

AN ABSTRACT OF THE THESIS OF

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Title: Plenty & Paucity in the Ethics of Argumentation: A Rhetorical Critique of Eight Argumentation Textbooks for Ethical Propositions and Corresponding Support, Reasons and Evidence.

Abstract approved:

Robert S. Iltis

Some argumentation texts require additional evidentiary support to uphold their ethical propositions. A rhetorical critique of eight argumentation textbooks for ethical propositions and corresponding support, reason and evidentiary materials reveals that some texts advance ethical claims without providing sufficient backing. Inadequate support for an ethical proposition decreases the likelihood of meeting the burden of proof, which potentially risks adherence to the claim by the audience. The author examines presuppositions adopted in the thesis regarding argumentation, presents a rationale for selecting argumentation texts, engages in general textual analysis and particular textual analysis of the treatment of fallacies, and categorizes the results into five themes. The themes reveal that some texts could benefit from additional supporting evidence for their ethical claims. The author offers three sources of potential evidentiary support and explains how those sources could potentially bolster claims in argumentation ethics.

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Plenty & Paucity in the Ethics of Argumentation: A Rhetorical Critique of Eight
Argumentation Textbooks for Ethical Propositions and Corresponding Support, Reasons
and Evidence

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I understand that my thesis will become part of the permanent collection of Oregon State University libraries. My signature below authorizes release of my thesis to any reader upon request.

James Nolan Roberts, Author

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To Dad, Mom and my brothers, with love

The list of those I am deeply and irrevocably indebted to is far longer than is fit to print and the fact that I omit many names does not diminish my gratitude for the staggering support I received, whether given knowingly or unknowingly. I thank the Lord of the church, Jesus Christ, for mercy from everlasting to everlasting and for calling me friend. I thank Dad and Mom for their patience, fortitude, forgiveness and longsuffering. I thank my brothers for continual encouragement and for enduring my incessant, roaring outcry of “Arty Morty!” I thank Dr. Gary Ferngren, a Christian gentleman, for listening and for placing me in a position of trust. I thank Dr. Trischa Goodnow for her wisdom, delightful conversation and thoughtful reminders. I thank my pastor, Martin Emmrich, for his guidance and instruction. I thank Dr. Lani Roberts for her strength and commitment to my success. I thank my close friends for their encouragement. Lastly, I thank my mentor Dr. Robert Iltis, who carried the burden of my thesis patiently and without complaint.

A wise king possessed a ring, the wearer of which was said to be beloved of God and man. He had three sons, to each of whom he promised the ring. When the king died, each heir was given a ring, and all three rings appeared to be identical to that of the old king. When the sons went to the royal judge and demanded to know which ring was the real one, the judge said to them:

Your father, the king, wore a ring of which it was said that the wearer would be beloved of God and man. Each of you has been given a ring. Wear your rings. Do your best to be beloved of God and man. Let your rings descend to your heirs. Then someday, some future judge will assess your work and know whether you had the right ring.

Philip Bobbitt, *The Shield of Achilles*

λεγει αυτω ο ιησους εαν αυτον θελω μενειν εως ερχομαι τι προς σε συ ακολουθει μοι

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Chapter 1: Introduction

In a landmark biography of Winston Churchill, John Keegan notes in the opening chapter that he initially held a very low opinion of the famous statesman, which steadily altered for the better as he uncovered who Churchill really was and, more importantly, what stereotypes were suggested of Churchill that could not in fact be reasonably attributed to his character. In a similar way, I began my study of rhetoric with a decidedly negative predilection of its merits and a skeptical view of the extent, if any, of its application to actual life. In rhetoric I saw trickery, manipulation and deceit. The fact that this thought was echoed by Socrates, a man my father has spoken of with respect on many occasions and who became the subject of my first serious inquiry into rhetoric, in Plato's *Gorgias*, only served to reinforce what I thought I knew. This was my first impression of rhetoric.

However, much to my surprise, the more I delved into the discipline of rhetoric and of rhetoricians, the better I came to understand how little I had known and how different genuine rhetoric stood in contrast to my adolescent notion of it. Several concepts stood out as integral components of the discipline, without which true rhetoric could not take place, including offering compelling connections that respect human reason, classifying legitimate and illegitimate persuasive devices and placing ethical constraints on rhetorical behavior. I discovered that arguments that attempt to distort, injure or swindle an audience of judges by withholding from them some crucial nugget of

truth are not using rhetoric, but only its pale shadow. I am elated to this day by the understanding that legitimate rhetoric is imbued by human restraint and steeped in desiring the best possible outcome for people, not rhetoricians. I strongly gravitate to the idea that a distinction exists between legitimate rhetoric advanced for the public good and sham argument intended to win what honesty is unable to achieve. The separate notions of legitimate and illegitimate rhetoric planted in me a seed, which in time produced a vine of increasing trust in the possibilities afforded chiefly by rhetoric. All my particular efforts in this thesis reflect the view that true persuasion cannot be divorced from ethics. In *The Ethics of Rhetoric* Richard Weaver wrote “there is no honest rhetoric without a preceding dialectic” (25). If I may take some liberty with his words, there is no honest rhetoric without a preceding ethic.

I conceived the idea to survey argument texts after my first term of using *Elements of Argument* as a graduate teaching assistant. I was struck by the oddity presented in the text; namely of treating argument as a largely systematic, even technical affair. The text offers scant reference to ethics, the one thing I have tried to weave into my instruction at every feasible opportunity. It is noteworthy to remark on the challenge for a graduate student to teach outside the text in a manner that does justice to the outside concept and also to course expectations. To this day I struggle with the problem of teaching students to respect ethics. Many students regard any constraint on their rhetorical acts as unwarranted and unfair. Additionally, the discussion of ethics is a mere note in the first chapter of the text I have been given to use. How does a person without authority or experience introduce uncovered material? I suppose there must be a good

way, but if the concept is truly important it seems to me the situation might easily be ameliorated by simply introducing the material in the text itself. This trouble of mine caused me to wonder if other prominent texts treat persuasion in a similar fashion; hence this slim study.

To date no journal has published an article on ethical content in argumentation texts. My survey in April of 2007 and again in February of 2010 of *OSU Libraries Catalog*, *Index to Journals in Communication Studies*, and several internet databases, including *ComAbstracts*, *ArticleFirst* and *Academic Search Premier*, turned up no journal articles on the study of argumentation texts and argumentation ethics. In chapter three I review a few internet articles and a journal article that review a selection of the best argument texts in general, but none that include the treatment of fallacies as a criterion. I will now briefly introduce materials from each the following chapters.

Chapter two examines four presuppositions about rhetoric that ground my study. (1) An argument is an essential component of rhetoric. (2) Certain characteristics innate to human nature influence the practice of rhetoric. (3) An arguer's audience serves as legitimate judges of the quality and persuasiveness of his case, which means they must be presented with appropriate and adequate materials that facilitate sound judgment. (4) Every person ought to be valued within the rhetorical context. Together these four presuppositions form the foundation for my investigation. I offer my presuppositions candidly because each one is subtly woven into my study and therefore warrants discussion, and also because it would be disingenuous not to do so.

Chapter three sets out the groundwork for my study and covers a general analysis of the textual material. In this chapter I observe my particular motivation for this study, lay out a methodology, review the selection of eight argumentation texts and engage in general analysis of the visible ethical content of each text. Analysis will examine ethical claims or rules, and materials that directly contribute to an ethical framework for argument or ethical grounding for any particular rule of argument.

Chapter four focuses on the particular analysis of the treatment of fallacies in each text as they pertain to argumentation ethics. The treatment of fallacies in argumentation represents a major intersection of rhetoric and ethics because the criticism emerging from such treatment draws both from the application of sound principles of argument and from the evaluation of another's work. The chapter begins by examining the relationship between rhetoric and fallacies the relationship between fallacies and argumentation ethics. It also briefly reviews the influence of character in persuasion, which is necessary for a treatment of fallacies. The greater part of the chapter is reserved for individual text analysis.

Chapter five is broken into three sections: discussion, possibilities and closing remarks. The results segment establishes five general trends that emerge from the texts. (1) The texts differ significantly in their approach of ethics in argumentation. (2) Some texts treat fallacies in part within an ethical context, while others do not. (3) Some texts advance claims related to ethics without offering substantial support at all. (4) Some texts advance claims related to ethics with insufficient or inadequate support. (5) Texts that

devote a chapter or significant space for a discussion of ethics on the whole offer more support, reasons and methods for evaluating concepts than those texts that do not. In the second section I explore the tacit assumption by many texts regarding the burden of presumption for argumentation ethics and how that assumption negatively influences a sound defense of argumentation ethics. I subsequently advance three possible paths that facilitate a defense of argumentation ethics, drawing upon the works of Martin Buber, Nel Nodding and Dietrich Bonhoeffer. The third section examines the limitations of the study, postulates on further research and closes the work.

A note or two on chapter two is warranted. I intend to operate under the assumption that we almost never learn in a vacuum, in a state of total isolation. Instead, I will presume we take any new thing we encounter and compare it with what we already know. If we do not make such a comparison, it is probably because the author has forewarned us by framing an argument in specific terms to assist us in making our appraisal. In other words, the author kindly attempts to reveal the presence of a priori biases in the hope that this revelation will help readers to understand the circumstances in which the author's argument is crafted. Chapter two is just such an exercise. In it I hope to construct a foundation of interpretation upon which I will build my case. The keystone of that framework is argumentation ethics, a case I feel confident in advancing because argument, at its heart, is based on maintaining and enhancing relationships by persuading others that a better understanding of some fact, value or course of action will help them as they go through life.

The other thing I would mention is an implication of my argument in chapter two that I most strenuously wish to refute here and now. I have spared no effort to convince the reader that my use of definitions and my amalgamation of views on morals and rhetoric are not exhaustive, unassailable or indefatigable. Quite the opposite, they are vulnerable to criticism because the views represent one way of thinking amongst many competing conceptions. My acknowledgement of this point does not imply that I endorse the notion that all ideas carry equal weight or that every perspective is equally valuable. If I believed in the merit of such a position, there would be no need to offer a framework at all, let alone a directed argument, when the mere statement of my opinion would suffice. I have come to believe that some judgments are of greater worth than others. These judgments may be more valuable because of the experience, understanding, wisdom or sheer luck of the individual judge. However, I think such judgments are more likely valuable because, in the words of Marcus Aurelius, they resonate with “the right order of things.” Whether or not this work constitutes greater worth I leave for the reader to decide.

Chapter 2- Assumption and Definition in Argument and Ethics

Assume- "What the assumer postulates, often as a confessed hypothesis." H.W. Fowler

A critic is usually disconnected from the reality of the object of criticism because rhetoric is time-bound and past moments of judgment are closed. The space where the critic's work unfolds is distant from the subjects of criticism, who are most probably unaware, unconcerned or indifferent to his or her criticism. Disconnection and distance however do not necessarily imply that criticism is wasteful or unrewarding. Quite the contrary, rhetorical criticism can transport an audience to the heart of persuasive discourse. The act of criticism is as necessary to rhetorical theory as judicial interpretation is to law. Furthermore, even as the judge's concern and focus is different than either the attorney's or the jury's, the act of criticism sets the critic apart from the audience and from the original argument. The critic has an entirely different purpose than a speaker or an audience. The critic assumes a posture of new critique, of genesis and growth, advanced within a framework conceived and adapted by the critic. The critic sheds new light on an argument from a different perspective. Criticism is by no means impartial. The critic writes purposefully and with direction, and though the critic is beholden to the documents under examination, the critic remains at liberty to reanimate the subject through his or her own critical lens. An advocate might very well disagree with a point of criticism, even with the entire spirit of critique itself, but this is not the critic's primary concern. A critic most probably approaches work disconnected and distant in terms of time and space, but not without incumbent advantage. The critic is

rarely a decision-maker, the moment for judgment being in the past, and the new world criticism unfolds is the critic's own.

Owing that criticism generates a new perspective, prudence dictates that I embark upon criticism by revealing my presuppositions about the topic of discussion. All arguments inherently rely upon some degree of presupposing or good faith in first principles, since knowledge of any subject is invariably incomplete and individual judgments regarding these subjects can differ according to the nature of interpretation applied to incomplete knowledge. As Timothy Keller puts it:

Even as believers should learn to look for reasons behind their faith, skeptics should learn to look for a type of faith behind their reasoning. You cannot doubt Belief A except from a position of faith in Belief B (xviii).

Presuppositions are hypotheses, yet presupposing need not be characterized as intrinsically detrimental to discussion. Instead, uncertainty in presupposing is simply a reminder of limitations in reasoning, and should prompt examination and justification. Presuppositions ought to be acknowledged, tested and categorized. As Aristotle states in his *Nicomachean Ethics*:

Nor again must we in all matters alike demand an explanation of the reason why things are what they are; in some cases it is enough if the fact that they are so is satisfactorily established. This is the case with first principles; and the fact is the primary thing- it is a first principle. And principles are studied- some by induction, others by perception, others by some form of habituation, and also others otherwise; so we must endeavor to arrive at the principles of each kind in their natural manner, and must also be careful to define them correctly, since they are of great importance for the subsequent course of the enquiry. The beginning is admittedly more than half of the whole, and throws light at once on many of the questions under investigation (1098b).

This particular essay relies upon a set of presuppositions about argument and ethics. The purpose of offering a particular framework for the concepts of argument and ethics is to facilitate a lucid and unambiguous evaluation of their mutual intersection. A candid disclosure of presuppositions will anchor the subsequent assessment in later chapters of materials pertaining to both of these concepts.

I hold four fundamental presuppositions about rhetoric. (1) An argument is an essential component of rhetoric. (2) Certain characteristics innate to human nature influence the practice of rhetoric. (3) An arguer's audience serves as legitimate judges of the quality and persuasiveness of his case, which means they must be presented with appropriate and adequate materials that facilitate sound judgment. (4) Every person ought to be valued within the rhetorical context.

An argument is an inherent ingredient of rhetorical discourse. Rhetoric draws on argumentation, but not all argument is rhetorical. While a mathematical proof without any rhetoric still constitutes a potentially legitimate argument, rhetoric cannot function without the immediate presence of some form of an argument. Argument and rhetoric share persuasion as a unified goal, but regarding rhetoric and argument as synonyms of the same concept is a misunderstanding. I.A. Richards maintains that the meaning of a word or words is as important as what those words aim to accomplish, that comprehending "verbal understanding and misunderstanding" arising from language is paramount (23-24). Therefore, it is vital to establish the nature of rhetoric and the nature of argument.

Aristotle defines rhetoric as “the faculty of observing in any given case the available means of persuasion” (1355b). He further describes rhetoric as a faculty that “belongs to no definite science” (Aristotle 1354a). Aristotle’s definition underscores two key ideas. The first is that rhetoric is a faculty. A faculty in this sense is a cultivated ability or capacity belonging within the mind of an individual (Webster’s International Dictionary 813-814). The emphasis on faculty places the individual rhetorician as the cornerstone of rhetoric, as opposed to a neutral, static procedure or process. An individual may have a keen sense of the opportunities for persuasion or a dull sense, but the capacity of rhetoric resides within each individual. Secondly, rhetoric focuses upon the available means of persuasion, which implies that each situation requires a singular approach. The quality of argument depends on how proficiently the rhetor can observe the opportunities of persuasion and utilize them in a deliberate way to persuade an audience: “[Rhetoric’s] function is not simply to succeed in persuading, but rather to discover the means of coming as near to such success as the circumstances of each particular case allow” (Aristotle 1355b). In this sense rhetoric is unlike elementary mathematics, where two plus two is invariably four. Rhetoric requires the arguer to perceive the possibilities for moving an audience to adherence, without which no intended persuasion can take place.

A second perspective of rhetoric is useful. Donald Bryant defines rhetoric as “the rationale of the informative and suasory in discourse” (239). Discourse refers to speech in “spoken or written” form (Bryant 243). The adjective “suasory” is consistent with

Aristotle, as Bryant observes in two instances: “Aristotle...identified rhetoric with persuasion” and:

In its suasory phase, at least rhetoric is concerned, said Aristotle, only with those questions about which men dispute, that is, with the contingent- that which is dependent in part upon factors which cannot be known for certain, that which can be otherwise. Men do not dispute about what is known or certainly knowable by them” (404/406).

Bryant grounds rhetoric as a discipline designated for conditional subjects. It seems clear rhetoric is not a scientific process, for it can of itself add nothing to what is already certain. Rather, its method is useful for elucidating disputed matters. Bryant separately summarizes his definition:

Rhetoric, therefore, is the method, the strategy, the organon of the principles for deciding best the undecidable questions, for arriving at solutions of the unsolvable problems, for instituting method in those vital phases of human activity where no method is inherent in the total subject-matter of decision (407).

Method is mentioned three times in summarizing and in each instance method is utilized to direct an audience towards resolution. Rhetoric’s purpose is plainly audience centered: “the function of adjusting ideas to people and people to ideas” (Bryant 413).

That rhetoric ought not to be regarded as a pure science does not mean it should not be approached systematically. Logic impartially favors those ordered, recurring consistencies that rational thought can harness. Aristotle produces such a system in the treatment of “the means of affecting persuasion:” ethos, pathos and logos (1356a). Logos is logical reasoning, and is engaged “when we have proved a truth or an apparent truth by

means of the persuasive arguments suitable to the case in question” (Aristotle 1356a).

Aristotle separately affirms the usefulness of a system of rhetoric:

Rhetoric is useful because things that are true and things that are just have a natural tendency to prevail over their opposites, so that if the decision of the judges are not what they ought to be, the defeat must be due to the speakers themselves, and they must be blamed accordingly (1355a).

Astute perception of the available means of persuasion on the part of an individual rhetor, grounded in logical substance, is imperative because rhetoric is “invented” from such materials (Aristotle 1355b).

According to Richard Purtill in the *Cambridge Dictionary of Philosophy*, an argument is “a sequence of statements such that some of them (the premises) purport to give reason to accept another of them, the conclusion” (37). Aristotle qualifies argument as “the proper subjects of dialectical and rhetorical syllogisms” and as being applicable to “questions of right conduct, natural science, politics, and many other things that have nothing to do with one another” (1358a). Argument is valid for a variety of dissimilar subjects because “general lines of argument have no specific subject matter” (Aristotle 1358a). Instead, argument can be a general, systematic approach. For instance, arguments offered on any subject should be coherent, ordered so that supporting reasons uphold claims and lesser claims give credence to propositions. Arguments can also be tailored to a specific situation, which increases the strength of an argument for persuasion in that particular situation, while curtailing the effectiveness of its application to a broader, more general set of situations. Aristotle writes, “There are those special lines of argument which are based on such propositions as apply only to particular groups or classes of

things. Thus there are ... propositions about ethics on which nothing can be based about natural science” (1358a). While specific propositions still constitute argument, in general, a shift towards specific types of argument can be a movement away from the inventive faculty of rhetoric. Aristotle writes:

The better the selection one makes of propositions suitable for special lines of argument, the nearer one comes, unconsciously, to setting up a science that is distinct from dialectic and rhetoric. One may succeed in stating the required principles, but one’s science will no longer be dialectic or rhetoric, but the science to which the principles thus discovered belong (1358a).

Aristotle is correct to suggest that the more specific an argument becomes, the less it resembles rhetoric; i.e., as an argument becomes more technical and less focused on persuading a general audience, it moves toward the realm of its own science. In contrast, rhetoric is a faculty belonging to a rhetor, an integral part of which is creating arguments based on an assessment of the audience. As arguments become more subject specific and grounded in special expertise, they share less in common with rhetoric. This in part explains why argument is not another way of saying rhetoric.

Certain characteristics innate to human nature influence the practice of rhetoric. Both arguer and audience share attributes, such as imagination and memory. Though we imagine and remember events from a unique perspective, everyone shares the same root capacity. Aristotle’s definition of persuasion as “a sort of demonstration, since we are most fully persuaded when we consider a thing to have been demonstrated,” hints at human characteristics prerequisite to successful demonstration a rhetor can consistently rely upon (1355a). His discussion of ethos, pathos and logos, and indeed of character in

general, support the notion that all persons share inborn qualities accessible to a rhetor. A rhetor can rely upon facets of our nature in the construction of any speech. Ergo, a rhetor who leaves characteristics of human nature unconsidered is not keenly observing the material essential for persuasion.

The famed rhetorician George Campbell states “there are certain principles in [human] nature which, when properly addressed and managed, give no inconsiderable aid to reason in promoting belief” (205). He defines four distinct attributes innate to human beings that affect rhetorical discourse: understanding, imagination, memory and passion. The first of these four, understanding, is a human aptitude associated with “sense” and “expression” in speakers and “capacity, education and attainments” in audience members (Campbell 206). Articulating an idea with intelligent expression prevents “unintelligible” argument, where the audience fails to comprehend meaning because the speaker uses unfamiliar speech (Campbell 206). Perception of the sense of an audience shields the observing speaker from advancing ideas and concepts unfamiliar to an audience (Campbell 206). A proficient rhetorician tailors both his or her sense of speech and its expression according to the limitations of an audience, which maximizes the potential for understanding and subsequent adherence. Inattentiveness to the finite understanding of people, “which in different orders of men are different,” creates “obscurity” that invariably limits the thoroughness of comprehension and the soundness of adherence (Campbell 206). Ergo, while the general concept of understanding has limitations, the capacity for understanding creates a means to unite speaker and audience.

A second innate trait is imagination. Appeals to the imagination cultivate attentiveness on the part of audience members. Campbell writes, “Attention is prerequisite to every effect of speaking, and without some gratification of hearing, there will be no attention” (206). Imagination differs from understanding. Understanding represents the apprehension of a communicated idea, while imagination is the capacity that sparks interest by bringing an idea to life: “Pleasing the imagination ... awaken[s] and preserve[s] the attention” (Campbell 206). Imagination for Campbell is the mental “faculty” that discriminates among similarities—e.g., strong resemblance versus weak resemblance—and assesses strong resemblance as a lively or vivacious idea (206/207). The purpose of imagination is not to fight away boredom or entertain as Campbell’s illustration implies, though it accomplishes these ends. Instead, the use of imagination animates ideas in such a way that an audience better understands a concept. Adherence to an idea requires more than mere facts, for “belief consisteth in the liveliness of our idea” (207). The imagination personalizes an idea, imbues it with self, and transforms it into distinct and individual belief. Campbell notes, “What gives the principle delight to the imagination is the exhibition of strong likeness, which escapes the notice of the generality of people” (207). This means that each person takes the rhetor’s argument as if they alone in the room understand it, as if they alone are asked to make a choice, not arrogantly or with conceit, but personably and individually. Imagination is an essential human trait.

Memory is another critical trait that impacts rhetoric. Campbell notes, “Demonstration itself, without the assistance of [memory], could never produce

conviction” (208). It is further “necessary on every occasion” (Campbell 209). Memory is that retentive quality of conviction from which arises favorable or unfavorable prejudgments. Therefore, it is a critical factor for adherence because it fastens significance to speech, particularly that speech that aims to help an audience perceive an important matter more clearly. He writes, “[Memory] is of more consequence in those discourses whose aim is either instruction or persuasion” (Campbell 209). Memory works in conjunction with imagination, amplifying its impact. Campbell states, “Vivid ideas are not only more powerful than languid ideas in commanding and preserving attention, they are not only more efficacious in producing conviction, but they are also more easily retained” (208). Thus a rhetor should pay particular attention to memory when crafting good speech.

Lastly, inborn passion is the specific “spirit and energy” that animates an idea (Campbell 210). It is distinctive from imagination and memory, for while it influences the attention and can remain on the mind, its essence is the excitement of the soul and “there is no persuasion without moving [the passions]” (Campbell 210). Passions when employed alone become “pathetic” or without reason. However, coupled with reason the passions “constitute the vehemence of contention, to which the greatest exploits of eloquence ought doubtless to be ascribed” (Campbell 210). To avoid pathetic appeals, the use of passion must remain reasonable, which means the passions must “evinced the reasonableness of the ends, and the fitness of the means” (Campbell 211). Campbell further adds, “The term reasonableness... means nothing but the goodness, the amiableness, or moral excellency (211). Passions joined to reason instills action, which is

the significance of passion. Passion is the vehicle that moves an audience to care enough to do something. It is through passion that our soul is attached to an idea. Campbell notes, “To make me believe it is enough to show me that things are so; to make me act, it is necessary to show that the action will answer some end. There can never be an end to me which gratifies no passion or affection in my nature” (210). Thus, passion is an indispensable facet of persuasion.

Schopenhauer provides two additional unchanging attributes that merits consideration; moral baseness and empathy. Where Campbell’s four attributes form a courtyard for sound rhetoric, moral baseness undermines it. All people are corrupt to varying degrees, and the corruption produces conflict and uncertainty, prejudice and stanchness, pride and obstinacy: “Even the best, nay the noblest character, will sometimes surprise us by isolated traits of depravity” for “man is at bottom a savage, horrible beast” and “we are terrified if now and then his nature breaks out.” (Schopenhauer 15/18). Aristotle recognizes the “state of mind” of persons who do wrong (1372b). He establishes various circumstances where people will harm others, placing their own “gain” or “pleasure” before consideration of others (1372b). These circumstances point to human motivation, which is useful when offering reasons to justify a proposition. Aristotle identifies a source from which wrong is known:

Universal law is the law of nature. For there really is, as every one to some extent divines, a natural justice and injustice that is binding on all men, even on those who have no association or covenant with each other (1373b).

He separately adds to that definition, “We must urge that the principles of equity are permanent and changeless, and that the universal law does not change either, for it is the law of nature, whereas written laws do often change” (1375a). A rhetor can make good use of understanding human motivations and appealing to universal law when advancing a proposition.

Schopenhauer concisely explains the right and proper response of the rhetor encountering moral baseness:

When you come into contact with a man, no matter whom, do not attempt an objective appreciation of him according to his worth and dignity. Do not consider his bad will, or his narrow understanding and perverse ideas; as the former may easily lead you to hate and the latter to despise him; but fix your attention only upon his sufferings, his needs, his anxieties, his pains. Then you will always feel your kinship with him; you will sympathize with him; and instead of hatred or contempt you will experience the commiseration that alone is a peace to which the Gospel calls us (5).

A rhetor, knowing the inherent weakness of the audience, and indeed his or her own, will be properly attuned to the ideal motive for speech: empathy. It is in our nature sometimes to ignore without cause real fact, plain truth and common understanding. Such corruption is the terrible and terrifying fact of the human condition. But, we are also reasoning, feeling beings, capable of good. We can show compassion for one another, respecting the right of life and a just society in which to live it. Aristotle includes life and justice in his definition of good, “since, even if no other good were the result of life, it is desirable in itself. And justice, as the cause of good to the community” (1362b). Therefore, rhetors should consider the importance of the lives they wish to influence for the better. A rhetor

setting out to persuade should understand that moral baseness and empathy are as real as Campbell's four attributes, and can profoundly impact the force of speech.

An arguer's audience serves as rightful and proper judges of argument and should be offered sufficient and appropriate materials that facilitate sound judgment. It is not difficult to determine the role of rhetor and of argument. As Aristotle states, "The duty of arguments is to attempt demonstrative proofs" (1417b). Neither is it difficult to ascertain the role of an audience. Aristotle observes, "we may say, without qualification, that any one is your judge whom you have to persuade" (1391b). An audience judges the persuasiveness of an argument by granting or denying their adherence to a proposition. Rhetoric has no purpose without an adherence function, which the audience alone is capable of delivering. An audience must therefore be presented with adequate and appropriate materials that facilitate sound judgment. Anything less from a rhetor jeopardizes adherence. The obligation to provide adequate material for judgment must reside with the rhetorician, just as judgment must rest with an audience. A line from Aristotle encapsulates the roles of rhetor and audience. He writes, "If any statement you make is hard to believe, you must guarantee its truth, and at once offer an explanation, and then furnish it with such particulars as will be expected" (Aristotle 1417b). In the first place the responsibility of proving a claim rests with the speaker, not the judges. Aristotle specifically directs the rhetor to supply an audience with good reasons and examples, which can only be fulfilled by sincerely providing judges with appropriate support and useful examples that facilitate sound judgment. Secondly, Aristotle reminds us that each audience has expectations. A rhetor is obliged to observe those expectations

and respond to them with suitable reasons and examples, but expectations may prove elusive. Aristotle cautions rhetors, “before some audiences not even the possession of the exactest knowledge will make it easy for what we say to produce conviction” (1355a). Lastly, the requirement of a rhetor to supply explanations and examples to the audience accentuates a compelling reason arguments must bear resemblance to reality; judges will test what they hear. For instance, even if detrimental facts exist that weaken an argument, the burden still remains to provide these facts to an audience. Failure to do so risks the displeasure of the audience, not to mention conscience, if the audience discovers the undisclosed fact that abates the energy of an argument. An audience should expect to be supplied with relevant reasons and evidence, not simply to induce favorable judgment that benefits the rhetor, but as a trust for participating in the process of argument itself. Within a rhetorical context, the pivotal reason for advancing a truthful and complete argument is obtaining sound and sustaining adherence from an audience.

Every arguer holds an obligation to his or her audience to advance claims and support genuinely persuasive to receptive, uncertain and skeptical audience members alike. An obligation to make a strong case is not a requirement to persuade everyone in any situation, but it does require fair claims and good reasons. Any proposition falling short of such quality will not encourage adherence from a critically thinking audience. The burden of proof is “the responsibility to initiate argument and set out a case sufficient in argumentative strength and breadth to bring the decision makers to doubt their presumptions and then see themselves, at least potentially, able to adhere to your proposition” (Rieke et al 76). The key terms of strength and breadth are subjective, being

dependent upon the scope of a claim, but together they imply that all support must be strong enough to uphold a claim and broad enough to withstand examination from a variety of perspectives. Evidence is the central pillar that upholds the roof of proposition. Thus, the burden to set out a sufficient and compelling case entails combining lucid claims with adequate and appropriate support.

A lack of supporting reasons is unfair to an audience because it deprives the ability to judge. Francis Bacon berates any speaker using superficial eloquence as “a senseless [person], who disrupts weighty matters by verbal subtleties” (Bacon 108). Judgment is the essential characteristic of an audience. When a rhetor does not explain the connection between claim and evidence the argument is incomplete. It is impossible to render sound judgment on incomplete argument. Judgment would at best have coincidental value for an audience, and quite likely less. Rottenberg and Winchell affirm the vital importance of support; “All claims you make ... must be supported” (157). Support anchors a claim in the following ways. Supporting reasons validates a claim. Support is defined as those “materials used by the arguer to convince an audience that his or her claim is sound” (Rottenberg and Winchell 11). Thorough use of supporting reasons contributes to a *prima facie* case. Clear reasoning generally speaking is more easily tested, which is useful for judgment. Support is also an anchor because it “increases the potential for adherence” by enhancing the credibility or “believability” of a claim (Rieke et al 10). Any speaker willing to rest personal claims upon the weight of evidence, willing to place his or her claims before scrutiny based on good reasons, has the silhouette of an honest personality. A well reasoned claim is therefore a reflection of

reliability. The more appropriate supporting reasons a speaker provides, the greater the latent possibility for testing the reliability of claim and speaker.

A fourth presupposition is that every person ought to be equally valuable within the rhetorical context. Value does not refer to a product of the aggregate responsibility for crafting argument or determining judgment, it does not pertain to a capacity to contribute to the rhetorical process, and neither does it refer to the importance of ordering facts and ideas in the mind of each individual. Value represents an a priori condition, equally applied to all persons in every time and place, founded in perceived truth, extended through our mutual knowledge of personhood and upheld according to the foundation of communication. Value is concretely expressed in the form of obligations a rhetor holds to other participants. These obligations purposefully restrict the rhetor's actions to those that affirm the rights of others. Diggs writes, "[Persuasion] is a union in which men [and women] mutually contribute, through a variety of persuasive roles, to the clear vision and wellbeing of all. Its goal is mutual understanding of the best thing to do" (373). In this section I will review the character of the rhetor, introduce some obligations a rhetor holds to an audience, and emphasize the importance of mutual value of persons.

Consider the responsibilities of a rhetorician. A rhetorician is guided according to the obligations that emanate from the practice of rhetoric. Plato defines the purpose of rhetoric:

At this moment, Gorgias, you seem to have come very close to defining what sort of art you consider rhetoric to be. If I understand you at all, you mean that rhetoric produces persuasion. Its entire business is persuasion; the whole sum and substance of it comes to that. Can you, in fact, declare

that rhetoric has any further power than to effect persuasion in the listener's soul? (Gorgias 10-11).

Persuasion is the purpose of rhetoric. Persuasion is characterized as an "achievement" of "getting a person to believe or do something" (Diggs 361). The rhetorician holds a considerable obligation as the instigator of rhetoric's purpose, since the fulfillment of his or her office is only accomplished by an attempt to influence listeners' beliefs, values, attitudes and actions. It is the rhetor who initiates a persuasive appeal for change to an audience, it is the rhetor who constructs arguments in order to effect persuasion, it is the rhetor that endeavors to retort any counterarguments, and it is the rhetor who, by definition, seeks adherent judgment for his claim on the part of an audience. The rhetor shapes and shepherds the rhetorical process from beginning to end, since "the use of persuasive speech is to lead to decisions" (Aristotle 1391b). A rhetorician that successfully uses a persuasive message to assist an audience in making a decision achieves the ends of rhetoric. And the decisions an audience makes can very well impact their own lives or the lives of those around them. Effecting persuasion can be a serious business. And it is not upon facts alone that an audience deliberates. The character of the rhetorician can influence consideration of the facts:

It is not true, as some writers assume in their treatises on rhetoric, that the personal goodness revealed by the speaker contributes nothing to his power of persuasion; on the contrary, his character may almost be called the most effective means of persuasion he possesses (Aristotle 1356a).

A second reference to the contribution of character to judgment on the part of an audience:

Furthermore, this way of proving your story, by displaying these signs of its genuineness expresses your personal character. Each class of men, each type of disposition, will have its own appropriate way of letting the truth appear. ... By 'dispositions' I here mean those dispositions only which determine the character of a man's life (Aristotle 1408a).

And again Aristotle refers to the importance of character in addition to argument:

With regard to the element moral character: there are assertions which, if made about yourself, may excite dislike, appear tedious, or expose you to the risk of contradiction; and other things which you cannot say about your opponent without seeming abusive or ill-bred (1418b).

Character is clearly important within the rhetorical context. Character contributes to the proper demonstration of an argument and it appreciably influences the outcome of judgment. As the "most effective means of persuasion" character plays a decisive role in the formation of adherence on the part of an audience. Despite the inability of character to add real facts to a case, the temperament and disposition of a speaker imbues new meaning to a discussion. As Wayne Brockriede puts it, "When an arguer maintains a ... substantive proposition, the co-arguer's response may be influenced by who he is, who the arguer is, and what their relationship is" (1). If the character of a rhetor or the manner of a particular rhetor's speech has such significant influence over the outcome of persuasion, apart from an unordered, non-persuasive presentation of raw data, then the rhetorician has the power to attempt a defense of truth or manipulation of the audience. Responsibility rests in the character of a speaker and his or her willingness to use character to contribute towards a trustworthy and reliable case. A rhetorician is responsible for ordering facts, selecting the emphasis of certain facts over others, identifying relationships between facts, and packaging claims in a particular and

deliberate manner for an audience; argument in this sense is as much a composition of bits of character as it is of facts. All this effort is done to effect persuasion.

Since a speaker's character is fundamentally imbued to the process of rhetoric, rhetors owe a series of obligations to an audience. The obligations reflect the power a rhetor holds over an audience; the power to try to help or to take advantage of a situation. The obligations also reflect the importance of acting in the interests of the audience and exercising restraint on their behalf. One such obligation is clarity. Aristotle writes of the essential nature of clarity in persuasive speech, "Style to be good must be clear, as is proved by the fact that speech which fails to convey a plain meaning will fail to do just what speech has to do" (1404b). Aristotle leaves no doubt that indistinctness hinders persuasion. Clarity lies at the heart of communication. Communication is a relational transaction, where thoughts and feelings of one person are made available to others. In argument as in communication, mutual understanding is essential. When an audience incorrectly receives communication, proper, suitable and comprehensive judgment will not occur. Clarity is beneficial to understanding because it facilitates a straightforward presentation of standards of right and wrong. Unclear persuasion can fail to convey those standards. Diggs writes:

The fact that one ordinarily uses words in persuading is significant: words cannot be understood unless there are commonly accepted rules or conventions, and where there are rules there are standards of right and wrong (362).

Speech is grounded in mutual understanding. It is hardly surprising that unethical rhetoricians prefer ambiguous speech, since it assists them in hiding truth and

building up fiction. Diggs notes, “The unethical uses of persuasion which get the most attention are those in which a person tries to persuade with no regard for the other person, wholly with an eye to his own interest” (372). If unclear speech demonstrates a lack of regard for an audience and unethical persuasion is rooted in self-centered speech, it follows that unclear speech can be unethical speech.

A second obligation the rhetor holds to an audience is to place truth before ego. The purposeful, persuasive nature of rhetoric requires a rhetor to seek truth in forming propositions for the sake of imparting accurate claims upon an audience. Truth is a vital medium for persuasion because it operates as a touchstone for uncertainty, by anchoring unknown within known. Aristotle writes, “The audience takes the truth of what they know as so much evidence for the truth of what they do not” (1417b). If an audience is to perform judgment they must trust that those things stated by a rhetor correctly stand for things necessarily left unstated. In some respect argument is a form of summarization, a concise package representing a larger whole. An arguer should endeavor to seek truth to faithfully honor and fulfill such trust. Richard Weaver supports an emphasis of truth before ego. He contends that an arguer is bound to the arguments he or she creates, since those arguments are a reflection of a priori definitions or facts. Weaver writes, “he sees [the universe] as a set of definitions which are struggling to get themselves defined in the real world” (112). He further contends that a moral arguer will not compromise truth or dilute any comportment with reality in exchange for adherence:

There is, when we reflect upon this matter, a certain morality in clarity of thought, and the man who had learned to define with Euclid and who had

kept his opponents in argument out of the excluded middle, could not be pushed into a settlement which satisfied only passion. The settlement had to be objectively right. Between his worldview and his mode of argument and his response to great occasions there is a relationship so close that to speak of any one part is to leave the explanation incomplete (Weaver 111).

A rhetor must inspect claims and reasoning, testing connections and examining relationships. Circumstance, those contingent or peripheral instances that influence a particular judgment, can be a stumbling block that impedes accuracy. Each of us is hampered by circumstance to a certain extent, according to our point of view, but that does not reduce the hazard of mistaking circumstance for certainty. Sherlock Holmes notes one such instance of the limits of circumstance, when he states, “Circumstantial evidence is a very tricky thing... it may seem to point very straight towards one thing, but if you shift your own point of view a little, you may find it pointing in an equally uncompromising manner to something entirely different” (Doyle 136). Weaver firmly contends “[circumstance is] never more than a retarding factor” (95). Ergo, the rhetor must make the best possible use of the world in which we live. For persuasion to affect proper adherence, an “unsentimental” disposition and a “strong tendency towards axiomatic definitions” is invaluable (Weaver 90/85). The rhetor that forms propositions in accordance with “a philosophy of being” affords an audience the benefits of a “fundamental source” (Weaver 87/86).

Weaver offers one example of argument in accordance with unchanging reality; Abraham Lincoln’s argument from definition that “all men are created equal¹” (93). Weaver contends, “Nowhere does a man’s rhetoric catch up with him more completely than in the topics he chooses to win other men’s assent” (114). Weaver defends this

point in *The Ethics of Rhetoric* when he examines Lincoln's argument from definition. According to Weaver, Lincoln looked for the "definition of man" and whether or not it applied to slaves (Weaver 91). He "never varied" in responding "yes" to this question (Weaver 91). Lincoln uses argument from definition to obtain his answer and he does so by examining "actual treatment" or reality, which has a way of shedding light on the dimmest of ideas (Weaver 91). In his case Lincoln relies on reality to supply his answer, which he then applies again and again as situations arise. Rhetors should do the same when evaluating whether the value of an audience is unchanging. Recalling back, the purpose of persuasion is gaining adherence or willing acceptance of a proposition. Adherence is negated by coercion and trickery because it corrupts an audience's ability to even postulate willingness. Owing this to be the case, it follows that an audience is valued to a rhetor precisely because of the unique service it can render the rhetor; an audience is a real group of individuals uniquely offering the possibility of adherent judgment.

There is another aspect of definition to consider however. Lincoln's belief in the universal state of humankind cannot be fairly attributed to an extension of his sense of good argument. Argument did not lead Lincoln to conclude that all humankind is inherently equal. Lincoln's arguments in defense of liberty and equality stem from his a priori understanding of human nature, which has its origins outside the boundaries of argument itself. Weaver writes, "Perspective, detachment and capacity to transcend are all requisites of him who would define" (Weaver 108). Each of the three qualities, Weaver stipulates, requires the rhetor to step outside the bounds of rhetoric and examine

reality. Perspective entails a point of view, detachment limits the boundary of the viewpoint and the capacity to transcend allows the rhetor to introduce essential matter outside the rhetorical discipline into the arena of argument. This says a good deal more than valuing an audience as a mere means to an end of gaining adherence. The unchanging value of our person precedes argument. Weaver appreciates the critical role of building definitions. A definition requires the amalgamation of essential truths into an interpretive package. The rhetor must assume a perspective to define, a viewpoint rooted in reality; “To define is to assume perspective; that is the method of definition” (108). Ethics shapes and refines argument, but proponents of argument cannot claim to directly shape ethics, only to offer opportunity for furthering understanding what already exists in a larger world. A rhetor does not form ethics. He or she applies ethics to an argumentative situation.

Every person is significant in the rhetorical context. Rhetoricians hold an obligation to treat other arguers and audience members as persons, not as means to an end, with all the subsequent responsibilities such a relationship entails. When an arguer fails to meet obligations to rhetoric, successful persuasion is troubled by calamity. When an arguer fails to meet obligations to persons, legitimate rhetoric collapses. In *Arguers as Lovers* Brockriede contends that the ideal arguer views “the other person as a person” and desires “power parity” that places all parties on an equal footing (5). The arguer as lover “risks his very self in his attempt to establish a bilateral self” and does only good for his audience and his opponents (5). The arguer as lover fervently desires to maintain a status of equality in an argument situation and to arrive at closure in which all parties retain

their full personhood. He writes, “The lover argues with his peer and is willing to risk his very self in his attempt to establish a bilateral relationship” (5). For the loving arguer, the importance of the argument or of winning is far surpassed by the desire to respect other persons. The basis for respect of persons is found outside rhetoric, rooted in the truth of selfhood. Brockriede writes, “The philosopher [recognizes] that his arguments transcend intellectual propositions to reach his very selfhood” (6). For Brockriede an argument should affirm a preceding and overarching relationship that motivates or rationalizes argument. Argument in this sense is personal and relational, not a means or commodity.

The arguer holds a critical role for Brockriede, since the arguer determines so much of what becomes the relationship between arguer and audience. An arguer who manipulates irrevocably sets the foreboding tone for the interaction. He is clear that successful argument is derived from human interaction, not coercion or manipulation. Brockriede writes, “Only those argumentative transactions in which all parties have their selves engaged can result in a fully human interaction” (10). Human interaction is invaluable to Brockriede because it alone affords an opportunity for “growth” of self (10). Growth is an essentially communal process, brought about only by our interactions with others. Growth requires a bounteous, mutual giving of self. “The Brightness” passage from the *Qur’an* reveals why giving is essential, for only then can we be at all satisfied, “and surely the future shall be better for thee than the past, and in the end shall thy Lord be bounteous to thee and thou be satisfied” (93rd Sura). Growth is an essential trait of human beings and it requires gregarious giving to obtain satisfaction.

Combining Weaver and Brockriede affirms the importance of equality for all persons within the rhetorical process. Both argument from definition and arguers as lovers originate from a foundation outside the bounds of rhetoric and both imbue in rhetoric a larger purpose. Weaver affirms the essential need to examine human nature in forming arguments. Brockriede establishes human relationship and interaction as the tether of arguing. While the two authors approach argument from opposite ends, they share a deep reverence for humanity and the very real qualities innate to human beings. The value of persons is not a social construction. It is a genuine, unchanging truth, and it permeates the thinking of both authors, whatever their disagreements, and the discipline of rhetoric as well. Like all truths the value of persons does not sustain itself; human beings must constantly nurture and affirm each other as fellow beings. As Mencius said:

With proper sustenance, anything will grow; and without proper sustenance, anything will fade away. Confucius said: "Embrace anything and it endures. Forsake anything and it dies. It comes and goes without warning, and no one knows its route." He was speaking of the heart (205).

Weaver and Brockriede alike avow a selfless love for humankind. Weaver expresses love in the essential and equal endowment of human nature to all people of every time and place. Brockriede declares love through the relationships human beings form and cultivate with one another. Both authors come from different perspectives and both authors are equally correct.

In closing, four presuppositions encompass my framework for rhetoric. (1) An argument is an essential component of rhetoric. (2) Certain characteristics innate to human nature influence the practice of rhetoric. (3) An arguer's audience serves as

legitimate judges of the quality and persuasiveness of his case, which means they must be presented with appropriate and adequate materials that facilitate sound judgment. (4)

Every person ought to be valued within the rhetorical context. Any claim I advance in succeeding chapters is based in part on understanding I advance here. I offer these presuppositions candidly, for not doing so would be disingenuous. In the spirit of sincerity a fifth presupposition mingles with each of these four. The fifth is deeply personal to me, like a wisp of wind across the forehead, or like rays of light ushering forth an approaching dream:

With the merciful You will show Yourself merciful; with a blameless man You will show Yourself blameless; with the pure You will show Yourself pure; and with the devious You will show Yourself shrewd. For You will save the humble people, but will bring down haughty looks. For You light my lamp; the Lord my God will enlighten my darkness (*Psalms* 18:25-28).

¹ The gendered language here and elsewhere is Weaver's.

Chapter 3: Methodology & General Criticism

Criticism may not be agreeable, but it is necessary. It fulfills the same function as pain in the human body. It calls attention to an unhealthy state of things. Winston Churchill

Now that a few presuppositions necessary for a reasonable and honest treatment of argument and ethics are established, a specific examination of argumentative content may commence. The purpose of conducting this study is to analyze basic argument texts for material that advance ethical claims or rules, and materials that directly contribute to an ethical framework for argument or ethical grounding for any particular rule of argument. Research will examine whether each text advances ethical claims, what form these claims take, how clearly and completely arguments are introduced to support ethical claims, and whether authors introduce various supporting evidence central to rhetoric or outside its discipline that function to adequately substantiate any claims supporting ethical argument. Ethical grounding within the text therefore consists of claims about rules that govern rhetorical acts according to acknowledgment of a person's value, and the good reasons, supporting evidence and examples offered to sustain those claims.

I lived through a situation as a teaching assistant that illustrates the purpose of my research. Class debates were the capstone assignment at the end of the term, where groups of students would engage each other in debate. The capstone debate constituted a significant portion of the class grade and the winning team received a handsome reward of bonus points, awarded by a majority vote of the student audience. The losing team did not receive any bonus. Thus, students quite literally competed against one another to improve their class standing. One day a group of hardworking students from one of my

argumentation sections approached me with an idea they had for winning their debate. My students had by extensive research discovered that one of the sources used by their opponents was taken significantly out of context. I examined their evidence and agreed with their conclusion. They then informed me that they intended to represent this one source for the credibility of all the sources of the opposition: a form of the strawman fallacy. I gently but firmly explained that it would be unethical to argue so. To my delight they readily agreed with me and promptly abandoned that argument, despite having spent so much time researching and developing it. I believe to this day there was no malicious intent on their part, and they only endeavored to make the best with what they had been given. The day of the debate arrived and they remained true to their word. They revealed the misused evidence, but did not attempt to connect it with the larger body of sources. However, their opponents, who had not similarly consulted me, used the very same fallacious form of argument and pushed it for all it was worth.

The result was heartbreaking. The students I advised not only lost the debate by unanimous decision, and the bonus points, but some renounced trust in ethical argument. One person told me plainly that she had been wrong to trust me and that I had deceived her. Another told me he had no intention in future of placing restrictions on his ability to succeed. In one sense, they were not wrong. The class assignment had forcibly wedded academic success with competition among students, which as a teaching assistant I was helpless to prevent. In the wake of their debate I was unable to appeal to their sense of ethical restraint or understanding, because no equity emerged from their situation. They did the right thing and were punished, while others unjustly manipulated the situation to

their own benefit. And the visible law-giver in that situation, myself, was unable to make things right. To this day I recall the experience with regret.

I have witnessed many instances where students limited their actions in order to be ethical, often at my prompting, only to lose their case because they did not create a sufficiently compelling argument. Worse still, I was never sure if students recognized the distinction between persuading ethically and persuading effectively. It is something that has bothered me because many students informed me after a lost debate that they felt cheated because I weighed them down with useless rules. The few who accepted their loss graciously usually told me they believed in the reasons behind ethics and that these reasons overrode their loss. I think both the many and few were absolutely right in one respect. The only way to affirm an ethical rule or justify constraints on argument is to test the reasons behind each restriction.

My unhappy experience revealed that arguers must clearly understand why restrictions exist. If an arguer risks losing a debate where that individual has something at stake, upholding restrictions that result in losing an argument may seem to go against better judgment. Rules restricting argumentative acts should make sense and they should be accompanied by good reasons. If rules are not justifiable, the constraint should be discarded as an unnecessary impediment. The most immediate source students can use to justify a rule of argument they are expected to follow is the argument text assigned to them. The argument text is a student's central reference, containing all the basic rules they are expected to follow. These texts ought to provide students with compelling

evidence that they can use to test ethical claims. This is why I have chosen to study argument texts, why I will scrutinize any ethical claims within these texts and why I will examine supporting evidence anchoring any justification each text offers.

I have selected eight argumentation texts for analysis. The eight texts in no particular order are *Elements of Argument* by Rottenberg and Winchell, *Argumentation: Understanding and Shaping Arguments* by Herrick, *Arguments and Arguing: The Products and Process of Human Decision Making* by Hollihan and Baaske, *Critical Thinking and Communication: The Use of Reason in Argument* by Inch, Warnick and Endres, *Advocacy and Opposition: An introduction to Argumentation* by Rybacki and Rybacki, *Cooperative Argumentation: A Model for Deliberative Community* by Makau and Marty, *Argumentation and Critical Decision Making* by Rieke, Sillars and Peterson, and *Argumentation: Inquiry and Advocacy* by Ziegelmüller and Kay. I selected texts based on widespread use and academic recommendation. Amazon.com describes the Rottenberg and Winchell text as the “all-time-best-selling argument text and reader.” This verbatim endorsement is confirmed by Bookbyte, another national book vendor, and in the Rottenberg and Winchell text itself, which states “This book quickly became the best seller in its market” (Inside cover)¹. The other seven texts were taken from a list of best recommended texts on FacultyOnline.com, which unfortunately has since ceased to operate². However, an informal survey through the National Communication Association included five of the seven texts I review, namely Herrick, Reike et al, Inch et al, Rybacki and Rybacki, and Ziegelmüller and Kay (Galewski). These same texts are affirmed in a separate survey by John Tindell, entitled *Argumentation and Debate Textbooks: An*

Overview of Content and Focus. All eight are academic texts, written by individuals in the discipline of rhetoric. There is no reason to assume that any one text is superior to another. I chose to examine these eight texts to uncover a broad range of arguments, perspectives and responses to ethical considerations. My criticism of these texts is not for the purpose of improving them, of altering their worldview or bending their will to my own. Rather, it is to obtain an expansive, if incomplete glimpse of the textual world that might be presented to students of argument. My method of selecting texts is by no means unassailable, but in support I humbly attest that four of the texts have been used by hundreds of students in argumentative situations at Oregon State, and that suits the purpose of this study admirably. In conducting this study I attempt to give each text the benefit of the doubt, understanding that their focus is on teaching argumentation and not ethical argumentation. I further attempt to accept the claims and reasoning of each text at face value as they appear.

The Hollihan and Baaske Text

A noticeable feature of *Argument and Arguing* by Thomas Hollihan and Kevin Baaske is the use of dual definitions of ethics. In the glossary of terms they define ethics as “A set of moral principles or values” and separately as “The moral quality or conduct of discourse” (Hollihan and Baaske 288). The use of two definitions with different meaning could be intended to facilitate contextual interpretation, distinguishing between rule and action, though no context for such interpretation is actually provided beyond these one sentence definitions. The first definition refers to ethics as a discipline, since it

broadly applies to a general understanding of ethics that contains “principles or values.” The second definition underscores the argumentative act, since it suggests that there is a standard of conduct or a minimal moral quality that participants of argument must meet (Hollihan and Baaske 288). The definitions imply that there are some argumentative actions that are unethical, that is to say, there are some arguments that demonstrate poor conduct unworthy of consideration.

The ethical critic might be particularly drawn to the accounts set out by Hollihan and Baaske in defense of ethics. Their understanding of ethics asks each arguer to “set high standards for yourself as an arguer and treat others with respect and dignity” (Hollihan and Baaske 11). The reference to standards of ethics as an important argument concept makes for an inviting claim because it suggests that dignity is imbued within every individual and that human dignity is valuable and worthy of protection and consideration. More to the point, if human dignity is sufficiently important that argument strategies are held accountable for their treatment of it, then human dignity precedes argument. This notion of dignity signifies that if an arguer cannot argue in a manner that upholds standards of human dignity, there is no legitimate basis for any argument at all. The authors do not develop precise standards of human dignity, or those guidelines that judge whether an argument upholds or denies such a standard. It must be presumed by the reader that the text leaves such standards to their discretion, with hope that there will be some basic level of accord across varying perspectives. Nevertheless, the Hollihan and Baaske text suggests that ethics operates apart from and prior to argument.

Hollihan and Baaske provide very little support to assist judgment of their account of ethics. The authors offer no formal chapter or major section devoted to ethics or any of the many implications of claims they make. Instead, they present a one and one half page summary of ethics at the end of the first chapter where they set out guidelines for the ethical arguer. The text applies common sense, decency and “civility” as the standard for ethics (Hollihan and Baaske 10). The only visible evidence the authors tender for determining what constitutes a clearly ethical or unethical argument is taken from Wayne Brockriede, who argues that “ethical arguers are honest arguers” (Hollihan and Baaske 11). Separately, the text argues that a fair marketplace of ideas will naturally produce the best ideas (Hollihan and Baaske 11). These arguments on first glance are not difficult to disagree with, but the fact remains that the section consists mainly of claims without substantial backing.

The authors begin their summary by stressing the importance of ethics to students of argument (Hollihan and Baaske 10). They suggest that students can scrutinize “the arguer’s motives and means” to determine if an arguer is acting in an ethical manner. Motives and means reveal how the arguer perceives an audience, which is either as a means to an end that benefits only the arguer or as an end of itself deserving respect even if that audience opposes the arguer. As support they cite Brockriede, who suggests arguers who “manipulate” and treat others as “objects or as inferior human beings” are arguing unethically (Hollihan and Baaske 11). Brockriede classifies these arguers as “rapists” because the arguer “seeks to gain or to maintain a position of superiority” and not to work in the best interests of the audience (Hollihan and Baaske 11). The text uses

Brockriede's definition of an arguer as lover as the ethical framework required of an arguer. Hollihan and Baaske write, "All of us would prefer to engage in argument with people who value and respect us, rather than seeing us as objects only to be used" (Hollihan and Baaske 11). Therefore, an ethical argument is tied to "value and respect" towards an audience because any manipulation of the audience violates this understanding. This standard for argument is consistent with the second glossary definition of ethics, which upholds "the moral quality or conduct of discourse."

Having laid bare their reasoning for ethical argument, Hollihan and Baaske establish four guidelines for conducting ethical argument. It is worth noting that the authors never expressly state rules for ethical argument. Instead, these four guidelines of ethical argument emerge in four consecutive paragraphs, which are here reconstructed, where each rule is either discussed directly or casually referenced in passing. The first and most important precept they offer is "the golden rule" (Hollihan and Baaske 11). They write, "Do unto others as you would have them do unto you" and "if you want a friend, be one" (Hollihan and Baaske 11). The authors reason that this rule will reduce unethical argument and there will be "fewer unethical, deceptive and coercive arguers in our society" (Hollihan and Baaske 11). This seems an excellent claim, but no evidence is advanced that anchors this principle.

The second rule Hollihan and Baaske advance is "ethical arguers are honest" (11). This honesty sets an expectation that arguers "carefully discover and investigate the relevant facts" and never "misinterpret those facts" (Hollihan and Baaske 11). The

importance of investigation of key facts cannot be overlooked. The authors have definitely recognized a fundamental principle of argument, which is that audiences must have evidence presented to them in order to make a fair judgment. The recognition of the primacy of honesty in argument is consistent with Brockriede's position that an arguer who loves his audience will not deceive them. Regrettably, this connection to Brockriede is not made by the authors and no other evidence is offered in its place.

The third rule Hollihan and Baaske offer is that ethical arguers should be positive (11). This particular rule is mentioned in passing, but it has significant implications. It is not difficult for arguers to become acerbic or vitriolic, particularly when they pointedly disagree, but this is not always an improper means of argument. It is essential to weigh the context of an argumentative situation, since some arguments may require arguments or refutation that is negative in nature. It is reasonable to expect a positive argument about the merits of education. It is unreasonable, perhaps even immoral to expect only positive arguments refuting human trafficking. A rhetor arguing against a disgusting or reprehensible claim should be able to legitimately display aversion. A positive argument is not uniformly good and a negative argument is not inherently bad. A method or procedure of evaluation is essential for this criterion to ensure that a reader can properly distinguish between a positive and negative argument, but the authors offer none. No description is proffered of what constitutes a positive arguer, not a phrase or reference of any kind.

The final rule the authors supply is that arguments must have goodwill because ordinary people who discuss and debate in public often assume there is no deception that might potentially cause harm. Hollihan and Baaske write, “Ethical arguers enter the argumentative marketplace with the assumption that the other persons already selling their ideas are persons of integrity and goodwill, persons who will be open to other ideas” (11). There are two key words in this statement that merit consideration, namely selling and open. The term selling is problematic because it implies the principle of caveat emptor, which places the onus on the audience to correctly distinguish between honest and dishonest arguments. As I established in the prior chapter the speaker holds the greater portion of the responsibility to make ethical argument. Furthermore, advocates of the argumentative marketplace must necessarily assume that an audience will consistently choose the best option, when in fact audiences may readily choose poorly, miss options, be deceived, receive incomplete or inadequate argument, and the list goes on and on. Worst still, the concept of argumentative marketplace suggests a relationship between arguer and audience that likely stands at odds with Brockriede’s concept of the arguer as lover. The text does not offer further discussion on the concept of “selling” arguments, leaving the concept somewhat ambiguous, while raising questions about the role of the rhetorician. Turning to the second key term, no criteria is offered to assist the reader in determining what constitutes being open. The term open is vague. Being open is an important and productive method for discussing ideas, but its precise definition can range from accepting people and their ideas without negative judgment to acknowledging that other arguments should be weighed. In other words, when Hollihan and Baaske do not

qualify what they mean by open, there is no context for judging where along the spectrum an ethical arguer belongs. The nature of being open is left uncertain and ambiguity clouds judgment.

The Rieke Text

Argumentation and Critical Discourse by Richard Rieke, Malcolm Sillars and Tarla Peterson, does not dedicate a chapter or section to ethics. Indeed, the index and list of subsections of each chapter make no mention of ethics. Instead, the text weaves an implicit argument for ethics into key facets of argumentation. What is readily apparent in these sections is that any assessment of ethics rests on a foundation of tolerance and rationality. Participants of argument should be tolerant of arguers, audience members and the element of uncertainty associated with virtually every argument because “to engage in argumentation is to tolerate uncertainty” (Rieke et al 13). The authors further respond to the limitations of rhetorical discourse by establishing grounds for a reasonable argument, which includes grounds that reflect a distinct ethical component.

Arguers must be tolerant of participants of argument because of the limitations associated with its practice. The text presents argumentation as a discipline focused on making judgments about uncertain things. The authors begin by recognizing that participants of argument must be “willing to act even though no certain answers or unanimous agreement have been produced” (Rieke et al 13). This recognition reconciles partakers of argument to the reality that conclusive argument, argument that results in adherence, is not synonymous for absolute certainty. The text further reveals that

language, the chief medium of argument, is susceptible to change, uncertainty, confusion and misinterpretation (Rieke et al 14). The limitation of language is summed up when the authors write, “Language is inherently ambiguous” (Rieke et al 14). In defense of uncertainty in argument the authors quote Physicist F. David Peat, “We have left the dream of absolute certainty behind. In its place each of us must now take responsibility for the uncertain future” (Rieke et al 13). Since language is uncertain, judgments about argument are also limited by these same uncertainties, which is why the authors emphasize the importance of tolerance of other people and ideas.

In the absence of certainty, rationality becomes the central conduit that unites humanity as they engage in the process of argument. The authors cite Aristotle’s *Nicomachean Ethics*: “The function of man is an activity of the soul which follows or implies a rational principle [sic]”³ (Rieke et al 19). To be rational in terms of rhetoric is to “perceive the available means of persuasion” and “understand an issue from all points of view” (Rieke et al 20). The authors’ description of rationality aligns with their characterization of argument as an activity; both are ongoing processes (Rieke et al 17). If both rationality and argument are active processes, they can continue to evolve, which substantiates the notion that these are practices dealing with uncertainty.

Rieke et al define an unreasonable argument as “one that cannot stand up to critical appraisal, one that cannot survive criticism” (27). Reviewing the authors’ definition of support provides a vital clue about critical appraisal and criticism. Reasonable support consists of “reasons that survive the scrutiny of your own critical

thinking and the dialectical and rhetorical interactions with others who are intent upon making good decisions rather than sticking tenaciously to whatever they believe or say” (Rieke et al 27). In a separate chapter the authors define a good decision as one that “makes the most sense” (Rieke et al 39). The thread linking all three statements, through textual definition, is critical reasoning. An unreasonable argument fails the test of mutual appraisal, which we conduct using reason. Unreasonable support fails the same test. Bad decisions would also fail the test of appraisal. Using reason as the criterion for legitimate argument, support and decision making is not incorrect, but it is at best self-referential and, in a sense, self-serving. Of course we should think critically about claims, reasons and decisions, just as we should always drive safely or vote for the best candidate. As a general category reason fits well as a filter of claims, support and decision-making. However, a closer examination of any of these three elements of argument will reveal how difference they are from one another. A knowledgeable argument critic will not use a warrant test to examine the claim, just as he will not try to determine whether the warrant is a fact, value or policy claim. Reason operates in claims, support and decision making, but in different ways in each category. The text has oversimplified the role of critical appraisal, making it more difficult to distinguish between concepts. After all, concepts that share such similarities of definition should not hold such dissimilar roles in argument.

As part of their explanation of reasonable and unreasonable support, the authors discuss beliefs, which they claim are not necessarily reasonable (Rieke et al 27). The text asserts that beliefs influence the decision making process, both for good and ill. The

authors explain “while your beliefs are important and meaningful to you, they may not have come from a reasonable foundation or they may be applied in a way that cannot survive scrutiny” (Rieke et al 27). As support they cite Patrick Hogan, who has demonstrated that “a variety of studies [show] that beliefs operating in systems are behind a good deal of our tendency to conform to political and ideological positions even when... [they are] without clear support” (Rieke et al 27). This support shows that our beliefs can potentially interfere with the process of rational decision making, by creating a conflict of interests, though such conflict is no more inherent to reasoning than clarity, ambivalence or any other state. If beliefs can potentially hinder good judgment, the authors’ contend participants of argument must be tolerant of other worldviews.

In conjunction with belief, the text also indicates that thinking is not automatically reasonable. According to the text, “Thinking may be guided by facts that happen to be readily available or easy to access rather than those most significant to supporting your point” (Rieke et al 28). This acknowledgment of the limitation of thinking is important because it underscores another reason for tolerance of others. Intolerance can be unwise because it precludes clarity and precision of thinking by the intolerant individual. The authors further define this. They state, “People presented with choice may well select on the basis of what is most familiar” (Rieke et al 28). The text refers to Thomas Gilovich for support, who indicates that people are inclined to simplify decision making, particularly when faced with issues they regard as unimportant (Rieke et al 28). Therefore, it is presumptuous to be an intolerant judge of argument because there is no certainty that thinking on any given issue is unclouded by hasty or convenient judgment.

A separate section of the Rieke et al text examines contemporary frameworks for judging arguments, which rationalize arguments they encounter in unorthodox ways, perceive the world through a specific lens and emphasize certain aspects of reason pertaining to support. For example, the authors offer a feminist framework. This framework emphasizes the importance of personal testimony, cooperation and gender presentation. The text stresses that personal testimony is sometimes relegated to “subsidiary status in argumentation” in terms of the weight it is awarded as support (Rieke et al 51). They cite Karlyn Kohrs Campbell, who reveals that women use “personal experience, anecdotes and other examples to support their arguments much more... [than] male speakers” (Rieke et al 51). Rieke et al further cite Catherine MacKinnon, who “claims that personal testimony is not only pervasive in women’s arguments, but is the most valid form of evidence women can use” (51). A feminist framework shifts the value placed on certain forms of evidence. This shift in values connects directly to the theme of tolerance because it would be presumptuous to dismiss a framework for evaluating evidence simply because it is unfamiliar. Tolerance as an argumentative concept concerns ways of thinking about ideas as well as the ideas themselves.

A second facet of a feminist framework is an emphasis on cooperation as a basis for the argumentation process. Feminists propose that the process of argument is “nurturing” and “[views] the audience as a friend” (Rieke et al 52). As support they cite two sources, one internal to the discipline of rhetoric and one outside. Karen Foss and Cindy Griffin advocate “an invitational model of rhetoric” that replaces argument as a

competition with a nurturing and helpful approach (Rieke et al 52). Advocating friendship has merit because it supports an ethical view of the audience, where respect of the person is viewed as more important than any individual argument. A second source of support, M. Lane Bruner, argues against a “binary” view of argument that attempts to “essentialize” men and women (Rieke et al 53). Instead, Bruner argues feminists seek new processes of argument, hence the promotion of cooperation in argument.

Another component of a feminist framework is a reflection on the influence of gender on the process of argument. Feminists reject the premise that “argument has no gender; it belongs equally to men and women” (Rieke et al 55). Instead, feminists argue that the rules and structure of argument itself often assumes a male perspective, which “[limits] the scope of available argument” by restricting what material women can introduce as valid evidence or even as valid argument (Rieke et al 53). As support the text cites Carrie Crenshaw, who argues that argument forums, in particular the judicial system, pretend to advocate a gender neutral standpoint, but actually support a “male viewpoint” because the structure and rules represent the default male position and they dominate the system (Rieke et al 53).

The Rottenberg and Winchell Text

Elements of Argument by Annette Rottenberg and Donna Winchell is similar to many of the other argument texts in not allocating a chapter, section or glossary definition for ethics. On the other hand, it is distinct from nearly all of the other argument texts because it is a streamlined, technical handbook for argumentation, which requires

some explanation for the absence of a discussion of ethics. What is clear is the authors are not focused on a discussion of presuppositions about the nature of argument or the philosophy of rhetorical discourse. Instead, their purpose is to transmit basic concepts of argument to students of argument in a concise and simplified fashion that best facilitates argumentative success. Regardless of their rationale, argumentation ethics is relegated to a brief mention, almost in passing, in the first chapter.

Owing that the authors neglect to include even a nominal treatment of ethics, it is important to understand the reason they focus on other aspects of argumentation. In their preface Rottenberg and Winchell write, “Arguers in the real world recognize intuitively that their primary goal is not to demonstrate the purity of their logic but to win adherence of their audiences” (vi). In a manner of speaking, winning is more valuable in the eyes of the authors than other considerations. This perspective affords a very pragmatic outlook on the process of argument because their argumentative worldview focuses on practical tools for success, while tacitly assuming that honesty by arguers pays off when audience members grant their adherence. As proof of this assumption, the authors write, “We... stressed the significance of the audience as a practical matter. In the rhetorical or audience-centered approach to argument, to which we subscribe in this text, success is defined as acceptance of the claim by an audience (Rottenberg and Winchell vi). The preceding quotation clearly demonstrates that considerations, ethical and otherwise, are significant only where they impact practical decision making by the audience. The authors’ definition of argument also affirms this position. They write, “Argumentation is the art of influencing others, through the medium of reasoned discourse, to believe or act

as we wish them to believe or act” (Rottenberg and Winchell 9). Like their worldview, the definition of argumentation places emphasis on practical success. Therefore, a critic assessing content in the text directed towards ethical instruction must assume on face value that the authors do not view ethics as a basic, practical skill set vital to argumentative success.

In the course of explaining the nature of argument Rottenberg and Winchell define or at least characterize human nature. They describe humanity as a force at odds with itself, divided and on edge. They write, “Given what we know about the restless, seeking, contentious nature of human beings and their conflicting interests, we should not be surprised that many controversial questions... will not be settled nor will they vanish despite the energy we devote to settling them” (6). This description of human nature is significant because it accents the tension imbued in the process of argument, according to their worldview. Such an admission of tension underscores the reality that argument does not invariably solve contention and strife, which is an admission that human beings require mutual understanding outside the context of debate.

The text approaches deceptive or unethical argument from a practical perspective. Rottenberg and Winchell write, “We can see the practical consequences when an audience realizes an arguer has been guilty of a deception” (14). The practical consequence in this case is that the audience will deny the arguer their adherence, (Rottenberg and Winchell 14). The text implicitly assumes that the audience has a high probability of correctly recognizing that they are being deceived, which is a substantial

assumption. However, losing the trust of the audience is presented as a final, condemning state where an audience will never again grant their adherence, presumably discouraging students from engaging in deceptive argumentation for fear of discovery. As support for this conviction, the authors quote the Roman statesman and orator Cicero. He is quoted as saying, “We give no credence to a liar... even when he speaks the truth” (Rottenberg and Winchell 14).

The text does proceed to address the foundational justification for deceptive argument, after the authors recognize that the circumstance may occur where an audience does not detect deception. “Is the arguer justified in using evasive or misleading tactics? The answer is no” (Rottenberg and Winchell 14). The authors expand this resolution by explaining that deception is “profoundly unethical” because it disrespects “the rights of others” (Rottenberg and Winchell 14). It is not difficult to agree with their claim, but in fact no supporting evidence is offered. Universally condemning “evasive and misleading” argument strategies is a substantial claim. The authors leave no room for middle ground, which is perfectly reasonable, provided they offer reasons and support in evidence for readers to evaluate. The lack of supporting evidence forces a critical thinker to question the merits of this claim. As my prior chapter establishes, any argument without support cannot withstand careful criticism.

Rottenberg and Winchell present a real dilemma to students in the three short paragraphs they devote directly in defense of argumentation ethics. They make reference to a “good cause” and the importance of “respect for others” (Rottenberg and Winchell

14). They also make reference to a quotation by Stephen Toulmin in which he refers to the worthiness of an argument (Rottenberg and Winchell 15). These moral claims are surprising because they are asserted only, not argued, utterly lacking in richness or development. Asking for respect for others is a fine claim, but translating that claim into argumentative methods useful to a student requires specificity, appropriate examples and application to various argumentation concepts. Furthermore, the claims are accompanied by minimal support in defense of argumentation ethics. Toulmin's quotation is the only visible evidence offered, which does not seem at all adequate to satisfy the breadth of the claims. The text almost takes argumentation ethics for granted. It seems unreasonable to ask students to suspend critical decision-making and simply accept argumentation ethics as a fact, when the text has not offered a sufficient or compelling case for ethical argumentation. The authors do not even provide evaluative criteria, so there is no way for a student to reasonably weigh the validity of the ethical claims. Worse still, even if a student simply accepts argumentation ethics, the text does not explain how a student goes about adjusting an argument to respect these rightfully important considerations. A thoughtful student seeking criteria to evaluate the ethical worth of an argument would not uncover any significant response within the text.

It would be disingenuous to conclude a discussion of this text without granting some credit to the authors for addressing contentious issues that require ethical judgment. The text offers democratic principles of free speech and free inquiry as an essential foundation of argument (Rottenberg and Winchell 5). In support of democratic freedoms the text quotes John Milton, "Give me liberty to know, to utter, and to argue freely

according to conscience, above all liberties” (Rottenberg and Winchell 6). Unfortunately, the text also combines principles of democracy with a vocabulary of conquest over others, which I will call a vocabulary of domination. Terms are proposed like win, forcefully, demand, engaging and intimidation appear in close reference to the importance of success or of compromise (Rottenberg and Winchell 5, 6, 8). The text offers statements like “what are the factors that enable a winner to emerge?” and “a worker who can articulate his or her views clearly and forcefully has an important advantage in gaining access to positions of greater interest and challenge” (Rottenberg and Winchell 5, 7). Aggressive terms and statements of this kind are tempered by cooperative terms like community, compromise and negotiation, but often these terms appear in reference to the self versus outside forces (Rottenberg and Winchell 7, 8, 14). The language taken as a whole is rather self-centered and self-appeasing, which is very suggestive of the de facto ethical perspective the text inculcates.

The Rottenberg and Winchell text contains a series of supporting materials, essays and editorials designed to test the student of argument. Several of these artifacts pertain to discussions that introduce an ethical dilemma. The authors’ positions are revealed in the reading and discussion questions section, where they direct the inquiry of students in each document. For example, Hitler’s essay “On Nation and Race” is included as a course document, which encapsulates Hitler’s contention that the Aryan belongs to a master race (Rottenberg and Winchell 296). Rottenberg and Winchell clearly indicate that Hitler engages in improper argument. However, the assessment of the weaknesses of Hitler’s case follows a purely logical critique. The text requests an appraisal of “false

evidence about race” employed by Hitler, which while true says nothing about the morality of Hitler’s claims (Rottenberg and Winchell 300). It is probably more appropriate for a student of argument to assess the morality of Hitler’s argument, which could include evaluation of evidence as part of a broader enquiry. Other textual questions examine “fallacies” and “improper logic” used in Hitler’s argument (Rottenberg and Winchell 300). No ethical objection is advanced in the text. Hitler is never challenged on ethical grounds, which means it is not impossible for a student of argument to leave the discussion wondering whether Hitler’s argument might have been sensible if he had not used fallacious or improper reasoning. A purely pragmatic focus is the limitation of the perspective this text offers its readers.

The Rybackis’ Text

In *Advocacy and Audience: An Introduction to Argumentation* Rybacki and Rybacki present a coherent, though abbreviated case for ethical argumentation. They reason that students would be well served to weigh the ethical component of argument because “success or failure [in argument] can carry real consequences for you and your audience” (Rybacki & Rybacki 14). Though no further explanation of consequences or their implications is offered to accompany their case, this emphasis of consequence establishes the essential requirement to “[live] up to the obligation to behave in the “right” way” (Rybacki & Rybacki 14). The magnitude of consequences to the authors, hypothetical or otherwise, is plainly evident because this point is reiterated on several occasions. They attest, “ethical standards are an issue when communication behavior

“could have significant impact on the other person” (Rybacki & Rybacki 14). In a second illustration they state, “Your ethical obligation extends to being a competent arguer who does not waste the time of others,” which suggests that time is valuable and wasting it risks a audience’s displeasure (Rybacki & Rybacki 18). In another instance the text describes one form of a standard of ethics as “based on the outcomes or ends, of communicating- the purpose you achieve” (Rybacki & Rybacki 14). All three cases establish a cause and effect relationship between ethics and argument adherence, embodied in the relationship between a rhetor and an audience. An unethical arguer risks the displeasure of the audience, whom consequentially, taking the text at face value, will withhold their adherence from the rhetor.

Rybacki & Rybacki define ethics as “the term we use to indicate the moral choices a person makes regarding his or her behavior” (14). Within a rhetorical context individual choices are decisions that influence argument as perceived by an audience of decision-makers. The text states, “Your audience will judge you and your end product as ethical or unethical on the basis of the choices you have made and the means and ends manifested in your argument” (Rybacki & Rybacki 15). The key to understanding how an audience evaluates a rhetor, and thus how a rhetor should connect with an audience, is acquiring some method of evaluating the means and ends. In answer, Rybacki and Rybacki present an ethical standard for argument, which contains four main components. According to their criteria, a moral choice or ethical standard must contain elements of clarity, honesty, efficiency and relevance (Rybacki & Rybacki 17-19). Additionally, they

discuss the importance of discourse ethics, which encompasses “the attitude you bring to the process of engaging in argumentation (Rybacki & Rybacki 19).

As their first module of an ethical standard, clarity demands that “a speaker or writer should strive for clearly expressed ideas” (Rybacki & Rybacki 17). The text separately states, “The main points you make in arguing should be easily comprehended by your audience” (Rybacki & Rybacki 17). The authors extend this definition by explaining the various requirements of clarity, such as “not deceiving an audience” and avoiding “nonessential information” (Rybacki & Rybacki 17). While the strength of connection between clarity and ethics remains somewhat fluid, it is clear that honesty with words is a key ethical responsibility. Additionally, the authors distinguish between intentional and unintended miscommunication. It is apparent by such distinction that willful intent to deceive or misrepresent is unethical, while accidental ambiguity is merely error. Speaker intent relates to the fifth requirement offered by the Rybackis’ that attitude is important as well as being ethically minded. The authors express the relationship between intention and ethics plainly.

Rybacki and Rybacki define honesty as “saying what you believe to be the truth of the matter” (17). Elaborating further, they state “An ethical arguer diligently researches the subject to discover... what is probably true about it” (Rybacki & Rybacki 17). Arguers are equally bound to examine those elements of an issue that may assist or diminish their case. The authors temper the obligation of discovery by acknowledging that “issues in human affairs are seldom one-sided” (Rybacki & Rybacki 17). The text

characterizes honesty as the admission of legitimate grounds for debate, not as a requirement to abandon advocacy. As part of the duty of honesty the text emphasizes the importance of avoiding fabrication. They write, “Making up information is deceptive and unethical” (Rybacki & Rybacki 18). Therefore, a legitimate rhetor should not allow the desire to win to overcome the duty to research and present honestly.

The third criterion is efficiency, a seemingly odd addition at first glance. However, as Rybacki and Rybacki explain, “efficiency does not mean taking shortcuts” (18). Instead, efficiency is “the obligation to develop arguments that have the necessary rational power to make your point” (Rybacki & Rybacki 18). Albeit unorthodox, the authors nonetheless articulate that when information is bombarded at an audience so as to jeopardize their focus, the arguer is at fault for masking the issue with inconsequential materials. This form of efficiency seems akin to competence, a fact confirmed in part because they use that term on several occasions as a descriptor.

The final criterion is relevance, which the authors describe as “personal” (Rybacki & Rybacki 19). Relevance does not signify pertinence to the topic. Instead, it stands for argument appropriate to the audience. The text states, “If an issue or idea does not relate to the listener or reader’s life, he or she will be less likely to augment or extend on messages by supplying personal experience or knowledge” (Rybacki & Rybacki 19). The authors continue, “The need to be relevant “underscores the importance of adapting arguments to the audience”” (Rybacki & Rybacki 19). The point of relevance then is to make an argument appealing to the audience by explaining how it is significant in their

lives. Rybacki and Rybacki explain the connection between selective listening on the part of audiences and framing an argument so that it makes sense and has purpose. They write, “When people perceive that something is of use to them, they are more likely to extend themselves, to expand the psychic energy required to become involved in decoding messages about it” (Rybacki & Rybacki 19).

As an addendum to these four criteria, Rybacki and Rybacki discuss the attitude of an arguer. The authors write, “Respecting the process of dialogue, and the people involved in it, is the ethical center of ethics” (Rybacki & Rybacki 19). As their clutch point reveals, “Advocates and opponents should not look on each other... as “objects” or “things” if they are truly concerned about discourse ethics” (Rybacki & Rybacki 19). Instead, the authors argue that arguers should respect the sanctity of “free choice” (Rybacki & Rybacki 20). This means that respect on every level is to be practiced between arguers, arguers and audience members and among audience members. Respect entails “mutuality, open-heartedness, directness, spontaneity”... etc. (Rybacki & Rybacki 20).

The Makau and Marty Text

In *Cooperative Argumentation*, authors Josina Makau and Debian Marty offer a compelling chapter on ethics, which includes philosophical rationale, requirements for ethical conduct and a compelling case for ethics in argumentation grounded in relationships. Citing the Dalai Lama, they write, “...our will and capacity to connect with others is key to our happiness, as well as to the well-being of all those who inhabit the

planet” (46). Connecting mutual well-being to argument, the authors reason that argument is fundamentally “a process of communication [with] others” that necessarily excludes exploitive and harmful communicative actions from the domain of ethics (Makau and Marty 46). If argument cannot be detached from our obligations as beings to one-another, then certain conduct or disposition is warranted. The authors place an emphasis on right conduct in dialogue, which cultivates “special kinds of relationships in which change, growth and new understanding is fostered” (Makau and Marty 45). This perspective is unique among the analyzed texts and it suggests a lasting component of argumentation extending far beyond persuasion, a perspective in which argument is a human process integral to sustaining the fabric of civilization, as opposed to a technical application or an exercise in winning by an amoral set of rules.

As evidence of the relational nature of argument Makau and Marty provide a shortlist of great thinkers who have contributed to the sense of “relational integrity” (46). Among the authors mentioned are Kenneth Gergen, Joanna Macy, Martha Nussbaum and Richard Johannesen, a noted Martin Buber scholar. Various concepts, ranging from the self to a realization of alternatives to our own perspective, are expressed through these author’s works. For example, Makau and Marty explains how Buber provides a foundation for their ethic, which rejects a self-centered, shallow viewpoint in favor of the deep-rooted consciousness and compassion for others. Among the examples the authors submit is a short explanation of the concept of I-Thou articulated by Buber, which justifies his belief in the importance of relational ethics (Makau and Marty 46-47).

The authors reference key materials of “ethical and effective dialogue,” which consists of those rudiments essential to relational argumentation (Makau and Marty 47). Among the elements are “critical emotion, moral imagination and various “dialogic communication skills,” which includes open mindedness, balanced partiality, critical self-awareness and attentive listening. These traits establish the foundation of a standard of judgment, one in which ethics is a central consideration and supported by reasons.

Beginning the journey in the negative, “critical emotion” is not characterized as “being nice” (Makau and Marty 50). Instead, it involves the cognition and an adjustment in action based on the uncertainty and vulnerability of all legitimate argumentative situations, in which all parties stand to gain or lose ground and, potentially, to increase or decrease their perception of self-worth (Makau and Marty 48-50). The authors offer an “[exploration of] how emotions such as empathy and compassion are valuable resources for creating open and responsive dialogues” (Makau and Marty 48). The keystone of this concept, namely recognizing the presence of mutual vulnerability, operates on a unilateral basis, meaning the ethical arguer must restrain himself even when other parties engage in fits of anger (Makau and Marty 51). The authors reason that understanding of anger is the beginning of transformation from “fractured relationships to deliberative alliance” (Makau and Marty 52).

The text advances the concept of “moral imagination.” This idea represents the primary conduit between argument and arguer, the intersection or nexus for introducing the concept of relationship, owing that it nurtures “the capacity to imagine the

experiences of others so deeply that we are able to empathize with them and to experience true compassion for them” (Makau and Marty 52). A sense of compassion seems to resonate with moral rightness or moral tolerance by arguers, which allows opposing parties to maintain integrity with their own internal truths and principles, while reaching out unhesitantly and unequivocally to others with deep respect afforded to all by personhood. Moral imagination seeks only the good of others, by distinguishing between the ideas of other and the others themselves. Thus, an arguer with moral imagination can “tap the full potential that the right to free expression offers us” that is not otherwise attainable by inwardly centered arguers (Makau and Marty 53).

The text makes a good case for keeping an open mind. Open mindedness does not mean discarding rationally held belief in favor of the first argument that is presented as an alternative. The text is clear that an “uncritical” perspective is detrimental to the process of argument (Makau and Marty 55). Instead, an open mind signifies avoiding “reactive, judgmental, or coercive communication” that creates roadblocks to argumentative progress by “[dismissing] disputes by refusing to engage other viewpoints” (Makau and Marty 55). As the authors put it “the open mind is sincerely curious,” a feature that asks respect for the process of argument, not insistence on abandonment of rationality or good judgment (Makau and Marty 56). The text presents an excellent standard for judgment in their definition.

Balanced partiality extends the concept of an open mind. An individual possessing “balanced partiality” is self-critical. This vetting process acts as a check again

spurious belief, while retrenching sound judgments. This analysis of belief can only take place by comparison with the beliefs of others, which subsequently demands attentiveness to “a caring dedication to fairness” (Makau and Marty 56). After all, any credible comparison must necessarily grant other perspectives a fair and impartial hearing, as opposed to the biases associated with straw-man, overgeneralization and red herring arguments. In any event caricature of arguments provides no lasting foundation for inquiry and discourse.

Makau and Marty explain, “The ability to recognize our own standpoint and commitments and their impact on others” defines the concept of critical self-awareness. This process of looking for impact requires an “unflinching understanding of the intersection between our personal perspectives... and how others perceive us” (Makau and Marty 56-57). As an example of this concept, the authors discuss Irmgard Von Neurath, a German woman drawn to the plight of the Jews during World War II by overhearing an exchange between guards and prisoners (Makau and Marty 57). Her perception of the validity of the opinion expressed by the Jewish prisoner, an argument she had not known to exist before the encounter, demonstrates her ability to be sensitive about the impact of her actions on the lives of others. This example reveals the importance of weighing arguments according to their potential consequences, irrespective of the benefit one might personally gain by prevailing at all costs.

The final component, attentive listening, is a unique submission to a standard of ethics. The authors classify this concept as “non-defensive argument,” which is

interpreted by reason as roughly meaning those arguers who admit and engage opposing viewpoints in a critical and equitable manner (Makau and Marty 59). This concept has three components, concept listening, empathetic listening and critical listening, only one of which deals directly with ethics (Makau and Marty 59). The authors state, “Empathetic listening helps understanding between communicators” (Makau and Marty 60). The critical term is “understand,” which indicates the form of relationship. If listening requires understanding beyond mere comprehension of content, this indicates the importance of the individual to the process of argument. The authors underscore this point where they state, “[empathetic listeners] seek to understand the speaker’s perspective” (Makau and Marty 60).

The Ziegelmueller and Kay Text

Argumentation: Inquiry & Advocacy by Ziegelmueller and Kay offers no formal chapter strictly devoted to ethics. Instead, they principally put forward a two page explanation of ethics that focuses upon the responsibility of an arguer and a one page summary of the ethical use of data. Tidbits of the author’s sense of ethics do indirectly emerge as well, these being found either in examples offered within key chapters or, more subtly, in the assumptions that appear, as a kind of undercurrent, directing the composition of a proper argumentative process. The absence of a lengthier treatment is not surprising, owing that the authors state their chief purpose as offering “a text that reflects current thinking on argumentation theory” (Ziegelmueller and Kay viii). Additionally, the authors suggest that students review a text specifically devoted to

ethics, which is presented as one of two recommended texts at the end of the first chapter (Ziegelmueller and Kay 14). The language of their preface also reveals that the bulk of their exertion is intended for transferring argument concepts to students (Ziegelmueller and Kay vii).

The cornerstone upon which Ziegelmueller and Kay build their concept of ethics is the “power of language” (12). The text describes language as a tool capable of achieving considerable good or great evil. The authors recognize ethics as a tool, since language is something that is “used” (Ziegelmueller and Kay 12). This tool takes the form of positive rules, which protect an arguer from violating the ethical standard. They also recognize ethics as a transcending “standard” preceding argument, since they maintain “there are ethical standards inherent to the process of argumentation” (Ziegelmueller and Kay 13). In other words, argument will not function correctly unless certain ethical components are first administered into the process.

The authors propose several ethical questions that seemingly have two legitimate or debatable ends (Ziegelmueller and Kay 12). Among those questions they advance are questions regarding concealing evidence, lying to an audience and misrepresenting information, all of which are compared to a greater good. In other words, the authors ask if the ends justify any means. In asking these questions the authors draw a line in the sand, one that recognizes constraints on behavior. Concealing, lying and misrepresenting are presented as unethical choices, but nonetheless choices the authors indicate must be “inevitably confronted” (Ziegelmueller and Kay 12). Setting questions aside, the authors

provide few details of substance about the nature of the ethical standards themselves. In part these are to be found within the rules of argument, which offer an implicit knowledge of their ethic. Nevertheless, little clarification is offered for three critical “inherent” ethical standards offered by the authors as reasons for engaging in ethical argumentation; namely responsibility, standards for judging good and evil and the truth-seeking function (Ziegelmueller and Kay 12/13).

Ziegelmueller and Kay discuss the importance of arguer responsibility. The authors maintain “respect [for the power of language] leads advocates to discover that moral and ethical inquiry and advocacy is *responsible* inquiry and advocacy” (Ziegelmueller and Kay 12). In fact, the word responsible is italicized twice in that same paragraph, a clear indication of its importance in their eyes. It seems clear within the text that the authors are in favor of restraint that promotes an ethical atmosphere, yet a discussion on the substance of that universal ethic is not to be found. Rather, the implicit suggestion is that the rules of argument offered by the authors will act as an ethical standard or safeguard. Those who best practice the rules will remain apart from ethical violations, as their statement on responsibility indicates.

A list of a half dozen organizations with “specified codes” of behavior are offered as proof of the widespread use of ethics. The list includes groups such as the American Forensic Association and state bar associations (Ziegelmueller and Kay 12). This appeal to authority demonstrates the integral use of ethics in prestigious organizations, an attempt to lend credibility to the use of an ethical standard. Ziegelmueller and Kay do

not make it clear if one standard of ethics is preferable to another or what course of action to adopt if competing ethics offer contradicting or opposing standards. What they do provide is an array of ethics, which allows them to advocate neutrally in favor of a code of ethics in general. Such an appeal is fallacious because it substitutes the reputation of noted organizations for actual ethical standards. The text does not specifically review any of the codes referenced by the text. Instead, the text relegates review to the mere mention of extratextual authorities.

Ziegelmueller and Kay provide one clear litmus test for an inherent set of ethics; namely the truth-seeking function. They write, “Anything we do that distorts the search for what is true interferes with the fundamental purpose of inquiry” (Ziegelmueller and Kay 13). Core to their understanding of truth-seeking is the “free expression” of ideas, “equal opportunity to express ideas” and “[subjecting] ideas to full and free debate” (Ziegelmueller and Kay 13). Put differently and summed up, when an unrestricted idea is scrutinized openly and entirely, the truth pertaining to it will naturally prevail. The authors are asserting that truth will consistently trump fiction and distortion so long as examination and debate is unrestrained. A tacit addition to this judgment is that the rules offered by Ziegelmueller and Kay will assist in assuring that the ideal conditions for truth are best achieved.

Other sections of the text offer an implicit substance for an ethic. The authors discuss the impact of coercion on a debate. On the one hand they dismiss it because “coercion assumes rather than tests the rightness of an idea,” yet they also promote it in a

limited sense as an avenue for gaining attention to a position (Ziegelmueller and Kay 7). They offer the example of civil rights demonstrations, which helped to amplify the importance of expanding freedoms. The demonstrations are coercive because they advance no argument by their nature, yet they provide a driving catalyst that creates a platform for debate; the demonstrations inspire argument.

Ziegelmueller and Kay offer a one page explanation of the ethical use of data, which makes a twofold argument that deception causes harm and that it will eventually be found out. The text cites serious consequences for deceit, including loss of money, time, “inappropriate decisions” and “[undermining] overall confidence in the reliability of the methods of argumentation” (Ziegelmueller and Kay 74). The text makes a case that data is continually being tested, so “fabricated or inaccurately used data are likely to be revealed sooner or later” (Ziegelmueller and Kay 74). They separately claim, “it is unlikely that distorted data will go undetected very long” (Ziegelmueller and Kay 74). It is not difficult to imagine the possibility of catching deceitful practitioners in their own deception, or the likelihood that deceit causes harm. However, the text does not include any support or examples for these claims, which unfortunately makes them little more than appeals to pity and fear. The absence of support forces the reader to juxtapose the text’s claims against their own values and objects, so that an overriding rule held by the reader may trump the fear appeal of getting caught or the pity appeal of causing harm. Such important claims as these should include relevant and sufficient support.

The Herrick Text

James Herrick's *Argumentation: Understanding and Shaping Arguments* allots a short chapter to persuasion and ethics. Herrick presents a practical perspective on ethics where situations introduce ethical matters and require ethical solutions. The table of contents categorizes ethics as a component of argument (Herrick xi, xii). Throughout the chapter Herrick makes it plain that ethics is inseparable from argument. He argues that ethics is imbued in the process of argument because:

Trying to change another person's thinking has a clear moral dimension. When we enter into argumentation with someone, we may change that person's thinking. Thus, ethical questions come up the moment argumentation begins (Herrick 49).

The same claim is subsequently restated, "argumentation is an activity with an undeniable ethical dimension" (Herrick 50). As a reader I eagerly sought a source for such an obligation, but did not find one. However, the author does use certain words and phrases that suggest the nature of the ethical obligation. Several terms describe the relationship between arguers, including obligation, responsibility and "concern for others" (Herrick 50). Each of these terms is relational and reflects the unstated importance of caring, which could explain showing "concern for others." Herrick indicates that "ethical obligations [are] undertaken any time we enter into argumentation with other people," so one can infer that the responsibility to others and argument are mutually dependent (Herrick 50). An ethical responsibility or obligation to the process of argumentation is therefore an acknowledgement of the gravity and consequential nature of argument.

Herrick sets out rules or obligations for those who “advocate” argument and a separate set for audience members, which arguers and audiences should “seek” (50-51). He expects arguers to be “accurate” in articulating their position, to “give the greatest consideration” possible to audience members and to utilize the “best understanding and best evidence [available] on the topic under discussion” (Herrick 50). Each of these three maxims when fulfilled places an audience on an equal footing with the rhetor. Audience members for their part are expected to think “critically” about arguments, to refrain from disruption and to “seek information” for a possible “response” (Herrick 51). Unlike the rhetor the audience holds a twofold burden; they hold an obligation to conscientiously receive and process arguments, and they hold a separate burden to respond. Herrick does not indicate whether the response is to the arguer, to fellow audience members or to others, though it seems likely that such responses are beginnings that recur in other situations. Herrick’s system is very benign, but no support is offered, which is why I describe his prescriptions as maxims. The author does previously reason that burdens must be assumed by both arguer and audience because “we should not attempt [persuasion] without some regard or concern for the other person,” but this is hardly satisfying as a body of evidence (Herrick 50). As a reader I am sympathetic to Herrick’s claims. However, while a good reason is utilized as support for these vital obligations, the text does elaborate at that juncture or reference external sources as support.

Herrick recognizes the “pluralism” of “moral and ethical perspectives” in society and praises the difference of opinions as a check on injustice (51/52). The variety of divergent moral views requires an arguer to seek an ethical “approach” that unites or at

least recognizes otherwise conflicting understandings of the world in which we live (Herrick 51). Arguers are expected not to trample opposing viewpoints as they advance their own. Herrick writes, “The value of argument ... is directly proportional to advocates’ willingness to argue within ethical boundaries” (51). On the other hand, disagreement is perceived as a valuable social condition because it encourages continuing debate and investigation. As support, the text cites Billig, who indicates that argument opposition is a precondition for any “moral quality” (Herrick 52). The text expands the importance of opposing views where Herrick reasons that one-sided ideas can stagnant or promote injustice (52). Once again I am sympathetic to the author’s claim, yet the text does not adequately establish why lack of debate leads to the stagnation of an idea. The dismissals of alchemy or the flat earth view are seldom debated among contemporary society, yet these ideas show no signs of stagnation. Further explanation of the stagnation of ideas in a pluralist society is warranted.

The text leans heavily on the credibility and support of Richard Johannesen, apparently “a leading communication ethicist” or expert, who establishes a series of “approaches to argument ethics” (52). An ethical approach is not directly defined, but the unspoken explanation the approaches suggest focuses upon the source from which we derive our values. These approaches include political, human nature, dialogical and situational perspectives, each of which emphasizes certain factors as chief motivators of ethical behavior. For example, a dialogical perspective is noteworthy because it “focuses on the attitudes toward each other held by participants in a communication transaction” (Herrick 53). “Genuineness and empathy” are two values lauded by this standpoint

because they assist the arguer “to understand those [convictions] of others and avoid imposing his or her own [convictions] on others” (Herrick 53). Another argument approach to ethics is grounded in human nature. This perspective examines “the essence of human nature” (Herrick 53). The text establishes that several internal perspectives grant primacy to various attributes of human beings, such as the faculty of reason, our propensity for narration or our predisposition to persuade (53). All supporting material is derived from Johannesen and, while his credentials are not examined, his text is cited in the endnotes for reference. The diversity of approaches is consistent with Herrick’s pluralistic theme. They provide four possible motivations for ethical argumentation, which, while all pragmatic or philosophical in nature, nonetheless offer a greater degree of diversity with which to appeal to a pluralistic audience than a single perspective.

A final section of the chapter on ethics focuses on various virtues in argument, chief among which are honesty, cooperation and respect for persons. The text utilizes Aristotle, who defines virtue as “a quality that assists us in making ethically good choices” (Herrick 54). Herrick further defines virtue, “Argument virtues ... are habits of character that help one to apprehend the ethical nuances of an argumentative situation, and to pursue argumentation in a manner that assists one to be true to self, audience and topic (54). Herrick shares the Aristotelian concept of virtue, for he roots it firmly in self and in “habits of [individual] character.” The “character” of self is the touchstone of virtue and the consequence of virtue is being “true to self” and to other selves. As support the author quotes Gilbert Meilander, “the habits of behavior ... makes us who we are” (Herrick 54). Virtue is conceived by Herrick as serving selves, and to those whom agree

with his assessment have a concise, articulated explanation. The Herrick text is noteworthy for its use of support and a diversity of arguments for virtue, yet in the end the text appeals to a limited segment of audiences.

I want to pass a moment examining the virtues of honesty and cooperation advanced by the text. Honesty is the need for openness and truthfulness, a quality that is not attainable when key components of an argument are intentionally left out of a case (Herrick 55). Caroline Simon advocates honesty as the most important virtue in argument, owing it places high value in being truthful or adhering to one's best understanding of truth (54). Honesty is described using the terms fidelity and candor, which suggests either that the arguer owes these qualities to the audience, to self or for the sake of truth itself (54). The text does not elaborate to whom fidelity and candor are owed. Regardless, the virtue of honesty is significant. Cooperation is another core argument virtue. Cooperation is defined as "a willingness to work towards a just resolution of the issues" (Herrick 55). The definition consists of the importance of providing the best possible case for both sides of the issue, which is somewhat ambiguous given the nature of the argumentative situation. Cooperation certainly entails an element of discovery or mutual exploration, but at the beginning of the chapter the author indicated the "persuasive and adversarial" nature of argument (Herrick 51). It is reasonable to question the dual natures of cooperation and adversity, but further elaboration is not made.

Respect for persons is a third virtue in the Herrick text. The text establishes that the process of argument relies on the assumption that the audience can sufficiently reason their way so as to grant their genuine adherence. He writes, “Argumentation implies a regard for the opponent as a reasoning person, even if we don’t consider the opponent’s position particularly reasonable” (Herrick 56). While no external support is offered to anchor this view, the author establishes that “ethical argumentation involves a sincere commitment to developing arguments in a way that shows we view others as intelligent, reasoning and reasonable people” (Herrick 56). As support the author states that “commitment to developing arguments” acknowledges others as “intelligent, reasoning and reasonable people” (Herrick 56). Perhaps this argument requires no backing, since it stands as common sense. Then again, many brilliant, rational people deliberately use propaganda to manipulate or prematurely conclude the reasoning process in an audience for reasons of their own, which suggests those persons hold the outcome in higher esteem than the audience. It is insufficient to acknowledge reason while passing over the consequences of its violation, so the lack of supporting evidence that explains why is disappointing.

The argumentative context or regard for context is the final virtue advanced in the Herrick text. Argumentative context is defined as “any situation in which arguments are advanced and heard” (Herrick 57). Examples of violations of the argumentative context include character attacks, disrupting arguments and other relational or physical acts that “do not encourage arguments to be advanced” (Herrick 57). The text offers the example of a man who was unable to speak because the audience, not sharing his ideology,

purposely shouted to prevent his being heard (Herrick 57). This virtue appeals to common sense and to respect for persons, which the example endorses.

The Inch Text

Critical Thinking and Communication: The Use of Reason in Argument by Edward Inch, Barbara Warnick and Danielle Endres includes an extended section directed towards understanding ethics in argument. The authors define an ethical code as “a set of interrelated principles of ethics” (Inch et al 334). The text defines ethics as “the study of what is morally right or just” (Inch et al 334). As support, the text provides examples of codes of ethics, such as the full text of the Hippocratic Oath, and identifies components of the ethical code for students (Inch et al 334). The authors further explain that there are many competing claims of ethics, which they indicate begs the question “how do we know what is the moral or just action?” (Inch et al 336). Their answer is that an ethical decision will “enhance the individual or strengthen the community” (Inch et al 336).

As support for their claim that ethical decisions benefit an individual and community, Inch et al refer to Wayne Brockriede’s “Arguers as Lovers.” As previously stated, Brockriede contends that argument fosters relationships, which the authors argue becomes “an important part of the process of argumentation” itself, superseding the short-term importance of winning with the long-term importance of maintaining and enhancing the connections between people (Inch et al 336). They also refer to Thomas Nilsen, who states, “Whatever enlarges, develops, enhances human personalities is good;

whatever restricts, degrades or injures human personalities is bad (Inch et al 338). This evidence demonstrates the importance of building up people as part of the process of argument. For the authors, argument is not just about winning, it is about helping people in a meaningful way. As specific support for strengthening the community, the authors refer to the work of ethicist John Rawls. Rawls “defined common good as “certain general conditions that are... equally to everyone’s advantage”” (Inch et al 338). They also utilize Aristotle, who asks, “Does the decision treat everyone in the same way, or does it show favoritism and discrimination?” (Inch et al 338). Both of these pieces of evidence emphasize the vital importance of equality as a preceding condition for sound argument. If systems of argument are unequal, it is impossible for every member of the community to benefit from resulting discourse.

The authors develop three detailed rules for arguers, which are that arguers are “accountable and responsible for their arguments,” that legitimate choice must be promoted in each argument and that arguers must try to “promote positive relationships with the audience” (Inch et al 339-40). For example, by “accountable and responsible” the authors mean that “the arguer is ethically accountable” for any “wrong actions” an audience may take as a consequence of adhering to an argument offered by the arguer. They cite the example of Tom Metzger, who incited a racial murder with his hateful speech (Inch et al 339-40). Metzger was found guilty in a court of law because his speech caused a murderous action. In the same way, arguers are held responsible for actions taken by an audience at their prompting.

The authors define their concept of a significant and legitimate choice as “arguments [that] provide their recipients with the ability to make voluntary decisions that are free from physical or mental coercion” (Inch et al 339). The authors further add that arguers should seek to become aware of any underlying motivations that might influence the audience. In other words, the arguer must understand what he and the audience stand to gain or lose if an argument is accepted by the audience (Inch et al 339). No supporting examples or sources are used to substantiate this view and no standard means of evaluation is offered to students of argument.

A third component of the “ethic for arguers” is maintaining a positive relationship with decision makers. The text defines promotion of a positive relationship with the audience as, “[providing] audience members with the information necessary to produce their own decisions” while simultaneously “[Avoiding] forcing ideas on the recipients” (Inch et al 340). The text offers no support for this rule, yet it does establish a presupposition for accepting the regulation. The authors write, “A positive relationship is predicated on the view by the arguer that recipients of argument are partners in the process of decision making” (Inch et al 340). A presupposition operates like any premise and requires sufficient evidence. Use of the term “partners” does suggest that an arguer working with an audience stands to gain by cooperating. It further suggests that argument is a deliberative process, not a competition.

Inch et al also articulate four rules for recipients of argument, which they describe as “responsibilities” owed to the hearing and judgment of any “compelling” argument

(Inch et al 340/341). The first requirement is that audience members are obligated to be “aware of any attempt to influence them” (Inch et al 341). In establishing this requirement the text conceives of an audience as “consumers” of argument (Inch et al 341). The authors do not cite supporting evidence or pertinent authorities to establish either the rule or a consumer perspective, though the text offers two compelling reasons for the rule. Audience members should understand what they are asked to do because decision making “[accepting] messages without any clear consideration or understanding of the consequences and implication [amounts to acting] irresponsibly” (Inch et al 341). Clear consideration entails a careful examination for “motive,” which will reveal the reason an argument is made by the arguer (Inch et al 341). A second, related reason for being aware of attempts to influence is that “arguers have biases and viewpoints that are reflected in their arguments” (Inch et al 341).

A second requirement of an audience is they are expected to be well “informed” on any issue they are asked to consider (Inch et al 341). When the authors suggest audience members should be informed, they do not mean that an audience should know everything pertinent to a case before it is discussed. Instead, they mean that “audience members [should not] rely exclusively on the advocate to provide the necessary information for making the decision facing [them]” (Inch et al 341). The principle at work is *caveat emptor* or perhaps a healthy skepticism in the face of new facts, which the authors reveal by stating “the recipient’s best defense against unethical attempts at influence is knowledge” (Inch et al 341). By emphasizing careful investigation to confirm new knowledge the authors remind audiences that instantaneous decision making is not

compulsory to ordinary argumentation, since it is impossible for an audience to be well informed on every subject they encounter (Inch et al 341).

The third responsibility of an audience is to “be aware of their own biases” (Inch et al 341). Audiences are asked to recognize their biases because they can influence judgment prior to debate. Just as an audience has a right to expect a fair and reasonably complete argument by arguers, so too an arguer should expect that audience members “seek out and be open to many different viewpoints” (Inch et al 341). The authors offer no substantial supporting reasons in support of the point. As for understanding fallacies, Inch et al explain that awareness of fallacies is the only real defense against them. They recognize the “tremendous appeal and capacity [of fallacies] to persuade audience members to act erroneously” (Inch et al 341). There is no additional support offered for this rule.

The final requirement is that an audience should “understand how fallacies persuade” (Inch et al 341). An understanding of how fallacies persuade is separated into two distinct elements. In the first instance, audiences should appreciate the “tremendous appeal and capacity [of a fallacy] to persuade audience members to act erroneously” (Inch et al 341). At the same time, audiences must also realize “how arguers employ argumentative devices and fallacies to shape and direct decisions by constraining or confusing understanding of issues” (Inch et al 341). Understanding fallacies therefore is directed according to an understanding of how argument works and, at the same time, tempered through the understanding of how arguers manipulate the structure of argument.

The goal of each element is to remind audiences to scrutinize the argumentative paths chosen by the arguer, before being led up them. The consequence of being led unconsciously up a path is identical in both cases; poor decision making attributable to the “constraints or confusion” caused by a fallacious argument.

This material comprises the body of evidence concerning the visible presence of ethical grounding. As has been demonstrated, texts vary widely on the subject of ethics, both in terms of how important they view the subject of ethics and how they propose to advance and support related claims they offer to students. The next chapter will focus specifically on treatment of fallacies in the texts as that material contributes to an understanding of ethical argumentation.

¹ The claim largely boils down to accepting the credibility of Amazon, BookByte and the *Elements of Argument* Publisher, all three of which are in the business of selling the very same text. For better or worse I am willing to set aside lengthy criticism of their mutual claim, since the widespread use of the text, bestselling or otherwise, is adequate for my needs.

² Oregon State University Research Librarian Loretta Riley obtained a list of texts for me in April of 2007 from FacultyOnline.com, a website for professors and academics. She was able to obtain an account and secure a list of eighteen most popular argumentation texts, from which I selected seven texts. The link has since gone dead, for reasons beyond my comprehension. The other research affirms most of what the FacultyOnline.com list stated, with the exception of the two texts published by Waveland Press, which are the Makau and Marty text and the Hollihan and Baaske text.

³ Rieke et al use the Richard McKeon edition. The H. Rackham translation is clearer and more coherent; “the function of man is the active exercise of the soul’s faculties in conformity with rational principle” (Aristotle 1098a).

Chapter 4: Fallacies

Fallacies do not cease to be fallacies because they become fashions. G.K. Chesterton

Examining the treatment of informal fallacies in each argumentation text can increase understanding of the ethical foundations of argument they posit¹. Such examination will reveal the particular ethical standpoint of each text as it relates to individual fallacies and the concept of fallacies in general, and how that view is expressed. A fallacy is a fundamental breach of a regulation of argument, which compromises the integrity of the proposition to which it is associated. The etymology of the term fallacy reaches back to the 15th century, when the term appeared in Caxton's translation of *The History of Reynard the Fox* as a reference to deception and trickery (Chambers 367). The term borrows from both the Latin and French words for deception (Chambers 367). The sense of the term fallacy is "inviting a wrong inference" or "misleading" by erroneous logic, though Fowler separately defines the term as "an argument which defies the correct laws of demonstration" (Fowler 185). Many of the texts I examine provide a categorization for fallacies, and they all vary. The chief limbs of informal fallacy roughly consist of logical errors or deficiencies, incomplete argument and forms of manipulation or deceit. My focus on the treatment of ethics in argumentation texts points expressly to the final category. Although a deceitful rhetor can employ any fallacy to disrupt proper judgment, generally speaking it is impractical for a critic to classify a fallacy as a violation of argumentation ethics unless the text reveals deception, manipulation or other ill-motive, or explicitly associates a fallacy with an ethical consideration.

Fowler's latter definition of fallacy as "defying laws of demonstration" reveals an essential disjunction between rhetoric and fallacy. Rhetoric functions by demonstrating some truth useful to an audience for arriving at judgment, which Aristotle affirms: "The use of persuasive speech is to lead to decisions," he claims, and "rhetoric may be defined as the faculty of observing in any given case the available means of persuasion" (1391a, 1355b). Furthermore, rhetorical demonstration inherently implies judges, and judgment leads to decision-making (Aristotle 1354a). If rhetoric affords opportunity for demonstration consequential to judgment and decision-making, then it is vital to understand what motivates rhetorical demonstration. Aristotle explains that the duty of rhetoric is to assist audiences with their deliberations:

The duty of rhetoric is to deal with such matters as we deliberate upon without arts or systems to guide us, in the hearing of persons who cannot take in at a glance a complicated argument, or follow a chain of reasoning (Aristotle 1357a).

Not only does rhetoric fulfill a duty to the audience, but the duty itself is realized through the revelation of truth. Aristotle's explains, "Rhetoric is useful because things that are true and things that are just have a natural tendency to prevail over their opposites" (1355a). There is no reason to link rhetoric so directly to truth and justice, unless good rhetoric is inseparably joined to both; truth and justice contribute to proper demonstration. Philosopher William Grimaldi summarily connects the usefulness of rhetoric and truth:

[Aristotle] tells us quite simply that rhetoric is useful since it is through the instrumentality of the art that truth and justice are able to realize themselves in the decisions of men (173).

If Grimaldi is correct rhetoric is not only demonstrative, but guides the fabric of society. Truth and justice “realize themselves” in our decision-making as a consequence of practicing sound rhetoric: “Rhetoric prevents us from making wrong judgments and in doing so protects truth and justice” (Grimaldi 176). The unavoidable conclusion is that good rhetoric and truth are inextricably linked. Returning to the disjunction between rhetoric and fallacies, a fallacy by definition impedes the proper demonstration of a matter to an audience, which leads to poor judgment. Fallacious argument blunts the usefulness of rhetoric by obstructing the best deliberative outcome. As Fowler points out, a fallacy “[invites] a wrong inference” and “defies the correct laws of demonstration.” Thus, an informal fallacy in an argument is unsound; it works against the function, motivation and duty of rhetoric, and does not serve the best interests of an audience or truth. If good rhetoric fulfills the truth-serving function for the sake of the audience, fallacies are corrosive to demonstration with serious consequences: “truth and justice are de facto destroyed by bad judgments” (Grimaldi 176). Good rhetoric and fallacy are therefore irreconcilable.

Determining the intersection of fallacy and argumentation ethics is essential. I have demonstrated that good rhetoric and fallacy are fundamentally incongruent; a wholesome rhetoric has no deficiencies to impede right judgment, while a fallacy by definition obstructs judgment. Rhetoric will either promote or hinder understanding of the truth: “Just as any act may have some tendency to fix a person’s character, so a persuasive speech may tend to undermine or support the general acceptance of sound principles” (Diggs 366). Diggs further adds, “It does not follow that persuasive speech, or

the use of persuasive techniques, is morally neutral” (365). A legitimate rhetor fulfills the proper use of rhetoric by extending an understanding of truth and justice, which is why “a persuader would not be frustrated if the person he wished to persuade were persuaded through some other agency” (Diggs 361). The unethical rhetor, for whatever motivation, desires to suspend the rational process of deliberation. The unethical rhetor will always place some consideration above the audience and violate “sound principles” of truth to achieve his or her aim. (Diggs 372). Therefore, in all matters given to persuasive speech:

[The rhetor] must also go about trying to persuade in a morally right way. And the goal of persuasion, a belief or action, must be true or sound or wise or the right thing to do (Diggs 370).

An intentional fallacy must constitute a violation of a rule of argument and a violation of “the right thing to do.” A rhetor who pursues truth and justice, who attempts to fulfill the purpose of rhetoric, and who “does not force a conclusion” by denying an audience the use of reason, is probably acting ethically regardless of the circumstances. Rhetors and audiences are not “omniscient” and “every practical judgment involves some risk,” so a certain degree of allowance must be made for arguers who make mistakes, but do not intend to deceive (Diggs 372). On the other hand, a rhetor that willingly employs a fallacy to hide truth, twist rationality or subvert the deliberative process is acting unethically.

In light of the discussion above regarding truth and fallacies, some fallacies in the textbooks are not appropriate for analysis. Selecting appropriate fallacies requires the identification of any ethical paradigm advanced in each text and a criterion for individual fallacies that categorizes a distinct moral component established by the text.

Consequently, if an author offers a definition of fallacy or introduces an ethical dimension to the treatment of fallacies those elements should be identified and examined, since definition imbues an argument with context, giving criticism a firmer surface upon which to rest. In establishing the moral paradigms of the texts, it is vital that the critic grounds analysis in the texts themselves. A critic can fittingly note the absence of a moral component where one might be expected regarding a fallacy. The critic should not amplify the presence of a moral component when it has not been presented by the authors. If a moral component is treated insignificantly by the authors, the critic is obliged to approach the material as it is presented. At the point when a critic must construct new offshoots of argument unstated within the author's work to reveal the presence of an ethical dimension, the criticism is in question. For instance, if the author describes a fallacy as logically incorrect, meaning the failure of "a system existing outside of human discourse," the critic is compelled to treat this paradigm at face-value unless the succeeding textual argument clearly introduces materials that rely on a different standard (Rieke et al 2006).

Another line of thought is necessary before immersion in criticism. The discussion of materials relating to fallacies and ethics in these texts constitutes argument. Each text should be held to the same standard as any other argument; it should hurdle the same threshold of evidence and clarity it demands of the readers. Ambiguous arguments and arguments made without corresponding support ought not be credible, whether they pertain to a basic argument concept or ethics. Legitimate arguments should at minimum

provide the audience with perceivable claims coupled to some form of reasonable, sufficient support. One critic declares:

In themselves, claims are not “freestanding” or self supporting. When I make an assertion, offer a hypothesis, present a legal claim, advance a moral objection, or hazard an aesthetic opinion, my readers or hearers can always ask further questions before they decide whether to assent or disagree. Their assent or disagreement will then reflect and depend upon my capacity to offer “reasons” relevant to this situation to support the initial claim and will be conditional on their recognizing or disputing the “solidity” of those reasons (Toulmin et al 9).

Textbooks, by their very nature, advance a multiplicity of claims within their workings. Some claims are supported by reason and evidence and some by the credibility of the authors. In each case evidence must be judged contextually, but whatever support a text utilizes should be appropriate for the situation.

I must devote a moment to the discussion of credibility as a form of evidence, since my standard for good argument requires offering supporting materials for every claim. Credibility is a mode of persuasion, but like all forms of persuasion it is governed by rules (Aristotle 1365a). Credibility consists of good sense, good moral character and goodwill towards the audience (Aristotle 1378a). If an author chooses to use her or his credibility as a means of support, that author should demonstrate the verity of such credibility along the lines of sense, character and goodwill to an audience. Aristotle remarks:

Persuasion is achieved by the speaker’s personal character when the speech is so spoken as to make us think him credible. We believe good men more fully and more readily than others: this is true generally whatever the question is, and absolutely true where exact certainty is impossible and opinions are divided. This kind of persuasion, like the

others, should be achieved by what the speaker says, not by what people think of this character before he begins to speak (1356a).

Aristotle makes it clear that a rhetor's speech should confirm the trust, not office, awards or the praise of others. The audience that trusts blindly without examining arguments does not properly judge. Aristotle declares, "A statement is persuasive and credible either because it is directly self-evident or because it appears to be proved from other statements that are so" (1356b). Everything a speaker declares should be critically evaluated, and if materials prove insufficient the claim is not credible whatever the credibility of the speaker. Judgment should focus on "what the speaker says," which is the goal of persuasion. Therefore, each claim advanced within a textbook must be paired with some form of corresponding support that rationally and adequately justifies adherence to the claim.

The Rottenberg and Winchell Text on Fallacies

Rottenberg and Winchell advance a pragmatic, truncated view of fallacies. They do not include an ethical paradigm in the chapter on fallacies. They contend that "the vast majority" of fallacies are "breakdowns in logic or the reasoning process" due to "carelessly or unintentionally constructed" arguments (269). A fallacy in this sense is best described as a mistake generated by incompleteness or indolence. Logic provides the locomotion for judging fallacies. If a premise and accompanying reasoning are contradictory, insufficient, irrelevant or ignorant of critical evidence, they are said to be faulty. One initial observation is necessary. While the authors attribute carelessness and mistake as the chief vehicles of error, they commonly refer to fallacies as a "strategy" or

“tactic” as if intent lurked behind them (289, 292). This inconsistency compounds the difficulty of analysis because Rottenberg and Winchell presuppose motive in the same way they presuppose negligence and oversight. The text offers no method of evaluation to test the validity of either statement, a sure testament that empirical evidence is only as valuable as the all too human procedure that verifies it. The chief obstacle to analysis of claims within the text is the lack of reasons that properly demonstrate those claims, which forces the critic to make do with less than adequate materials for some fallacies. The authors identify fourteen fallacies, of which several contribute to a sense of ethics.

The fallacy of hasty generalization they attribute to prejudice (Rottenberg and Winchell 286). The authors define prejudice as “literally a judgment made before the facts are in” (Rottenberg and Winchell 286). Lumped with prejudice is superstition, which is “a notion maintained despite evidence to the contrary” (Rottenberg and Winchell 286). Both prejudice and superstition refer to individual beliefs, which introduce the ethical dilemma of how to go about rebuffing personal belief. In answer, the authors produce logic as a sifting mechanism, which they claim filters out beliefs that go against empirical evidence. Unfortunately the authors do not disclose any details for logically scrutinizing an argument, so such scrutiny is at the mercy of the astuteness and capability of whoever applies it. In order to accept this argument, a reader is compelled to assume that logic is self-validating. The authors also make no distinction between validity and proof, which means that a dishonest, yet logically consistent prejudice is untreatable using their system. The lack of any explanation for the application of logic is very unsatisfying, particularly since a passing reference to logic does not provide a

minimal threshold a presupposition must meet to achieve the standard or the burden of proof a critic must meet to legitimately discount an argument as prejudiced.

Rottenberg and Winchell regard false analogy as a logical fallacy, where analogies are found wanting when compared with actual “conditions” and “proof” (288). Judging the quality of an analogy is merely a matter of matching environments. The text offers no ethical classification, in premise or justification. False analogies contain an irrational component because they “are merely descriptive and offer no proof of connection between two things compared” (Rottenberg and Winchell 288). While they may not intend it, the authors’ statement attests that many regular analogies defy measurable, empirical conditions. An individual’s reason therefore delegates the justice of the analogy, which is not unencumbered by substantial presuppositions. The window of independent worldviews introduces the possibility of clash. While there is no overt ethical dilemma, the failure to prescribe a neutral method of evaluation to measure a false analogy opens the door to potential ethical complications, particularly where reason is influenced by our values and beliefs. However, the authors do not account for discrepancies in reason or provide an explanation of the correct method for weighing an analogy.

The text describes *ad hominem* as “a strategy of diversion” where “irrelevant” or “unacceptable” facts about an individual are introduced to “[prevent] the reader from giving attention where it is due—to the issue under discussion” (Rottenberg and Winchell 289). In offering examples the authors introduce the criterion of relevance, which

measures how closely the matter of character pertains to the issue at hand (Rottenberg and Winchell 289). A character attack that lacks a significant connection to the argument constitutes a fallacy, while all other character attacks are apparently excluded from the fallacy category. In fact the text states, “Ad hominem accusations against a person do not constitute a fallacy if the characteristics under attack are relevant to the argument” (Rottenberg and Winchell 289). There is little explanation that might assist the reader in making judgments about relevance, except an example intended to demonstrate the possible irrelevance of “private life” to matters of “professional record” (Rottenberg and Winchell 289). The discussion of ad hominem seems to hint at a preexisting standard of conduct guiding the evaluation of appropriateness, but it simply is not ascertainable from the text.

One of the most challenging fallacies to critique is the appeal to tradition. An appeal to tradition operates on the assumption that “what has existed for a long time ... should continue to exist because it is a tradition” (Rottenberg and Winchell 292). The authors explain “if the arguer avoids telling his or her reader why the tradition should be preserved, he or she may be accused of failing to meet the real issue” (Rottenberg and Winchell 292). The textual definition essentially classifies an appeal to tradition as a claim without support, since this fallacy fails to answer the “why” question and operates in a self-serving, circular manner. An isolated appeal to tradition for its own sake is clearly a fallacy, but other appeals could be excluded. The text does not establish a threshold of evidence or set a standard for traditions to meet, instead relying on the absence of evidence as the basis for diagnosis.

The ad populum fallacy is “an appeal to the prejudices of the audience” without any corresponding support to substantiate a proposition (Rottenberg and Winchell 293). The text asserts that arguers employ the ad populum fallacy when they “assume” a “shared belief or attitude” is sufficient to persuade the audience of the merits of their argument (Rottenberg and Winchell 293). The authors offer the example of patriotism, “which may allow arguers to omit evidence the audience needs for proper evaluation of the claim” (Rottenberg and Winchell 293). A careful examination of the text does not uncover an explanation of what the authors mean by “proper,” so the standard is unclear. A reader knows that ad populum fails the test of evidence because it lacks “further support” or “omits evidence” (Rottenberg and Winchell 293). Like the ad hominem fallacy, a sense emerges from the text that there is more to ad populum than the absence of evidence. The textual example reveals that the fallacy can impair “proper” judgment, which is an excellent opportunity for introducing any pertinent consideration of the ethics of complicating judgment for an audience. However, the text does not express any ethical concerns.

A strawman fallacy is “an attack on a view similar to but not the same as the one your opponent holds,” which is characterized by “diverting attention from the real target that a contestant was supposed to knock down” (Rottenberg and Winchell 292). The language the authors use to describe the strawman fallacy include “tactic,” “attack,” “target” and “knock down,” which are aggressive, militant terms that speak volumes about winning and suggest nothing about ethics or restraint (Rottenberg and Winchell 292). Richard Nixon’s Checkers Speech is used as an example of a strawman fallacy, in

which Nixon diverts attention from his embezzlement by talking about the gift of a dog. The text makes it plain that “Nixon knew that the issue was the alleged misappropriation of funds, not the ownership of the dog” (Rottenberg and Winchell 292). However, the text does not connect Nixon’s attempt to hide his guilt with wrong behavior. Nixon’s use of a strawman argument dodged the issue at hand, but as far as the text is concerned it is unnecessary to step beyond identifying evasion.

The Rybackis’ Text on Fallacies

Turning to a second text, Rybacki and Rybacki present a methodical and generally well supported discussion of fallacies; the text frequently explores reasons behind claims and provides an ethical paradigm. The text distinguishes between fallacies that “distort and deceive” and “those made in error” (Rybacki and Rybacki 142). The former “is the product of intentional deception” while the latter is “the honest error of an arguer who has failed to examine his or her arguments critically” (Rybacki and Rybacki 142). The intent to deceive is not portrayed as a quality associated with any particular fallacy, but rather as an argumentative outcome or a demonstrative characteristic stemming from the arguer. The same relationship is maintained of error in argument. Each fallacy constitutes a form of logical error; those fallacies where the error is “deliberate” hold ethical implications in addition to any logical error (Rybacki and Rybacki 142). The authors make it clear from the beginning that critics should not assume that errors are intentional. They also make it plain that “when you construct and

argument, you do not do so in a vacuum” (Rybacki and Rybacki 152). The arguer’s values and the audience’s values are important factors that influence judgment.

The authors identify a series of fallacies, some of which they either indicate or imply contain potential ethical considerations. One such fallacy is hasty generalization, which the authors define as “the error of jumping to a conclusion” (Rybacki and Rybacki 142). The authors provide a variety of logical proofs to detect hasty generalization, ranging from deploying empirical data and “rigorous standards” to checking the backing for a warrant (Rybacki and Rybacki 143). Furthermore, the authors introduce the ethical dilemma of the fallacy itself. They write, “Many fallacious generalizations occur when arguers are tempted to squeeze more from an argument than is actually warranted” (Rybacki and Rybacki 143). Though the text does not expound on the ethical implications of hasty generalization, describing the fallacy within the context of temptation suggests awareness of a distinct ethical dilemma. Advocates must choose between a sound argument with a rationally constrained claim and a larger claim. The text cautions readers to “examine very carefully the generalizations you make and hear” (Rybacki and Rybacki 143).

Avoiding the issue is a second category of fallacy with a visible ethical component. One example advanced is evasion. The text states, “In some instances, evasion represents a conscious attempt to avoid confronting an unpleasant fact” (Rybacki and Rybacki 148). A “conscious attempt” designed to escape reality is a clear ethical violation, since it takes into account both the internal recognition of truth and an external

act calculated solely to suppress it. The authors caution nevertheless that “it is more likely that arguers pay insufficient attention to the task at hand” than engage in intentional subversion (Rybacki and Rybacki 149). It is worth noting that the Rybackis’ use of such cautioning heightens the readers’ awareness of the dangers of the issue avoidance fallacy, while mitigating the likelihood that the reader will presume in favor of foul play.

A related fallacy that functions by avoiding an issue is *ad hominem*, which the Rybackis’ classify within the genre of “avoiding the issue.” The text offers a definition; “Known as the *ad hominem* argument, it shifts the attention to the arguer’s personality, or appearance, ability to reason, skin color or values, all of which tell us nothing about the validity of the arguments” (Rybacki and Rybacki 149). The ethical dilemma *ad hominem* presents, according to the Rybackis’ text, is that such an attack transforms a matter of public debate into a distinctly personal accusation, which “subverts” “the worth of the ideas behind claims” (149). *Ad hominem* is dangerous to an audience precisely because while the subject matter changes from an issue to an individual, the proposition remains the same. In describing issue avoidance the authors distinguish between an “intentional issue avoidance” calculated to shift the ground of an argument, and unintentional “issue avoidance” caused by “insufficient attention to the task at hand” (Rybacki and Rybacki 148). The implication by the term intentional is deceit on the part of a rhetor, which would constitute an overtly unethical act. The authors name only one instance where an *ad hominem* attack may have validity; “attacking the person is appropriate,” “when the qualification of a source of information are called into question” (Rybacki and Rybacki

149). The text offers an example in support where the evidence is challenged on the grounds that the experience of a material witness is in question. The text exhorts readers to “apply tests of proof, source credibility, and sound reasoning” and provides concurring examples and explanation (Rybacki and Rybacki 150).

A third issue-avoidance fallacy with a clear ethical component is “seizing on a trivial point.” This fallacy occurs when an arguer focuses on a “weak or indefensible argument and [magnifies] it out of all proportion to discredit the entire position on the proposition to discredit [the opponent’s] entire position on the proposition” (Rybacki and Rybacki 150). The trivial point fallacy is common to argumentation because it is readily grounded within true facts, yet it remains a form of “unsound argumentation” because the emphasis is entirely upon a “minor inaccuracy” (Rybacki and Rybacki 151). The text hints at a subtle ethical consideration grounded in the intent of an arguer to either engage an issue fairly or misrepresent it before decision makers. The text places the definition of trivial point against a backdrop of argumentative motive, which is revealed by the term “discredit” (Rybacki and Rybacki 151). The term’s significance is increased by the context of the sentence; the discredit occurs “out of all proportion” (Rybacki and Rybacki 150). Merely exaggerating the strength of a claim falls outside the bounds of the context the text establishes, owing to the extent of embellishment required to attain such height of disproportion. Distortion therefore must hinge on a calculation by one arguer to sabotage the argument of another, which would almost certainly constitute an ethical violation.

A visible ethical element emerges from the textual treatment of emotional appeals to pity or fear. A definitional standard for emotive appeals is not offered, but the text proffers two strong clues; “Strong appeals to emotion are no substitute for careful reasoning” and appeals to pity or fear are “a matter of appropriateness and balance” (Rybacki and Rybacki 154/155). Fallacious emotional appeals therefore consist of arguments that improperly shift consideration from the use of reason to sympathy. Evaluating the impropriety of such a shift is difficult, owing that the text leaves the assessment of balance and appropriateness to the reader, yet the text is clear that an argument is invalid when it jettisons reason; “when pity is the only basis on which an alteration of belief or behavior is justified, argumentation has been abandoned” (Rybacki and Rybacki 155). Pure emotional or piteous appeals defy the standard of sound argument and threaten the critical thinking process of the audience. Emotive subversion is unethical, imply Rybacki and Rybacki, because it unjustly binds an audience to a proposition by coercing an emotional commitment to a particular argumentative outcome (155). The authors identify emotional arguments they connect with unethical consequences, such as the destruction of careers by McCarthy (Rybacki and Rybacki 155).

Rybacki and Rybacki describe an appeal to tradition as “asking an audience to accept something because it is customary rather than because of the reasons that justify it” (156). The text explains that the danger of an appeal to tradition is that, like an emotional appeal, reason is scuttled without cause. Any arguments involving tradition should include good reasons and support that limit “insufficient understanding” by

adequately upholding or rebuffing the tradition's reliability; "a thorough analysis of the reasons behind a tradition provides a valid basis on which to argue its future violation or veneration" (Rybacki and Rybacki 157). The absence of rational support deprives an audience of the argumentative substance necessary to fairly and justly evaluate a proposition, effectively incapacitating prudent judgment. An appeal to tradition lacking "good and sufficient reasons" creates a form of one-sided argument (Rybacki and Rybacki 157/158). Forcing one-sided judgment, as the Rybackis' text points out separately, is unethical (17-18).

A final fallacy worth noting is the appeal to humor, which is a fallacy exclusive to the Rybacki and Rybacki text. This fallacy occurs "when humor is used to such an extent that it becomes the focal point of the discussion" and "the point of argumentation is lost" (Rybacki and Rybacki 158). The text indicates an appeal to humor is dangerous for an audience because humor attracts the goodwill of an audience, possibly in a surreptitious attempt to shore up inadequate support. An argument that substitutes the grit of argument for the fluff of humor "accomplishes little" or even "trivializes" the issue at hand (Rybacki and Rybacki 158). The text does not discuss ridicule, which is sometimes a component of humorous argument. Nevertheless, many speakers use humor to lighten an audience, and in a legitimate fashion. The text offers the example of Representative Henry Hyde and President Jimmy Carter, both of whom made use of humor to persuade (Rybacki and Rybacki 158-159). The authors are careful to point out that while humor can have unintended consequences it is not inherently intended for malicious or distracting purposes (Rybacki and Rybacki 158). The text implies that humor becomes

unethical when an arguer “resorts” to its use in order to “entertain rather than enlighten” (Rybacki and Rybacki 158).

The Makau and Marty Text on Fallacies

Makau and Marty offer an abbreviated section on fallacies, which is chiefly descriptive in nature and generally avoids mention of intentional deception or unethical issues, though some visible ethical claims emerge. Furthermore, the text offers no ethical paradigm as an overarching standard. It also offers little explanation for the ethical rules that materialize on occasion. The authors focus on “the evaluation of information,” contending that an audience should assess the information given them and the “interpretations and uses of information” (Makau & Marty 266).

One fallacy with an evident ethical component for Makau and Marty is the repeated assertion. Citing the “effectiveness of repetition” the authors explain that “unwarranted” claims can appear to form credence simply because they are used to the point where they become recognized (Makau & Marty 266). The danger of a repeated assertion is that the “assessment of the quality of information provided” is impossible because no support exists for analysis (Makau & Marty 266). An audience can be misled into passing over assessment because they feel compelled to acknowledge as fact what they are unable to independently verify. The text does not elaborate about the ethical consequences of such an act.

A second fallacy with an overt ethical dimension is the straw man, which the text classifies as a fallacy of reasoning (Makau & Marty 269). The straw man fallacy is

“characterized by an underestimation of opposition” and relies on “distorted versions of opposing views” (Makau & Marty 269). The two key terms are underestimation and distorted, which suggest two forms. Underestimation is an error of reasoning that is the result of an “inadequate understanding of alternative points of view” (Makau & Marty 269). The explanation of distortion suggests a covert manipulation of evidence, which the text separately describes as “misrepresentation ... used to avoid refuting more difficult opposition arguments” (Makau & Marty 269). The explanation of deception by the authors constitutes a refutation based on the principle that deception is unethical, but the explanation must be pieced together by the critic without ethics or right and wrong being introduced. The text does caution against the use of straw man because “members of the deliberative community reading or hearing the misrepresentation of their views are likely to become hostile and thereby less receptive to the writer or speaker’s reasoning” (Makau & Marty 269). Such a caution may work against the principle of an ethical violation, since it suggests that using a strawman fallacy risks the outcome.

The text defines an appeal to popular prejudice as “too much reliance on public opinion” (Makau & Marty 272). A prejudicial appeal is essentially an argument whose predominant support is a majority backing, which is often assumed, generalized and frequently expressed as a form of advertisement (Makau & Marty 272/273). An arguer employing this fallacy seeks adherence by substituting popularity for evidence, which stands as the “sole justification” (Makau & Marty 273). The text offers several examples of historical institutions held in place or “justified” by popularity, among them being “slavery, child and domestic abuse, witch burning and cockfighting” (Makau & Marty

273). The text plainly indicates that the fallacy “often appeal[s] to popular prejudice” (Makau & Marty 272). Makau & Marty assert that a prejudice has no place in argument because prejudice suspends judgment of the argument in favor of an irrational self-motivation detached from reason and from good justice (273). In support of their view they write, “How often have you heard people defending behavior they know is unacceptable on the grounds that others also engage in it?” (Makau & Marty 273). They further write, “Accepting this type of appeal can lead people to behave against their better judgment, or interests, or both” (Makau & Marty 273). The authors support establishes an ethical precedent; an appeal to prejudice can potentially shield poor behavior or subvert prudent judgment. Unfortunately, the authors suggest these outcomes without discussing the ethical consequences of this fallacy in detail or providing a means to distinguish improper arguments from deception. We know some of these fallacies are not ethical violations because the authors use the terms “some, often, potential” and others to describe the frequency of ethical violations. We do not know from the text how to distinguish an ethical prejudice from an unethical one, except perhaps on a case by case basis, according to the best judgment of the critic.

The description of an ad hominem attack fallacy contains a specific ethical component. An attack “ignores” “data and accompanying reasoning” in favor of a “biased” charge of character (Makau & Marty 272/273). The text maintains that when evidence is deliberately ignored, the reasoning process is suspended and argument ceases to function. An arguer who ignores critical evidence is out to win at all costs, to justify

the ends with any means. Unethical behavior of this kind challenges the foundation of decision making.

Makau and Marty describe false dilemma as a popular fallacy with a vicious undercurrent. The authors write, “public communicators sometimes deliberately use false dilemma to achieve personal objectives” (Makau & Marty 275). A false dilemma is an artificially constrained choice detached from reality, where an audience is asked to make premature judgment from two choices, one of which is spuriously crafted. The text accents the concept of false dilemma with the term “deliberate,” which raises the uncomfortable question of motive. The text does not offer a method as mediator between text and critic, but it remains clear that the authors intentionally portray the false dilemma fallacy as a potential ethical violation. Audiences are vulnerable to a false dilemma attack when they trust arguers to lay out choices fairly. Makau & Marty write, “Audiences untrained in critical thinking are particularly susceptible to intentional use of false dilemma... this illusion has the potential to lead members of the public to support unqualified candidates, accept inferior services and tolerate improper behavior” (276). A false dilemma is unethical because it removes the ground for compromise in debate and replaces it with a startling and reactionary choice. Such removal constitutes manipulation on the part of arguers. Though the authors do not discuss the responsibility of an arguer in this section or provide a specific method of detection, it is clear that for them false dilemma can be a serious ethical violation.

A final fallacy with ethical connotations is circularity, which is described in language strongly suggesting a potential ethical dilemma. Circularity is an assertion repeated in lieu of sound evidence, often in support of “controversial claims” (Makau & Marty 271). Circularity is a common logical error, but it is also utilized for the purpose of obfuscation. It is simple to hide a lack of evidence behind the façade of circularity, because a circular argument can sound like it connects well with the proposition, when in fact there is no evidence at all. By definition, “circularity fails to contribute meaningfully to dialogue” (Makau & Marty 271). The ethical component is introduced when arguers intentionally make use of deception and surprise. The authors quote philosopher Monroe Beardsley: “the most deceptive circular arguments are rather long ones; circularity is easiest to conceal when the distance between the premise and conclusion is great” (Makau & Marty 271). The text reasons that an audience expects evidence, but when the rhetor substitutes tirade for support the process of argument ceases, sometimes without the audience realizing it. The text establishes a minimal standard of conduct on the part of the rhetor; a rhetor must “approach [each] topic with an open mind and balanced partiality” (Makau & Marty 271). An open-minded advocate remains open to criticism, so that if an argument is proven circular the advocate views such a proof as an opportunity to improve the quality of the argument (Makau & Marty 271). Therefore, a standing circular argument becomes unethical according to the text when the arguer refuses to acknowledge its circularity.

The Ziegelmueller and Kay Text on Fallacies

Ziegelmueller & Kay split their treatment of fallacies into a short section on the nature of fallacies followed by a larger section of common examples. They have no formal ethical paradigm, but they do ground fallacies in terms of “human experience” and they claim some arguments are interpreted as fallacious “when they misdirect or distort relevant discussion” (Ziegelmueller & Kay 139). The term fallacy is described using the terms miscalculation, error, weakness and inadequate argument (Ziegelmueller & Kay 139). Ethics is not defined within the context of the treatment of fallacies. The authors do state that the use of a fallacy is “contextual” and that deliberate use of a fallacy is “inappropriate to the situation” (Ziegelmueller & Kay 139). The text sets aside discussion of any consideration of unethical practices or the responsibility to advocate fairly. The texts’ purpose is relegated to instruction and discussion of the basic nature and composition of common fallacies. The text uses the Latin name of the fallacy in most cases. It is worth remarking that in contrast with many other texts the Ziegelmueller & Kay chapter on fallacies does not contain the words responsibility, ethics or moral.

The fallacy of Ad Misericordiam, an appeal to sympathy, is classified as “calls for acceptance ... not on evidence and reason, but on appeals to pity” (Ziegelmueller & Kay 142). When this appeal is the “sole reason for supporting a position” it is deemed “inappropriate” (Ziegelmueller & Kay 142). The text does not explain how or why an appeal to sympathy is inappropriate. Furthermore, no method of evaluation is offered to judge the appropriateness of the use of a piteous appeal, so it is impossible to distinguish

between the legitimate use of pity as part of an argument and the intentional manipulation of an audience with a purely piteous appeal. The authors caution readers against “overlooking analysis and argument” when an appeal to pity is made, yet without a means of evaluating each situation such cautioning is of little practical value to the reader (Ziegelmueller & Kay 143).

Ad hominem attacks are treated in a more thorough fashion than Ad Misericordiam. The term is defined as “diverting attention from the substance of a controversy” (Ziegelmueller & Kay 143). Ad hominem attacks are denounced as “unacceptable” and “poorly supported” because they use “suggestion rather than genuine evidence for support” (Ziegelmueller & Kay 143). The text offers the example of McCarthyism and explains that an ad hominem attack may unreasonably amplify or “distort” the consequences of a claim (Ziegelmueller & Kay 143). Criteria for advancing an ad hominem attack include demonstrating “relevance” and using “solid evidence to support any charges made” (Ziegelmueller & Kay 143). Unfortunately, the text does not discuss the responsibility of an arguer or explain in detail how or why an ad hominem attack is unethical. Furthermore, the text does not provide a neutral method of evaluation for “relevance” that allows the audience to distinguish between legitimate and illegitimate character attacks.

The appeal to authority, named ad verecundiam, follows the trend of pity. The authors describe the fallacy as “generalized appeals to some higher authority or tradition” (Ziegelmueller & Kay 142). In each instance the fallacy is characterized by an utter lack

of evidence, which an arguer shores up by appealing to “the generally revered status of the individual or institution” (Ziegelmueller & Kay 142). The authors rightly acknowledge the spurious arguments “seek adherence” on the part of an audience, but they fail to expound on the potential depravity of such an action. The fallacy is viewed as a logical error, which “[relies] on an appeal to authority, per se, without consideration for the authority’s specific reasons or specialized training” (Ziegelmueller & Kay 142). The authors provide expertise as the method of evaluation for an appeal to authority; an expert can legitimately appeal to authority by using his or her experience as testimony. Certainly many appeals to authority are not deceitfully based, but the only readily identifiable appeals to authority according to the text are those without corresponding evidence. The text does not provide a method for evaluating an appeal to authority advanced with accompanying evidence. Furthermore, the authors do not consider any ethical facet of such an appeal.

The slippery slope fallacy focuses on the “extreme consequences of policy shifts” without considering the likelihood or “probability” of such an outcome (Ziegelmueller & Kay 145). Coupled to extreme consequences is the notion of irreversibility or an inability to “reverse course” (Ziegelmueller & Kay 145). The example the text uses is the abortion debate, where both sides claim that accepting the proposition of the other will result in far reaching, undesirable and permanently damaging consequences. What the authors do not discuss is the difference between exaggeration by erroneous logic and intentional rhetoric aimed to derail a legitimate contention. There is no attention to nuance or degree in argument by the text. Instead, the text offers a superficial means to unmask a slippery

slope fallacy, by looking for “extremism,” but does not journey into the realm of ethical accountability or civil restraint.

The text describes straw argument as “an argument set up for the sole purpose of refuting [an opposing claim]” (Ziegelmueller & Kay 145). The text further adds, “The error in straw arguments is that [advocates] try to shift the focus of the controversy from the area of real clash to some peripheral or nonissue” (Ziegelmueller & Kay 145).

Phrases like “shift the focus” and “sole purpose” reveal the deceitful basis of this fallacy, which functions by misdirecting the audience. Arguers can knowingly or unknowingly use a straw argument to change the ground of an argument away from where it belongs. Though it is one matter to unfairly portray an argument unknowingly, it is entirely another matter to deliberately craft a new argument to betray an audience. Unintentional misdirection of an argument is a mistake; intentional misdirection of an argument is unethical. The text makes no distinction for motive and offers no method of evaluation to help an audience distinguish between an accidental or unethical straw argument.

A closing fallacy from the Ziegelmueller & Kay text is Ad Populum, which is defined as “appealing to the audience’s desires to identify with the group” (145). They write, “Ad Populum ... arguments are based on the assumption that no argument can be false if the mass of people are for it” (Ziegelmueller & Kay 146). Popular appeals can easily include an unethical bent, particularly when a rhetor suggests that public opinion supports something that in fact is far from certain. The text reasons that a popular appeal has a way of closing debate if audience members can be convinced that other audience

members have already made a decision about a proposition, so they can simply accept the claim at face value. The authors write, “The fundamental weakness of ad populum arguments ... is that they provide no substantive analysis of the issues” (Ziegelmueller & Kay 146). The authors make no claim about the ethical implications involved in this fallacy. Instead, they caution audience members to use critical thinking, without supplying a method for detecting the fallacy.

The Hollihan and Baaske Text on Fallacies

The Hollihan and Baaske text does not include a formal chapter on fallacies. Instead, they have a severely abbreviated sub-section on “critically evaluating arguments” that includes minimal descriptions of a limited number of common fallacies. The text does not offer an ethical paradigm within the treatment of fallacies. However, the authors demonstrate limited awareness of unethical argument because they define obfuscation as “an intentional attempt to disguise or conceal one’s real argument” (Hollihan and Baaske 128). The text rationalizes obfuscation as an attempt “to be kind or to be tricky” (Hollihan and Baaske 128). Concealment and trickiness are both attributes commonly recognizable as potentially unethical practices. However, within the discussions of each individual fallacy the authors do not usually weigh the issues of ethics or dishonest motivations on the part of an advocate.

One category of fallacy is ambiguity, which occurs “when advocates deliberately employ language that is overly broad or unclear” (Hollihan and Baaske 129). The text contends that ambiguity sanitizes speech until it is “essential meaningless” and an

audience has “only a vague understanding of what [rhetors] are actually advocating” (Hollihan and Baaske 129). Ambiguity is a counterproductive quality for conducting argumentation, which is precisely why unethical arguers resort to employing it. The text offers the example of politicians, who advocate supporting the family. This innocuous, upbeat example appears on face value as a clear demonstration of ambiguity, which belies the fact that the example is unhelpful as a means of detecting the presence of the fallacy because the text supplies no method of evaluation. This misappropriation by the text violates the principle of argument calling for clarity and perspective, which can only be satisfied by offering a method to apply the treatment of this fallacy. The text adroitly points out how ambiguous language, when deployed intentionally, hides unsound or absent support from an audience, but without an established means of evaluating ambiguity or a sound example the point is poorly made.

The actual section on fallacies contains brief, three to five sentence summaries of common fallacies, neutrally defined and sometimes supported by a concise example. One such fallacy is *Tu quoque*, which is “defending one’s actions by pointing out the other acted in a similar fashion” (Hollihan and Baaske 131). The text reveals that pointing out similarity is an “irrelevant reason” for counter-argument because it is immaterial to the debate at hand. The authors do not discuss the ethical connotations of such a fallacy or provide a means for treating its validity. It is clear that this fallacy of *quid pro quo* closely resembles a character attack, where the quality of the opponent is examined instead of the content for debate. Misleading an audience with extraneous and potentially damaging support is unethical because it sets a false standard, where an individual’s prior action

invalidates his present convictions. Therefore, more detail and examples would be useful for clarifying the treatment of this fallacy by the text.

Ad hominem is addressed in its most pedestrian form. The fallacy is defined as arguing “an idea should be rejected” on the basis that “something is wrong with the person presenting the idea” (Hollihan and Baaske 131). As support the authors offer a baseball example, where the fallacious support maintained the arguer “was a jerk” (Hollihan and Baaske 131). The textual definition the authors provide is proof that to claim is not to teach, since this evidence cannot be taken seriously. Though perhaps not the most superlative attempt to destroy credibility and incidentally not the most convincing example of a rhetorical ad hominem attack, the faulty evidence reveals the inherently corrupting nature of a character attack. The ad hominem fallacy offers no engaging support to assist the audience and it contains a distinct tendency to cloud judgment, but the text must treat the fallacy seriously if students of argument are to succeed. Ad hominem is unethical whenever an arguer positions the fallacy to obstruct judgment, but the text does not adequately support this claim.

Slippery-slope is identified as objectionable “because [the proposition] may eventually lead to something else that is undesirable” (Hollihan and Baaske 132). The authors dispute the fallacy on grounds that “an undesirable but not inevitable outcome is an irrelevant reason to object an otherwise desirable idea” (Hollihan and Baaske 132). The ethical aspect of this fallacy is not discussed and the terms “irrelevant” and “lead” suggest a logical or causal line of thinking about this fallacy. Slippery-slope can be a

difficult fallacy to properly evaluate, so it would have been helpful had the text supplied a method of evaluation.

Shifting the burden of proof is a fallacy unique to the Hollihan and Baaske text. The authors write, “Instead of proving their own claim, some advocates challenge audiences to disprove the claim” (Hollihan and Baaske 132). Such a fallacy ignores the “burden of proof” compulsory of every new proposition, which is the requirement to build a self-sufficient and complete case. Like slippery slope the authors do not comment on the ethical ramifications of intentionally deploying this fallacy. However, it is clear that unfair use shifts attention away from the purpose of discussion, which deprives decision makers of their right to untainted, participatory judgment.

The Rieke Text on Fallacies

The Rieke, Sillars and Peterson text devotes a short chapter to fallacies. They define fallacy as persuasion that “violates a significant rule of argumentation relevant to the appropriate decision makers” (Rieke et al 203). The authors advance a significant ethical paradigm within the chapter. They state, “The study of fallacies is a way to protect people from being led astray by persuaders who care nothing for the truth in their fervor to get their way” (Rieke et al 207). The authors divide the causes of fallacies into two categories, logical and sophistry, the latter of which shall be examined. Sophists are “persuaders who care nothing for truth in their fervor to get their way” (Rieke et al 207). Sophists will employ any means they deem necessary to achieve success, which makes their practices the epitome of unethical behavior. A person who will say anything or

break any rule to get what he or she wants is not a trustworthy, reliable person in even the smallest matter. The text examines several fallacies as they pertain to sophistic enterprise and frequently employs detailed examples and support for claims.

One critical fallacy with a visible ethical component is begging the question. The fallacy is defined as “an answer or definition [that] seems plausible but, upon closer examination, assumes as fact that which is not proved” (Rieke et al 208). The text separately defines begging the question as “circular reasoning” (Rieke et al 208). The text demonstrates that when an arguer deliberately uses the claim as evidence for itself, that arguer has engaged in an unethical practice. The text cites the example of a murder trial, where the prosecution uses language that assumes the defendant is guilty, when they have not proven it (Rieke et al 208). Such action is unethical because it tempts the jury to make assumptions along the same line, which threaten the life of an as yet innocent person (Rieke et al 208).

A second fallacy with a distinct ethical element is the appeal to authority, which is described as “[assuming] a claim is a fact simply because someone with high credibility says it is” (Rieke et al 208). The authors point out “argumentation by its nature relies heavily on support from authority” (Rieke et al 208). Not all appeals to authority are deemed inherently fallacious. The critical difference between an honest appeal and a disingenuous one is how it impacts the process of argument. The authors claim the authority fallacy is unethical when it carries the potential to prematurely end discussion. They write, “Authority may be abused if it is used to silence dialogue” (Rieke et al 208).

The term abuse signifies a fault more substantial than a miscalculation. Abuse by an arguer harms other invested parties, including the audience.

Ad hominem appears once more as a fallacy with an ethical undercurrent. The authors characterize the fallacy as “when people turn their criticism against a person rather than the person’s ideas” (Rieke et al 210). The text separately defines ad hominem as “verbal aggression” or belligerence towards other persons, which causes “psychological pain” and produces intimidation and unease (Rieke et al 210). While most other texts categorize ad hominem as a primarily unconscious or unintended action, Rieke, Sillars and Peterson take a rather dim view of ad hominem and those who utilize it. They describe ad hominem with terms like attack, threat, hostility and unattractive (Rieke et al 210). All of these terms indicate two discernible and condemning traits. In the first place, intent lurks behind these ad hominem attacks. Ad hominem is not typically a case of mistaken direction. It represents a deliberate, even systematic attempt to prevent deliberation by dehumanizing an opponent. Secondly, ad hominem represents a genuine threat to opposing arguers. The recipients of an ad hominem attack can suffer psychological pain and feel diminished, both qualities similar to victims of physical acts of violence. In sum this fallacy is treated thoroughly by the text, with definitions, a standard of evaluation and a serious discussion of the consequences of ad hominem.

The appeal to pity is dealt with uniquely by the text. The text maintains that piteous appeals need to be assessed for fallaciousness “on a case by case basis” (Rieke et al 211). Pity is detrimental to the process of argument when it is “used in an irrelevant

and distracting manner that inhibits the objective of argumentation” (Rieke et al 211).

Therefore, the authors are clearly sympathetic to piteous appeals, insofar as condemning them only when they obstruct sound judgment of a proposition. Sophistry is mentioned as the chief “designer” of fallacies, where the outcome justifies any means (Rieke et al 211). The authors offer an example of a fallacious appeal to pity: “solicitations [for] money to save the starving children in some remote place that show babies with flies crawling on their eyes and in their mouths” are declared fallacious (Rieke et al 211). The text explains that such images can be misleading when they are unaccompanied by reliable evidence, particularly if there is no reasonable way for an audience to confirm the credibility of the images they encounter. An advocate intentionally using a purely piteous appeal to gain audience adherence, without offering corresponding evidence, is guilty of sophistry according to the text.

Ad hominem and piteous appeals are not the only fallacies the authors scrutinize for sophistry. The appeal to popularity is classified as “Manipulation ... designed to elicit a certain response” (Rieke et al 209). By “claiming that something is good because it is popular” arguers can stifle debate and achieve adherence (Rieke et al 208). An appeal to popularity can be “put forward in a way that pressures others into silence” (Rieke et al 209). The text infers that silence on an important matter in a deliberative setting deprives the audience of essential information. When a calculated appeal artificially silences an otherwise productive debate, the arguer submitting the appeal has compromised the integrity of the argument and hurt the decision-making process. The use of terms such as

manipulation and pressure reveal how damaging and unethical a fallacious appeal to popularity can be.

In addition to individual fallacies the text offers guidelines for detecting malicious intent within any fallacy. One such guideline is the “intent to deceive,” which the text identifies as “errors or misunderstandings that can be shown to be intentionally deceptive” (Rieke et al 214). Another guideline is “refusal to reason,” a trait characterized by those who “make a claim but refuse to give reasons in its support” (Rieke et al 216). The text offers the example of the debate to go to war with Iraq to find weapons of mass destruction. In the example the government refuses to provide all the evidence and requires a decision to be made, which is unethical (Rieke et al 216). A third guideline is the “breach of conversational cooperation” (Rieke et al 216). When a speaker inhibits “the goal of interaction” inherent to debate, they are guilty of employing a fallacy to prevent sound resolution. These guidelines are important for judgment, since any fallacy can have as its cause either unintentional miscalculation or premeditated sophistry. The chief distinction between sophistry and an innocent mistake is “innocent breaches of conversational implicature can, presumably, be repaired through further dialogue,” while sophistry could very easily prevent future dialogue (Rieke et al 217).

The Inch Text on Fallacies

The Inch, Warnick and Endres text has a fairly substantial section devoted to fallacies. Fallacy is defined as “an argument that is flawed by irrelevant or inadequate evidence, erroneous reasoning or improper expression” (Inch et al 78). The authors

advance a twofold ethical paradigm. On the one hand, “someone who commits a fallacy is not necessarily evil or ethically corrupt” (Inch et al 78). On the other hand, “intentional fallacies represent a deliberate attempt to mislead an audience into taking some action based on false information” (Inch et al 78). Fallacies of the latter order “carry important ethical implications” that are “consequentially dangerous” to argument (Inch et al 79). The text offers a discussion of Aristotle’s view on deception as support for such implications (Inch et al 79). In general however, these authors approach fallacies from the middle ground by combining the goal of critical thinking with the understanding that most fallacies are not intentional (Inch et al 78). Those who intentionally misuse argument to their advantage “are behaving unethically” (Inch et al 94). The text further grants, “some arguers... may intentionally commit a fallacy so as to persuade a listener rather than search out appropriate support for argument positions” (Inch et al 79). The authors cite as example “[omitting] part of a quotation thereby misrepresenting what a source said” (Inch et al 79). Recalling the previous chapter, the authors warned against the danger of fallacies, which “have tremendous appeal and capacity to persuade” (Inch et al 341). While the text discusses the ramifications of ethics briefly, their detailed examples time and again imply a distinct and imperative ethical component. Fallacies are broken into four groups: audience, language, grounding and faulty reasoning (Inch et al 79).

One familiar audience fallacy is *ad hominem*, where the arguer “diverts attention from the issue at hand and focuses instead on the personal character of the argument source” (Inch et al 81). The attack is characterized by irrelevance, circumvention and

indictment (Inch et al 81/82). The latter two terms suggest motivation and intent on the part of an arguer, owing these actions are generally attributed by a purposeful nature. The text cautions against assuming the worst in an ad hominem attack, citing the relevance of “questioning the qualifications of a source” (Inch et al 82). The text further qualifies that the fallacy must be distinctly “irrelevant,” such that no plausible connection can be made between the fallacious claim and the proposition up for debate (Inch et al 81).

Another audience based fallacy is ad populum, plainly meaning “to the people” (Inch et al 82). The fallacy “occurs when the substance of an argument is avoided and the advocate appeals instead to popular opinion” (Inch et al 82). Such claims are “predicated on popular beliefs and opinions rather than reasons and evidence” (Inch et al 82). The text provides three examples of arguments based solely on public opinion, one of which is the President’s approval rating has dropped, so he is doing a poor job (Inch et al 82). The text demonstrates that the claim about poor performance is unsubstantiated by the accompanying data. However, they also clearly indicate that such a claim is not malicious, but merely incomplete (Inch et al 82). This example shows readers the importance of limiting a claim to what the evidence provides. The authors do not delve into a discussion of ethics or intentional misuse of a popular appeal, but their lengthy discussion leaves few stones unturned. All three examples are plainly advanced and well detailed.

One language based fallacy is emotive language, which is “language used to express thoughts and ideas” that is “so powerful as to inhibit our capacity to exercise

critical judgment on the reasons offered in favor of the action urged” (Inch et al 87). The term is separately defined by the text: “emotive language manipulates the connotative language of words to establish a claim without proof” (Inch et al 87). Emotive language is distinctly unethical because it tempts an audience to “respond emotionally” instead of “judging the quality of the arguer’s evidence and reasoning” (Inch et al 87). The suspension of rational judgment deprives an audience of their capacity to fairly and impartially judge. The authors reveal that a slippery slope argument is commonly attached to this fallacy (Inch et al 87). Combined together these fallacies twist and distort the perception of truth sufficiently that “hard evidence and valid reasoning” need hardly be offered (Inch et al 88). The defense against this attack is critical thinking. While the authors do not address the responsibility of arguers to restrain themselves from such artifice, they imply that emotive language and slippery slope can potentially cause an ethical dilemma.

A reasoning based fallacy with ethical implications is hasty generalization, where the arguer “draws a conclusion about a class based on too few or too atypical examples” (Inch et al 91). This fallacy “fails the test of quantity” and the key to discovery of the fallacy is offering “exceptions” (Inch et al 91). This fallacy is potentially dangerous to an audience because though it supplies some evidence, the conclusion such a claim seeks is far more substantial than the evidence can support. Nothing is wrong with the evidence save its insufficiency, so testing for validity is complicated. The text does not suggest that a devious arguer may supply just enough evidence to mask the evidentiary deficit or, worse still, offer an excess of evidence for one claim to hide the lack of adequate

evidence for another claim. However, the text does cite the example of a stereotype, which may appear self-sufficient, but quickly becomes a ruinous claim when examined for exception. (Inch et al 92). The example suggests awareness of ethical considerations, but a better method of evaluation would be useful for treating this fallacy.

A second reasoning fallacy in need of discussion is slippery slope. The text describes the fallacy as “[assuming], without evidence, that a given event is the first in a series of steps that will lead inevitably to some outcome” (Inch et al 93). The fallacy is separately described as “a domino effect” where one event sets off “a series of subsequent developments” (Inch et al 93). Such an assumption in argument constitutes a fallacy because “no support is given that the subsequent events will occur” (Inch et al 93). The authors claim “the slippery slope argument is rarely accompanied by any evidence,” which the text does not elaborate upon (Inch et al 94). According to the text this means that the fallacy is generally relatively easy to detect if audience members retain their faculty of scrutiny. However, the text neglects to mention that malicious arguers can employ this fallacy for the purpose of ending the reasoning process, by arousing the fears and prejudices of an audience. Slippery slope naturally gravitates to our prejudices because it is there where rational deliberation will most likely be suspended in favor of a priori judgment. However, the text approaches slippery slope from a logical perspective and, in this case, implies very little about ethics.

A grounding fallacy with visible ethical implications is begging the question, which “[depends on] premises whose truth is assumed rather than established” (Inch et al

89). Complications from this fallacy arise when a claim is substituted for evidence or an utterly unverifiable “stipulation” is advanced (Inch et al 89). The authors suggest in either case the audience is not capable of arriving at sound judgment because no valid support exists for them to weigh against the claim. The text cites the example of an argument from authority, where the audience is asked to accept an argument because they cannot doubt the word of the arguers. This example reveals the ethical component, since arguers can deliberately infuse circularity into their arguments and subsequently demand to receive judgment. While a prudent audience might not acquiesce and respond favorably, an audience member deprived of some measure of his or her deliberative faculty might very well be at the mercy of a deceitful arguer.

The Herrick Text on Fallacies

The final text is Herrick’s, which makes extensive use of supporting examples to expand upon the definition of many fallacies. Herrick ascribes multiple meanings to the term fallacy, though the most prominent definition is “an argument that is formally invalid or one that is flawed seriously in some other way” (Herrick 244). The Herrick text offers an ethical paradigm that “some unscrupulous advocates use legitimate and useful argumentative approaches to mislead an audience,” so participants of argument should “ask critical questions of approaches that can be misused in debate” (Herrick 244). However, that paradigm is seldom applied to the actual treatment of individual fallacies. Instead, several broad categories of fallacy are identified within the text, including faulty assumption, fallacies directed to the person, case presentation, suggestion and faulty

appeals. The Herrick text treats the fallacy categories systematically and neutrally, making few assumptions about the ethical intentions of the arguer who employs any of the fallacies. In consequence, the discussion of fallacies focuses predominantly on the identification of fallacious arguments and their logical treatment within the context of argumentation.

Ad hominem is uniquely characterized by Herrick, being labeled with the additional descriptor “abusive” (Herrick 246). Abusive ad hominem is defined as “an intentional effort to damage the opponent’s character or reputation, or consists of name-calling and labeling” (Herrick 246). An example offered by the text is calling an opponent a “feminazi” or a “racist” to avoid responding their arguments (Herrick 247). Use of terms like abusive and intentional plainly reveals the author’s disparaging view of ad hominem attacks. A related fallacy is poisoning the well, which is “dismissing an individual as qualified to speak on a topic based on some accident of circumstance” (Herrick 247). Both forms of the fallacy dismiss valid argument with unrelated judgment about some facet or quality of character.

Fallacies of accuracy can lead audiences astray. Herrick conditions arguers to retain awareness of summarizing opposing arguments, lets them unconsciously characterize an argument in an untrue light (Herrick 247). The author cites the rule of charity, which is “the obligation to try to restate an opponent’s case fairly” (Herrick 247). The straw man argument is cited as a direct violation of the rule of charity, since it “[responds] to a weakened version of another’s case” (Herrick 247). The treatment of

fallacies of accuracy is typical of the Herrick text, which consistently applies broad rules for the treatment of fallacies with accompanying examples and a plain method of evaluating the rules.

A series of fallacies are identified that distract an audience from the merits of a proposition. One example is the majoring on minors fallacy, which “focuses attention on a minor or inconsequential point” (Herrick 248). This fallacy allows “weaknesses in a case [to be] hidden by drawing attention away from the central issue” (Herrick 248). Another fallacy is ridicule, which “discredit[s] an idea by claiming it is laughable” (Herrick 249). Herrick points to the “social basis” of ridicule, which uses social expectations to correct “violations” (Herrick 249). A third is the fallacy of exaggeration, where an aspect of a proposition is blown out of reasonable proportion (Herrick 248). These three fallacies share a common root. Each manipulates the audience into making a premature judgment about a proposition, which is in turn used to pressure the opposition. This is highly unethical, as the author notes, but the text does not provide a method for evaluating whether or not one of these three fallacies is unethical.

The fallacies of arrangement and selection also manipulate the audience, by presenting them with a distorted picture of the nature of the proposition. The arrangement fallacy “creates an impression” by maneuvering the evidence strategically, perhaps with emphasis or by amplifying a useful item (Herrick 253). The selection fallacy relies upon “presenting only some of the elements from a set of evidence” (Herrick 252). In each case the evidence is significantly altered, so that not only are certain traits unnaturally

emphasized but the audience is not capable of recognizing the original contours of the argument. Nothing specific is mentioned about ethics in the treatment of this fallacy, though other texts have treated arrangement as a fallacy with ethical implications.

Herrick places fallacious appeals within their own division, signifying their character as distinct from reason (Herrick 254). An appeal “is a persuasive approach directed to the emotions or to deeply held loyalties and commitments” (Herrick 254). One genre of fallacious appeals takes advantage of human emotions, such as fear, pity and anger (Herrick 255). These appeals share a subversion of the processes and faculties of reason in exchange for an emotional response. For example, pity appeals rely on compassion for helplessness or threatening situations (Herrick 255). These appeals are unethical when they obstruct the audience from arriving at a reasonable and well thought-out conclusion. The other kind of appeal, namely to authority, uses different means to achieve the same ends. An appeal to authority shuts off debate in exchange for acknowledging the credibility of the person attested as the decision-maker or decision-influencer. The textual introduction to fallacies does identify any fallacy that preempts discussion or threatens the integrity of dialogue as potentially unethical, but this understanding is not connected into the individual analysis of many fallacies of appeal.

In summation, a treatment of fallacies contributes to the ethical foundation of argument. A fallacy that manipulates an audience, an argument or an individual in an intentional and unjust fashion is unethical. The treatment of fallacies differs in each text. Some texts devote a long chapter to fallacies, others a slim few pages. Some texts offer

an ethical paradigm and detailed examples, while others barely outline the most general overview of ethical violations resulting from fallacies. The selection of fallacies with ethical connotations across texts varies substantially as well, depending upon the perspective and focus of each individual text. What remains clear is that many fallacies contain an ethical component requiring thoughtful treatment and some texts were more inclined to grant such treatment than others.

¹ Informal fallacies differ from formal logical fallacies. The latter correct errors due to improper argument form. The formal fallacy of the maldistributed middle for instance is a failure to properly distribute the middle term in a categorical syllogism. The result invalidates the conclusion because the major premise and the minor premise “intersect” incorrectly, which is a direct result of improper distribution of the middle term (Beardsley 62/67). The only conclusion one can draw from a fallacy of the maldistributed middle is that it is inconclusive. Furthermore, a categorical syllogism can be correctly or incorrectly distributed without suggesting anything about the ethics of the premises or the conclusion, since formal logic only affirms or disconfirms a relationship among premises. Therefore, in this study formal logical fallacies will be excluded from a treatment of the ethics of fallacies.

Chapter 5: Five Textual Themes, Three Ethical Paths, Conclusion

How many legs does a dog have if you call the tail a leg? Four. Calling a tail a leg doesn't make it a leg. Abraham Lincoln

Having treated the subjects of ethics and fallacies in the texts as they relate to argumentation, I will now proceed to interpret and explain evidence from preceding chapters. In offering an interpretation I adopt the general outlook that an ethic sufficient for the needs of argumentation should uphold ethical concepts inherent to the practice of argument and the rules that emerge from those concepts. The presupposition for such an outlook is that a concept is unreliable until proven, instead of being acceptable until disproven. Upholding ethical concepts and related rules entails distinguishing between just and unjust action, particularly by distinguishing the one from the other. Upholding ethical concepts and related rules demands the application of strong, understandable support in a rational and consistent fashion. Upholding ethical concepts and related rules necessitates a proper understanding of the burden of proof required of ethical claims within a diverse thinking, multicultural world. Finally, a legitimate ethic should recognize the human expectation, as my fourth presupposition outlines, that human dignity and relationships are antecedent to the practice of argumentation; argumentation is a creation for people, not people for argumentation. My interpretation of the evidence and corresponding conclusions are grounded in just such a worldview. The chapter is divided into three supporting sections.

The first section of the chapter revolves around the interpretation of five general themes or trends that emerge from the argumentation texts. 1) The texts differ significantly in their approach of ethics in argumentation. 2) Some texts treat fallacies in

part within an ethical context, while others do not. 3) Some texts advance claims related to ethics without offering substantial support at all. 4) Some texts advance claims related to ethics with unreasonable arguments or inadequate support. 5) Texts that devote a chapter or significant space for a discussion of ethics on the whole offer more support, reasons and methods for evaluating concepts than those texts that do not.

The second section offers one possible account for the widespread presence in the texts of ethical claims without sufficient corresponding support: many texts mistakenly presume that the burden of proof shields ethical claims from accountability. The argument hinges upon presumption of the burden of proof held by many of the texts and juxtaposes the presumption based on an assumed authorial credibility against reasonable presumption based on logical grounds. After clarifying the proper need of proving ethical claims, I offer three possible sources for introducing a supporting ethical framework. Each source is treated within the context of offering palpable support for accepting ethical claims.

The third section of the chapter examines a few limitations of the study, speculates on possibilities for further inquiry and closes the work. Limitations orbit two elements of the study: the world of the collected texts and the world of my presuppositions. I examine a few features characteristic from the selection of texts that could impact this study, such as changes to the content of a text across multiple editions. I revisit the presuppositions that encompass my argumentative worldview. I also offer two suggestions for further research, which could influence the conclusions. One suggestion

is that the presuppositions used in each text as the basis for making claims should be more thoroughly investigated. Another suggestion is that it might prove useful to investigate how students perceive the ethical claims in the texts within the larger context of the classroom.

The following two tables offer a broad overview of the results by text from chapters three and four. Both tables will help readers to obtain a general sense of the competency of each text. It should be noted that each text contains individual components that score contrary to the general tables; the tables represent the broadest possible estimation of the quality of each text. The first table evaluates the general treatment of argumentation ethics by each text, which roughly corresponds with the results from chapter three. The second table evaluates the treatment of fallacies in part within an ethical context, which roughly corresponds with the results from chapter four.

Table 1: General treatment of argumentation ethics

Author(s)	Chapter/section on ethics	Support for ethical claims
Herrick	Yes	Yes
Hollihan and Baaske	No	No
Inch, Warnick and Endres	Yes	Yes
Makau and Marty	Yes	Yes
Rieke, Sillars and Peterson	No	Yes
Rottenberg and Winchell	No	No
Rybacki and Rybacki	Yes	Yes
Ziegelmueller and Kay	No	No

Table 2: Treatment of fallacies within an ethical context

Author(s)	Use of an ethical context	Overview addresses ethics
Herrick	No	Yes
Hollihan and Baaske	No	No
Inch, Warnick and Endres	Yes	Yes
Makau and Marty	No	No
Rieke, Sillars and Peterson	Yes	Yes
Rottenberg and Winchell	No	No
Rybacki and Rybacki	Yes	Yes
Ziegelmueller and Kay	No	No

The First Theme: Texts Differ Significantly in their Approach to Ethics in Argumentation

Analysis reveals that the texts differ significantly in their approach to ethics in argumentation. Each text makes use of a central theme to link individual argumentation components together into a system of argumentation, which includes the component of argumentation ethics. Some texts approach their central argumentation theme by addressing the specific needs of “students and teachers” of argument, such as the Rottenberg and Winchell text (v). Others, such as the Hollihan and Baaske text, use the theme of arguers in the marketplace. Some place emphasis on the bedrock of argumentation itself, such as the Inch, Warnick and Endres and Herrick texts. The Makau and Marty text uses the theme of unconventional argumentation. As you can see there is quite a bit of variety when it comes to selecting a central theme for argumentation. While these texts cover many of the same categories, such as the treatment of fallacies, they

offer divergent approaches to the coverage of argumentation ethics. As succeeding paragraphs will establish, no one textual theme appears to afford a superior treatment of ethics over any other, either in a general coverage of argumentation ethics or on the specific treatment of fallacies as it pertains to argumentation ethics. Rather, the problem is incorrect or weak application of central themes in various texts, not the themes themselves.

The central theme the Rottenberg and Winchell text claims is a pragmatic look at argumentation for teachers and students of argument. Rationalizing that “the subject matter of argument can be found in every human activity,” the authors have designed a text that they claim appeals to a wide range of interests and disciplines from a “practical” standpoint (Rottenberg and Winchell v, vi). The text approaches argumentation subjects largely from a conceptual viewpoint by implementing “rules of argument” (6). As the authors put it, “Good arguers, do, in fact, know and follow rules” (Rottenberg and Winchell 6). However, in contrast from other texts in my study this one grounds its instruction in a variety of corresponding documents, as opposed to providing more detailed textual support and examples as a basis for discussing ethics in a systematic way. The text portrays ethical argumentation as an essential function, yet it does not inculcate even the most meager impression of ethics in its treatment of any argumentation concepts. Analysis from preceding chapters demonstrates that there is no section of the text devoted to ethics. Moreover in its treatment of argumentation the text hints at ethical conflicts, but does not engage them directly. In an example supporting this point, the text describes an arguer as “profoundly unethical,” “guilty” and disrespectful if he or she lies

or deceives, yet there is no attempt to justify such descriptions with evidence (Rottenberg and Winchell 14). The lack of support for claims about ethics is compounded by the lack of anything beyond the most cursory discussion of ethics as a subject. Most troubling of all, the text frequently uses success as a standard for argumentative competence, and regularly employs an aggressive vocabulary of domination. Analysis from previous chapters identifies terms such as triumph, dominating, success and others within the text, which the authors use to characterize various processes of argumentation. A careful critic can not help but question the value of such terms as a subtle textual theme, since winning becomes one lonely half of the equation; losing is the unspoken other half. The combination of a dominating vocabulary and a limited sense of ethical argumentation make for a disappointing framework. It is at times difficult to distinguish between the central theme of practicality and the covert theme of success, yet it is a lack of evidence and connections rather than the theme that appears to be at fault.

The Inch, Warnick and Endres text (hereafter referred to as the “Inch text”) and Ziegelmueeller and Kay text propose as their central theme to treat argumentation as a system. The texts both classify forms, processes and avenues of argument, and claim to rely on the latest research. The Inch text is influenced by “culturally diverse practices” and is the only text that explicitly claims to advance an “ethical framework” (xi). Ziegelmueeller and Kay claim as their “goal” to provide “current thinking on argumentation theory,” which reinforces their perspective that “argumentation [is] a learning and justificatory process” (viii, vii). Both texts to a great extent adhere faithfully to their central theme, but the Inch text succeeds in addressing ethical argumentation as a

system and even connects the theme to some individual fallacies. Preceding chapters outline a variety of instances where the Inch text utilizes examples that include an ethical dimension. One such instance typical of the Inch text is where ethics is addressed as part of a larger discussion of humanity. The text relates ethics to “strengthening the individual,” an ethical tenet that fosters free choice to “help [decision-makers] become better people in their community” (Inch et al 336). Another typical example is where the Inch text addresses “intentional or unintentional [deception]” within the context of the slippery-slope fallacy; the fallacy is used to emphasize the importance of the audience as judges, which I discuss in greater detail in the previous chapter (Inch et al 95). The technique in the Inch text of coupling an ethical situation with the treatment of a fallacy retains the reader’s awareness of the blending of the two concepts, which provides students with a basis to judge the merits of related ethical violations. The Ziegelmueller and Kay text on the other hand does not achieve either within the framework of its central theme. The discussion of fallacies for example does not offer a single mention of ethics, while the general discussion of ethics is divided into proper data collection and principles for advancing an ethical argument. In the general discussion chapter analysis reveals how Ziegelmueller and Kay offer a series of wide-ranging prohibitions for generic argumentative situations and data collection, which are utterly lacking in support, example or substantial detail. One illustration of their ineffective technique occurs where they claim that all fabrication of evidence will in all probability eventually be detected, which they neither reinforce with support nor link back to their central theme of argument as a system (Ziegelmueller and Kay 74). The text establishes a ludicrously high threshold

for the supposed scrutiny of argumentation evidence: “the very nature of our processes of inquiry and advocacy makes it unlikely that distorted data will go undetected for very long” (Ziegelmüller and Kay 74). The frequency of argumentative situations where evidence is offered and the amount of effort required to carefully check every piece of evidence that we as decision-makers are offered makes this reasoning hard to believe. The only argument situation I can imagine where the text’s threshold for scrutiny are practically met is US national politics, where an army of doggedly fastidious journalists vet every word uttered in Washington D.C. Suffice to say, both texts use a very similar central argumentation theme, but its application is more successful in one text than another.

The Hollihan and Baaske, Rybacki and Rybacki and Herrick texts all purport an essentially unified central argumentation theme; they each propose to systematically teach students the basics of argumentation. The Herrick text offers a detailed explanation of argumentation ethics, which I outline in previous chapters. The other two texts do not offer a thorough explanation of argumentation ethics, principally because they allocate such minimal space for its discussion. These two texts offer claims, but they do not teach by supporting those claims with solid evidence and detailed, sound reasoning. The Hollihan and Baaske text does identify one role of the student as a creator of ethical argument. However, the text does not concretely link the sub-theme of creating ethical arguments to the larger theme of teaching students; there simply is no detailed explanation about creating ethical arguments. The text treats ethics in fewer than two pages, of which more than half is devoted to discussing the “motive and means” of

arguers (Hollihan and Baaske 10). Hollihan and Baaske briefly describes Brockriede's proposal that arguers should take risks on behalf of others, which the text uses as the basis for advocating that students "argue with a sense of genuineness and conviction that demonstrates argumentative integrity" (11). However, the problem is that not only is their explanation of Brockriede insufficient to warrant demanding genuineness, but the text goes on to make claims about the "interests" of audience and the argumentative marketplace. Brockriede does not make arguments about the argumentative marketplace. Moreover, the evidence the text offers from his work does not support the claim that "ethical arguers do not try to get people to do things that work against those people's best interests" (Hollihan and Baaske 11). These claims stand undefined and unsupported, so there is little basis for connecting them with the central theme of the text. As I state earlier, to claim is not to teach. The text even claims students should "set high standards ... as an arguer in an ethical and positive manner," which is disconnected from the Brockriede evidence the text actually provides in support of argumentation ethics (Hollihan and Baaske 11). The Rybacki and Rybacki text is similar to the Ziegelmueller and Kay text; it dispenses an ethical standard for students of argument without teaching about that standard. The Rybacki text does classify ethics as a system; it discusses different bases for creating an ethic and several perspectives on ethics (14-16). The text offers a wider variety of evidentiary sources, including from the ethicist Johannesen and the feminist McLaren (15). On occasion regarding ethics the text will unilaterally declare -- it dictates by fiat -- by defining concepts without including a corresponding explanation and offering regulations without evidentiary reference. Take the explanation

of efficiency for example, which the text proposes as part of a standard of ethics. The text implies that ineffective or inadequate support for an argument is unethical: “An ethical arguer uses sound reasoning in the form of logically sufficient arguments supported by facts and expert opinion” (Rybacki and Rybacki 18). Unsupported arguments are unsound, but the text provides no basis for classifying an unsupported argument as unethical. The lack of proper explanation forces the student to rely only upon the authority of the text to interpret why presenting inadequate evidence is unethical. The same paragraph that demands “facts and expert opinion” for all arguments exists in an acute state of evidentiary atrophy; one source is visible in the entire section on efficiency, and none in the paragraph on the ethical requirement for sound evidence (Rybacki and Rybacki 18). Instances such as these are inconsistent with the central theme of the text, though the problem is a lack of support and not the theme itself.

Continuing the comparison of the three texts, the Herrick text successfully adheres to a central theme of systematically teaching argumentation. The text employs evidence and good reasoning, with frequency, into a modest set of claims regarding argumentation ethics. One clear instance of the disparity between texts is the application of evidence from Johannesen by both the Rybackis’ and the Herrick texts. My analysis reveals that the Herrick text establishes a detailed explanation of Johannesen’s communication ethic from page 52 through 54, which successively develops the basis for establishing an argumentation ethic with frequent quotations from the body of Johannesen’s text. The systematic and clearly justified foundation the Herrick text supplies stands in stark contrast to the Rybacki text, which supports its ethical claims

with a single quotation from the first page of Johannesen to remind students that our arguments impact other people (Rybacki and Rybacki 18). Herrick uses Johannesen to edify readers and help them make an independent decision about the merit of argumentation ethics; the Rybackis' use Johannesen's name as authority for their own arguments, forcing readers to pass judgment without understanding the true contribution of Johannesen to ethics. In terms of systematically treating and teaching argumentation concepts the Herrick text demonstrates the level of support required to truly adhere to its central theme. In contrasting the use of Johannesen by the Herrick and Rybacki texts a critic immediately recognizes the difference between using a source as a genuine basis for support and casually padding credibility by including a reference of a renowned ethicist in the introduction. The Herrick text successfully immerses a discussion of ethics into the textual theme of teaching students. The Hollihan and Baaske and Rybacki texts unsuccessfully pursue the same path, which shows that depending on mere assertion of the argumentation theme alone is not advantageous for a discussion of argumentation ethics.

The Makau and Marty text is a self-labeled progressive text that emphasizes as its central theme solidarity and harmonious argumentation, where the chief consequence of the process of argumentation is to bring opposing factions closer together. Their text proposes to offer "an alternative to traditional models" that emphasizes unconventional viewpoints, critical thinking, cooperative argumentation and community (Makau and Marty viii, ix, xi). My analysis reveals an extensive model of argumentation ethics, which offers a variety of competing ethical standpoints from which to grant adherence to ethical

argumentation. The text offers an excellent account of viewpoints and the importance of noting our own perspective, which puts forward a large contribution to ethics because it encourages examining the perspective of others. The concepts of non-defensive argument and balanced partiality are equally refreshing, offering an alternative to the traditional model of success. The Makau and Marty text does not posit success as a main reason for utilizing key concepts, which is used as grounds for ethical argumentation by some of the texts. At the same time the Makau and Marty text by and large ignores argumentation ethics in its surprisingly conventional and conceptually tepid treatment of fallacies. One example is its treatment of straw argument, which is defined in terms of distortion without any subsequent discussion of the implications of distorting truth for the arguer (Makau and Marty 269). Another example is the textual treatment of equivocation, in which ethics is not discussed despite the likelihood that equivocation can be deliberately employed in argument to hide weakness (Makau and Marty 263). It is difficult to account for the authors' treatment of fallacies, which decries the text's espoused model and overlooks many significant ramifications of argumentation ethics. The central theme's emphasis of alternative models therefore proves decidedly useful for a general discussion of argumentation ethics, but at the same time the skeletal treatment of fallacies discredits the merit of applying the method to concrete concepts.

The Rieke, Sillars and Peterson text (hereafter referred to as the "Rieke text") grounds its central theme in classical and contemporary sources of understanding, which includes postmodern and feminist perspectives (xi, xii). The text makes wide-ranging use of outside sources and examples in support of ethical argumentation throughout the text.

This approach may perhaps be a consequence of not including a chapter on ethics, which in this instance may have encouraged the authors to more frequently support ethical claims. The Rieke text uses a variety of sources to discuss a feminist perspective of argumentation; in one instance it provides not fewer than four separate sources within a discussion of a feminist framework of ethical argumentation (51-54). The text consistently amalgamates a treatment of fallacies within the larger context of argumentation ethics, even including a unique section devoted to the unethical practice of sophism and those fallacies related to sophistry. Sophists employing fallacies are characterized as “persuaders who care nothing for truth in their fervor to get their way” (Rieke et al 207). The Rieke text connects the unethical practice of sophistry directly to the competitive component of argument, which unethical arguers apportion a higher value to than finding the truth or helping the audience. The authors imbue their treatment of fallacies with a sense of ethics, but they fall short of supplying a variety of sources in the direct examination of fallacies, unlike other sections of the text. A rhetorical critic will appreciate that the general discussion of “fallacy as sophistry” (Rieke et al 207) effectively tempers the entire discussion of fallacies, unlike several of the other texts, which present a severely abbreviated and general discussion of fallacies. The example of sophism is but one of many instances where the authors successfully imbue their central theme into a discussion of argumentation ethics.

In concluding the first section the principle conclusion drawn from observing the variety of central themes is that no one approach is inherently superior in the discussion of argumentation ethics. Separate texts utilizing the same theme, even occasionally using

similar lines of support or evidence, produced widely disparate results. My categorization of the three texts that claim to systematically teach argument is an excellent example; one text is superior, one text lacks evidence and a third misses the opportunity to make more connections to ethical argumentation. The problem with the deficient texts rests in the support, not the theme. What is equally revealing is the success of texts that approach ethics with different central themes and nonetheless establish a substantial case for ethical argumentation. The Herrick text emphasizes teaching systems of argument, while the Rieke text relies on a diversity of social and cultural perspectives in argument; both successfully treat argumentation ethics. What appears to separate excellent texts from mediocre ones is not their central theme, but their application of evidence and thoughtful reasoning to support propositions and regulations.

The Second Theme: The Treatment of Fallacies within an Ethical Context

Moving to the second theme, some texts treat fallacies in part within an ethical context, while others do not. The Inch text, Rieke text and Rybacki text each address argumentation ethics substantially in their treatment of fallacies, though none of these texts systematically incorporates a theme of argumentation ethics into the individual discussion of fallacies. These three texts do identify many individual fallacies that can be unethical in addition to being unsound, but none of the texts consistently incorporates a theme of argumentation ethics into the individual treatment of fallacies. The Herrick text employs a distinct ethical theme to its analysis of fallacies, but it seldom applies that theme to the actual treatment of fallacies. The Makau and Marty text on occasion

addresses ethical situations in the treatment of fallacies, but argumentation ethics is not applied as a visible theme. The Rottenberg and Winchell, Ziegelmüller and Kay, and Hollihan and Baaske texts do not significantly address argumentation ethics in their treatment of fallacies or significantly explore ethics as part of the discussion of motivation to employ fallacies.

The Inch text and Rieke text address argumentation ethics fairly substantively in their treatment of fallacies; they frequently advance arguments and offer reasons grounded in argumentation ethics, and sometimes provide tangible examples of ethical situations. The Inch text often establishes ethical ramifications for certain fallacies, but usually only by implication. One instance of establishing argumentation ethics by implication is where the authors caution that the fallacy of emotive language may result in an ethical dilemma (Inch et al 87). In some cases the Inch text specifically establishes an ethical connection, such as for the ad populum fallacy, where the text distinguishes between malicious argument that “avoids the issue” and arguments that “depend on public opinion” (Inch et al 83). The Inch text is teeming with examples of ethical situations. Inch also uses Aristotle as an evidentiary source, which is helpful for the discussion of deception. The Rieke text demonstrates the highest awareness of argumentation ethics in the treatment of fallacies. The chapter on fallacies includes a substantial section on sophistry, which the text categorizes as deceitful arguing. The Rieke text carries the discussion of unethical argument into the discussion of fallacies itself, such as for the begging the question fallacy, where the text introduces the ethical dilemma of assuming unproven facts in a murder trial. The text also introduces evidence

from Douglas Watson for the importance of evidence (Rieke et al 208). The Rieke text directly carries the discussion of sophistry into the appeal to pity fallacy; the text attributes some “distracting” or “irrelevant” appeals to pity as potential sophistry (211). Each fallacy discussed in the Rieke text includes some reference to an ethical situation, which is unique to the eight texts I examine. The Inch and Rieke texts therefore do a fine job of amalgamating argumentation ethics into the discussion of fallacies. If anything is insubstantial in their separate treatments it is the application of a variety of evidentiary sources. The Inch text does use Aristotle, and both texts apply detailed examples of real-life events where fallacies were employed. A greater variety of evidentiary sources could improve the strength of the ethical claims each text advances, but on the whole argumentation ethics is well represented in the treatment of fallacies by these texts.

Where the Rieke text uses example and evidence to introduce argumentation ethics, the Rybackis’ text only employs statements without evidentiary sources to identify ethical considerations regarding fallacies. What the Rybackis’ text lacks in firm support is overshadowed by the frequent use of reason and the reasonably consistent connection of many fallacies to argumentation ethics. In discussing the ad hominem fallacy for instance the text makes a case that drawing attention away from “the validity of the arguments” is “subversive” and “irrelevant,” which they hint is wrong because ad hominem fallacies constitute “attacking the personhood of either the opposing arguer or his source” (Rybacki and Rybacki 149-150). The text also creates a connection with argumentation ethics in its examination of the fallacious appeal to pity or fear. The Rybackis’ identify some piteous or fear appeals as attempts to coerce the audience, which

they illustrate with the example of McCarthyism (155). The Rybackis' text does not introduce sources for their examples, but they do make frequent connections to ethics and they support their ethical claims with reason and example. The Rybackis' text therefore does a decent job of identifying ethical considerations, despite the absence of evidentiary sources.

In general the Herrick text approaches the treatment of fallacies in a decidedly systematic fashion. The text initially connects fallacies with an ethical theme, yet the text makes little effort to expand that theme to the actual discussion of individual fallacies. The text treats the ethical component of the following common fallacies: ad hominem, pity, exaggeration and straw-man. However, Herrick offers no such connection to argumentation ethics for other fallacies, such as arrangement; apparently the "ordering of evidence" can "trivialize" an issue, however Herrick does not explain why or how such trivializing may deceive an audience or be unethical in other ways (253). This inconsistency of application might fairly be attributed to the neutrality of the text, for no text makes fewer assumptions or so consistently offers evidence for the material it covers as does the Herrick text. The lack of assumption on the part of the author, while in general an admirable quality, in this case does a disservice to the text. The unwillingness to speculate about the potential ethical consequences and implications of many fallacies dampens the capacity to make grander connections between logical error and intentional deceit. The text seems unwilling to make inferential leaps from fallacy to ethics in such cases. As an example, the Herrick text misses an opportunity to examine the ethical implications of the majoring on minors fallacy; the fallacy "draws attention away from

important [points],” says Herrick, which should be prime ground for a discussion of ambiguity and ethical implications, but Herrick makes no such attempt (248). In consequence, while the Herrick text introduces an ethical theme in the treatment of fallacies it does not make good use of it in the discussion of individual fallacies.

The Makau and Marty text sometimes attends to ethics in the treatment of fallacies, but does not account for a connection between a fallacious argument and an unethical argument in any consistent or readily apprehensible manner. If on occasion the text identifies any ethical ramifications deriving from any fallacy, those ramifications are typically treated superficially and in isolation from a general conception of fallacies. One example is the authors’ discussion of the fallacy of strawman argument. The text identifies it as wrong to mislead by strawman argument because the audience might become “hostile” if they realize they are being deceived, yet the text offers no discussion of ethics (269). Makau and Marty offer a treatment of fallacies almost entirely descriptive in nature, which is so devoid of application in general, let alone to ethical implications, that there is little evidence with which to construct a framework of ethical argumentation. The text, for example, treats the unreliable source fallacy by referring to an example from a previous chapter; they offer no analysis of the fallacy in general and there is no discussion of ethics in relation to intentionally using an unreliable source to mislead. Another example of incomplete treatment by the text is the appeal to ignorance fallacy; the text describes the fallacy as “unfairly trading on our ignorance” without discussing why doing so is unethical (Makau and Marty 272). The lack of explanation is a disservice to argumentation ethics because the text potentially qualifies itself in this instance as

committing a fallacious appeal to ignorance. In general the text treats fallacies poorly, offers few examples, provides little or no evidentiary foundation and in general omits even the slightest reference to ethics. The fallacies section is dissimilar from the rest of the text, with uncharacteristic superficiality and little tangible evidence. Furthermore, the Makau and Marty text does not offer the reader any ethical paradigm in the section on fallacies, which is astonishing given the extent to which the authors cover ethics in general earlier in the text. The text only weakly hints at the ethical implications of a few fallacies; it offers several examples for the appeal to prejudice fallacy, which the text uses to characterize prejudicial appeals as “dangerous” or as a form of argument that “harms” the process of adherence (Makau & Marty 272), without explaining precisely how or why appeals are ethically dangerous. In sum, Makau and Marty do not delve into the implications of argumentation ethics for a treatment of fallacies as consistently or thoroughly as they might have done.

The Rottenberg and Winchell, Ziegelmueeller and Kay, and Hollihan and Baaske texts offer an insubstantial explanation of argumentation ethics in the treatment of fallacies. My analysis reveals that the texts do not make use of outside sources to support an understanding of fallacies, nor do they offer textual references to materials discussed elsewhere in the chapters. The Hollihan and Baaske text identifies unacceptable forms of argument, but without introducing an argumentation ethic. One instance is where the Hollihan and Baaske text defines obfuscation, which the text attributes to kindness or trickiness, but not as wrong (128). The most common interpretation of the term tricky in this context is a person who is clever or shrewd, which may not agree with the authors’

interpretation. However, in the end it makes no difference because the text never bothers to explain what kindness or tricky means or how one should approach a kind or tricky argument. In the case of the Rottenberg and Winchell text, the discussion of fallacies is so truncated it offers little clarity and no ethical implications. The appeal to authority fallacy for instance is given five lines of treatment and lacks any examples, evidence or analysis (286). The Rottenberg and Winchell text never explains the operation, detection or response to the great majority of fallacies, which defeats the purpose of identifying them in the first place. Furthermore, the text does not link fallacies to ethical argumentation. The Ziegelmueller and Kay text offers a short evaluative critique of the nature of fallacies, but within the individual criticism of fallacies argumentation ethics is not frequently broached. Instead, when the text advances a context outside the sphere of describing logical fallacies, that context is “human experience” (Ziegelmueller & Kay 139). Ergo, argumentation ethics is insubstantially explained and not discussed as a theme.

None of the three texts offering an insubstantial discussion of argumentation ethics within the treatment of fallacies makes a serious attempt to identify ethical violations. Take the ad hominem fallacy for example, which is readily identifiable as a fallacy laden with potential for an ethical violation. The Rottenberg and Winchell text describes an ad hominem attack as a “strategy of diversion,” which compels the reader to decide when and how diversion is unethical (289). Leaving the term diversion undefined in the text opens up the possibility of real criticism, since argument by its very nature emphasizes some points at the expense of others. There simply is no basis for

distinguishing between diversion and emphasis. The overall lack of discussion of unethical ad hominem is even more astonishing because the text joins others, such as the Rybackis' and Inch texts, in recognizing a legitimate assailment of character. Far from exploring the ethical implications of ad hominem Rottenberg and Winchell merely remind students that not all ad hominem attacks constitute a fallacy, and caution students against hasty judgment after a verbal attack (289). The ZiegelmueLLer and Kay text deploys a similar argument, calling an ad hominem attack a strategy of misdirection or diversion (143). The text does not describe such attacks as unethical, instead characterizing ad hominem as illegitimate and "never justified" (ZiegelmueLLer and Kay 143). There is firm ground for questioning the "never justified" statement, since elsewhere the text describes arguers with an internal inconsistency in their argument as "guilty of careless thinking" (ZiegelmueLLer and Kay 81). The reader must decide whether "never justified" is a violation of a rule of argument or a violation of ethical argumentation, which is why the text should explain and support each claim. The Hollihan and Baaske text largely ignores argumentation ethics in its treatment of fallacies. Perhaps the most noteworthy fallacy in that text is ambiguity; in an example for the fallacy a person who hides his true claim within ambiguity is identified as "guilty," but the text never explains what the guilt stems from or why ambiguity might be morally wrong (Hollihan and Baaske 129). Guilt is a term clearly laden with ethical implications, yet the text does not elaborate, offer examples, provide evidence or make connections. My analysis of the discussion of other fallacies reveals other similar situations where the text leaves the perceptive reader to determine what connection, if any, exists between a

fallacy and argumentation ethics. As far as fallacies go, the Hollihan and Baaske text exemplifies training instead of teaching: most fallacy categories are literally two to three sentence explanations, without any supporting materials. It is uncertain why these texts forgo crafting lengthier explanations and offering more substantial support, but the absence of both suggests the texts are not concerned with engaging issues in ethical argumentation as they relate to a discussion of fallacies.

The Rottenberg and Winchell text is particularly devoid of links between the treatment of fallacies and argumentation ethics. The discussion in the text of the ad populum fallacy is an excellent example of the absence of meaningful connections, since a majority of the texts connect this fallacy with the possibility of some ethical violation. The text defines the ad populum fallacy as “an appeal to the prejudices of the audience” of which arguers can be found “guilty,” without offering any corresponding explanation or support to substantiate their definition (Rottenberg and Winchell 293). The authors offer the example of patriotism, “which may allow arguers to omit evidence the audience needs for proper evaluation of the claim” (Rottenberg and Winchell 293). Oddly enough, the explanation for categorizing ad populum as fallacious is purely logical in nature. An appeal to prejudice is invalid because it prevents “proper evaluation of the claim” but nothing is said about the wrongness of manipulating an audience (Rottenberg and Winchell 293). Appeals to popularity do not belong exclusively to the category of logical failure as the preceding statement implies. The text itself vaguely hints that this fallacy is more than a failure of logic: “[Arguers] assume that their claim can be adequately defended without further need of support if they emphasize a belief or attitude that the

audience shares with them” (Rottenberg and Winchell 293). The previous quotation demonstrates that arguers are consciously associating with the values of the audience, which is a clear departure from scrutinizing the logical soundness of an argument. While there are doubtless a handful of arguers who make genuine, misplaced appeals to like beliefs, it is far more likely that these arguers intentionally appeal to shared values as a means to gain adherence on that basis. The text does not introduce the possibility of manipulation or delve into the realm of argumentation ethics in this instance, which is in fact typical of its treatment of fallacies.

The Third Theme: Advancing Claims Related to Ethics without Substantial Support

Moving to the third emerging textual theme, some texts advance claims related to ethics without offering substantial support at all. The presuppositions and fallacies chapters each establish the requirement for arguers to secure each claim with some form of support. We need not stand on the account of those chapters alone; each of the argumentation texts advances an independent assertion about the importance of evidence in argument. The Inch text comments on the essential components of any argument; “[Of the six parts of argument] three are the most important: claim, evidence and warrant. These three must appear in every argument” (40). The Rieke text questions the merit of free-standing claims; “Assertions are not usually considered good arguments” (119). Rybacki and Rybacki connect evidence with judgment; “Because evidence is vital in establishing claims, it is at the nexus of effective argument” (118). Rottenberg and Winchell open their chapter on support with the following; “All the claims you make –

whether of fact, of value, or of policy – must be supported” (157). Makau and Marty endorse the importance of support to decision making:

Without adequate research, an advocate will not be able to provide support for his or her controversial claims, and decision makers will be unable to make effective assessments of a claim’s accuracy, acceptability, validity or truth (132-133).

Ziegelmueller and Kay comment on the vital importance of data; “To be analytically sound, arguments must be built on satisfactory data” (38). They separately state, “Data are the starting points of argument, the substance from which we reason” (Ziegelmueller and Kay 47). Herrick writes of support:

Arguments are expected when an assertion requires reasoned support. Sometimes we have a sense that a statement must have reasons to support it, that most reasonable people in most contexts would not accept it uncritically (27).

Herrick separately states, “Once that support is presented, we have an argument – writing or speaking characterized by reasons advanced to support a conclusion” (27). Hollihan and Baaske state, “All evidence acts as the premise or starting point of a claim” (94). Each of the eight texts underscores the indispensable role of evidence as the basis both for advancing arguments and accepting the arguments advanced by others. It is therefore surprising that many claims essential to a proper understanding of argumentation ethics or the operation of restrictions prompted by argumentation ethics lack any significant corresponding evidence.

The Hollihan and Baaske and Ziegelmueller and Kay texts both advance arguments without substantial support that individuals should be open to ideas. Hollihan

and Baaske argue on page eleven that all ideas in an argument should be considered by ethical arguers, while Ziegelmueller and Kay on page thirteen maintain that arguers should explore a variety of ethical systems. I am very sympathetic to such claims, but surely the texts could supply a variety of good reasons, examples and sources that prove the value of inquiry. Anyone who knowingly or unknowingly adheres to an agenda, who has the answer and is seeking the best manner to phrase the question, may not be receptive to the full force of this claim. It is one thing to agree to openness and another to practice it. A great body of support would fill out the case for inquiry and provide genuine reasons for doing so.

The texts offer additional claims without substantial support. My analysis in previous chapters reveals that the Rottenberg and Winchell, Ziegelmueller and Kay, and Inch texts all contend that arguers and audiences are ethically responsible to examine the evidence they advance or receive. While each provides some logical reasons for scrutinizing evidence, none of the texts makes a compelling case for the ethical obligation to scrutinize evidence because they offer no applicable support. The Inch text offers no support for the claim of scrutiny at all. Rottenberg and Winchell rest their case for examining all evidence on the argument from consequence; the text warns that “partial knowledge” could result in the rejection of a claim (174). Ziegelmueller and Kay use an appeal to authority on page thirteen by listing various organizations with ethical codes; no evidence is offered to support the requirement for examining all evidence. None of these bits of support justify their case or establish the genuine nature of our ethical obligation to test evidence. Perhaps the authors did not feel the two claims to be separate

in nature or perhaps the evidence for one establishes the other. I for one am not convinced, for in my presuppositions and fallacies chapters I establish the importance of evidence and the case for ethical argumentation with separate proofs and separate motivations.

The Inch text could benefit from a broader examination of the relationship between audiences and advocates. The text claims that ethical arguers should respect their audiences, but does not demonstrate the value of respecting persons from the perspective of the arguer. The Inch text argues that arguments are “transactions” by their nature, which when properly made promote a healthy argumentative relationship with an audience (336). The text asks arguers to treat the audience as a “partner” and “empower” them as free decision-makers (337). The Inch text concludes:

When arguers help their audiences self-actualize by moving them towards certain culturally based ideals such as honesty, courage, compassion, generosity, fidelity, integrity, and fairness among others, they are acting ethically. Arguments should work to create opportunities for their recipients and not limit them. The recipient’s right to make free choices should be respected. Arguers should recognize that people are not objects for manipulation, but are equal participants in argumentative interactions (Inch et al 336).

The Inch text introduces Brockriede’s arguers as lovers argument as support, which firmly proves that an audience greatly benefits when advocates argue ethically (336). I do not at all disagree with the importance of respect or with treating the audience as persons, but the argument is incomplete. The text offers no explanation or support to demonstrate why it is in the best interest of the arguer to empower an audience. The text offers a variety of arguments proving that the audience will profit from selfless advocacy, without

explaining why an arguer should sacrifice self-interest for the greater good of the audience. An arguer uninterested in forming a relationship with an audience, which incidentally might very well describe the average student in an argumentation class, could reject this claim outright. The Inch text presupposes that nobody will discount the merit of a relationship with the audience, which is probably why it is not more vigorously supported. If the text expects arguers to selflessly empower audiences good reasons should be provided that demonstrate why it is in the interest of the advocate to do so. Otherwise, the text essentially asks arguers to compare their own needs with the needs of the audience, which nearly guarantees that some arguers will look after their own interests first.

In some instances texts overlook opportunities to support ethical claims. My analysis reveals for instance that the Rottenberg and Winchell text uses Hitler's advocacy of racial superiority as an example of poor argument. However, instead of examining the text with an ethical lens the authors chose an evidentiary lens. They examine Hitler's arguments for poor evidence, not for any other ethical problem. One good reason to introduce Hitler is that nobody wants to be seen to agree with the man, so the Hitler example can be used to discredit a position. However, the force of Hitler's argument was much more than his use of evidence. His delivery and sensationalism, the cult of personality surrounding him and his frequent use of appeals to fear and hatred all contribute to his rhetoric. This example of Hitler provides the perfect occasion to introduce a consideration of ethics, but the only problem Rottenberg and Winchell discuss is Hitler's faulty evidence. Several other texts, such as the Herrick and Inch texts,

rightly distinguish between faulty evidence and unethical argument, since the two are not the same thing. The Rottenberg and Winchell text not only misses an opportunity, but perhaps inadvertently misconstrues evil for error.

The Ziegelmueller and Kay text also overlook an opportunity for introducing and supporting an ethical argument. In discussing the practice of coercion on page seven the Ziegelmueller and Kay text contrasts lamentable coercion with demonstration, labeling the former as unethical and the latter as inspiring. The text implies that motive or arrangement can alter the nature of coercion, which is a clear occasion to discuss the ethical obligations that separate holding a gun on someone to get what you want from marching in the street to influence decision-making. The implication of motive on decision-making is clear, for the text describes coercion as preempting free choice and demonstration as an expression of greater freedom. However, there are underlying assumptions operating in these claims that the authors do not support or examine. The examples of coercion and demonstration both emphasize the important role of individual choice in argument and decision-making, which is an opportunity to introduce the obligations of an ethical arguer to promote free choice. Unfortunately, Ziegelmueller and Kay do not elaborate on the role of decision-making or free choice at this point in the text.

The Fourth Theme: Advancing Unreasonable Ethical Claims or Offering Poor Support

The fourth theme emerging from the texts is related to the third; some texts advance claims related to ethics with unreasonable arguments or inadequate support.

Unlike arguments without any support these arguments do establish limited reasons or supply evidence, but the claims are faulty or incomplete. Some texts attempt to make up lost ground using argument from consequence, while other texts leave weakened arguments badly in need of support.

Many texts use the consequential fear of reciprocity to motivate adherence to ill-supported claims, by threatening hostile retribution for violation of rules. The Rottenberg and Winchell text for instance describes deception as unethical using short quotations from Cicero and Toulmin as support; the supporting evidence makes it clear that unethical argument carries the “practical consequence” of failure if it is detected (14). Ziegelmueeller and Kay employ a similar stratagem of audience hostility, but without any evidence at all. In each case the quotations point to the impracticality of deception, which will turn an audience hostile. The argument is absurd because even the most hesitant liar knows some lies are never detected. Sometimes audiences want an argument to be true and allow themselves to be easily convinced, as was the case when Roman general Pompey prematurely told his troops that Julius Caesar’s army was beaten. Pompey’s troops wanted to believe that they had prevailed, so they did not test Pompey’s claim. There is also the matter of hiding lies within the truth, which makes detection much more difficult. The exaggeration by some texts of the clear perception of audiences as judges is baleful because it operates as a fear appeal; if you do not do this you will be caught and punished. Logically, if the arguer believes this claim that arguer will not tell lies. However, life and history, as with Pompey, shows that a confident or desperate liar will discover the hollow futility or naiveté of the fear appeal. What makes this claim

disastrous is that by characterizing lying as a practical issue it only remains for the arguer to hurdle that obstacle and there is little “practical” motivation within the text to be honest.

The opposing argument that honesty will solicit the consequential goodwill of the audience is equally troubling. The Hollihan and Baaske text advances a form of the argument that honesty will foster warmth and trust with the audience, without proving their case by the use of sound support. Hollihan and Baaske argue, “Treat others with respect and dignity, and we believe that the people who interact with you will treat you in the same way” (11). Other texts echo a similar view. The truth is often unpleasant, while a lie is often construed so as to be palatable. Life and death, job security, global warming, national austerity measures, and other issues are fraught with painful truths and palatable lies. The idea that an audience will warmly receive any facts set before them is farcical. Furthermore, even if we suppose it were true that audiences uniformly warm to the truth, that would not justify honesty as an ethic. The way this argument is stated honesty is not being promoted to preserve justice, but as a means to achieve a desirable end. Honesty is transformed into a manipulative mechanism, which disarms an audience by disposing it more favorably to a speaker. Such an attitude could not account for the honesty of admitting your claim lacks merit. Likewise, one could use the goodwill argument to make the case for buying votes to further a worthy cause, which reveals that promising goodwill in exchange for honesty can simply become another coercive way to get students to accept otherwise unsupported rules. We should not embrace honesty because it feels good or because people will think better of us; we embrace honesty because it

promotes justice and upholds the dignity of individuals, often at the cost of personal sacrifice. Lastly, claiming goodwill as a concomitant outcome of honesty is presumptuous and probably disingenuous. If corporations had been honest about their disreputable financial practices prior to the sub-prime bust, it is most unlikely that they would be the recipient of any goodwill from the average American. Sadly, goodwill can be attained with more than honesty; goodwill can be earned through selfless advocacy or swindled with a brazen lie. Whether it be carrot or stick, fear or warmth, the outcome is the same; inadequate support for ethical claims in these books fosters irrational expectations.

Many texts establish unsupported or poorly supported regulations. While texts in general avoid advancing manipulative regulations they nonetheless frequently require decision-makers to accept their rules with little or no supporting evidence or examples from which to make an informed decision. The Rybacki and Rybacki, and the Hollihan and Baaske texts both establish ethical criteria as claims, which while true sounding and accompanied by some support, are nonetheless insufficient. The Hollihan and Baaske text states for instance that “ethical arguers enter the argumentative marketplace with the assumption that the other persons already selling their own ideas there are persons of integrity and goodwill, persons who will be open to other ideas” (11). They offer no supporting evidence or arguments to support this claim. Common sense and personal experience alone suggest this is an unconvincing idea; everyone has been in argumentative situations where the motive of the individual is profit, not open-minded curiosity. Even assuming such reservations are not true, the text should provide some

support or examples that uphold this rule. The Rybacki and Rybacki text contains a set of four ethical criteria with accompanying statements as warrants, which lack even the most meager evidentiary support or explanation for important arguments. The text states for instance that an ethical arguer must “extend to being a competent arguer who does not waste the time of others,” which is a reasonable sounding claim (Rybacki and Rybacki 18). The text does not elaborate beyond offering this claim. In the first place it is clear that wasting time is situational and personal; an efficient argument in one situation could be too abbreviated in a different one, or an argument that wastes one individual’s time might be highly satisfying to another. It is left to the reader to determine how to apply the standard of wasting time. Furthermore, the concept of wasting time is itself vague; the link between efficiency and competency is unstated, which makes it unclear how the two concepts work together. The candid critic recognizes that the authors have not established a proof; the claim not only lacks evidence, it stands in sharp contrast to experience.

Some texts make passable use of evidence in many places, but occasionally offer readers a maxim or proverb instead of a complete argument. A maxim is a “proverb” or “greatest premise” (Chambers 643). A proverb is “a well-known” or “a common saying” that is taken for granted to be true (Chambers 855). Both terms are fundamentally the same according to Chambers. The Herrick text for example sometimes makes use of maxims, instead of advancing arguments with more substantial support. One instance taken from a previous discussion urges utilizing the “best understanding and best evidence [available] on the topic under discussion” (Herrick 50). This statement and others like it are listed as bullet-points, which distinguishes them from conventional

argument as maxims. No support is offered for the bullet-point statements themselves; they are stated as self-evident truths. A maxim is really a form of claim founded on invisible wisdom or experience; a maxim is persuasive advice for those who heed its self-evident wisdom. However, in the strictest sense a maxim is another claim and not evidence, which Chambers affirms by describing a maxim as a “premise” (643). The Rottenberg and Winchell text uses proverbs, such as the quotation by Cicero on distrusting liars (14). Rybacki and Rybacki use a series of self-created maxims to establish their fourfold ethical criteria, such as “a diligent exploration of print and media sources will yield what you need to prove your arguments” (18). The Rybackis’ claim essentially boils down to words of advice; the text offers helpful advice that in many cases should prove true. Every text utilizes maxims at one time or another. There is nothing wrong in principle with employing bits of wisdom to help make a point, but a diligent argument critic is compelled to view a maxim as a claim, or occasionally as claim and warrant that will be accepted on good faith or in accordance with personal experience. A maxim does not really fall into the category of evidence. Texts employing maxims should therefore also deploy corresponding evidence to constitute good reasons.

A critical deficiency in some of the texts is the absence of methods for evaluating concepts that would provide a means of applying ethical rules. Such means of evaluation would allow a student or critic to test an argument or analysis of an argument for conformity with an ethical rule. The Inch text for instance claims that arguers should understand the underlying “motivations” of opposing arguments and arguers, yet it does not provide a set of tools that enable a reader to examine for motive (339). If we take the

regulation of motivation seriously, an argument composed without knowledge of underlying motivations could be unethical. However, the text does not explain how a rhetor goes about acquiring this information, let alone how the possession of such knowledge conforms to a sense of ethics. Rottenberg and Winchell presuppose a variety of reasons for the use of fallacies, such as strategy or carelessness, without providing a method for evaluating motivation (269/289). It is unreasonable to describe a fallacy as unethical unless a critic can establish cause, but the same is equally true of any untreatable claim. These texts posit rules that are essentially unworkable, so the rules become arbitrary and meaningless. If understanding motivation is useful to judgment the text should provide the means to identify it. To be consistent with principles of argumentation every rule a text advances should include some form of support that provides a way to judge the soundness of the rule and implement it. A few well stated reasons, an example or a couple pieces of evidentiary support could provide what the reader needs to apply the rule in the field of argumentation.

The misappropriation of the concept of reason as evidence can on occasion be found among the texts. Texts sometimes proffer reason as unilateral support for a claim or master-key of all criticism, instead of as a faculty dependent upon situation, competency and understanding. As a result claims and criticism are occasionally supported by merely using the term reason or one of its synonyms, as if the reader using reason cannot go wrong. The Rieke text for instance oversimplifies the role of critical appraisal by failing to develop an explanation for how reason operates within criticism, such as when they define reason as “making sense” (Rieke et al 39). Reason often

becomes a kind of catch-all within the text, which when applied correctly by the reader will resolve a multitude of problems. The Herrick text also makes frequent allusions to reason and rationality. What separates the two volumes is that the Herrick text provides evidence and articulates the basis for reason at the appropriate moment, particularly with the Richard Johannesen evidence. Herrick diligently uses Johannesen to develop the basis for establishing an argumentation ethic (52-54). Inferior texts merely refer to the opaque capacity for reason, without offering substance with which to apply its faculty. The treatment of fallacies in the Rybackis' text for instance misappropriates reason when discussing the fallacy category of emotional appeals, which the authors press as the condition of disproportionate emotion in argument (154). The sound use of emotion in argument demonstrates "appropriateness and balance," yet the text does not offer a basis for implementing either requirement (Rybacki and Rybacki 155). The text additionally claims "strong appeals to emotion are no substitute for careful reasoning," which discounts their separate rule calling for "appropriateness and balance" (Rybacki and Rybacki 155). The criteria the text offer essentially portray reason and emotion as contrary methods, divisively working against one another, which is a misappropriation of the concept of reason.

The Fifth Theme: Significant Space for a Discussion of Argumentation Ethics is Valuable

Turning to the last of five identifiable textual themes, texts that devote a chapter or significant space for a discussion of ethics on the whole offer more support, reasons and methods for evaluating concepts than those texts that do not. The Inch text and Rieke

text most successfully account for ethics, with the Makau and Marty, and Herrick texts not far behind. These four texts all account for ethics in a systematic way, and all but the Makau and Marty text do a reasonable job of incorporating ethics into their treatment of fallacies. Three of these four texts has a chapter or major subsection specifically devoted to ethics. Other texts among the eight examined differ significantly. The Rybacki and Rybacki text provides some explanation of argumentation ethics, though severely abbreviated and somewhat mottled in nature. The Hollihan and Baaske, and Ziegelmuehler and Kay texts do not treat ethics systematically or sufficiently, and not surprisingly both texts devote only a few pages apiece to a discussion of argumentation ethics. The Rottenberg and Winchell text belongs in its own category as the most deficient of the company, since it makes practically no mention of argumentation ethics, let alone offering substance for criticism.

The Rieke text differs from other texts that treat ethics systematically because, though it has no chapter or section on ethics, it successfully imbues ethics into a wide variety of argumentation concepts and structures. The amalgamation of ethics into the structure of argumentation is refreshing because it suggests a truth about argumentation ethics; ethics does not belong to a strict, isolated category of its own, alongside claims, refutation, stock issues, etc. Rather, ethics permeates many aspects of argumentation and directs the efforts of rhetors and audiences alike. While compartmentalizing ethics into its own section maintains the advantage of centrality, texts that do so sometimes miss opportunities for textual application in other sections. The Rieke text successfully introduces the obligation to ethics, substantiates ethical claims with a superfluity, even

plethora of reasons and evidentiary sources, and seamlessly melds argumentation and ethics into a combined discipline.

Five of the eight texts do not devote a specific section to argumentation ethics. With the notable exception of the Rieke text, these texts as a whole fail to account for ethics, do not significantly discuss ethics in the treatment of fallacies, do not provide a variety of good reasons or evidence and in general gloss over a discussion of the serious implications of ethical and unethical argumentation. The insufficient texts either limit their discussion to a mere positing of rules, or they introduce ethical situations without substantiating the objections or remedies resting behind those situations. The deficiencies are understandable if regrettable, for the texts could not possibly cover such ground in the handful of pages they dedicate to a discussion of argumentation ethics. The Hollihan and Baaske, and Ziegelmueeller and Kay texts treat ethics so briefly, it can hardly be described as a treatment at all. The Rybackis' text shares this conundrum, though not in such a severe way. It is no surprise then that these texts offer little in the way of an account of argumentation ethics, which, one can only assume, was not a priority in these texts. The fact that these texts deploy ethical rules, albeit without much evidence, is at first glance reassuring of their attentiveness to the importance of argumentation ethics. Then again, the rules are largely unsubstantiated by argument, support or evidence, which seems out of place in texts intending to instruct students on the proper method of argument. One must therefore conclude either that ethics was unimportant to the discussion in these texts, that an editing choice led to its diminishment, or that some significant lapse of judgment led these authors to overlook the support required for their ethical claims.

This concludes my analysis of the five themes common to the texts. The predominant weakness across texts is a lack of sufficient evidence. If the principle factor for the proficient accounting of ethical argumentation is attentiveness to ethics, then the principle factor for the unproven merits of ethical argumentation found in some of these texts is insufficient evidence, and in particular, the acute insufficiency of extra-disciplinary sources. I find it improbable that the lack of sufficient evidence or absence of extra-disciplinary sources is deliberate. It is more plausible that the authors do not provide adequate evidence because they incorrectly suppose themselves to be the benefactors of presumption and exempt from the initial burden of proof. I now wish to briefly examine presumption of the burden of proof, after which I will produce possible evidentiary materials for an argumentation ethic that could constitute adequate support for ethical claims.

Three Ethical Paths: Nodding, Buber and Bonhoeffer

In *Elements of Rhetoric* Richard Whately defines presumption as “a preoccupation of the ground, as implies that it must stand good til some sufficient reason is adduced against it” (342). Whately illustrates presumptions with an example:

Thus, it is a well-known principle of the Law, that every [person] (including a prisoner brought up for trial) is to be presumed innocent [until] his [or her] guilt is established. This does not, of course, mean that we are to take for granted that he [or she] is innocent; for if that were the case [the person] should be entitled to immediate liberation: nor does it mean that [the individual] is antecedently more likely than not that he [or she] is innocent; or that the majority of these brought to trial are so. It evidently means only that the “burden of proof” lies with the accusers; that he [or she] is not to be called to prove innocence, or to be dealt with as a criminal [until she or] he has done so; but that they are required to bring

their charges against [the person], which if he [or she] can repel, he [or she] stands acquitted (343).

Whately's example establishes the nature of presumption. If presumption rests with one side of an argument, the other side is compelled to make a sufficient case for removing presumption. A position that carries presumption has the status quo on its side. Since such positions advocate no change they therefore require evidence only after a sufficient case has been presented against them.

I have five significant objections to an argumentation text claiming the benefit of presumption. In the first place only the Rieke text consistently compares opposing perspectives within the text, so it is exceedingly difficult for a reader to anticipate which arguments carry precedent. Therefore the authors should indicate each instance where they invoke a precedent. If the authors rely on precedent to complete an argument they should state and explain that precedent so that the student or critic understands why it is unnecessary to provide more detailed evidence. Second, the only other status of presumption a text may claim is deference by authority, where the presumed expertise of the authors of the text qualifies them to advance propositions from authority (Whately 347). I have clearly established textual deficiencies among the materials directly pertaining to argumentation ethics, so there is certainly ground for questioning the validity of expertise. Even excepting my reservations, granting authority to the text ultimately belongs to the jurisdiction of the audience, not the textbook authors, who are in the position to claim authority, but not to grant it on themselves. Third, in matters of argumentation each text should presume that their student audience represents a diverse

cultural and ethical background, so they cannot reasonably presume what the current beliefs of their audience will be. Not offering proof for an ethical claim on the grounds of presumption disrespects any audience members that disagree because they have no basis for evaluating the claim. Fourth, texts should adhere to their own standards for sound argument that require them to provide sufficient evidence for every claim. Not offering evidence for a claim because a speaker or writer *claims* authority is a fallacy. Offering insufficient evidence is contrary to the standards of evidence set out in each text, which I explain in much greater detail in my chapter on presuppositions. Fifth and of most significance, since each argumentation text affirms the burden of proof, the authors should adhere to that standard. Two examples are representative. The Rybacki text states, “The advocate has the responsibility of proving that the change being proposed is supported by good reasons” (32). The Hollihan and Baaske text outlines a similar standard for the burden of proof:

While all arguers have a burden to support their arguments, affirmative debaters have the burden of proof. They must prove the resolution true. This necessitates that they present and defend a *prima facie* case: a narrative which, on its first presentation, would meet the burden necessary to persuade a reasonable audience that the resolution is true (144).

In fact each text maintains an equal, if not more rigorous standard for defending claims.

As countless examples show each text advocates ethical rules and regulations ranging from honesty and civility to being careful consumers of argument. Each text therefore is advocating, with all the responsibilities that advocacy entails. For all these reasons argumentation texts should provide adequate and compelling evidence for their ethical claims. The authors of each text carry the burden of proof to set out a compelling case for

any ethical claims they make, and certainly for any ethical rules or restrictions they advance. If a text does not establish sufficient and compelling reasons for adhering to ethical claims, then these claims could be rejected by skeptical students and critics of argument. The matter of fulfilling the task of presumption in each text therefore becomes one of systematically building a case for argumentation ethics.

My analysis however reveals a distressing and contradictory fact; many texts do not systematically uphold claims about argumentation ethics with sufficient supporting materials. Texts are quick to offer propositions on ethics or on the regulation of argument, but they are not always as quick to support those claims with evidence. Instead several texts make passing reference to ethical situations and supply ethical rules to correct their hypothetical scenarios, while omitting the important discussion of facts and evidence. In essence texts sometimes relegate the subject of argumentation ethics to a de facto category of proverb; some texts create *thou shalt not's* for argument in an ad hoc and unregulated manner. As discussed earlier a proverb is “a well-known” or “a common saying” that is taken for granted to be true (Chambers 855). Many proverbs do hold a grain of truth, but I am bound to say that proverbs by themselves generally do not constitute adequate proof for a claim, particularly one in a college textbook. In consequence many regulations appear arbitrary. It is clear that something must be done to fulfill the burden of proof for claims related to argumentation ethics; the heart of the problem is that some claims about argumentation ethics should be rejected according to the standards of argument, including claims essential to the correct practice of rhetoric. These essential ethical claims should be bolstered with additional evidence. A variety of

sources could account for the deficiencies in a textbook's defense of argumentation ethics, but one clear motive underscores the problem; textbooks are not allocating sufficient resources as support for ethical claims.

I now propose to briefly explore possible sources that could constitute a supporting ethical framework. Many ethical sources can provide a fruitful supporting structure for claims advanced in argumentation texts, provided they meet a minimal standard of excellence. James Rachels provides a clear, reasonable definitional standard to guide my selection of possible evidentiary sources. A legitimate source requires an understandable explanation that justifies adherence to an ethical standard, which is true because "morality is, first and foremost, a matter of consulting reason" (Rachels 11). An ethical standard by definition places constraints on behavior. As Rachels states, "Morality is, at the very least, the effort to guide one's conduct by reason- that is, to do what there are the best reasons for doing- while giving equal weight to the interest of each individual who will be affected by what one does" (14). If an audience constrains itself without understanding why they do so, the constraint is irrational. If the audience is willfully constrained against their better judgment, as is perhaps the case when the text posits rules without sufficient corresponding evidence, the restrictions become oppressive. A textbook author must supply evidence that appeals to reason and to the genuine self-interest of the audience. Rachels separately affirms the failure of ethical claims without support, where he states: "Moral judgments require backing by reasons, and in the absence of such reasons, they are merely arbitrary" (43). The lack of reason invariably corrupts judgment by stripping away the basis for understanding, and as understanding

and free choice recede oppression can easily take its place. If a person has a firm basis for understanding, she or he may accept the claim freely and be held accountable for its restrictions. Rachels summarizes the authority of reason in each individual and how it creates genuine responsibility:

A rational being is someone who is capable of reasoning about his conduct and who freely decides what he will do, on the basis of his own conception of what is best. Because he has the capacities, a rational being is responsible for his actions (138).

Evidentiary materials are therefore critical to adherence because they encourage the freewill of each person to consider the claim and make a free judgment, which is the only means by which the choice of assuming responsibility naturally arises. Any viable evidentiary source for ethical claims will uphold Rachels' requirements.

I have selected works by three authors: Nel Nodding's *Caring: A Feminine Approach to Ethics and Moral Education*, Martin Buber's *I and Thou*, and Dietrich Bonhoeffer's *Ethics*. Each work exceeds the minimum standard set by Rachels for a viable ethic and each advances a system of ethics that would support argumentation textbooks in the formulation of ethical rules and regulations.

Nel Nodding's Ethic of Care

Nel Nodding advances an ethic of caring in which actual caring forms the basis for human relatedness and human interactions. Nodding recognizes a fundamental quality shared by all people: "As human beings we want to care and to be cared for. Caring is important in itself" (Nodding 7). She further adds, "The caring attitude that lies at the

heart of all ethical behavior is universal” (Nodding 92). In other words all humans who can behave ethically understand what it means to care and be cared for. Nodding’s ethic of caring is not a hypothetical system of rules; she creates an active ethic intended for the real world. She writes, “I want to build an ethic on caring, and I shall claim that there is a form of caring natural and accessible to all human beings” (Nodding 28). Her ethic is a compelling addition to argumentation ethics because she focuses on meeting the needs of people, not on fulfilling ethical rules: “rules cannot guide us infallibly in situations of conflict” (Nodding 55). Her ethic applies to any argumentative situation¹ where a rhetor speaks directly to an audience. Argumentation requires individuals with opposing views to interact and even critique one another, so focusing on people increases the likelihood of continuing to treat others as persons throughout the interaction. Nodding’s ethic places the focal point of interaction on the relationship between individuals in an authentic argumentative situation: “To act as one-caring, then, is to act with special regard for the particular person in a concrete situation” (Nodding 24). Her ethic of care can be applied to any situation in argumentation ethics, since all argument entails at least two parties: an advocate and an audience. Her ethic could help students of argument to envision the reality of others as an argument interaction progresses by showing deep regard for other perspectives, while continuing to show regard for themselves. Nodding does not suggest each person be separated from self, but that each caring person be simultaneously aware of their own needs and the needs of others:

I do not “put myself in the other’s shoes,” so to speak, by analyzing his reality as objective data and then asking, “How would I feel in such a situation?” On the contrary, I set aside my temptation to analyze and to

plan. I do not project; I receive the other into myself, and I see and feel with the other. I become a duality (Nodding 30).

Nodding's ethic of care comes in part from her experiences as a mother. Caring for her child helped to reveal the importance of perspective, which she describes: "Caring involves stepping out of one's own personal frame of reference into the other's" (Nodding 24). Such a perspective is invaluable to argumentation because it encourages arguers to offer arguments and criticize arguments from the perspective of one caring. Combining an ethic of caring with argumentation could result in a greater awareness of the needs of other arguers and audience members, while not compromising the needs of the advocate.

Nodding provides a tangible definition and explanation of both ethics and morality, which could function as testimonial evidence for an argumentation text. Nodding defines ethics as "the philosophical study of morality" (Nodding 26). She adds an important qualifier to her definition: "the content of the rules, and not just their mere existence, is crucial to the discussion of ethicality" (Nodding 27). In other words her definition can remind arguers and critics that each ethical rule has a purpose, which requires "the content" or substance of each rule to be carefully scrutinized and appropriately applied to each argumentative situation. Nodding defines ethical (not natural) morality as:

An "active virtue" [that] requires two feelings and not just one. The first is a sentiment of natural caring" and the second is an "I must" response manifest as "a transfer of feeling analogous to transfer of learning (79-80).

The two feelings of caring and obligation are useful because they combine duty with humanity; if accepted a student of argument will both desire and be obliged to act ethically. Nodding qualifies her definition of morality by distinguishing it from an imperative: “this *must* is not yet the moral or ethical *ought*. It is a *must* born of desire” (83). Her definition of morality is useful in treating argumentation ethics because it connects the motivation to do good deeds with the reason they should be done; morality is good for the community. Nodding affirms such a connection between motivation and reason where she writes: “genuine moral sentiment arises from an evaluation of the caring relation as good, as better than, superior to, other forms of relatedness” (Nodding 83).

One important facet of an ethic of care is the concept of ideal self, which could help argumentation texts in the formation of ethical regulations. Nodding claims each person has an ideal self, which is a result of caring interactions with others. The ideal self is inseparable connected to a larger community of selves:

The ethical self is an active relation between my actual self and a vision of my ideal self as one-caring and cared-for. It is born of the fundamental recognition of relatedness; that which connects me naturally to the other, reconnects me through the other to myself (49).

The ideal self is therefore helpful in the argumentative situation, since it discourages deception. If students of argument accept the notion of an ideal self, they will recognize that harming others to achieve success actually harms the self as well. This will offer students an additional incentive to persuade with honesty. Nodding rightly recognizes a fundamental truth about moral action; each person must desire to be moral. If a person

has no desire for self-restraint they will act with impunity, harming others and themselves:

Am I then, suggesting that the answer to the question, "Why should I behave morally?" is "Because I am or want to be a moral person"? Roughly, this is the answer and can be the only one, but I shall try to show how this interest in moral behavior arises out of a natural impulse to care. At every level, in every situation, there are decisions to be made, and we are free to affirm or reject the impulse to care. But our relatedness, our apprehension of happiness or misery in others, comes through immediately. We may reject what we feel, what we see clearly, but at the risk of separation not only from others but from our ideal selves (Nodding 50-51).

The choice to be moral rests in the hands of each individual, but the consequence of behaving immorally can be immediate harm to others and to self. Whether or not they are aware, those who act immorally in a relationship harm themselves. Therefore, as Nodding confirms, "My first and unending obligation is to meet the other as one-caring" (Nodding 17).

The concept of receiving the other into self is useful for argumentation ethics. An arguer aware of the needs of others may feel compelled to characterize their own actions in a manner that extends beyond self. The arguer aware of others will try to recognize the perspective they hold and the problem they wish to overcome. Nodding writes:

Many persons who live moral lives do not approach moral problems formally. Women, in particular, seem to approach moral problems by placing themselves as nearly as possible in concrete situations and assuming personal responsibility for the choices to be made. They define themselves in terms of caring and work their way through moral problems from the position of one-caring (8).

If both arguers add their opponent to themselves, and in doing so assume the larger responsibility of the situation, the likelihood increases that all parties will be treated ethically throughout the process and the solution will be fair. A text seeking to establish regulations for honesty and fairness could use Nodding's concept of taking the other to self as one supporting source.

One of the most appealing characteristics of Nodding's ethic of care as a possible source for an argumentation text is its practicality. Caring is at once understood and consistent with human nature; we are gregarious and we desire to be cared for. As Nodding puts it, "an ethic of caring is practical, made for this earth" (99). An ethic of care will allow arguers space to disagree, while recognizing that the purpose of argument is not to win, but to arrive at a conclusion that shows consideration to everyone. An ethic of caring will shift the focus of an argument from personal success to communal success, since selflessness is so central to Nodding's ethic. Furthermore, an ethic of caring will extend the process of argument beyond adherence, so that even after the argument is over supporting one another continues: "An ethic of caring is likely to be stricter in its judgment, but more supportive and corrective in following up its judgment" (Nodding 92). Most importantly, an ethic of care establishes a realistic threshold for meeting the standards of an ethic. Instead of an ethical regulation requiring careful research of every claim made by the opposition, as Zieglmueller and Kay demand, an ethic of caring impose the genuine restraint of selfless caring. As Nodding indicates, "Caring preserves both the group and the individual and, as we have already seen, it limits our obligation so

that it may realistically be met” (Nodding 100). Therefore, an ethic of caring is practical in many appealing ways.

Buber's I and Thou

Martin Buber's *I and Thou* offers valuable support for argumentation ethics. Buber's work distinguishes between beings and objects and identifies the relationship between beings as the starting point for all human interaction. He writes, "In the beginning is the relation" (Buber 69). Buber maintains that what defines us as human beings and distinguishes us from common animals are the relational connections we establish by encountering one another as "whole beings" (62). He further contends that our human identity is derived not by actions within our daily lives, but as we come to know others through our relationships with them. Buber states, "The life of a human does not exist merely in the sphere of goal-directed verbs. It does not exist merely as activities that have something as their object" (Buber 54). He identifies two forms of human interaction: the experience of objects and encounters with people. The former gratifies and isolates, while the latter defines humanity: "All actual life is encounter" (Buber 62). Every interaction a person has in the world will either contribute to personal experience or personal relationship: "The world of experience belongs to the basic I-It. The basic I-You establishes the world of relation" (56). In terms of defining a human being, only relationships matter. This also seems to be true of argument, since an arguer has no purpose unless an audience makes a judgment about his advocacy.

Buber could significantly reinforce the importance of treating opponents and the audience as persons. He makes it clear that human beings cannot exist in isolation, but only within relationships. A human becomes a being through genuine, reciprocal encounters with other humans: “Man becomes an I through a You” (80). Buber’s work underscores the futility of treating persons as objects. A person who manipulates an audience to get what he wants for example denies himself by treating the audience as an object. Buber explains the decay of objectification:

The man who has acquired an I and says I-It assumes a position before things but does not confront them in the current of reciprocity. He bends down to examine particulars under the objectifying magnifying glass of close scrutiny, or he uses the objectifying magnifying telescope of distant vision to arrange them as mere scenery. In his contemplation he isolates them without any feeling for the exclusive or joins them without any world of feeling (81).

It may sound as if there is no consequence to the person who objectifies, but quite the opposite is the case according to Buber. It is impossible to have “feeling” with an object, so the isolation that a person thrusts upon other beings is thrust back in return. An arguer who manipulates or deceives an audience has no relationship with them; by using or “experiencing” them the arguer forfeits any basis with which to form a relationship. The deceitful arguer is truly alone; the I in I-it becomes an it.

Buber’s concept of I-You or I-Thou could be extremely beneficial to students of argument because it will teach them the value of persons. An arguer engaging in an argument can either view the opponent and audience as persons or as objects, which is true whether or not the arguer tries to manipulate. If the arguer views an audience as objects he or she can only experience them as phenomena, even if the arguer believes he

or she fights for a good cause; it is not possible to have a relationship with an object. In fact Buber states, “Experience is remoteness from You,” which means the distinction between a connection of person and object, and person to person, is polemical (60). An arguer treating others as persons relinquishes the right to generalize the audience, and gains a relationship with each audience member. As Buber puts it, “Presence is not what is evanescent and passes, but what confronts us, enduring and waiting” (64). The arguer will be unable to experience or analyze the I-You audience as a mass, but the advocate achieves an immediate relationship and a true basis from which to deliberate. The arguer exchanges objectification for a relationship: “Whoever says You does not have something; he has nothing. But he stands in relation” (55). Any text making a case for argumentation ethics will find Buber welcome support for self-restraint and positive, guileless argument.

A text can use the knowledge of I-You to redefine the purpose of argument from achieving personal success to achieving community success. Human beings need one another to manifest their own human selves; the more a person becomes isolated the less human she or he becomes. As Buber reminds us, “in all seriousness of truth, listen: without It a human being cannot live. But whoever lives only with that is not human” (85). If a text redefines the purpose of arguing as helping the audience, doing so will encourage student of argument to be helpful. Even if a text does not alter the purpose of arguing, the use of I-You will help to support claims about honest rhetoric, accurate argument and fair criticism. Ideally speaking this might foster a greater atmosphere of mutual well-being among students of argument and reduce the competitive drive to out-

argue for the sake of out-arguing. A text might find considerable benefit in convincing students to look after one another. As Buber concludes, “relation is reciprocity” (67).

Bonhoeffer's Ethics

Dietrich Bonhoeffer's *Ethics* could edify a discussion of unethical argument because he claims to understand the “origin” of the problem of being unethical. Bonhoeffer's ethical perspective is fundamentally rooted in his Christian belief. He offers a unique ethic that he claims transcends all ethics, by shifting the ground of the discussion:

The knowledge of good and evil² seems to be the aim of all ethical reflection. The first task of Christian ethics is to invalidate this knowledge. In launching this attack on the underlying assumptions of all other ethics, Christian ethics stands so completely alone that it becomes questionable whether there is any purpose in speaking of Christian ethics at all (Bonhoeffer 21).

Bonhoeffer describes the knowledge of good and evil as part of a larger discussion of the loss of our connection with God. Losing the connection with God shifts the domain of judgment from God to humankind and it shifts the nature of human beings from harmony to conflict. The reason for disharmony and conflict is the “reversal of man's knowledge” from knowing God to “self-knowledge” (Bonhoeffer 22-23). The sum of the reversal of human nature is that we must act as judges for ourselves without complete understanding of the world in which we live. Bonhoeffer writes:

The point of decision of the specifically ethical experience is always conflict. But in conflict the judge is invoked; and the judge is the knowledge of good and evil; he is man (29-30).

Bonhoeffer places his ethic into a unique category, in which humanity is in conflict because it must judge despite being unqualified. If we accept Bonhoeffer's thesis that self-knowledge is corrupting, it will encourage rhetoricians to be more careful when offering propositions and audiences to be more careful when making judgments because they recognize their innate limitations. His evidence could be useful to texts that encourage careful deliberation and keeping an open mind, since both increase the likelihood of making a better judgment.

Bonhoeffer could also shed light on being ethical in the act of persuading. Bonhoeffer sees ethics as a concept rooted in the present: "the ethical as a theme is tied to a definite time and a definite place" (260). He adds to this theme by describing ethics as an "obligation" held in time and place (261). Therefore, being moral is situational and it is always a matter of determining the correct action for the given situation. Furthermore, he states clearly that there is no "final and infinite [ethical] choice" in which a person decides once and for all to do what is right or what is wrong (261). Rather, ethical choices present themselves periodically, are viewed situationally, and acted upon individually. Each ethical situation is judged independently. In an argumentation context this understanding of time and place could help students of argument to understand the importance of actively engaging in arguments and of viewing each argument within its own context. This might prove especially useful in the treatment of fallacies, where each fallacy must be examined individually for ethical consequence.

One of his most endearing claims is that self-restraint is a form of “humility” in which one person humbles himself for the sake of another (Bonhoeffer 262). In a Christian context this humility is “profane,” since it replaces humility towards God for humility with another, yet it is also good because it reminds humanity of the “ultimate” quality of humility (Bonhoeffer 262). In an argument context the quality of humility deserves a second glance because it might be used in a variety of ways. Bonhoeffer’s humility compliments Brockriede’s treatment of arguers as lovers, and it is consistent with the idea of valuing persons prior to argument. It also enhances a discussion of earning the trust of an audience through selfless advocacy and expands on the notion of conforming rhetorical actions to a standard of ethical conduct. Humility counters the Rottenberg and Winchell language of domination, by blunting the importance of winning in favor of building up others. There are countless applications for the evidentiary testimony from Bonhoeffer on humility.

Introducing Bonhoeffer could change the approach of many argumentation texts for the better. He rails against abstract ethical discussion, which many texts introduce in the form of hypothetical examples. Bonhoeffer writes, “Timeless and placeless ethical discourse lacks the concrete warrant which all authentic ethical discourse requires” (266). By this Bonhoeffer means that it is impossible to definitively account for an ethical situation that in fact is not situational; real world examples, scrutinized case by case, provide the only genuine medium for offering ethical judgments.

Finally, Bonhoeffer makes an excellent case for the importance of upholding warrants and the right of audiences to decide, which can be retooled by an argumentation text to encourage arguers to offer reasons and evidence. Bonhoeffer argues, “In ethical discourse what matters is not only that the contents of the assertion should be correct, but also that there should be a concrete warrant, and authorization for this assertion” (266-267). Bonhoeffer is of course arguing for the authority of ethical absolutes, but his perspective transfers well to the need for arguers to supply good reasons and sound evidence. In the chapter on presuppositions I introduce the importance of the supplying evidence and remind that it is difficult to understand the relationship between claim and evidence when the evidence is incomplete. Bonhoeffer’s argument that the warrant must be clearly understood will, in an argumentation context, act as evidence for supplying sufficient supporting materials for every claim. Additionally, Bonhoeffer’s call for authority can be utilized, in an argumentation context, as a call for the audience to make decisions. Authorization in argumentative terms is granted by decision-makers, who affirm or deny a proposition.

Limitations and Possibilities for Further Research

Moving to the third and final section of this chapter, there are at least four significant limitations to this study, three of which pertain directly to the argumentation texts themselves. The first limitation involves uncertainty orbiting the particular selection of texts for treatment. Eight volumes have been selected from among many competing texts. I might have chosen more than eight texts to examine, or I might have chosen a

different set of eight texts altogether. I conclude for instance that a significant section on ethics improves the overall quality of ethical content, which might not be true of the larger body of texts. I also conclude that most texts do not imbue ethics directly into their treatment of fallacies, which once again may not be accurate had I examined twenty argumentation texts or a different set of texts altogether. The use of these particular texts and of eight texts most probably influences the results. In contrast, however, the study might equally have improved by limiting selection to five or six texts. It is a natural human tendency to presume more is better, whether from security in quantity, curiosity or appetite, but as my research suggests many texts reveal some overlap of general content. The inclusion of too many texts may only serve to underscore the presumption that argumentation texts can be approached as a genre. It is quite possible that each text can only be properly appraised within itself, that drawing generalizations from materials with a common theme presumes space for textual comparison of amalgamated substance.

A second limitation of this study is that it makes no allowance for different editions of the same text. The Rottenberg and Winchell text for instance has only recently entered its ninth stage of edition. Six texts I examine appear in different editions, and I imagine a wider study would reveal that the bulk of argumentation texts participate in making editions. Accounting for the progression of a text through multiple editions might reveal insights about the place of argumentation ethics in each text. One edition might devote more energy to a discussion of ethics than another. An analysis of editions might reveal the evolution of an argument ethic in the text. Conversely, there is no reason to assume that a text will increase its attention to argumentation ethics as it undergoes

transformation. Devolution of argumentation ethics is as likely an outcome as any other, particularly with a growing trend of preferring truncated, technical argumentation manuals such as the Rottenberg and Winchell text. Attention to changes within a text might alter the significance of my findings, perhaps by tempering deficiencies in argumentation ethics if other editions make a stronger case or by exacerbating those findings if a neglect of ethics is habitual to the development of a text.

A third limitation of this study is that it amplifies some features of each text as the expense of many others, which creates an imperfect impression of each text. These texts were written to teach students about the foundation of argument, which requires reviewing argument structure, syllogisms, propositions, reasoning, refutation and many additional, multifarious topics. While neglecting argumentation ethics is a significant textual deficiency, one part of a text should not stand for the entirety. The Makau and Marty text for example makes an excellent case for argumentation ethics, but I was not at all impressed by their general treatment of formal logic, fallacies or refutation. Inch, Warnick and Enders made a decent case for argumentation ethics, but elsewhere they provide rich and detailed discussions of other argumentation concepts. The attention of both texts to ethics may not reflect their overall quality. This study could benefit from a comparison of the quality of ethical content and the quality of other content.

Argumentation is a system, of which ethics is but a part. The fact that one aspect of argumentation is well or poorly presented does not necessarily characterize the quality of the whole text. Then again, insufficiency in one argumentation category can impact the discussion of many others. As Saint Paul writes, “if one member suffers all the members

suffer with it; or if one member is honored, all the members rejoice with it” (I Corinthians 12:26).

A final limitation of this study, and probably the most significant, is the intersection of my presuppositions about argumentation ethics with criticism of these argumentation texts. In claiming a standard of argumentation ethics the standard is subject to criticism. As Diggs says, “both belief and action, the twin goals of persuasion, are in principle criticizable or justifiable; they are subject to rational criticism and rational defense” (363). In rational defense I endeavored to set out my reasons as often as possible and to supply corresponding evidence. I intend the chapter on presuppositions above all as a reference for my criticism of the texts in subsequent chapters. However, the fact remains that I apply a particular standard to these eight texts, one which is not necessarily consistent with their purposes and which the authors were to some degree unaware. The authors are obliged to anticipate challenges to their propositions and regulations, but they have a limited ability to do so if they wish to complete the task of teaching argumentation. Their arguments, like my own, are subject to criticism, but this particular limitation is self-acknowledgment that my standard, like all human standards, is a quixotic beast of imperfection.

Further research could focus on at least two areas of study. Critics should examine authorial predisposition as it is expressed in each text. I am curious to know what perspectives move argumentation textbook writers and how each perspective impacts their work. The pragmatic view of Rottenberg and Winchell for instance operates in stark

contrast to the progressive perspective advanced by Reike, Sillars and Peterson, and the two texts approach argumentation ethics accordingly. Certain views may predispose authors to attend more carefully to argumentation ethics than others, which further research could test. I suspect it is more than coincidence that some texts reveal a highly attuned sense of ethics, while others do not, but what motivates that perception is unclear. I further suspect that many argumentation textbook writers are ideologues, with a definite perspective woven into the propositions and regulations of the text. If this were true it might help explain the disparity of textbook themes and the emphasis of certain subjects over others. If nothing else, understanding the predisposition expressed by an author could help shape future texts and their selection for study by teachers.

A second avenue for research is a quantitative study that examines student views on argumentation ethics after completing a course with one of the texts. All students will enter an argumentation course with a predefined sense of ethics, but I wonder how substantially texts influence the formation of student views on argumentation ethics for better or worse. Texts that approach argumentation ethics systematically should logically impact students differently than texts that pass over a treatment of argumentation ethics, yet this may not be the case. One survey question could address how important argumentation ethics is to students before and after reading the text. Another question could explore how significantly students think ethics pertains to the process of argumentation, before and after reading the text. Questions could also be formed to test the relationship between the text and the argument course. I imagine in many courses the

lectures will add materials beyond those covered by the text, including discussions of argumentation ethics, yet only a careful study would reveal the actual circumstances.

Four Final Thoughts

I would offer four closing thoughts to sum up this slim study. In the first place I am disappointed by many of the argumentation texts because where it comes to argumentation ethics few satisfy the minimal requirements for a proof. The Rieke, Herrick and Inch texts make impressive efforts in argumentation ethics, but the other five texts fall short in my opinion. Aristotle said every speech has two parts; stating the case and proving it (1414a). When it comes to argumentation ethics many of the texts I studied do not adequately attend to the latter, and I find such deficiency astonishing³. The texts devote considerable energy to the pedagogy of argumentation techniques; surely right conduct is as important as right application of argumentation. Teaching argumentation while neglecting argumentation ethics is like taking a journey deep into a desert with a map to water, but without a guiding compass. Argumentation ethics guides rhetorical acts in the same way a compass corrects movement on a journey. If a claim represents what we want people to do, ethics reminds us why we are asking them to do something in the first place. Argument is communal, argument is deliberative and argument is peaceful; its alternative is conflict and schism. The texts are teeming with ethical considerations and the world argument serves is filled to the brim with ethical concerns. Therefore, while the texts are right to focus on argumentation, they should also attend to argumentation ethics.

I am also disappointed at the approach taken by a majority of the texts where argumentation ethics is concerned. Learning is more than the memorization of lists, one sentence definitions and truncated examples. Memorizing the bullet points of an ethical framework, as occurs in the Herrick text and elsewhere, does not provide adequate means for propositional consensus. The texts should offer a genuine diversity of arguments supporting ethical argumentation, which appeal to a broader range of viewpoints and respect the intelligence of the reader. I object to the predilection of argumentation texts to force-feed lists and pruned concepts, which is most unsatisfying as a defense of argumentation ethics and which functions the same as a fallacy; it preempts deliberation. The advantage of simplicity is directness, but without a subsequent broadening of concept, judgment can be nothing if not abrupt. Students should be presented with arguments in their true form, with their strengths and weaknesses. In a manner of speaking students are the audience to the arguments of a text, so let them decide. Give readers substance from which to discriminate among competing claims. Offer them opposing, even contradictory views. Most important of all, consider it a small victory when the reader engages difficult textual concepts, which at least shows regard for the intellect of the audience.

An ethical consideration is not an ordinary claim and should not be approached in an ordinary way. An ethic is manifest in actions and whatever its origins it is decidedly personal. We are great or terrible, cruel or merciful, generous or self-seeking, cold or loving, callous or compassionate, and our choices often fly in the face of reason. We help others at expense to ourselves, often with no chance of repayment or reward. We use or

trouble others and discard them for the most trifling pursuit, often with no real gain to ourselves. In the sphere of argument, we exclude arguments that would help our case or introduce fictions for selfish gain. Argument exists in the real world and brings about real consequences. Owing that argument and its consequences are real, we must view individual ethical argumentation as an attitude from which attending acts emanate. The attitude of each individual is personal, so texts should offer a variety of sources of evidence that meet the needs of individuals. A variety of perspective, examples and sources will provide an individual with the means to independently consider, judge and act on the claims she or he receives. It is ordinary to expect a textbook to present a wealth of concepts in basic form, but this must stop. The authors of these texts claim they want the adherence of their audience, so they should provide what an audience of decision-makers requires to grant such adherence.

Finally, I believe genuine value will arise from connecting claims within argumentation texts to supporting evidence because the careful application of supporting evidence will change the viewpoint of some authors' texts for the better. The Rottenberg and Winchell text for instance frequently employs a language of domination, where success is the predominant goal. The outcome of winning stands in stark contrast to an ethic of care. If the text introduced Nodding's ethic of care or a similar ethic the evidence would undoubtedly undermine a language of domination. The only possible solution to the resulting inconsistency in the text would be to soften the language of domination, placing the text in harmony with the evidence. Such an outcome is ideal; a claim is stronger when it is supported by evidence and consistent with it. A reader will have a

firmer basis for granting adherence to the ethical claim, and, if queried at some future point, will possess the evidence necessary to explain why they believe as they do.

Contrast this outcome with many ethical claims or regulations from the texts, which have insufficient evidence or no evidence at all. The reader will not possess the evidence necessary to make an independent decision and, if the reader grants adherence to the claim, she or he will not be able to properly explain why they adhere to the rule or defend the rule if an opposing rule with evidence counters their understanding. Good evidence will help the audience to arrive at an independent and informed decision and it may well change the perspective of the advocate making arguments. Argumentation texts should therefore always provide sufficient support for ethical claims they make and, if they are unable to do so, they should not offer unsupported propositions for consideration by an audience.

¹ There are some limitations to the application of Nodding to argumentative situations. Her “ethic of care” requires the existence of a direct relationship between living individuals; no such relationship exists between a student and an argumentation text. Nodding’s ethic only operates in “concrete situation[s]” or interactions where a direct relationship exists (24). Any situation, argumentative or otherwise, where no direct, concrete relationship exists does not constitute an obligation according to Nodding. Nevertheless, I find Nodding’s “ethic of care” helpful for the student of argument despite the limitation regarding complete reciprocity.

² Bonhoeffer expands his description of “good and evil” in a footnote: “For the purposes of our present discussion it makes no difference if modern ethics replaces the concepts of good and evil by those of moral and immoral, valuable and valueless or (in the case of existential philosophy) of actual or proper being and not actual or proper being” (21).

³ I use the word astonish in the sense expressed in Matthew 19:25. I cannot decide which is more astounding; that the texts violate their own rule that all claims must have corresponding, sufficient support, or that a generation of textbook reviewers and critics endorse such neglect. The Rottenberg and Winchell text for instance has not fewer than

three academic reviewers affirm their text. One gentleman writes, “No other text I’ve seen presents the basic elements of argument in such an accessible, classroom friendly way.” Accessible is evidently characterized primarily by direct assertion and swift transition, for no honest appraisal could construe their cursory handling of argumentation ethics as anything else.

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