Trump’s newly ordered FBI investigation of sexual misconduct allegations—which it is too limited and what it may unearth about Kavanaugh. However, let’s not ignore what Kavanaugh said at the second hearing and the manner in which he said it. Aside from the outcome of the FBI investigation, which may or may not present evidence indicating whether he lied and/or committed sexual assault, rhetorical analysis shows that Kavanaugh is disqualified because of lack of the requisite judicial temperament.

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