***The Structure of Argument* , 7th edition Rottenberg, Winchell**

**Chapter 1: Approaches to Argument**

Because of the First Amendment, Americans have the freedom to speak - and they do, sometimes loudly, sometimes offensively, sometimes movingly. Give a nation with America's diversity freedom of speech, and its people will use it, and they will often disagree. But that, after all, is the point of the First Amendment: Americans can express disagreement without fear of reprisal.

Public education has been a part of America since its beginning because in a country where the citizens choose their leaders, an educated citizenry is in the best interest of all except those who would silence dissenting voices. For centuries, from a time long before thirteen colonies became a country, young men - and eventually young women - have been trained to let their voices be heard. They have been taught the art of rhetoric. You have probably grown up letting your voice be heard, some of you more than others. This course is designed to teach you to be more proficient in expressing your ideas about controversial issues, to argue more effectively in speech, but more so in writing.

Of course, not all arguments end in clear victories for one side or another. Nor should they. In a democratic society of competing interests and values, a compromise between two or more extreme points of view may be the only viable solution to a vexing problem. Although formal debates under the auspices of a debating society, such as those that take place on many college campuses, usually end in winners and losers, real-life problems - both public and private - are often resolved through negotiation. Courtroom battles may result in compromise, and the law itself allows for exemptions and extenuating circumstances.

Most of the argumentative writing in this book will deal with matters of public controversy, an area traditionally associated with the study of argument. As the word public suggests, these matters concern us as members of a community. In the arguments you will read, human beings are engaged in explaining and defending their own actions and beliefs and opposing or compromising with those of others. They do this for at least two reasons: (1) to justify what they do and think, both to themselves and to their audiences, and

(2) in the process to solve problems and make decisions. In the arguments you will write in this course, you will be doing the same.

A distinction is sometimes made between argument and persuasion. Argument, according to most authorities, gives primary importance to logical appeals. Providing abundant evidence and making logical connections, however, may not be enough to win agreement from an audience. A writer or speaker must take into account an audience's emotional response to the subject matter and the way in which it is presented. Also, success in convincing an audience is almost always inseparable from the audience's belief in the writer's trustworthiness. In this book, we use the term argument to represent forms of discourse that attempt to persuade readers or listeners to accept a claim, whether acceptance is based on logical or emotional appeals or, as is usually the case, on both.

In this chapter we will discuss the approaches to argument proposed by the Greek philosopher. Aristotle, the American psychologist Carl Rogers, and the British philosopher Stephen Toulmin.

**ARISTOTELIAN RHETORIC**

Aristotle, who wrote a treatise on argument that has influenced its study and practice for well over two thousand years, defined rhetoric as all available means of persuasion. He used the term logos to refer to logical appeals and the term pathos to refer to emotional appeals. He believed that, in an ideal world, logic alone would be enough to persuade. He acknowledged, however, that in the less than- ideal real world, effective arguments depend not only on logos and pathos, but also on the writer's or speaker's credibility, which he called ethos. In fact, he considered ethos to be the most important element in the arguer's ability to persuade the audience to accept a claim.

Aristotle named intelligence, character, and goodwill as the attributes that produce credibility. Today we might describe these qualities somewhat differently, but the criteria for judging a writer's credibility remain essentially the same' First, writers must convince the audience that they are knowledgeable and as well informed as possible about the subject. Second, they must persuade their audience that they are not only truthful in the presentation of evidence but also morally upright and dependable. Third, they must show that, as arguers with good intentions, they have considered the interests and needs of others as well as their own.

As an example in which the credibility of the arguer is at stake, consider a wealthy Sierra Club member who lives on ten acres of a magnificent oceanside estate and who appears before a community planning board to argue against future development of the area. The board, acting in the interests of all the citizens of the community, will ask themselves: Has the arguer proved that his information about environmental impact is complete and accurate? Has he demonstrated that he sincerely desires to preserve the wilderness, not merely his own privacy and space? And has he made clear that he has considered the needs and desires of those who might want to live in a housing development by the ocean? If the answers to all of these questions are yes, then the board will hear the arguer with respect, and the arguer will have begun to establish his credibility.

A reputation for intelligence, character, and goodwill is not often earned overnight. And it can be lost more quickly than it is gained. Once writers or speakers have betrayed an audience's belief in their character or judgment, they may find it difficult to persuade an audience to accept subsequent claims, no

matter how sound the data and reasoning are.

For Aristotle, logos, ethos, and Pathos constituted the elements of argument. With this triad, he laid the foundation for classical or traditional rhetoric and for all rhetorical theories to follow.

In Aristotle's day, one of the chief goals of rhetorical training was to learn to argue successfully in a court of law on judicial matters or in another public forum on political ones. The primary goal of rhetoric itself was to win – either to win a court case concerning what had happened in the past or to win approval for a political proposal about what should happen in the future.

Beyond what Aristotle teaches us about credibility, how does ancient rhetoric translate to our digital world? It gives us a vocabulary and also gives us a systematic way of thinking about a rhetorical situation. A writer or speaker is always preparing a text about something (the subject) and for someone (the audience). Since the texts produced in this course will be written, we will use the term writer instead of speaker in discussing rhetorical situations, although in Aristotle's world, the texts would have been primarily oral.

Rhetoric is largely a study of relationships. The relationship between writer and audience is the rhetorical relationship. That between writer and subject is the referential.

Writers - but more commonly speakers - in Aristotle's world of the fourth century BCE were very limited in audience and in subject matter. As far as the rhetorical relationship is concerned, inventions like the printing press, and later the telegraph, gave the writer access to a wider and wider range of audiences; the computer in general and the Internet in particular have increased exponentially the audiences a writer can reach. The audiences available to a writer are now almost endless, not bound in size or in geographic location.

On a developmental level, individuals used to learn to write for increasingly distant audiences, starting in childhood with writing primarily for a parent or for one teacher, with an occasional letter to someone well known to them. Only later did they sometimes write to people they didn't know personally and to larger groups and, in a few cases, go on to publish their writing. Now elementary students, for good or ill, converse online with others a world away and completely unknown to them on a personal level. The Internet provides everyone a voice on almost any subject.

The amount of information available at the click of a mouse has also exploded with the advent of the Internet. That means that the relationship between writer and subject - the referential relationship - has also changed with the times. Research used to mean going to the library to work with hard copies

of texts or using a set of encyclopedias and a small number of reference books available at home. Now a world of information is accessible in a matter of seconds, literally.

If the latest news is as close as your remote control, it is also as close as your computer mouse or even your cell phone. Aristotle gave us a vocabulary for talking about communication (such as the syllogism, and logic, and changes in culture and in technology have led us to redefine that vocabulary for a world vastly different from his.

In the proscribed world of ancient Greece, it was relatively easy to predict what an audience would know about a subject of discourse. There was more of a shared world view than has existed in more recent times. In ancient Greece, rigid rules dictated the organization of a speech, and the examples were drawn from well-known narratives, true or fictional. Today it is much more difficult for a writer to place himself or herself in someone else's position and try to see from that person's point of view.

It is in addressing this relationship between audience and subject that rhetorical theories differ the most in their approach, as we will discuss.

**Sample Essay with Analysis: Aristotelian**

Don't Mourn Brown v. Board of Education JUAN WILLIAMS

Juan Williams is a former senior correspondent for National Public Radio and a political analyst for Fox News Channel. His books include Enough: The Phony Leaders, Dead-End Movements, and Culture of Failure That Are Undermining Black America (2006t and Thurgood Marshall: American Revolutionary (1998). The article was published June 29, 2007 . on nvtimes.com.

Let us now praise the Brown decision. Let us now bury the Brown decision. With, yesterday’s Supreme Court ruling ending the use of voluntary schemes to create racial balance among students, it is time to acknowledge that Brown's time has passed. It is worthy of a send-off with fanfare for setting off the

civil rights movement and inspiring social progress for women, gays, and the poor. But the decision in Brown v. Board of Education that focused on outlawing segregated schools as unconstitutional is now out of step with American political and social realities.

Desegregation does not speak to dropout rates that hover near 50 percent for black and Hispanic high school students. It does not equip society to address the so-called achievement gap between black and white students that mocks Brown's promise of equal educational opportunity.

And the fact is, during the last 20 years, with *Brown* in full force, America's public schools have been growing more segregated - even as the nation has become more racially diverse. In 2001, the National Center for Education Statistics reported that the average white student attends a school that is 80 percent white,

While 70 percent of black students attend schools where nearly two-thirds of students are black and Hispanic.

By the early '90s, support in the federal courts for the central work of Brown -racial integration of public schools - began to rapidly expire. In a series of cases in Atlanta, Oklahoma City, and Kansas city, Mo., frustrated parents, black and white, appealed to federal judges to stop shifting children from school to school like pieces on a game board. The parents wanted better neighborhood schools and a better education for their children, no matter the racial make-up of the school. In their rulings ending court mandates for school integration, the judges, too, spoke of the futility of using schoolchildren to address social ills caused by adults holding fast to patterns of residential segregation by both class and race.

The focus of efforts to improve elementary and secondary schools shifted to magnet schools, to allowing parents the choice to move their children out of failing schools and, most recently, to vouchers and charter schools. The federal No child Left Behind plan has many critics, but there's no denying that it is an effective

tool for forcing teachers' unions and school administrators to take responsibility for educating poor and minority students.

It was an idealistic Supreme court that in 1954 approved of Brown as a race conscious policy needed to repair the damage of school segregation and protect every child's 14th-Amendment right to equal treatment under law. In 1971, chief Justice warren Burger, writing for a unanimous court still embracing Brown, said.

local school officials could make racial integration a priority even if it did not improve educational outcomes because it helped "to prepare students to live in a pluralistic society."

But today a high court with a conservative majority concludes that any policy based on race - no matter how well intentioned - is a violation of every child’s 14th-Amendment right to be treated as an individual without regard to race. We've come full circle.

In 1990, after months of interviews with Justice Thurgood Marshall, who had been the lead lawyer for the N.A.A.C.P. Legal Defense Fund on the Brown case, l sat in his Supreme court chambers with a final question. Almost 40 years later, was he satisfied with the outcome of the decision? Outside the courthouse, the failing Washington school system was hyper segregated, with more than 90 percent of its students black and Latino. Schools in the surrounding suburbs, meanwhile, were mostly white and producing some of the top students in the nation.

Had Mr. Marshall, the lawyer, made a mistake by insisting on racial integration instead of improvement in the quality of schools for black children?

His response was that seating black children next to white children in school had never been the point. It had been necessary only because all-white school boards were generously financing schools for white children while leaving black students in overcrowded, decrepit buildings with hand-me-down books and underpaid

teachers. He had wanted black children to have the right to attend white schools as a point of leverage over the biased spending patterns of the segregationists who ran schools - both in the 17 states where racially separate schools were required by law and in other states where they were a matter of culture.

If black children had the right to be in schools with white children, Justice Marshall reasoned, then school board officials would have no choice but to equalize spending to protect the interests of their white children.

Racial malice is no longer the primary motive in shaping inferior schools for minority children. Many failing big city schools today are operated by black superintendents and mostly black school boards.

And today the argument that school reform should provide equal opportunity for children, or prepare them to live in a pluralistic society, is spent. The winning argument is that better schools are needed for all children - black, white, brown and every other hue - in order to foster a competitive workforce in a global

economy.

Dealing with racism and the bitter fruit of slavery and "separate but equal" Legal segregation was at the heart of the court's brave decision 53 years ago. With Brown officially relegated to the past, the challenge for brave leaders now is to deliver on the promise of a good education for every child.

**Analysis**

Viewed from an Aristotelian perspective, Juan Williams uses all three types of appeal: logos, pathos, and ethos. Williams assumes from the beginning that his audience will be familiar with the 1954 case Brown v. Board of Education because it is a significant part of American history. He balances the opening of his essay by equally praising the Brown decision and welcoming its demise: It is time for Brown to go, but its end should be viewed with respect. He anticipates the negative emotional response that some might have to the end of what many saw

and still see as a major step toward racial equality by praising it as "worthy of a send-off with fanfare for setting off the civil rights movement and inspiring social progress for women, gays and the poor." He is appealing to the emotions of his audience and is also presenting himself as an ethical man by acknowledging both the good and the bad of the decision. The thesis that he is trying to support is stated at the end of the second paragraph: "But the decision in Brown v. Board of Education that focused on outlawing segregated schools as unconstitutional is now out of step with American political and social realities."

Consider the logical support that Williams offers for this thesis. In paragraph 3, he summarizes the problems with desegregation and then in paragraphs 4-7 looks back in more detail at how the ruling has failed America's children over the last twenty years. In spite of all the promise Americans saw in the ruling, the reality, according to Williams, "mocks Brown's promise of equal educational opportunity." He uses statistics in two places, giving his source in one case but not in the other. He gives less specific information about parents' response, but by that point in the essay, he has established himself as a reasonable man who is fair in his presentation of his case. In an emotional appeal at the end of paragraph 5, he skillfully expresses the futility that parents were feeling and that the judges also expressed in justifying their ruling: "the futility of using schoolchildren to address social ills caused by adults holding fast to patterns of residential segregation by both class and race."

Williams gives his readers no reason to question his logic when, in the second half of the essay, he argues that we have come full circle. We have gone from a "race-conscious policy needed to repair the damage of school segregation and protect every child's 14th-Amendment right to equal treatment under the law" to a Supreme Court decision "that any policy based on race-no matter how well intentioned - is a violation of every child's 14th-Amendment right to be treated as an individual without regard to race."

Some readers will know Juan Williams as a correspondent for National Public Radio and/or as a political analyst for Fox News and may have a preconceived notion of his ethos, or character. Those who come to the essay with some knowledge of its author will most likely know that Williams is African American. In the second half of his essay, he contributes significantly to the image of himself as an authority on the subject of racial desegregation when he says that he interviewed Justice Thurgood Marshall over a series of months and had the chance to sit in Marshall's Supreme Court chambers and ask him whether he was satisfied with the outcome of the Brown decision. Here is pathos as Williams reports Marshall's response. He is appealing to his audience's values when he explains that Marshall, as the lead lawyer for the NAACP Legal Defense Fund on the case, was not concerned primarily with gaining black children the right to sit next to white ones, but with forcing whites to equalize spending for both. Most readers today want to see children treated fairly, and some will be angered that it took such lengths to gain even some progress toward that goal.

Williams's plea at the end of the essay is for a good education for every child. Few in his audience could argue with that goal.

**ROGERIAN ARGUMENT**

Carl Rogers was a twentieth-century humanistic psychologist who translated his ideas about therapy into communication theory. As a therapist, he believed that the experience of two people meeting and speaking honestly to each other would have a healing effect. In later years he became convinced that the same principles of nondirective, nonconfrontational therapy that emphasized attentive listening could work not only for couples and small groups, but also for large groups, even nations, to create more harmonious relationships.

Such nonconfrontational communication between individuals or among groups is hampered, Rogers believed, by the fact that there is no longer anything approaching a shared world view. He wrote:

From time immemorial, the tribe or the community or the nation or the culture has agreed upon what constitutes the real world. To be sure, different tribes and different cultures might have held sharply different

world views, but at least there was a large, relatively unified group which felt assured in its knowledge of the world and the universe, and knew that this perception was true.

Those like Copernicus and Galileo who saw reality differently were often condemned or even killed. Rogers wrote, "Although society has often come around eventually to agree with its dissidents . . . there is no doubt that this insistence upon a known and certain universe has been part of the cement that holds a culture together" (103).

That cement is now missing, to the world's peril. Because of the "ease and rapidity of worldwide communication" that Rogers described as early as 1980, there were already as many realities as there were people:

The only reality I can possibly know is the world as f perceive and experience it at this moment. The only reality you can possibly know is the world as you perceive and experience it at this moment. And the only certainty is that those perceived realities are different. (102)

In the Rogerian approach to argumentation, effective communication requires both understanding another's reality and respecting it.

Rogers explained his theories of communication in an essay entitled "Communication: Its Blocking and Its Facilitation," which was originally presented as a speech in 1951. An emotionally maladjusted person suffers from the inability to communicate effectively with others and with himself. In Rogers's experience, one of the most potent means of improving such a patient's relationships and communication with others sounds simple: Just listen with understanding. It is not that simple, however, because of a very human tendency to listen judgmentally. We tend to respond to an opinion by stating an opinion. Maxine Hairston was a leader in applying Rogers's theories to composition, and in1976 she explained how the human rush to judgment hampers communication:

Value judgments tend to freeze people into the status quo and make them commit themselves to a stand, and almost inevitably once a person takes a position on an issue, even one as trivial as the merits of a movie or of

daylight-saving time, the possibility of his listening to a dissenting point of view with an open mind diminishes. Instead of wanting to hear both sides, he goes on the defensive and becomes more concerned about justifying

his own opinion than understanding someone else's point of view.

According to Rogers, "Real communication occurs, and this evaluative tendency is avoided, when we listen with understanding. What does this mean? It means to see the expressed idea and attitude from the other person's point of view, to sense how it feels to him, to achieve his frame of reference in regard to the thing he is talking about (331-32)."

The tendency to evaluate is most intense when feelings and emotions are most deeply involved, "so the stronger our feelings, the more likely it is that there will be no mutual element in the communication. There will be just two ideas, two feelings, two judgments, missing each other in psychological space" (331).

Rogers's approach to communication is based on this idea of mutual elements or common ground. A writer or speaker and an audience who have very different opinions on a highly charged emotional issue need a common ground on which to meet if any communication is going to take place. In the midst of all of their differences, they have to find a starting point on which they agree. In 1977 Hairston summed up five steps for using Rogerian argumentation that incorporate the two essentials of the approach - being able to summarize another’s position with understanding and clarity and to locate common ground between two different positions:

1. Give a brief, objective statement of the issue under discussion.
2. Summarize in impartial language what you perceive the case for the opposition to be; the summary should demonstrate that you understand their interests and concerns and should avoid any hint of hostility. Make an objective statement of your own side of the issue, listing your concerns and interests, but avoiding loaded language or any hint of moral superiority.
3. Outline what common ground or mutual concerns you and the other person or group seem to share; if you see irreconcilable interests, specify what they are.
4. Outline the solution you propose, pointing out what both sides may gain from it. (375-76)

3 "Communication: Its Blocking and Its Facilitation," reprinted in Carl Rogers, On Becoming a Person (Boston: Houghton Mifflin, 796L), pp. 329-37.

4 "Carl Rogers's Alternative to Traditional Rhetoric," College Composition and Communication, December, 1976, p.374.

Read the following article by Joe Sharkey and then Chris Kapper's blog posting in response to it. What steps in the process described by Hairston do you find in Kapper's response to Sharkey?

Airport Screeners Could See X-rated X-rays JOE SHARKEY

Joe Sharkey is a columnist writing frequently about business travel for the New York Times,

where the article appeared on May 24, 2OO5.

I am looking at a copy of an ad that ran in the back of comic books in the 1950s and early 1960s.

"X-Ray Specs! See Thru Clothing!" blares the copy, which is illustrated with a cartoon of a drooling geek wearing the amazing toy goggles and leering at a shapely woman.

Now, any kid with half a brain knew that X-Ray Specs were a novelty gag that didn't really work. But time marches on and technology makes the impossible possible. Stand by, air travelers, because the Homeland Security Department is preparing to install and test high-tech machines at airport checkpoints that will, as the comic-book ads promised, "See Thru Clothing!"

Get ready for electronic portals known as backscatters, expected to be tested at a handful of airports this year, that use X-ray imaging technology to allow a screener to scan a body. And yes, the body image is detailed. Let's not be coy here, ladies and gentlemen:

"Well, you’ll see basically everything," said Bill Scannell, a privacy advocate and technology consultant. "It shows nipples. It shows the clear outline of genitals."

The Homeland Security Department's justification for the electronic strip searches has a certain logic. In field test after field test, it found that federal airport screeners using metal-detecting magnetometers did a miserable job identifying weapons concealed in carry-on bags or on the bodies of undercover agents.

In a clumsy response late last year, the department instituted intrusive patdowns at checkpoints after two planes in Russia blew up from nonmetallic explosives that had apparently been smuggled into the aircraft by female Chechen terrorists. But it reduced the pat-downs after passengers erupted in outrage at the groping last December.

"The use of these more thorough examination procedures has been protested by passengers and interest groups, and have already been refined" by the Transportation Security Administration, Richard Skinner, the acting inspector general of the Homeland Security Department, told a Senate committee in January. Skinner said then that the TSA was ramping up tests of new technologies like backscatter imaging.

Last month, Michael Chertoff, the Homeland Security secretary, told a Senate subcommittee that "technology is really what we ultimately have to use in order to get to the next level" in security.

The technology is available, he said. "It's a question of the decision to deploy it and to try to balance that with legitimate privacy concerns," he added. "We haven’t put it out yet because people are still hand-wringing about it."

Steve Elson isn't exactly hand-wringing. Let’s just say he is mighty skeptical. A former Federal Aviation Administration investigator, Elson led the agency's red team of undercover agents who poked around airports looking for - and finding - holes in security.

“Backscatting has been around for years," he said. "They started talking about this stuff back during the protests when they were grabbing women. Under the right circumstances, the technology has some efficacy and can work. That is, provided we’re willing to pay the price in a further loss of personal privacy."

He isn’t. “I have a beautiful 29-year-old daughter and a beautiful wife, and I don't want some screeners to be looking at them through their clothes, plain and simple," he said.

Like many security experts, Elson argues for a sensible balance between risk management and risk reduction. On numerous occasions since the 2001 terrorist attacks, he has led reporters on test runs at airports, showing how easy it is to penetrate security throughout the airport.

Thwarting body-scanning technology would be simple, he argues. Because of concerns about radiation, body scanners are designed not to penetrate the skin. All that’s needed is someone heavily overweight to go through the system,” he said. I won’t quote him directly on the details; suffice it to say he posits that a weapon or explosives pack could be tucked into flabby body folds that won't be penetrated by the scanner.

Homeland Security has not identified the airports that will test backscatters' More than a dozen have been selected to test various new technologies.

One maker of backscatters is Rapiscan Security Products, a unit of OSI Systems. "Since the Russian plane tragedy, which is suspected due to suicide bombers, the interest has heightened for these needs, especially for the body scanner," Deepak Chopra, the chief executive of OSI Systems, recently told analysts.

Scannell, the privacy advocate, scorns that reasoning as alarmist nonsense. He does see one virtue, though, for some airport screeners if backscatting technology becomes the norm.

"They’ll be paid to go to a peep show," he said. "They won't even need to bring any change."

Freedom to Live Trumps All! CHRIS KAPPER

Chris Kapper posted this response to Joe Sharkey's article, "Airport Screeners Could See X-rated X-rays," on CNET's TalkBack, on May 27, 2OO5.

I have read many different comments to this story. The opinions against the technology seem to boil down to this:

1. It is offensive to be viewed naked.
2. Being viewed naked is an affront to personal freedom.
3. This is a slippery slope and once allowed here it will be allowed everywhere until there are virtually no personal freedoms left.

The opinions for the technology seem to boil down to this:

1. Who cares if one is viewed naked?
2. It is better to be seen naked and alive than be dead.
3. This will make the airplanes safer.
4. This is a less obtrusive way to search passengers.

I have to agree - for the most part - with the latter. Here is why:

1. In the demonstration I saw, the screeners could not see the people – all they could see were the images. Therefore, they never saw a person walk up, through, and then leave. The point is that if their own mother walked through, they would have no idea since you can't tell who it is.
2. Nobody else can see your image other than the security operator. That includes other passengers and employees of the airports.
3. This is much less obtrusive than removing shoes, clothing, and emptying out all of your pockets - in front of everyone.
4. The fundamental liberty is the right to life. One's right to live trumps others' rights.
5. It is not only the liberty of the passengers and crew that must be considered here. It is their lives as well as the lives of all the people on the ground as that airplane flies over. Additionally, it is the nation's and even the world's economy and peace that must be considered. Remember what 9/11 did to the economy and the peace in the world?
6. Air travel is not a required means of travel. You can use other public transportation. You can travel by car or even by boat. Air travel is a convenience – and a choice. When you buy your ticket, you agree to be bound by their rules and policies.
7. For the person who quoted Benjamin Franklin - "They who would give up an essential liberty for temporary security, deserve neither liberty or security'" IMHO, this technology does not cause you to give up any ESSENTIAL liberty and there is nothing TEMPORARY about DEATH!

Rogerian argument places more emphasis on the relationship between audience and subject than other rhetorical theories. It emphasizes the audience's view of the subject. In order to understand another's ideas with the clarity and lack of a judgmental attitude that Rogers proposed requires taking on, temporarily, that other’s point of view - walking a mile in his shoes - and seeing the subject with his eyes.

Classical oratory did not require that level of identification with an opponent’s perspective, as is suggested by the very fact that classical oratory assumed an opponent. A speaker composing a speech in the classical or Aristotelian tradition could make certain assumptions, about the world in which his audience lived

and therefore about his audience's knowledge of his subject. He would certainly try to anticipate his audience's logical and emotional response to the subject. In fact, an expected part of a classical oration was the refutation of opposing positions, but the purpose was to prove others wrong, not to be conciliatory. He would not acknowledge the strengths of his opponent’s argument to the extent of compromising his own. The product of his endeavors was a formal speech, not an analysis of a rhetorical situation.

Therein lies another primary difference between Rogerian rhetoric and all other rhetorical theories. An essay can be written using the Rogerian approach to argumentation, and its thesis or claim will be one reconciling opposing positions - at least as far as that is possible with the sorts of emotionally charged subjects that call for a nonconfrontational approach in the first place. The approach is more useful, however, in analyzing a rhetorical situation than in producing formal prose.

Consider the example of management and striking union members. The situation can quickly degenerate into shouting matches and violence with little progress toward resolution. The union can make demands, which the management turns down, and the shouting matches begin again. Rogers would advocate

the seemingly simple method of the two sides listening to each other with understanding. Management has to be able to explain the union’s position in a way that the union members feel is fair before it can present its own. And then the reverse. This approach is time consuming, but it can keep the discussion from dissolving into anger and impasse. Rogers even suggests that arguing spouses should have to respect each other's position in a manner acceptable to the other spouse before responding to it.

A text using the Rogerian approach merely to record the steps of the process can be rather formulaic. Done well, it can provide an excellent example of analytical writing.

**Sample Essay with Analysis: Rogerian**

Racial Profiling at the Airport: Discrimination We're Afraid to Be Against MICHAEL KINSLEY

Michael Kinsley is a political journalist and commentator who has written for the Los Angeles Times and the Wall Street Journal; has been an editor of the New Republic, Harper's, and the Washington Monthly; and founded the online journal Slate, where this essay was posted on September 28, 2OOl. He is a columnist for the Washington Post and is perhaps best known for having been cohost of CNN's Crossfire for six years.

When thugs menace someone because he looks Arabic, that's racism. When airport security officials single out Arabic-looking men for a more intrusive inspection, that's something else. What is the difference? The difference is that the airport security folks have a rational reason for what they do. An Arab looking man heading toward a plane is statistically more likely to be a terrorist. That likelihood is infinitesimal, but the whole airport rigmarole is based on infinitesimal chances. If trying to catch terrorists this way makes sense at all, then Willie-Sutton logic says you should pay more attention to people who look like Arabs than to people who don't. This is true even if you are free of all ethnic prejudices. It's not racism.

But that doesn't make it OK. Much of the discrimination that is outlawed in this country - correctly outlawed, we (almost) all agree - could be justified, often sincerely, by reasons other than racial prejudice. Without the civil rights laws, employers with nothing personal against blacks might well decide that hiring whites is more cost-efficient than judging each jobseeker on his or her individual merits. Universities could base their admissions policies on the valid assumption that whites, on average, are better-prepared for college. Even though this white advantage is the result of past and present racism, these decisions themselves might be rational and not racially motivated.

All decisions about whom to hire, whom to admit, whose suitcase to ransack as he's rushing to catch a plane are based on generalizations from observable characteristics to unobservable ones. But even statistically valid generalizations are wrong in particular instances. (Many blacks are better prepared for college than many whites. Virtually every Arab hassled at an airport is not a terrorist.) Because even rational discrimination has victims, and because certain generalizations are especially poisonous, America has decided that these generalizations (about race, gender, religion, and so on) are morally wrong. They are wrong even if they are statistically valid, and even if not acting on them imposes a real cost.

Until recently, the term "racial profiling" referred to the police practice of pulling over black male drivers disproportionately, on the statistically valid but morally offensive assumption that black male drivers are more likely to be involved in crime. Now the term has become virtually a synonym for racial discrimination. But if "racial profiling" means anything specific at all, it means rational discrimination: racial discrimination with a non-racist rationale. The question is: When is that OK?

The tempting answer is never: Racial discrimination is wrong no matter what the rationale. Period. But today we’re at war with a terror network that just killed 6,000 innocents and has anonymous agents in our country planning more slaughter. Are we really supposed to ignore the one identifiable fact we know about them? That may be asking too much.

And there is another complication in the purist view: affirmative action. You can believe (as I do) that affirmative action is often a justifiable form of discrimination, but you cannot sensibly believe that it isn't discrimination at all. Racial profiling and affirmative action are analytically the same thing. When the cops stop black drivers or companies make extra efforts to hire black employees, they are both giving certain individuals special treatment based on racial generalizations. The only difference is that in one case the special treatment is something bad and in the other it's something good. Yet defenders of affirmative action tend to deplore racial profiling and vice versa.

The truth is that racial profiling and affirmative action are both dangerous medicines that are sometimes appropriate. So when is "sometimes"? It seems obvious to me, though not to many others, that discrimination in favor of historically oppressed groups is less offensive than discrimination against them. Other than that, the considerations are practical. How much is at stake in forbidding a particular act of discrimination? How much is at stake in allowing it?

A generalization from stereotypes may be statistically rational, but is it necessary? When you're storming a plane looking for the person who has planted a bomb somewhere, there isn't time to avoid valid generalizations and treat each person as an individual. At less urgent moments, like airport check-in, the need to use ethnic identity as a shortcut is less obvious. And then there are those passengers in Minneapolis last week who insisted that three Arab men (who had cleared security) be removed from the plane. These people were making a cost, benefit, and probability analysis so skewed that it amounts to simple racism. (And Northwest Airlines' acquiescence was shameful.)

So what about singling out Arabs at airport security checkpoints? I am skeptical of the value of these check-in rituals in general, which leads me to suspect that the imposition on a minority is not worth it. But assuming these procedures do work, it’s hard to argue that helping to avoid another Sept. 11 is not worth the imposition, which is pretty small: inconvenience and embarrassment, as opposed to losing a job or getting lynched.

A colleague says that people singled out at airport security should be consoled with frequent flier miles. They're already getting an even better consolation: the huge increase in public sensitivity to anti-Muslim and anti-Arab prejudice, which President Bush - to his enormous credit - has made such a focal point of his response to Sept. 11. And many victims of racial profiling at the airport may not need any consolation. After all, they don't want to be hijacked and blown up either.

**Analysis**

In this essay from September 2001, Kinsley seems to be having an argument with himself. He is, in that two conflicting positions are battling for acceptance in his mind. Each represents a position held by countless others for whom he speaks. This is in keeping with Rogers's belief that conflict can be resolved if those on each side can fairly summarize the position of the other side before summarizing their own. Kinsley is not trying to win an argument but rather to look objectively at the subject from different perspectives. His goal is to decide when each of two ways of looking at the situation is appropriate.

Notice how skillfully Kinsley balances different perspectives. He quickly dismisses as racism the situation where thugs threaten someone who looks Arabic. However, it is perfectly logical, he argues, when Arab-looking men are singled out at airports for additional screening because they are statistically more likely to be terrorists. That, he states bluntly, is not racism.

The other side chimes in: It may not be racism, but it is not okay. Decisions about such things as hiring and college admissions can be rational and not racially motivated. However, as Kinsley writes, "Because even rational discrimination has victims, and because certain generalizations are especially poisonous, America has decided that these generalizations (about race, gender, religion, and so on) are morally wrong. They are wrong even if they are statistically valid, and even if not acting on them imposes a real cost." Racial profiling equals rational discrimination - "racial discrimination with a non-racist rationale." The question that Kinsley raises at the end of paragraph 4 is, "When is that OK?"

Notice how Kinsley once again balances two perspectives: "Racial profiling is wrong no matter what the rationale, " but given the events of 9/11, it may be asking too much to ignore "the one identifiable fact we know about [the terrorists]." He uses the term purist to describe those who think discrimination is always wrong. That would suggest, though, that racial discrimination is wrong even when it favors the group or individual being discriminated against, as with affirmative action. Kinsley most clearly reveals his own personal perspective when he slips into use of the first person singular in discussing affirmative action.

Kinsley calls both racial profiling and affirmative action "dangerous medicines that are sometimes appropriate." What determines when "sometimes" is appropriate is what is at stake. If airport security measures really work, the safety is worth the small imposition on a minority. If they don't, it is not.

Where is the common ground that is a key component of Rogers's communications theory? What everyone wants - with the exception of terrorists – is safety on the world's commercial flights. Those singled out for additional security screening may not need any other consolation than the fact that they are less likely to be blown up.

**THE TOULMIN MODEL**

Although Aristotle and Rogers, centuries and worlds apart, have both made significant contributions to rhetorical theory, we made the decision to organize this text around an argumentative model that we believe is more helpful in reading and writing arguments in a systematic manner: the Toulmin Model. The late Stephen Toulmin provided the vocabulary about argumentation that gives this book its structure.

Toulmin's model, proposed in 1958 in *The Uses of Argument*, was designed to analyze courtroom arguments. Only after his model had been introduced to rhetoricians by Wayne Brockriede and Douglas Ehninger did he discuss its rhetorical implications in *Introduction to Reasoning* (1979). Of the six key terms in Toulmin's model, we draw heavily on three: claim, support, and warrant.

**The Terms of Toulmin Argument**

**The Claim**

The claim (also called a proposition) answers the question "What are you trying to prove?" It will generally appear as the thesis statement of your essay, although in some arguments, it may not be stated directly. There are three principal kinds of claim (discussed more fully in Chapter 5): claims of fact, of value, and of policy.

*Claims of fact* assert that a condition has existed, exists, or will exist and are based on facts or data that the audience will accept as being objectively verifiable.

* The diagnosis of autism is now far more common than it was twenty years ago.
* Fast foods are contributing significantly to today's epidemic of childhood obesity.
* Global warming will affect the coastlines of all continents.

All these claims must be supported by data. Although the last example is an inference or an educated guess about the future, a reader will probably find the prediction credible if the data seem authoritative.

*Claims of value* attempt to prove that some things are more or less desirable than others. They express approval or disapproval of standards of taste and morality. Advertisements and reviews of cultural events are one common source of value claims, but such claims emerge whenever people argue about what is good or bad, beautiful or ugly.

* Mel Gibson's *Apocalypto* is marred by its excessive violence.
* Abortion is wrong under any circumstances.
* The right to privacy is more important than the need to increase security at airports.

*Claims of policy* assert that specific policies should be instituted as solutions to problems. The expression should, must, or ought to usually appears in the statement.

* The electoral college should be replaced by popular vote as the means of electing a president.
* Attempts at making air travel more secure must not put in jeopardy the passengers' right to privacy.
* Backscatter x-raying ought to be implemented at every American airport as soon as possible as a means of detecting concealed weapons.

Policy claims call for analysis of both fact and value.

**The Support**

Support consists of the materials used by the arguer to convince an audience that his or her claim is sound. These materials include evidence and motivational appeals. The evidence or data consist of facts, statistics, and testimony from experts. The motivational appeals are the ones that the arguer makes to the values and attitudes of the audience to win support for the claim. The word motivational points out that these appeals are the reasons that move an audience to accept a belief or adopt a course of action.

**The Warrant**

Certain assumptions underlie all the claims we make. In the Toulmin model, the term warrant is used for such an assumption, a belief or principle that is taken for granted. It may be stated or unstated. If the arguer believes that the audience shares the assumption, it may be unnecessary to express it. But if the audience seems doubtful or hostile, the arguer may decide to state the assumption to emphasize its importance or argue for its validity. The warrant, stated or not, allows the reader to make the same connection between the support and the claim that the author does. In other words, you have to accept the warrant in order to accept the author's claim based on the evidence provided.

This is how the warrant works. Before he posted on the blog about the proposed x-raying of airline passengers, Kapper had read earlier postings discussing the issue. He considered the arguments he had heard in favor of and against the x-ray technique and actually went so far as to summarize them in his posting. The conclusion he reached, which became the claim of his piece of writing, was that he agrees for the most part with those who argue in favor of the new screening technique. In outline form, a portion of his argument looks like this:

**Claim:** Backscatter screening should be implemented in America's airports.

**Support:** Backscatter screening will make planes safer.

**Warrant:** Any screening technique that will make planes safer should be implemented.

The following example demonstrates how a different kind of warrant, based on values, can also lead an audience to accept a claim.

**Claim:** Backscatter screening should be implemented in America's airports.

**Support:** Being seen naked by a security screener is better than dying.

**Warrant:** Being safe is worth a small loss of privacy.

Kapper's title shows how strongly he feels about this warrant: "Freedom to Live Trumps ALL!"

Let us suppose that the reader agrees with the supporting statement, that being seen naked by a security screener is better than dying. But to accept the claim, the reader must also agree with the principle expressed in the warrant, that being safe is worth a small loss of privacy. He or she can then agree that backscatter screening should be implemented. Notice that this warrant, like all warrants, certifies that the relationship between the support and the claim is sound.

One more important characteristic of the warrant deserves mention. In many cases, the warrant is a more general statement of belief than the claim. It can, therefore, support many claims, not only the one in a particular argument. For example, the warrant you have just read - being safe is worth a small loss of privacy - is a broad assumption or belief that we take for granted and that can underlie claims about many other practices in American society.

**Toulmin and the Syllogism**

You will see some similarities between Toulmin's three-part structure of claim, support, and warrant and the classical deductive syllogism articulated by Aristotle. In fact, a comparison of the two may help in understanding the warrant.

The syllogism is useful for laying out the basic elements of an argument, and lends itself more readily to simple arguments. It is a formula that consists of three elements: (1) the major premise, (2) the minor premise, and (3) the conclusion, which follows logically from the two statements. The following syllogism summarizes a familiar argument.

**Major Premise:** Advertising of things harmful to our health should be legally banned.

**Minor Premise:** Cigarettes are harmful to our health.

**Conclusion:** Therefore, advertising of cigarettes should be legally banned.

Cast in the form of a Toulmin outline, the argument looks like this:

**Claim:** Advertising of cigarettes should be legally banned.

**Support (Evidence):** Cigarettes are harmful to our health.

**Warrant:** Advertising of things harmful to our health should be legally banned.

Or in diagram form:

**Support**  **Claim**

Cigarettes are harmful Advertising of cigarettes

to our health. should be legally banned.

**Warrant**

Advertising of things harmful to our

health should be legally banned.

In both the syllogism and the Toulmin model the principal elements of the argument are expressed in three statements. You can see that the claim in the Toulmin model is the conclusion in the syllogism - that is, the proposition that you are trying to prove. The evidence (support) in the Toulmin model corresponds

to the minor premise in the syllogism. And the warrant in the Toulmin model resembles the major premise of the syllogism.

In the Toulmin model, the use of the term *warrant* indicates that the validity of the proposition must be established to guarantee the claim or make the crossing from support to claim. It makes clear that the arguer must ask why such advertising must be banned.

While the syllogism is essentially static, with all three parts logically locked into place, the Toulmin model suggests that an argument is a movement from support to claim by way of the warrant, which acts as a bridge. Toulmin introduced the concept of warrant by asking, "How do you get there?" (His first two questions, introducing the claim and support, were "What are you trying to prove?" and "What have you got to go on?")

In addition to the three basic elements, the Toulmin model offers supplementary elements of argument. The qualifier, in the form of words like "probably" or "more likely," shows that the claim is not absolute. The backing offers support for the validity of the warrant. The reservation suggests that the validity of the warrant may be limited. These additional elements, which refine and expand the argument itself, reflect the real flexibility and complexity of the argumentative process.

No matter what the subject, there are certain basic steps that a writer can take to ensure that not only the proposition, or claim, but the whole argument is worthy of credence. You are not yet an expert in many of the subjects you will deal with in assignments, although you are knowledgeable about many other things, including your cultural and social activities. But there are several ways in which you can develop confidence in your discussion of topics derived from academic disciplines, such as political science, psychology, economics, sociology, and art. The following are steps that every writer of argumentative texts should follow.

**Steps for Writing Argumentative Texts**

Defining Key Terms

Many of the controversial questions you will read or write about are primarily arguments of definition. Such terms as abortion, pornography, racism, poverty, freedom of speech, and terrorism must be defined before useful solutions to the problems they represent can be formulated. Even if the primary purpose of your essay is not definition, you can successfully communicate with an audience only if that audience understands how you are using key terms. That is true whether you are using the Rogerian approach or a more traditional approach. With the Rogerian method you may have to stipulate a definition that both sides can accept if you are to achieve successful communication about strongly held beliefs.

Choosing an Appropriate Claim

It must be clear to the individual or group that constitutes your audience what change in thought or what action you hope to achieve by presenting your case. If you are seeking a change in your reader's thinking on a subject, you will have a much greater chance of accomplishing your goal if you consider the audience's current thinking on the subject and are realistic about the extent to which you might hope to change that thinking. The Rogerian approach emphasizes this need to assess fairly your audience's position in order to accommodate that position in writing your claim. If there is something you want your audience to do, that action must be realistically within the power of that audience.

Choosing and Documenting Appropriate Sources

You must present evidence of careful research, demonstrating that you have been conscientious in finding the best authorities, giving credit, and attempting to arrive at the truth.

Analyzing Assumptions

You must consider the warrant or assumption on which your argument is based. A warrant need not be expressed if it is so widely accepted that you can assume any reasonable audience will not need proof of its validity. You must be prepared to defend any other warrant. In Rogerian argument, more than in other rhetorical approaches, you must understand both your assumptions and your audience's in order to reconcile the two and establish common ground.

Analyzing Logical Errors

Understanding the ways in which inductive and deductive reasoning processes work can help you to determine the truth and validity of your arguments, as well as other arguments, and to identify and correct faulty reasoning.

Editing for Appropriate Language

Another important resource is the careful use of language, not only to define terms and express personal style but also to reflect clarity of thought, to avoid the clichés and outworn slogans that frequently substitute for fresh ideas, and to avoid word choices that would make your audience unwilling to consider your ideas.

Now let's turn to an example of argumentative writing and an analysis based on the Toulmin model.

**Sample Essay with Analysis: Toulmin**

The Hard Truth of Immigration ROBERT J. SAMUELSON

Robert J. Samuelson, a contributing editor at Newsweek, has written a column for the Washington Post since 1977. This essay appeared in the June 13, 2005, issue of Newsweek.

Immigration is crawling its way back onto the national agenda - and not just as a footnote to keeping terrorists out. Earlier this year, Congress enacted a law intended to prevent illegal aliens from getting state drivers' licenses, the volunteer "minutemen" who recently patrolled the porous Arizona border with Mexico attracted huge attention, and members of Congress from both parties are now crafting proposals to deal with illegal immigration. All this is good. But unless we're brutally candid with ourselves, it won't amount to much. Being brutally candid means recognizing that the huge and largely uncontrolled inflow of unskilled Latino workers into the United States is increasingly sabotaging the assimilation process.

Americans rightly glorify our heritage of absorbing immigrants. Over time, they move into the economic, political, and social mainstream; over time, they become American rather than whatever they were - even though immigrants themselves constantly refashion the American identity. But no society has a boundless capacity to accept newcomers, especially when many are poor and unskilled. There are now an estimated 34 million immigrants in the United States, about a third of them illegal. About 35 percent lack health insurance and 26 percent receive some sort of federal benefit, reports Steven Camarota of the Center for Immigration

Studies. To make immigration succeed, we need (paradoxically) to control immigration.

Although this is common sense, it's common sense that fits uneasily inside our adversarial political culture. You're supposed to be either pro-immigrant or anti-immigrant - it's hard to be pro-immigrant and pro tougher immigration restrictions. But that's the sensible position, as any examination of immigration trends suggests.

Consider a new study of Mexican immigrants by Harvard economists George Borjas and Lawrence Katz. Mexicans are now the single largest group of U.S. immigrants, 30 percent of the total in 2000. Indeed, the present Mexican immigration "is historically unprecedented, being both numerically and proportionately larger than any other immigrant influx in the past century," note Borjas and Katz. In 1920, for example, the two largest immigrant groups - Germans and Italians - totaled only 24 percent of the immigrant population.

Some Mexican-Americans have made spectacular gains, but the overall picture is dispiriting. Among men, about one in 20 U.S. workers is now a Mexican immigrant; in 1970, that was less than one in 100. The vast majority of Mexican workers lacked a high-school diploma in 2000 (63 percent for men, 57 percent for women). Only a tiny share had college degrees (3 percent for men, 5 percent for women). By contrast, only 7 percent of native-born U.S. workers were high-school dropouts and 28 percent were college graduates in 2000. Mexican workers are inevitably crammed into low-wage jobs: food workers, janitors, gardeners, laborers,

farm workers. In 2000, their average wages were 41 percent lower than average U.S. wages for men and 33 percent lower for women.

What's particularly disturbing about the Borjas-Katz study is that children of Mexican immigrants don't advance quickly. In 2000, Americans of Mexican ancestry still had lower levels of educational achievement and wages than most native born workers. Among men, the wage gap was 27 percent; about 27 percent were high-school dropouts and only 11 percent were college graduates. Borjas and Katz can't explain the lags. "What's the role of culture vs. lousy [U.S.] schools?" asks Katz. "It's hard to say." Borjas doubts that the cause is discrimination. Low skills seem to explain most of the gap, he says. Indeed, after correcting for education and age, most of the wage gap disappears. Otherwise, says Borjas, "I don't know."

But some things we do know - or can infer. For today's Mexican immigrants (legal or illegal), the closest competitors are tomorrow's Mexican immigrants (legal or illegal). The more who arrive, the harder it will be for existing low-skilled workers to advance. Despite the recession, immigration did not much slow after 2000, says Camarota. Not surprisingly, a study by the Pew Hispanic Center found that inflation-adjusted weekly earnings for all Hispanics (foreign and American born) dropped by 2.2 percent in 2003 and 2.6 percent in 2OO4. "Latinos are the only major group of workers whose wages have fallen for two consecutive years," said the study. Similarly, the more poor immigrants, the harder it will be for schools to improve the skills of their children. The schools will be overwhelmed; the same goes for social services.

We could do a better job of stopping illegal immigration on our southern border and of policing employers who hire illegal immigrants. At the same time, we could provide legal status to illegal immigrants already here. We could also make more sensible decisions about legal immigrants - favoring the skilled over the unskilled. But the necessary steps are much tougher than most politicians have so far embraced, and their timidity reflects a lack of candor about the seriousness of the problem. The stakes are simple: will immigration continue to foster national pride and strength or will it cause more and more weakness and anger?

**Analysis**

Immigration is still on the national agenda, as it was when Samuelson wrote this essay in 2005. At that time, Congress was drafting legislation to deal with problems associated with immigration.

To analyze the piece using the Toulmin model, you must think in terms of claim, support, and warrant. At the end of the first paragraph, Samuelson makes this statement: "Being brutally candid means recognizing that the huge and largely uncontrolled inflow of unskilled Latino workers into the United States is increasingly sabotaging the assimilation process." This is a factual statement that his readers must accept in order to accept his claim, but the claim itself is a claim of policy-a statement of what needs to be done about immigration. That statement comes at the end of paragraph 2: "To make immigration succeed, we need (paradoxically) to control immigration." He rewords his claim in the next paragraph when he points out that the sensible position is to be both pro-immigrant and pro-tougher immigration restrictions. His goal in the essay, then, is to support this assertion.

Support consists of evidence and appeals to needs and values. Samuelson is appealing to his readers' American values when he starts his second paragraph by noting that America's "heritage of absorbing immigrants" is something to be proud of. He goes on, though, to counter that with the point that "no society has a boundless capacity to accept newcomers, especially when many are poor and unskilled." He offers statistical evidence regarding the numbers of immigrants America is trying to absorb and the percentage of the immigrant population that are Mexicans. Here he draws on Harvard economists George Borjas and Lawrence Katz for his information.

Samuelson also provides statistical evidence that Mexican immigrants are poorly educated and thus relegated to low-wage jobs - and their children are not progressing very rapidly. When it comes to earnings, Hispanics are losing ground. The more poor immigrants, the more overwhelmed the schools and social services.

The warrant of an essay is what a reader must believe in order to accept that the support offered justifies the claim. What is our understanding of the way the world works that makes us accept, based on the support Samuelson provides, that in order to make immigration succeed, we must control it? Think in terms of a broad statement that might serve as the major premise of a syllogism. In this case, such a statement might be "To be successful, a program needs restrictions controlling it."

Samuelson suggests what could be done to improve the situation, such as making our southern border more secure, favoring skilled over unskilled workers for legal entry, providing legal status to immigrants already here, and enforcing laws about hiring illegal immigrants. In his closing sentence, he again appeals to his readers’ values: "The stakes are simple: Will immigration continue to foster national pride and strength or will it cause more and more weakness and anger?"