Contemporary Argumentation and Debate

The Journal of the Cross Examination Debate Association

Volume 29
2008

Edited by
Allan D. Louden

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ACADEMIC DEBATE AS A DECISION-MAKING GAME: INCULCATING THE VIRTUE OF PRACTICAL WISDOM

L. Paul Strait, University of Southern California and Brett Wallace, George Washington University

Abstract: This essay argues for a pedagogical renewal in the academic debate community, which currently lacks a clear telos. Practical wisdom, as defined by Aristotle in the Nicomachean Ethics, is proposed as the final cause of academic debating. Practical wisdom is identified with the process of good decision-making. Controversies in the theory of disadvantages, counterplans, and critiques are evaluated. In order to realize the final cause of practical wisdom, debate theory needs to be restructured according to a common-sense understanding of decision-making. The authors advocate a more rigorous and systematic approach for debating and evaluating theoretical arguments.

If we take seriously the proposition that debate is not merely a contest to be won but also an activity that enriches all of its participants, whether they win or lose, we ought to determine the substance of that enrichment. In the Nicomachean Ethics, Aristotle (c. 330BCE/1941a) avers that all activity has an end:

Every art and every inquiry, and similarly every action and pursuit, is thought to aim at some good… What then is the good of each? Surely that for whose sake everything else is done. In medicine this is health, in strategy victory, in architecture a house, in any other sphere something else, and in every action and pursuit the end. (#1094a 1-3; #1097a 18-22).
Debate is clearly an art, an inquiry, an action, and a pursuit—toward what good ought it aim? Many common answers to this question—research skills, activism, general persuasion skills, competition itself, policy education, etc.—are troubling, as there are better, more efficient ways to reach each of those ends. The old historical paradigms found the end of debate extrinsically by analogy: in law (stock issues); policy (comparative advantage policy-making); or science (hypothesis-testing). The current gaming paradigm, in which the rules are actively negotiated and renegotiated by the debaters in each debate/game, finds the end of debate intrinsically (Snider, 2003).¹ Gaming suggests only a very generalized pedagogical telos—the purpose of debate is roughly ‘education,’ but this only begs the question, since no activity is justified solely for its own sake. We contend that debate is not merely a game, but a decision-making game, and its end is the inculcation of the virtue of practical wisdom.

In the first part of the essay, we clarify the meaning of practical wisdom and defend it as the essential telos of academic debate. What should students get from debate? What virtues should debate foster? Why is debate so special? We then seek to determine how debaters, critics, and coaches ought to view some of the basic controversies in debate theory. Methodologically, we evaluate contemporary practices of the three basic negative argument genres (disadvantages, counterplans, and critiques) under the assumption that the final cause of debate is practical wisdom. We then apply the same assumption to contemporary practices of debating about the controversies identified in the second section (‘going for theory’). We aim

¹ Though some scholars take issue with a normative or prescriptive formulation of the ‘gaming paradigm,’ the paradigm as articulated by Snider (2003) is descriptive. In any event, the paradigm has achieved saturation in the debate community, accepted by virtually all active participants, students and coaches alike. For a more detailed treatment of this issue see Contemporary Argumentation and Debate, volume 24, which is devoted to reflections on the gaming paradigm, featuring Professor Snider’s most recent essay on this subject, several essays written in response, and Snider’s responses to each.
to show that by viewing debate as a decision-making game, the theoretical legitimacy of substantive arguments is related to the practical legitimacy of theoretical arguments, and this relationship is profoundly ethical. Fisher (2000) contends that “ethical communication is imbued with good reasons that derive their grounds from values that constitute various forms of human relationships” (p. 2). The central argument of this essay is this derivation requires the consideration of agency and decision-making, and for academic debate, this entails certain constraints on negative fiat, as well as a more favorable view of theory debating than is currently held by many in the NDT-CEDA community.

**Practical Wisdom**

Since the inception of modern academic debate, much of the praise it has received for educating students has focused on the real-world skills acquired in the processes of research, argumentation, critical thinking, and policy analysis. Students develop these skills and apply them to jobs, politics, fields of study, and their personal lives. Indeed, in every decision, trivial (‘Where should I eat dinner?’), and non-trivial (‘What college should I attend?’ ‘Who should I marry?’), we evaluate all of the relevant advantages and disadvantages, consider possible alternatives, and come to some conclusion. Apologists for policy debate often champion the increased critical thinking skills taught by the activity that are necessarily used to work through these kinds of choices, particularly under rigid time and speech constraints. If this is truly the desired goal of policy debate, one would think that the way in which debates are framed, discussed, and adjudicated should closely resemble the process of deliberation that everyone, from the highest government officials to the most inconsequential members of society, uses.

Aristotle (c. 330bce/1941a) argues that this decision-making process combines desire and reasoning in the act of deliberation focused on some end. The ability to make good decisions (and to follow through with them) is associated with the virtue of practical wisdom:
Practical wisdom... is concerned with things human and things about which it is possible to deliberate; for we say this is above all the work of the person of practical wisdom, to deliberate well, but no one deliberates about things invariable, nor about things which have not an end, and that a good that can be brought about by action. The person who is without qualification good at deliberating is the person who is capable of aiming in accordance with calculation at the best for humanity of things attainable by action. Nor is practical wisdom concerned with universals only—it must also recognize the particulars; for it is practical, and practice is concerned with particulars. (#1141b 6-16).

This underlies our contention that practical wisdom is the final cause of debate. Practical wisdom is broad, provides coherence and unity in a non-arbitrary way, and is value-neutral with respect to the growing divide between the policy-focused and the critically-inclined. Non-practical ends are not helpful – as Aristotle (c. 330bce/1941a) argues:

The origin of action—its efficient, not its final cause—is choice, and that of choice is desire and reasoning with a view to an end... Intellect itself, however, moves nothing, but only the intellect which aims at an end and is practical; for this rules the productive intellect as well, since everyone who makes makes for an end, and that which is made is not an end in the unqualified sense. (#1139a32 – 37).

Practical ends that are not unqualified—e.g., Mitchell’s (1995) ‘outward activist turn,’—are not necessarily bad aims, but the interests of many participants lie outside the circumference of those ends, while practical wisdom in general addresses the broadest possible range of decisions. Some people debate in order to hone skills as an

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2 The translation has been modified to retain the more universal meaning of the Greek ἄνθρωπος.

3 It should be noted that the revised model presented in Mitchell's (1998) article, contra the more partisan model appearing in 1995, has many features that are both consistent with and reinforcing of the model we defend here. Nevertheless, the concept of 'reflexive fiat' is defended
activist, others for social purposes, and many just believe it is fun. These and other motives for participation certainly are relevant considerations for individuals deciding to join a debate team. As theorists attempting to discover the telos of our activity, however, our concern lies in finding a framework for debate that educates the largest quantity of students with the highest quality of skills, while at the same time preserving competitive equity.

The ability to make decisions deriving from deliberation, argumentation or debate, is that key skill. It is the one thing all humans will do every day of their lives aside from breathing and other automatic processes. Practical wisdom transcends boundaries between categories of learning such as ‘policy education’ or ‘critique education,’ it makes irrelevant considerations of whether we will eventually become policymakers, and it completely overshadows questions of what substantive content a debate round should involve. The implication for this analysis is that the critical thinking and argumentative skills offered by real-world decision-making are comparatively more important than any educational disadvantage weighed against them. It is the skills we learn, not the content of our arguments that can best improve all of our lives. While policy comparison skills are necessarily learned through debate in one way or another, those skills are useless if they are not grounded in the process actually used to make good decisions. This means that whenever any proposition of policy is considered, the appropriate decision-maker(s) must be identified:

The appropriate decision makers are those necessary to the ultimate implementation of the decision. You may win adherence of fellow students to the proposition that the midterm exam should count less than the final paper in grading your class, but if the professor says no, little is gained… It is important for… [arguers] to recognize who the appropriate decision makers are. (Rieke & Sillars, 1993, p. 2).

“along the lines of a traditional agent counterplan,” and is thus premised on a model of decision-making that we contend is, in essence, incoherent.
Since policy debate aims at determining whether a particular course of action is expedient, all arguments which misapprehend the appropriate decision maker(s) are red herrings and interfere with true rational deliberation.

Academics from outside the contest debate community make this argument in different ways in discussing their own research. Richard Fulkerson (1996) explains that “Argumentation... is the chief cognitive activity by which a democracy, a field of study, a corporation, or a committee functions. . . And it is vitally important that high school and college students learn both to argue well and to critique the arguments of others” (p. 16). Stuart Yeh (1998) concludes that debate allows cultural minority students to “identify an issue, consider different views, form and defend a viewpoint, and consider and respond to counterarguments...The ability to write effective arguments influences grades, academic success, and preparation for college and employment” (p. 49).

We could have defended our thesis in any number of ways without invoking the Philosopher, of course, yet we chose to do so for three reasons. First, Aristotle’s practical philosophy provides a frame of reference for other debate theorists to see how our thought developed and to have a better sense of our precise meaning. Second, Aristotle emphasized a common-sense approach to philosophical inquiry. This is something we want to highlight as a corrective to some of the currently dominant practices of the debate community. Finally, Aristotle’s concept of practical wisdom is associated with the good life, characterized by happiness and excellence. This reflects the attitude we hold toward academic debate. If we had chosen some other intellectual framework instead (e.g., Nietzsche’s iconoclasm, as in Shanahan [2004]), the tone and attitude of the essay would be different.

**Theory of Debate Practice**

If we accept that academic debate ought to foster practical wisdom among its participants, debate theory itself must reflect this. It is precisely because it is rooted in real-world practice that debate has value. Kuhn (1992) explains...
this by stating that “no other kind of thinking matters more- or contributes more-to the quality and fulfillment of people's lives, both individually and collectively” (p. 156). Thus, we argue that the principles of good decision-making must be present in debate arguments. This means, first and foremost, that all decisions posed by debate theory must account for the decision-maker. In the real world, decision-makers can choose only from the options open to them, not from all possible options they can imagine. Aristotle (c. 330bce/1941b) argues: “Concerning things which exist or will exist inevitably, or which cannot possibly exist or take place, no counsel can be given… Clearly, counsel can only be given on matters about which people deliberate; matters, namely, that ultimately depend upon ourselves, and which we have it in our power to set going” (1359a32-39).

While decision-making would be much easier from the position of a universal, omnipotent decision maker, real decision-making situations are contingent on the decisions made by others, decisions which cannot be counted on to change. Recognition of this is a marker of emotional and cognitive maturity, a sign that one is ready to make adult decisions. Although people might occasionally think about problems from the position of an ideal decision-maker (c.f. Ulrich, 1981, quoted in Korcok, 2002), in debate we should be concerned with the type of argumentative thinking that is the most relevant to real-world intelligence and the decisions that people make every day in their lives, not academic trivialities. We demonstrate how this argument resolves problems in debate theory by examining three genres of negative arguments: disadvantages, counterplans, and critiques.

Disadvantages

Though the theory behind disadvantage debating is largely established by a broad consensus in the debate community, there are two theoretical questions that are not completely settled, and in each case we argue that consideration of the virtue of practical wisdom suggests possible solutions. First, what should be assumed about the plan aside from what is in the plan text? Second, must
disadvantages be intrinsically linked to the plan? Before answering these questions, consider the following examples. 1. A graduate student (GS) is thinking about signing up for a desired course (A). That course is scheduled to meet at the same time as another course (B) for which GS has already registered. Both A and B have a mandatory attendance policy, and so GS decides not to sign up for A. 2. An undergraduate student (US) is thinking of signing up for a desired course (C), but the course is notoriously hard for students who do not own their own computers, and US has not yet decided to buy a computer.

In the first example, the plan is to enroll in A, and the disadvantage (and perhaps case turn) stems from the inability to enroll in A and B simultaneously. This example seems silly unless there is a reason not to drop B. Indeed, we might consider dropping conflicting courses to be the ‘normal’ way one goes about registering for a course. In the second example, the plan is to enroll in C, and the disadvantage stems from hardship associated with not owning a computer. It is probably not the case that purchasing a computer is a ‘normal’ part of registering for a course. The disadvantage is not intrinsically tied to enrolling in the class, and could be avoided by buying a computer.

The dominant view in the debate community is that plan texts need not specify anything that would necessarily occur were the stated mandates of the plan to be enacted normally. There is no need, for example, to specify that the president would sign the bill, or that Congress would allocate funding. The affirmative team is, of course, required to defend the consequences of all of these normal but unspecified mandates. Infrequently, affirmative teams will attempt to avoid disadvantages which are not intrinsically linked to the plan by proposing some (unspecified, not ‘normal-means’) mandate, but this is for the most part seen as illegitimate. Yet, in our second example, it seems like it would be reasonable for the student to consider the decision of buying a computer when considering the decision to enroll in C. Should NDT-CEDA judges accept this kind of argument?
Probably not. ‘Non-intrinsic’ arguments only matter from the perspective of the agent of the affirmative’s plan, not the judge. The judge is not role-playing as any particular individual; he or she is a third party who brackets off the status-quo decision-making process of the United States Federal Government (USFG) in order to be an impartial intellectual. While we insist that the judge cannot adopt the position of a universal decision-maker, we believe the judge can (and probably should) adopt the position of a universal audience. Adopting the perspective of such an audience, composed of all reasonable and competent members of humanity, provides “a norm for objective argumentation” (Perelman and Olbrechts-Tyteca, 1969, p. 31). In other words, debaters should not assume that the judge is the representative of any particular audience that would evaluate the relative desirability of any course of action in terms of its own private interests. Though a debate may focus on the question of whether the USFG should undertake some course of action, the debaters should defend their positions on the basis of the overall common good. The question is not whether the plan is desirable from the perspective of the agent of the plan, but in the more general case. The decision to restrict the question of the debate to the desirability of actions carried out by a single decision-maker has no bearing whatsoever on the decision to ignore arguments that appeal not to the general common good but instead to some particular audience’s interests. At the end of the round, it is the judge, and not the USFG, who decides whether (and how) the USFG should act. This is why separating the judge from the decision-maker is vital. Arguments therefore should be designed to be persuasive to the judge, rather than to be the kind of arguments that would be persuasive to the USFG. Debaters and critics can attend to the process of good decision-making and at the same time not evaluate arguments as if they were policymakers. There is no reason a critic of argument ought to feel compelled by requirements that links be intrinsic to the plan.

Additionally, one large difference between public and private deliberation is that while the latter can be carried out by a single person, the former requires a collective
decision. A group cannot be sure it will agree on one issue while considering another. This problem happens whenever a decision-maker is not entirely sovereign. Imagine a compulsive gambler considering whether to visit a friend who lives in Las Vegas. The disadvantage, obviously, comes from the financial loss that probably would occur were the gambler to enter a casino. That disadvantage is not intrinsic to visiting the friend in Las Vegas, but it certainly is not as simple as deciding not to gamble. The probability that this decision will not be made must be considered. Likewise, the U.S. Congress must (and does) consider the possibility that it will fail always to make the best decisions.

Furthermore, non-intrinsic arguments may be rejected on the grounds that they are unfair, and such a determination is entirely consistent with our position that negative fiat ought to be limited to the agent empowered to enact the plan. Debate is a decision-making game. Debaters deliberate over issues of public policy because those issues can be researched. The resolution provides prior notice about what public policy issues will be the subject of debate so that the participants can prepare themselves to make the best arguments possible. Thus, plan mandates must be derived from that resolution, and teams must prepare for all possible plans, including everything that falls under the normal-means category. Non-intrinsic arguments, not being derived from the resolution, are not predictable. Affirmative teams are free to make arguments like: “If Congress were to pass the plan, they would be very likely to pass X legislation also which would solve the link to the disadvantage.” Negative teams, however, are equally free to dispute the probability of that claim.

The final unsettled area of disadvantage theory relates to agent specification, since link arguments often depend on a particular agent. Resolutions typically follow the form: “The USFG should change X policy.” Affirmative plans must specify the nature of their policy change; some negative teams argue that they must specify which branch of the USFG enacts the plan. Should affirmatives have to do this? How important is agent specificity when deliberating about a decision? Generally, the agent should be as specific
as necessary to evaluate the decision. Does the agent make a difference? Imagine that a group of friends hanging out together becomes hungry. The group deliberates whether to go to the store to buy food. Is the store far? How much money is available? What kind of food will they buy? These questions all are important. Does it matter who is going to drive the car? Maybe, but probably not. Debates about agent specification should be resolved by considering the degree to which the specification is important to the specific decision posed by the plan. Yet if you ask the average debater her opinion about agent specification, her reasoning about it, regardless of whether she likes the argument or not, very often will be divorced from the concerns of rational decision-making.

Counterplans

Like all arguments in the negative’s arsenal, counterplans have the burden to be relevant to the question posed by the affirmative plan (disadvantages accomplish this by having a compelling ‘link’). For this reason, counterplans must be competitive but we argue that competition is necessary but not sufficient to demonstrate relevance. Lichtman and Rohrer (1975) observe that negative fiat should have a limited scope, relating to the logic of who is making the decision:

It is assumed, of course, that decision-makers being addressed have the power to put a counterplan into effect. An individual or governmental unit can reasonably be asked to reject a particular policy if an alternative promises greater net benefits. If, however, a counterplan must be adopted by another individual or unit of government, the initial decision-maker must consider the probability that the counterplan will be accepted. Debate propositions often affirm that a particular policy

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4 Of course, it might matter if, for example, one of the possible drivers might be intoxicated. Our point here simply is to show that in a typical decision-making scenario, the issues of substance tend not to be related to questions of the agent.
should be adopted by the federal government. Even if adoption of this policy by the individual state governments would be more beneficial, a reasonable critic would still affirm the resolution if state adoption were highly unlikely. The federal government should refrain from acting only when the net benefits of state and local action, discounted by the probability that such action will occur, are greater than the net benefits of federal action. (p. 74, footnote 13).

Expanding upon this common sense approach, Korcok (2002) reasons that advantages and disadvantages relating to political ramifications, resources, policy effectiveness, enforcement, and so on, all depend upon whose task it is to take the desired action. Therefore, questions of the substantive desirability of the affirmative, along with questions of the educational value of learning general governmental processes, are incoherent without first specifying who is making the decision.

Virtually every policy resolution over the past 40 years has asked affirmatives to defend a new policy system enacted by the USFG. The affirmative’s job is clearly to craft a normative argument in favor of all or part of the USFG taking action. Arguments that other countries, international organizations, or agents within the United States should act are irrelevant, because they circumvent questions of probability (Lichtman & Rohrer, 1975; Korcok, 2002). Along similar lines, Solt (2004) observes: “If the affirmative says that ‘the state should do X,’ a negative response that ‘activist strategy Y would be the best way to persuade the state to do X’ does not seem competitive. It supplements what the affirmative says, rather than disagreeing with it” (p. 48). Thus, it only makes sense to analyze the desirability of the affirmative’s action from the lens of available alternatives open to the (topical) actor advocated by the affirmative.

Consider what it means when a judge votes affirmative or negative. Supposing the affirmative has presented a topical plan, the judge votes affirmative when the plan is shown to be net-advantageous when compared to
the status quo or a competitive alternative, and the judge votes negative when the plan is shown to be less desirable than the status quo or a competitive alternative. If testifying before Congress, this judge could reasonably say: “Based on the arguments I have heard over the last hour and a half, it would be better for you to do X than Y.” In other words, after the debate is concluded, one entity could make a decision based on the information presented. This is not to say that Congress (or anyone else) should make decisions based on the outcomes of scholastic debate rounds. What matters is that the debaters will have made an informed decision. This is utterly impossible if the negative advocates action by some agent other than the affirmative’s. Since the point of fiat is to bracket off questions of ‘would’ in order to focus completely on questions of ‘should,’ questions of probability never get discussed (Broda-Bahm, 2002). From the perspective of the agent identified in the plan, the probability is 100%: if the agent decides to adopt the mandates of the plan, there is an absolute guarantee that it will in fact do so. Yet, if the plan is compared to a counterplan in which Japan, rather than the United States, attempts to solve the advantage(s), there is never a situation where the United States could make a decision based on a 100% probability that Japan would take action if the United States did not. Thus, if Congress failed to consider the chance that that decision-making body would not in fact take the desired action, it would hardly be engaging in what Aristotle (c. 330bce/1941a) calls “correctness of thinking,” the substance of practical wisdom.

We agree with Korcok’s (2002) conclusion that “the appropriate scope of negative fiat is the scope of the authority of the decision-maker choosing whether to adopt the affirmative plan” (p. 253). Korcok clearly identified that this interpretation of negative fiat was the only way to access the decision-making logic that is so valuable. He leaves as an open question, however, who exactly constitutes the decision-maker who chooses to adopt the affirmative plan. Is this decision-maker the entire resolitional agent? Is it the judge deciding whether or not to endorse the plan academically? We propose that the decision-maker should be
limited to the topical agent chosen by the affirmative, which we contend is the logical extension of Korcok’s reasoning, and has applications both in dealing with plan specification issues and with kritik theory beyond further clarifying the limits of negative fiat.

The most common objection to this line of reasoning is that agent counterplans are the only way to test the agent, and the affirmative must be prepared to defend all parts of their plan, including the agent. We find this argument disingenuous: disadvantages, not counterplans, are how parts of the plan are tested. A counterplan always will lose unless it has a net benefit, and it is the net benefit itself that tests the agent. None of the net benefit literature, however, has been written with the peculiar choice of the plan vs. the counterplan in mind. Of course, literature can be found that generally compares two agents on broad policy questions. In some cases, literature may exist that seems to compare two courses of action that resemble the plan and the agent counterplan. Nevertheless, the comparative assumptions in this seemingly relevant literature are so different from those operating in the debate round that the literature cannot serve as evidence for the relative desirability of either the plan or the counterplan.

Incommensurability exists for two reasons: first, it is logically impossible for any policy comparison in the literature to consider a universal decision-maker when there are in fact two independent decision-makers; second, policy comparisons in the literature necessarily assume relative non-certain probabilities, while comparisons arising from alternative agent fiat depend on non-relative certain probabilities. The actor in an agent counterplan is explicitly posited as one that has no authority to reject the plan, just as the actor in the plan is explicitly posited as one that has no authority to reject the counterplan. Since in the real world, the world addressed by the allegedly relevant comparative literature, neither of the two agents in question may consider action by the other agent as an alternative, one should not expect to find arguments in the policy literature which provide such comparisons. What purpose would such literature serve? Why would someone write such literature?
Since no universal-decision maker exists, one would have to wonder who the intended audience of such comparative literature might be. It seems to us very unlikely that an expert in policy comparison would publish an argument that ostensibly serves no real-world purpose, evaluating a hypothetical decision that bares no resemblance to the actual decisions that real policy-makers must consider. Certainly, anyone relying on such literature in a debate round should have to explain why someone would bother to publish such an apparently useless comparison.

Since no literature will be written that examines the problem from the perspective of a universal decision-maker, all that is left is literature that, explicitly or implicitly, makes arguments for or against either the plan or the counterplan. Any attempt made by the authors of this kind of literature to compare the plan and the counterplan will be tainted by assumptions that necessarily fail to hold for the decision faced by a judge who imagines herself to be a universal decision-maker.

In the real-world, decision-makers invariably consider the possibility that others might act to solve shared problems. When policy analysts write arguments in the context of this very real decision-making environment, they must always regard the decision to enact the plan as entirely independent of the decision to enact the agent counterplan. The agent of the plan may very well make their decision in light of the possibility that the counterplan may be enacted—but whatever that probability is, it is a constant, rather than variable and contingent on the decision to enact the plan. In other words, the decision-maker empowered to enact the plan may base her decision on any of an almost limitless set of reasons, a set that includes the possibility that some independent agent may choose to enact the agent counterplan, but at no point may she regard the counterplan as an alternative to the plan. She may decide either to do nothing, or enact the plan, or enact something different than the plan, but she may never base her decision to enact the plan on the relative undesirability of the counterplan. In other words, assuming that the plan and counterplan are both inherent, there is no certainty that either will be enacted that
status quo. In debate rounds in which alternative agent fiat is the basis for comparing the plan to the counterplan, that comparison can only be made under the assumption that the potential probability that either the plan or the counterplan will be enacted is 100%—yet any literature that compares the plan and the counterplan must implicitly (if not explicitly) consider relative non-certain probabilities. For this reason, no literature exists which compares anything like the plan to anything like the counterplan under the basic conditions of comparison that exist in a debate in which the negative is granted alternative agent fiat.\(^5\)

Thus, literature that compares the plan and the agent counterplan simply does not exist, since in the real world, whether the plan and the counterplan are enacted always depends on two independent decisions, and no credible policy literature assumes otherwise. Literature directed to an activist audience, however, seems to be an exception to the general rule posited by our first argument; after all, an activist must choose between independent decision-makers when considering to whom she should direct her activism. In this case, however, the force our second argument becomes overwhelming, for above all else an activist must consider whether her activism will find a sympathetic audience or, alternatively, will fall on deaf ears. Likewise, literature that withstands the objection of our second argument might exist, if, for example, the potential advantage either agent may hope to obtain by following a particular course of action is unaffected by the other agent's decision to act, for in this case the relative probability that the other actor will act becomes irrelevant to the decision. Yet in this case, our first

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\(^5\) One might object to this line of reasoning by attempting to show a *reductio ad absurdum*, arguing that no literature exists which assumes a potential probability of 100% that the plan will be enacted. Yet this is not true—any time anyone advocates anything (in the policy literature and in any other context), they do so by describing the advantages of a world in which their desired course of action were enacted. The theory of affirmative fiat is an unavoidable abstraction in deliberative argumentation, and its validity is a matter of common experience. Alternative agent fiat, on the other hand, is an abstraction that is unique to the policy debate community and its validity is utterly alien to the real world of deliberative decision-making.
argument is especially salient, because if one agent's decision to act is unaltered by the other agent's decision to act, their separate rationales for acting must be entirely distinct and relative to each decision-maker. Such rationales are hardly dispositive to the decision of one who represents neither agent but must make a decision with respect to the general utilitarian good.

If no evidence can logically exist which meaningfully compares the plan and the agent counterplan, it is difficult to see how such a counterplan serves to 'test' the agent of the plan. Indeed, the combination of an agent counterplan and a 'net-benefit' seems to be less of a test of the plan's agent than if the 'net-benefit' was simply presented by itself. As we hope is clear at this point, the most basic concern an agent should evaluate when deciding whether or not to attempt to solve some problem is the likelihood that the problem will be resolved in the status quo, either on its own or as a result of the action of some independent actor (i.e., the stock issue commonly called inherency). Advocates of agent counterplans ask us to ignore this most important consideration. Rather than being key to testing the agent, they make testing the agent impossible.

Critiques

Practical wisdom has important repercussions for the theory of the critique genre as well and, because the critique’s evolution in debate is so nascent, the theoretical literature’s discussion of critical alternatives in terms of negative fiat is sparse. This is disappointing because framework debates are particularly fertile grounds for the application of decision-making theory. One of the central questions addressed by critical debates is whether the role of the ballot is to evaluate policymakers, micro-political action, or something else entirely. Even when the links to a critique are not rooted in an indictment of policymaking, their alternative usually entails some kind of change in the way in which individuals think. This sets up contradictory decision-making frames and fundamentally puts critiques in the same category as alternate agent counterplans.
The theoretical legitimacy of critical frameworks is an area in which Korcok’s (2002) analysis is incomplete. This topic has been discussed extensively in recent years; our discussion will be limited to the relationship between critical frameworks and decision making. Our view that the appropriate scope of negative fiat is limited to the topical agent chosen by the affirmative might exclude all critique alternatives or, at the very least, increase the level of specificity required in order for the judge to consider them legitimate. This is true because the affirmative’s agent, derived from the resolution, must be an actor within the United States federal government. The affirmative’s actor is not the debate critic. This distinction makes it obvious that for the negative’s criticism to have any relevance, it must ignore the constraints upon the decision maker’s authority. Alternatives that have the judge endorse a nebulous rejection, rethinking, or criticism of a particular axiology, epistemology and/or ontology represent precisely the forms of universal decision-making authority that do not exist in the real world. For example, it would be great if every terrorist rejected violence, every criminal embraced love, or every capitalist ended his or her desire to dominate others, but the probability of any of these is approximately zero. This is ‘object fiat’ at its worst and, as such, devastates the affirmative’s capacity to develop offense.

Negative claims that the exclusion of critical alternatives is detrimental to education are not persuasive when decision-making logic is taken into account. Critical intellectuals and policymakers both take into account the probability that their actions will be successful. Fiating that individuals alter their method of thinking circumvents these questions of probability and thus not only taints education about policy-making but offers a flawed approach to activism (or any other purview of action/philosophy the negative is advocating). Intellectuals and activists have many important considerations relating to resources, press coverage, political clout and method. All of these questions are related directly to who is taking action.
Practice of Debate Theory

The foregoing discussion of the theoretical legitimacy of alternative agent fiat is purely academic by itself because the judge determines the ‘rules’ of debate based on deliberation that occurs in the round. The larger aim of this essay is to demonstrate that current approaches to debating theory are themselves flawed. Many judges believe that appeals to theory are inferior to appeals to substance. There are many reasons for this; perhaps most relevant is the commonly held sentiment, as Solt (2002) puts it, that “Debate has a substantive intellectual content which… is far more worthwhile to learn about than… debate theory” (p. 9). In this section, we hope to demonstrate that the divide between theory and substance is a false dichotomy. While it is interesting to learn about the possible solutions to various foreign and domestic policy problems, it is only worthwhile if that knowledge can inform decision-making processes that debaters will employ throughout their lives.

The way in which theoretical disputes are handled in actual debate rounds often is muddy and shallow. Frequently, the Second Affirmative speaker will read a quick, jargon-filled list of complaints about the debate practice in question, and then, in the Negative Block, an equally quick list of defenses is read in response. Rarely is a cohesive interpretation which ties all of the arguments together offered and compared to a counter-interpretation, as topicality debates are often treated. Standards are often debated in a vacuum and not compared to an alternative vision of debate, which is usually merely implied. We regard this as unfortunate, and perhaps a reason why negative teams all too frequently win theoretical disputes, regardless of the issue. Nevertheless, in an ideal debate, each team will defend competitive visions of negative fiat power, and organize their arguments in terms of offense and defense. There are two impacts to all of these arguments: competitive equity and education. We have already explained the educational benefits of adopting our interpretation. Affirmative teams will have to be prepared to answer claims like: “It is especially educational to research about the Congress or the President,” but because this kind of
education is not exclusively accessed by agent counterplans, we do not regard them as serious challenges to our argument presented above. Therefore, we shall deal here with the issue of competitive equity.

First, we must note that the terminal impact to all questions of competitive equity is ultimately participation in debate itself, which is good because debate is fun and, obviously, educational. Therefore, if it is the case that the single most valuable benefit one can gain from participating in debate is that it improves decision-making skills then the educational benefit of rejecting an illogical fiat scheme would outweigh competitive equity concerns that were not absolute. Therefore, unless the negative can show that agent counterplans are absolutely critical to preserve participation in debate (for example, if the affirmative would win almost every debate without agent counterplans), claims that they are “not that bad” do not prove that they are necessary. It is the negative’s burden to justify its use of alternate actor fiat, not the affirmative’s burden to de-justify all agent counterplans. Unfortunately, debates normally do not play out this way.

The connection we have already identified between practical wisdom and the proper limit of negative fiat has implications for competitive equity as well, which gives affirmative teams further offense to convince judges to not consider alternate agent fiat. One method used by negative teams to handle theoretical objections to their counterplans or kritiks is to minimize their opponents’ ability to win offensive impacts by crafting clever counter-interpretations that simultaneously allow the particular strategy chosen by the negative but disallow similar, but perhaps more egregious, strategies. For example, suppose the negative advocates that the President, instead of the Congress, should take some action. When the affirmative team argues that the judge should reject alternative agent fiat, the negative might offer a counter-interpretation that they should be constrained to the decision-makers in the resolution (i.e., some part of the USFG), or even worse, that the negative should only be allowed to fiat the particular decision-maker used in their counterplan, the President. The most egregious abuses of
negative fiat would be avoided by this counter-interpretation, the negative would claim, and the judge should certainly allow their reasonable, predictable counterplan. If the counter-interpretation chosen by the negative only allows the exact counterplan that they chose to run, it would certainly be very easy for the affirmative since that is the only counterplan they would ever have to deal with! Why should the judge vote against the counterplan for theoretical reasons if the negative has an interpretation that is very favorable for the affirmative?

We believe that this kind of strategy, while persuasive to some, is intellectually bankrupt. Affirmative teams occasionally respond similarly to topicality arguments by offering the counter-interpretation that only their plan is topical, and negative teams have figured out by now that these kinds of counter-interpretations are highly arbitrary. We contend that just as an interpretation of what is topical ought to be grounded in some non-arbitrary literature, interpretations of what the negative ought to be allowed to fiat also should be non-arbitrary. The current repertoire of interpretations that debaters use focuses primarily on distinctions like public vs. private actors, domestic vs. international decision-makers, multi-actor fiat and object fiat, but these categories miss the mark, because they have nothing to do with the foundation of negative fiat, the process of good decision-making.

An examination of the question of fiatting the object in particular makes this even clearer. Except for those who believe in ‘negative flexibility’ as a god term, most people in the community agree that the negative should not be able to fiat the object of the affirmative plan; otherwise its win percentage would skyrocket at the expense of the affirmative. Imagine an affirmative plan in which the United States government provides condoms and educational assistance in order to reduce the transmission of HIV/AIDS. What substantive reply would win against a negative team advocating that all people infected with HIV become celibate? That this is improbable, to say the least, is irrelevant if the negative only has to prove that it should be done, and thus, for some reason, the plan should be opposed.
For a more likely scenario, imagine the affirmative supports a plan in which the United States government intervenes in some foreign conflict to stop an ongoing genocide. Here, a counterplan to have the culpable government cease killing people certainly solves better than the United States government ever could, and without linking to any domestic politics or spending disadvantages.

These negative strategies are intuitively unfair, making it impossible for the affirmative to generate offense, but what theoretical principle would we adopt to preclude their discussion? Perhaps the negative should not be able to fiat a decision-maker who is affected by the plan. Even if there were some non-arbitrary way to decide what and who the plan affects, it is unclear if even this rule would suffice. Consider affirmatives who argue that the World Health Organization is making something worse, perhaps by offering defective medicine or equipment, and so propose that the United States increase public health assistance in order to offset the poor assistance in the status quo. A counterplan to have the WHO change its policy solves the whole case and the plan does not actually act on the WHO, so our previously identified principle is insufficient for excluding this. When alternative agent fiat is allowed, there really is no non-arbitrary method of preventing object fiat. Since every harm area is a consequence of no one solving it, every alternative agent counterplan is at least a little bit object fiat. While some counterplans are clearly more unfair than others, if we can agree with the general principle that object fiat harms competitive equity, then the only true solution is to prevent all alternative agent fiat.

One possible answer to this line of reasoning is that while it is the case that no real world decision maker would decide between the plan and the counterplan, debate is not the real world, and the judge is the one singular decision maker who decides to accept the plan or the counterplan and endorse one or the other as the ‘best idea.’ Certainly the critic is a singular decision maker with respect to the ballot.6

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6 Most of the time; the University of Louisville, however, has counterplanned other judges into its debates.
and the only real decision he or she must make is
determining which team did the best debating. This seriously
begs the question, however; the critic must have criteria for
making this decision, and the fact that he or she is a unitary
decision-maker does not obviate negative teams from
justifying the particular policy they are advocating vis-à-vis
the plan. For the most part, teams defending alternate agent
counterplans still would like the judge to evaluate the debate
within a traditional policy framework, voting either for the
topical plan, a competitive policy option, or the status quo. If
they defend a competitive policy option which does not test
the opportunity cost of the agent of the plan, they still want
the judge to decide that the counterplan is better than the
plan, which means they still have to come to grips with the
basic thesis of the single decision-maker argument.7

7 Agent counterplans fail to test the opportunity cost of the plan.
Opportunity cost refers to the most valuable forgone alternative to an
action. Brahnam (1989) describes the applicability of this concept to
debate best:
The counterplan is…an important factor for all decision-makers,
whether personal or governmental. When we choose to take one
course of action, we choose, at least implicitly, not to take
others. These roads not taken are, in essence, counterplans, and
have received considerable attention in the fields of policy
analysis and economics. The logical operation and weight of the
counterplan are best explained by the economic concept of
‘opportunity cost,’ an evaluation of a course of action according
to foregone alternatives. (pp. 246-247).

In debate, we test policies based on their direct costs (disadvantages that
will result) and opportunity costs (competitive counterplans or kritik
alternatives which may enjoy a comparative advantage). A counterplan
does not represent an opportunity cost merely by being competitive, for
competition is a necessary but not sufficient condition to prove that one
policy represents a legitimate opportunity cost of another policy. It is
critical that the two policies be enacted by the same agent, because
otherwise it is impossible to say that the opportunity to exclusively enact
one policy was lost for any particular policy-making body. This is a key
distinction because, as the quotation from Branham makes clear, every
decision that people make involves measuring opportunity cost, which
means that comparisons of policies which do not represent mutual
opportunity costs invokes a kind of thinking totally foreign to any actual
decision-making and is therefore problematic for all of the reasons we
have outlined.
This is not the only possibility, however. The negative team could posit that the judge is similar to an activist deciding which policy to endorse. The real question, then, is not which policy is the best in a vacuum but, rather, which policy is most worthy of an activist’s support. Unfortunately for defenders of alternate agent counterplans, this argument offers them no security. One of the most critical questions activists must consider is whether or not they will be listened to, i.e., whether their activism will work. It might be a worse policy for the Congress to pass legislation than for the Court to issue a ruling, but at the same time it might be nearly impossible to lobby the Court successfully. Because alternate agent fiat intentionally ignores questions of probability, it is never a useful tool for informing activists in which organization they ought to place their trust. Ironically, most negative teams who make this counter-interpretation subsequently ignore the question of activism when reading solvency evidence for their counterplan or disadvantages to the plan. Other possible iterations of the role of the judge as a decision-maker are discussed in more detail below, when we turn to the application of this theory to critical framework debates.

Separate from the question of the logic of fiatting an alternate agent, other serious fairness concerns have been overlooked. These concerns, relating to predictability, are not entirely separate, of course; fiat is a decision-making tool, not an exercise in imagined omnipotence. When I decide if I am going to get up when my alarm rings, or hit ‘snooze’ instead, it is totally reasonable for me to imagine both waking up and hitting snooze at a probability of 100%, but in neither case would it make any sense for me to consider a possible world in which my friend covered all of my daily duties so that there would be no disadvantage to getting some extra sleep.

In policy debate, in order to debate topics that everyone can research equally, we debate public actors rather than private ones and we need to find literature to support acting in one way or another. Just as it would be
unreasonable for me to consider things other people could, but probably would not, do it is unreasonable for rigorous policy analysts to write evidence comparing the equivalent actions of two different agents. To be sure, some literature compares different public actors, but what passes for quality evidence here is generally terrible. Negative teams will read cards that say that “the Courts are good at X” or “the EU is decent at Y” or even “Japan is good at [insert specific mandates of the plan].” Never, however, are there cards that say “if one had to choose between Japan or the United States doing X, Japan would be better,” nor, naturally, the inverse. The reason should be obvious: no one ever would make this kind of decision. Evidence stating that Japan is better than the United States or visa-versa in the general affirmative harm area should not pass, because it is not written in the context of policy choice. At best, evidence of this sort misrepresents the comparison because implied probability concerns are intentionally bracketed off with the magic wand of fiat. That one agent is not likely to act more often than not is the reason that another agent is ‘key.’

Why is this important? If we are willing to engage in a system of informal logic that does not consider *ignoratio elenchi* to be a fallacy, perhaps the fact that the solvency evidence is slightly out of context is not the worst crime. Yet this cuts to the heart of the matter: if evidence that compares two agents taking action on the question of the plan is quoted out of context because probability issues are talked around, the kind of evidenced-based, rigorous policy analysis that is the mark of the best rounds of debate becomes impossible. No one rebuts the claim that, say, Japan, rather than the United States, should fight the Taliban in Afghanistan, because this initial claim is not a genuine opportunity cost of U.S. action. People who write articles analyzing policies usually do so for a reason—they would like to encourage policy-makers to behave in one way or another. This means that there is an examination of possible courses of action with respect to a single agent; an ideal policy and one or more alternatives, all of which come at the cost of enacting the first policy. Action by alternate agents fails to represent an opportunity cost to the agent of the plan, and therefore is
never going to be the subject of rational public policy discourse. Since a good literature base is the sine qua non of fair subject matter for policy debate, alternate agent counterplans should be excluded.

Debates about critique alternatives likewise often become frustrating because the debaters (on both sides) poorly identify the agent. Plan texts have a subject, objects, and a verb in the indicative mood; critique alternatives often are written in the imperative mood, with no stated subject. Consider the recently popular Nietzschean alternative to ‘do nothing.’ Who is it that the negative wants to do nothing? Does the USFG do nothing? The debaters? The judge? Every individual, or just individuals in the Middle East (or wherever) that have to do with the affirmative’s harm area? These questions directly implicate the desirability of the alternative and, thus, the education that we can receive from this mode of debate. Alternatives like ‘vote negative to reject capitalism,’ ‘detach truth from power,’ or ‘embrace an infinite responsibility to the other’ fall prey to similar concerns. This inability to pin the negative down to a course of action allows it to be shifty in the Second Rebuttal, and to sculpt its alternative in a way that avoids the affirmative’s offense. Rather than increasing education, a critical framework often is a ruse that allows the negative to inflate its importance and ignore crucial decision-making considerations.

Several other arguments can be leveraged by the affirmative team in order to insulate themselves from negative claims that critical debate offers unique and important education that the affirmative interpretation of fiat excludes. The first, discussed above, is that the most important benefit to participation in policy debate is not the content of our arguments but the skills we learn from debating. Because the ability to make decisions is a skill that activists and intellectuals must use as well, decision-making is a prerequisite to effective education about any subject. Further, debate is a decision-making game that requires debaters to ‘switch sides.’ Consequently, debaters enter each debate knowing that at some point they inevitably will be forced to argue against their own convictions. Participants all
realize that a vote for an argument in a debate does not reflect an absolute truth but merely that the team making that argument did the better debating. When it comes to education about content, particular arguments seldom change personal convictions because everyone knows that debate is a game. On the other hand, to truly inculcate the virtue of practical wisdom, repetition and habituation is vital. The best way to strengthen decision-making skills is to have students practice them in intense social settings like debate rounds. Moreover, much of the decision-making process happens in strategy sessions and during research periods, where debaters hear about a particular affirmative plan and are tasked with developing the best response. If they believe that alternate agent counterplans or utopian philosophical alternatives are legitimate responses, a vital teaching opportunity will have been lost.

Much in-round argumentation and theory literature on framework debates, notably O’Donnell (2004), has focused on the subject of ‘affirmative choice.’ As explained above, the affirmative clearly gets to choose its plan/case, and thus without question also gets to chose its agent. Champions of ‘affirmative choice’ contend that just as affirmative teams get to choose a (topical) plan, they get to choose the ultimate (topical) relationship between the plan and the ballot. Is the plan a proposition of policy that should be taken at face value? Is it a statement that activists should endorse? Is it a satirical statement that should be appreciated by rhetorical critics?

The way in which ‘affirmative choice’ gets deployed in the status quo is correct, but irrelevant, for two reasons. First, the fact that the affirmative chooses to answer the question ‘whether the affirmative’s policy option is superior to the status quo or competitive policy option’ is not a reason why the negative’s framework is not competitive. The sides disagree about the question that is being asked in the debate, just as they disagree about what branch should be acting. Since the negative still will win links to disadvantages to the affirmative’s framework, it is able to prove why that choice is undesirable. Very often, critical debaters incorporate links that apply not just to the plan but to the logic of
policymaking, framework choice, and fairness as well. This makes it easy for the negative to prove that ‘affirmative choice’ is not a reason for the affirmative to win, because they indict the assumptions behind the affirmative choice and offer a competitive framework.

Currently, the ‘affirmative choice’ response to critiques is essentially the same as responding to a Supreme Court counterplan by arguing: “We chose the Congress, so action by the Supreme Court is not relevant.” The real reason why ‘affirmative choice’ is a devastating response to many critiques is that the negative team’s critical framework necessarily entails an alternative that involves action by a different actor than that of the plan. This is the logical underpinning behind ‘affirmative choice’ arguments that has been missing so far. As explained above, action by actors other than the USFG may be competitive but, because it does not test the opportunity cost of the plan’s agent, it is not a cogent response to the speech act presented in the first affirmative constructive.

Sometimes, the negative attempts to explain its framework as a reason why the judge’s intellectual endorsement of the resolution is a consideration separate from whether the decision-maker should act. Korcok (2002) argues that separating the judge from the decision-maker opens up a discursive space for critical arguments. Clearly the judge then has authority to choose to endorse an idea that is distinct from and competitive with an intellectual endorsement of USFG action. Unfortunately for the negative, this is a separate question from the one the resolution asks and does not provide a reason to reject the affirmative. This begs an important question, however: what is the central question posed to the judge by the debaters, and how is it related to the resolution?

The affirmative does not get to choose simply any frame of interpretation for its (topical) plan. This is an important point that Korcok’s analysis ignores, because it leaves open the possibility that an actor besides the USFG could be the decision-maker. This is not to say that Korcok endorses non-topical action, but taking into account the fact that the affirmative’s actor has to be topical allows us to
narrow down the range of possible decision-makers and to make a conclusive answer about what question the affirmative is attempting to answer in order to win the debate. Obviously, in a policy debate, the Congress, the executive, and the judiciary all are possible decision-makers that are examples of the resolution. But in the context of framework debates, the resolution gives us only one question to answer. Every year, the resolution contains the introductory Resolved, which is followed by a course of action by the USFG. A colon separates the two parts of the resolution from each other, indicating that we as a community in each round have to “express an opinion by resolution or vote” about the normative question of USFG action (Words and Phrases, 1964, p. 478). Individual participants in the debate round are not the agents of the resolution, but the ones coming to an affirmative or negative conclusion about the question of whether it would be good for the United States federal government as a decision-maker to act. Each debate critic and individual debater is clearly separated from the decision-maker by the resolution. Negative interpretations that turn the judge or the debaters into a second decision-maker thus attempt to change the question that the resolution is asking in order to evaluate the opportunity cost of their localized action.

Considering the topical agent identified in the plan to be the decision-maker with respect to the debate, rather than the judge or the debaters, has three additional benefits. First, ethical questions relating to intellectually endorsing the affirmative and other areas of literature that are not traditionally discussed in the context of policymaking can still be discussed under this decision-making framework, but in a more productive manner. A negative strategy that includes a counterplan that uses different assumptions to solve the affirmative and says the affirmative’s approach is morally bankrupt is a reason why the affirmative should be ethically rejected. Even absent a counterplan, ignoring implications for the judge and excluding her ability to individually endorse alternative moral frameworks forces negative teams to make their criticisms more specific to the plan. If they want to say that the affirmative case is
unethical, they should be forced to engage the traditional arguments in the teleology/deontology literature, e.g., ‘moral purity has unintended consequences.’ This would mean that the negative’s alternative for the judge to reject the affirmative’s unethical course of action would have to be much more specific and engaging on the question of whether it is possible to predict consequences or embrace moral absolutism in the context of the affirmative’s advantages.

Second, identifying the topical agent of the plan as the decision-maker prevents debate from being about role-playing. Many critical teams’ objection to policymaking is that the debaters are not the Federal Government and should not pretend otherwise. Since our argument merely is that the judge’s range of fiat is constrained by the authority of a single decision-maker, rather than that the judge should be the decision-maker, debaters or judges do not have to accept uncritically the USFG’s authority or way of thinking.

Finally, identifying the topical agent of the plan as the decision-maker is the only way to limit affirmative or negative frameworks. Just as it is unfair for the negative to change the question of the debate, the affirmative should have a predictable way of proving the resolution is a good idea. O’Donnell (2004) persuasively describes the ideological chasm that has and will continue to tear the debate community apart absent an end to the proliferation of unpredictable frameworks.

**Conclusion**

While we believe we delineate the best paradigmatic view of NDT-CEDA debate, we see three limitations to our approach. First, Shanahan (2004) argues that the resolution interpolates debaters as affirmative debaters. To the extent that this is a bad thing (when resolutions describe thoroughly morally repugnant actions), the relationship between the decision-maker and the resolution seems insufficient to remedy the problem. Second, our theory offers no definitive statement about style, which is problematic given that, as Solt (2004) observed, differences in style deeply divide our community. Further theoretical essays could identify other possible final causes for our activity, and work out the
relationship between those ends and the theory and practice of academic debate. Additionally, future theoretical work should discuss these ends with reference to other controversies in debate theory, including negative conditionality, plan-inclusive advocacy, and emerging concerns in the new body of performance theory.

Third, though our thesis establishes conditions that may be necessary to obtain our stated end, i.e., the promotion of the virtue of practical wisdom, we have not shown that these conditions are sufficient on their own. For example, one might channel Plato, whose critique of sophistry in the *Gorgias* is, like so much of his work, extremely relevant today. Along these lines, one might criticize switch-side debate, noting that it encourages debaters to defend contradictory positions from round-to-round, thus discouraging the debaters from adopting the firm convictions they need to make good decisions in life (see, for example, Greene & Hicks, 2005, who argue that the practice of constantly switching sides conceals an ideological bias in favor of democratic liberalism). While a full response to this argument is beyond the scope of this essay, we strongly believe that the mark of practical wisdom is not the presence of firm convictions regarding matters of public policy; rather, it is the ability to discern the best course of action one should take when facing a decision that is relevant to one's own life. Thus, it is not about discovering good reasons for or against some particular policy proposal, but about discovering what makes a reason in any given situation a good reason.

We argue, consequently, that as debate teachers, we should encourage debaters to engage in practices that reflect coherent models of decision-making, which excludes certain argument types (such as agent counterplans). It is also for this reason that we argue that 'theory debating' is relatively undervalued in the status quo; we contend that debate teachers should reconsider the strength of the currently held preference for 'substantive' debate arguments over 'procedural' debate arguments, since the latter more readily translate to the real, substantive decisions facing debaters over the course of their lives. Finally, against the suggestion
that our model might be flawed because it discourages the development of firm convictions regarding particular public policy positions, we would strongly and passionately argue that this is a feature, not a bug. Firm ideological convictions tend to interfere with good decision-making, and we are extremely suspicious of any model of debate that fails to encourage debaters to question their convictions constantly.

Absolutely central to our thesis is our contention that there is an essential connection between the practice of 'theory debating' and the development of practical wisdom in the Aristotelian sense. A strong 'theory debater' is able to identify the most compelling justifications for or against a particular argumentation practice, and is able to explain why those justifications are compelling in light of the best arguments in support of the opposite position. Argument practices are, in essence, decision-making practices. If we can train our students to understand exactly what is at stake when one chooses any particular decision-making methodology, we will have given them the very best education. Does this mean that we would like for debaters to consider 'practical wisdom' an impact, comparable to other impacts one might come across in a 'theory debate,' such as 'competitive equity' or some other relevant concern? On the contrary, we argue that practical wisdom may be obtained by debaters who become good at winning 'theory debates;' we do not contend that 'practical wisdom' ought to become another two word phrase carelessly uttered at the end of a list of meaningless bumper-sticker arguments quickly and mindlessly read before getting to the 'real' arguments.

For Aristotle, phronesis is not one of the categorical topics of argument, but an end of good argumentation. Thus, when we argue throughout that competitive equity is a means to the end of practical wisdom, and not and end unto itself, we do not mean to imply that debaters should argue that 'practical wisdom' is the impact of their theoretical positions, and that, as per our thesis, this impact outweighs their opponents' stated impacts of 'competitive equity' or 'fairness.' Since competitive equity is a necessary (but not sufficient) condition for the attainment of our sumnum bonum, we want to encourage debaters to consider the
relative fairness of the argumentative practices they encounter in contest debate rounds. But we want to call attention to the fact that in many 'theory debates,' certain debate practices are defended entirely on the basis of whether they make it easier or harder for a side that, allegedly, suffers from some sort of structural deficit. We find utterly abhorrent the idea that any given debate practice might not reflect a coherent model of decision-making, but still might be justified because if effectively provides 'affirmative action' to an otherwise disadvantaged side of the resolution. In short, we would like for people to consider the relationship between competitive equity, on the one hand, and coherent models of decision-making, on the other. Rather than view 'practical wisdom' and 'competitive equity' as dialectically opposed ends, we would rather debates about 'competitive equity' to be considered, on both sides, from the perspective of practical wisdom. A correct reading of our argument should result in more meaningful debates about competitive equity, rather than a dismissal of competitive equity as an impact outweighed by 'practical wisdom' or 'phronesis' or any other essentialized reduction of our sumnum bonum.

Given the terrible lines of division in the debate community, our call for reappraisal of the final cause of academic debating is urgent. We have argued that practical wisdom is the appropriate goal point, and have articulated the consequences this has for debate theory. One may disagree with our arguments about those consequences and still agree in principal with our call for pedagogical renewal. We believe practical wisdom is a worthy goal for our community, even if it cannot offer certain clear-cut prescriptions; as Goodnight (1982) observed, “If public argument can yield no more than a probable answer to questions of preferable conduct, it can offer no less than an alternative to decisions based on authority or blind chance” (p. 214).
References


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The authors would like to thank Randy Lake, Alicia Hunt, and the anonymous reviewers for their generous help in preparing this manuscript, which is loosely based on an article in the 2007 Debater’s Research Guide entitled “The scope of negative fiat and the logic of decision-making.” Correspondence concerning this essay should be addressed to L. Paul Strait-strait@usc.edu
AGAINST DOGMATISM: A CONTINUED DEFENSE OF SWITCH SIDE DEBATE

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Abstract: The debate about switch side debating – a practice that requires students participating in academic debate contests to argue on behalf of both the affirmative and negative sides of the resolution during a multiple-round tournament – has intensified with the introduction of critical and activist arguments in competitions. While the controversy over the ethics of publicly debating both sides of an issue has largely been closed, the social and pedagogical merits of the practice remain the subject of contentious argument. Against several recent critiques of switch side debating, this essay defends the continuing relevance and benefits of such an approach. In particular, it argues that true conviction is a result of debate rather than a pre-condition for it, that a limited form of argumentative pluralism is preferable to dogmatic assertions about what should be considered subject for advocacy, and that switching sides is a remedy for uncritical absolutism and intolerance.

Every truth has two sides. It is well to look at both sides before we commit ourselves to either side.

– Aesop’s Fables

Although the value of competitive debating has been relatively uncontested, an important lingering question remains about how the format of debates should be

structured in order to maximize the pragmatic, pedagogical, and social benefits of the practice. A structured activity that represents a microcosm of broader societal processes of deliberation, debate has always been as concerned with how students argue (the process of debate) as it has been with what is being argued about (the content). Traditionally, high school and collegiate debating has followed a switch-side blueprint that requires students to argue both for and against a given topic during the course of a season. As part of this process, it has been generally accepted that student debaters are allowed, if not encouraged, to “step outside of the box” and gain additional insight into controversial issues during contest rounds by arguing on the behalf of positions that they do not personally hold. However, with the emergence of increasingly widespread views that there are no isolated, neutral, and apolitical training grounds for argumentation, the merits of such “switch side” debating practices have been called into question. Some have argued that debaters should argue only from personal conviction because certain anterior concerns should be privileged over debate itself or because debating both sides of controversial issues risks persuading students to support dangerous ideas. Against these recent charges, many defenders of switch side debate have been silent. Yet, the practice of stepping outside of one’s own rigid beliefs and exposing their views to contrary arguments is one that still has considerable value and ought to be firmly defended.

Switching sides is a method that is integral to the success of debate as a deliberative and reflexive activity. No other component process than switch side debate contributes more greatly to the cultivation of a healthy ethic of tolerance and pluralism, generates the reasoned reflection necessary for critical thinking, or instills responsible and critical skepticism toward dominant systems of belief. The purpose of this essay is to mount a defense of the validity of switch-side debating in light of modern criticisms, drawing upon the existing body of literature related to the theory to build a case for its continued practice.
Practical, Pedagogical, and Social Benefits

Switch side debate (SSD) is an argumentative model that requires students to debate both the affirmative and negative sides of the resolution over the course of a multiple-round tournament. In practice, SSD requires that debaters’ arguments are frequently divorced from personal conviction; in many cases students are required by the topic to take a position and argue vigorously on behalf of views that they disagree with. Debaters with ideological beliefs are thrust into the position of the Devil’s Advocate, assuming the side of the opposition and needing to understand the arguments of the opposing view well enough to argue on their behalf. Instead of approaching the debate topic from the perspective of personal belief, students often choose arguments from a strategic and competitive perspective. Because of SSD, the purpose of debate is not to convince others to accept a certain argument as preferable or “true”, but rather to choose the strongest and most intellectually rigorous position that has the greatest chance of prevailing under scrutiny (and thus earning a competitive victory). Policy debate, an activity with few formal rules and requirements, developed this norm of arguing both sides of a topic for pragmatic, pedagogical, and social reasons.

Practically, the contemporary format of tournament contests would be much more difficult to maintain if the tournament directors were not able to require that an equal number of competitors debate on the affirmative and negative in any given round. Were students free to choose their own sides, it seems likely that debaters who held strong views for or against the statement of the resolution would choose to debate exclusively on that side. Given the generally liberal leanings of the debate community and inevitable biases in topic construction, an unequal division between the sides would be unavoidable (Cripe, 1957). This would make pairing debate rounds much more difficult, if not impossible.

While such pragmatic justifications for SSD are persuasive, they are admittedly secondary to the greater consideration of pedagogy. Although it is certainly true that debate is a game and that its competitive elements are
indispensable sources of motivation for students who may otherwise be apathetic about academic endeavors, the overwhelming benefits of contest debating are the knowledge and skills taught through participation. The wins and losses (and somewhat-cheesy trophies), by and large, are forgotten with the passage of time. However, the educational values of debate are so fundamental that they eventually become ingrained in the decision-making and thought processes of debaters, giving them a uniquely valuable durability. To this end, SSD is essential. The benefits of debating both sides have been noted by many authors over the past fifty years. To name but a few, SSD has been lauded for fostering tolerance and undermining bigotry and dogmatism (Muir, 1993), creating stronger and more knowledgeable advocates (Dybvig and Iversion, 2000), and fortifying the social forces of democracy by guaranteeing the expression of minority viewpoints (Day, 1966). Switching sides is a crucial element of debate’s pedagogical benefit; it forms the gears that drive debate’s intellectual motor.

Additionally, there are social benefits to the practice of requiring students to debate both sides of controversial issues. Dating back to the Greek rhetorical tradition and the tension between Plato and the Sophists, great value has been placed on the benefit of testing each argument relative to all others in the marketplace of ideas. Like those who argue on behalf of the efficiency-maximizing benefits of free market competition, it is believed that arguments are most rigorously tested (and conceivably refined and improved) when compared to all available alternatives. Even for beliefs that have seemingly been ingrained in consensus opinion or in cases where the public at-large is unlikely to accept a particular position, it has been argued that they should remain open for public discussion and deliberation (Mill, 1975).

Along these lines, the greatest benefit of switching sides, which goes to the heart of contemporary debate, is its inducement of critical thinking. Defined as “reasonable reflective thinking that is focused on deciding what to believe or do” (Ennis, 1987), critical thinking learned through debate teaches students not just how to advocate and
argue, but how to decide as well. Each and every student, whether in debate or (more likely) at some later point in life, will be placed in the position of the decision-maker. Faced with competing options whose costs and benefits are initially unclear, critical thinking is necessary to assess all the possible outcomes of each choice, compare its relative merits, and arrive at some final decision about which choice is preferable. In some instances, such as choosing whether to eat Chinese or Indian food for dinner, the importance of making the correct decision is minor. For many other decisions, however, the implications of choosing an imprudent course of action are potentially grave. Although the days of the Cold War are over, and the risk that “the next Pearl Harbor could be ‘compounded by hydrogen’” (Ehninger and Brockriede, 1978) is greatly reduced, the manipulation of public support before the invasion of Iraq in 2003 points to the continuing necessity of training a well-informed and critically-aware public (Zarefsky, 2007). In the absence of debate-trained critical thinking, uninformed politicians and manipulative leaders would be much more likely to draw the country, and possibly the world, into conflicts with incalculable losses in terms of human well-being. As Louis Rene Beres writes, “with such learning, we Americans could prepare…not as immobilized objects of false contentment, but as authentic citizens of an endangered planet” (2003). Thus, it is not surprising that critical thinking has been called “the highest educational goal of the activity” (Parcher, 1998).

While arguing from conviction can foster limited critical thinking skills, the element of switching sides is necessary to sharpen debate’s critical edge and ensure that decisions are made in a reasoned manner instead of being driven by ideology. Debaters trained in SSD are more likely to evaluate both sides of an argument before arriving at a conclusion and are less likely to dismiss potential arguments based on prior beliefs (Muir, 1993). In addition, debating both sides teaches “conceptual flexibility,” where decision-makers are more likely to reflect upon the beliefs that are held before coming to a final opinion (Muir, 1993). Exposed to many arguments on each side of an issue, debaters learn
that public policy is characterized by extraordinary complexity that requires careful consideration before action. Finally, these arguments are confirmed by the preponderance of empirical research demonstrating a link between competitive SSD and critical thinking (Allen, Berkowitz, Hunt and Louden, 1999; Colbert, 2002).

The theory and practice of SSD has value beyond the limited realm of competitive debate as well. For the practitioners and students of rhetoric, understanding how individuals come to form opinions about subjects and then attempt to persuade others is of utmost importance. Although the field of communication has established models that attempt to explain human decision-making, such as the Rational Argumentation Theory and others (Cragen and Shields, 1998), the practice of SSD within competitive debate rounds is a real-world laboratory where argumentative experiments are carried out thousands of times over during the course of a single year-long season. The theory of SSD has profound implications for those who study how individuals are persuaded, as well as how advocates should go about the process of forming their own personal beliefs and attempting to persuade others.

**Debate About Debate**

Since its inception, the practice of debating both sides in academic contests has consistently remained a “fruitful subject for controversy” (Ehninger, 1958) and complaints about the mode of debate are “as old as the activity itself” (Keith, 2007). While many members of the debate community support the practice, SSD has been the subject of recurring criticism (Murphy, 1957; Ehninger, 1958; Greene and Hicks, 2005; Massey, 2006). In particular, one landmark incident that laid the groundwork for contemporary debate about debate was the boycotting of the 1954 national topic by the U.S. military academics. On that topic, “Resolved: That the United States should extend diplomatic recognition to the communist government of China,” defending the Affirmative required debaters to advocate a position that was contrary to the United States’ official policy of containment. Conservatives, especially
those that were part of the U.S. armed forces (who adhere to restrictions on their public political views), objected to such a position as ethically and educationally indefensible, and withdrew their teams from competition (English, Llano, Mitchell, Morrison, Rief and Woods, 2007). The resulting stir generated national discussion, including a feature in the New York Times (Greene and Hicks, 2005). This single incident revealed the strong beliefs held by people on both sides of the issue. More generally, it was reflective of how rigidly these institutions adhered to strict guidelines about their educational mission and discouraged the expression of alternative points of view. Although the “Red China” controversy was undoubtedly situational and determined by its particular place in history, the debate over that topic and the reaction of many participants points toward the larger significance of SSD and the intensity of all sides involved.

In the ten years following the China topic dispute, the debate over the merits of SSD continued to rage. Debate coaches from around the country chimed in, objecting to the ethical (Murphy, 1957) and pedagogical (Ehninger, 1958) implications of SSD. Yet, after a decade’s worth of discussion, the ethical charge was declared defeated by a quantitative survey of debate coaches’ opinions, which revealed that an overwhelming consensus agreed that SSD was ethically sound (Klopf and McCrosky, 1964). However, as Klopf and McCrosky readily admit, “The controversy over the pedagogical value of debating both sides hardly has begun.” Over the next thirty years, the proponents of SSD struck back, providing a series of arguments about the vast educational benefits of the practice noted above and, as can be inferred from the lack of academic writing defending the prior criticisms of SSD, gradually achieved mainstream acceptance within the policy debate community.

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2 That switch-sides debating is unethical because it is tantamount to lying. Advocates of this belief state that debaters should not publicly declare beliefs that they themselves do not hold. Efficiently characterized by Richard Murphy’s famous statement that “A public statement is a public commitment” (1957).
Theory and Practice

The practice of competitive debate has undergone substantial changes within the past fifteen years. The gradual introduction of two new arguments forms, the critique (or German “Kritik”) and activism, have shaped both argumentative practices in debate rounds and the “meta-thinking” about debate that influences the community’s perception of the value of SSD.

The activist position represents a dramatic shift in the purpose of debate from deciding which team advocates the preferable policy option to which team has the superior political purpose. Judges are expected to vote for activist arguments because they believe in them and wish to endorse their ideas. In this respect, activism is also controversial because it implicitly calls into question the viability of switch side model of debate. Conviction is a necessary component of affirming a particular political approach outside of its isolated hypothetical position in a debate round. Students on activist teams are viewed as genuine advocates of their positions and frequently do not alternate between affirming and negating the resolution, instead choosing to adopt a consistent position between rounds, tournaments, and sometimes even entire topics. While it may be theoretically possible for activist debaters to utilize the SSD method, it has not played out this way in practice. Students from some schools have essentially maintained the same argument over the course of most of the last decade.

The development of the critique and activism as competitive debate practices has been accompanied by new and renewed insights about the theory of SSD. In particular, three arguments have been the most prevalent. First, the argument about convictions has re-emerged on the other side of the ideological spectrum. As the influence of postmodern literature has become increasingly popular in debate, more and more students and coaches have accepted its tenets of micro-political disruption and skepticism toward traditional means of social change. Now, liberals (instead of the conservatives on the 1954 “engage China” topic) are objecting to the practice of SSD because it forces student to advocate “dirty” bureaucratic politics through the state.
Second, critics of SSD have charged that the practice has a moderating effect on students’ beliefs, drawing them toward the political center over time. While this may not necessarily be a bad thing, some have argued that this is a form of “cooptation” that strengthens the “dominant ideology” latent within debate practices (Massey, 2006). Third and most prevalently, some have argued that the practice of debating both sides should be critically scrutinized because of the way it contributes to the moral development of the debater as a subject.

In 2005, Ronald Greene and Darrin Hicks, drawing on the existing body of theory relating to SSD, wrote an article criticizing the claim advanced earlier by Day that debating both sides is the “highest ethical act” (1966) because it subordinates personal convictions to a belief in the process of debate as crucial sustenance for the democratic system. Greene and Hicks argued that SSD problematically contributes to the ethical self-fashioning of debaters, a process by which those who embrace pluralism and openness to both sides are conceived of as the ideal liberal citizen. Switching sides in debate, after all, is premised upon the free and open expression of ideas. During the Cold War, the issue of “free speech” was a primary distinction between the societies of the United States and Soviet Union. According to Greene and Hicks, the fashioning of citizens around the norms cultivated by SSD contributed to an exceptionalist form of liberalism.

**Continued Importance of SSD**

Given the long, contested history of switch side debating and the recent criticisms of the practice emerging from the critical and activist schools of argument, it is necessary to examine the continuing merits of requiring debaters to advocate both sides of an issue. Due to the “closed” nature of the controversy over ethics (Klopf and McCrosky, 1964) and the focus of contemporary discussion, this essay primarily responds to *pedagogical* and *social* critiques of SSD. In particular, three arguments against debating both sides are addressed in depth. Opponents of SSD have charged that switch side debate defuses radical
activism by moderating the beliefs of debaters, forces students to speak on behalf of dangerous ideas, and contributes to a form of political morality that fuels American exceptionalism (Hicks & Greene, 2005; Massey, 2006). While this is hardly an exhaustive list of current criticisms of SSD, these critiques raise issues that cut straight to the heart of the debate about debate. In responding to these criticisms and developing a defense of SSD, this essay builds the case for the continuing utility of debating both sides. As a method of teaching students to engage in the crucial educational practice of critical thinking, SSD is virtually unparalleled. Thus, while there may be some minor drawbacks to SSD, the benefits are strong enough to justify its practice.

**Don’t Fear Cooption**

Critics of SSD have argued that debating both sides is a tactic of cooption by dominant beliefs because speaking on behalf of “evil” ideas moderates extreme views. Instead of sharpening and refining the prior beliefs of debaters, the argument goes, engaging in switch side debating changes the beliefs of students, slowly drawing them “close[r] to the middle” (Massey, 2006). Mirroring the broader critical move toward a “depoliticized expression of struggles,” they argue that this is undesirable because only extreme views are “pure,” in the sense that they avoid entanglement in bureaucratic structures of government (Boggs, 1997).

Essentially, the argument boils down to “brainwashing”: switching sides causes students to abandon their original (presumably correct) beliefs in favor of more moderate and less politically effective ideas.

Three responses effectively dispatch with this criticism. First, the *foundational premise* of the case for

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3 While eDebate may not be the ideal location for determining the debate community’s perspectives on controversy, I have chosen to use it because of the relative lack of recent published work on switch-side debate. Although it invariably represents only a small portion of contemporary thinking on this subject, it still provides a useful and otherwise difficult to access snapshot of debate’s theoretical history.
switch side debating indicts the notion that true conviction 
can be held prior to a rigorous analysis of all sides of an 
issue through debating both sides. As far back as A. C. Baird 
(1955), proponents of switch side debating have argued that 
conviction was a result of reasoned consideration of the 
issues surrounding a particular policy rather than a pre-
condition for it. For instance, Baird argues, “Sound 
conviction... should stem from mature reflection. Discussion 
and debate facilitate the maturing of such reflective thinking 
and conviction” (1955). Many debaters, especially those new 
to high school or collegiate debate, do not yet have calcified 
options about many controversial subjects. Instead, they 
develop their beliefs over time, as they spend time thinking 
through the nuances of each relevant argument in preparation 
for competitive debating. By arguing on behalf of both the 
affirmative and the negative sides of a given resolution, 
switch side debaters are exposed to many avenues to test 
their initial thoughts on controversial subjects.

Traditionally, the formation of belief in this manner 
has coincided more closely with the meaning of 
“conviction.” Defined as beliefs that are formed as a result of 
“exposing fallacies” through the “give-and-take of rebuttal,” 
sound convictions can only be truly generated by the 
reflexive thinking spurred by debating both sides. While 
some students may honestly believe that they have 
thoroughly considered the merits of a particular opinion 
before arguing for or against it in a debate, experimenting 
with ideas in a competitive SSD is still a necessary endeavor. 
Only in debate, a relatively isolated political space, are many 
arguments able to be presented in an ideally open, no-holds-
barred manner (Coverstone 1995). Moreover, when faced 
with the prospect of being forced to advocate a position, 
students receive the necessary motivation (through 
competitive and other impulses) to research the complexities 
of a given subject. Also, through the requirement of 
advocacy, students are encouraged to actively listen, a 
crucial element of rich argumentative engagement (Lacy 
2002). In the end, the switch side debater emerges with a 
deeper understanding of more sides of an issue and may be
ready to come to some degree of conclusion and conviction about which side to support.

Conviction generated through debating both sides is almost universally preferable to dogmatic and non-negotiable assertions of belief (Baird 1955). Switching sides grounds belief in reasonable reflective thinking; it teaches that decisions should not be rendered until all positions and possible consequences have been considered in a reasoned manner. This method is closely linked to the value that debate places on critical thinking. Unsurprisingly, many authors have noted the importance of SSD for generating such rigorous decision-making skills (Muir 1993; Parcher 1998; Rutledge 2002; Speice & Lyle 2003; English, Llano, Mitchell, Morrison, Rief and Woods 2007). The critical thinking taught by SSD provides a strong defense against dangerous forms of cooption. Over time, certain arguments will prevail over others only if they have a strong enough logical foundation to withstand thorough scrutiny. Debaters will change their minds to support the “moderate” side of certain positions only if—after reasoned reflection and sound conviction—doing so is found to be preferable. While such a “marketplace of ideas” may be marked by some imperfections, one of its most effective incarnations is undoubtedly in academic debate rounds. There, appeals to wealth, status, and power are minimized by a focus on logic and formal rules, which protect the ability of all participants to contribute in an honest and open manner. As a result, it should be assumed that the insights generated through debate’s dialectic process will be generally correct and that any shifting beliefs are the reflection of a social good (the replacement of false ideas with truth).

Conceiving of conviction in this manner redefines the role of debate into what Baird calls an “educational procedure”: the formation of a pedagogical playground to experiment with alternative ideas and coalesce assertions and unwarranted beliefs into sound conviction (1966). Treating debate as a training ground for advocacy and decision-making has several benefits: it allows debaters the conceptual flexibility to experiment with minority and extreme ideas, protects them from outside influences, and
buys them time before they are forced to publicly put forward their opinions (Coverstone 1995). As a result, the primary focus of the activity shifts from arguing to deciding, giving critical thinking its crucial importance. A fundamental premise of the anti-SSD’s claim about cooption is thus arraigned: it is impossible to lose one’s convictions before they have truly been discovered.

Second, the link between debating both sides and the moderation of student’s beliefs is far from clear. Admittedly, there has been little to no formal empirical research investigating this connection. Yet, it seems equally likely that SSD may bolster the original beliefs of debaters (especially if they held beliefs that are found to be desirable after all related issues have been discussed) by allowing them to develop thoughtful responses to the best arguments against their original position. If a debater’s beliefs are altered because he or she realizes that he or she has made an error in their initial conviction, then that seems to be a clear benefit of SSD, rather than a drawback. If a position is so weak that debaters alter their opinion about it as a result of temporary advocacy, then the worth of these convictions must surely be met with a high degree of skepticism.

Moreover, even if SSD does moderate the beliefs of debaters, this alone is not evidence of an insidious plot to undermine radical activism. The statistical notion of regression to the mean can explain this phenomenon. As with the statistical tendency for extreme results to become more moderate over time, when beginning from intellectually extreme positions debaters can only become more moderate over time. Thus, any form of debating—from conviction or SSD—is likely to have the same moderating effect.

Third, there is an important question of means. Even the best activist intentions have little practical utility as long as they remain purely cordoned off in the realm of theoretical abstractions. Creating programs of action that seek to produce material change should be the goal of any revolutionary project. Frequently, for strategies for change, the devil lies in the details. Lacking a plausible mechanism to enact reforms, many have criticized critical theory as
being a “fatally flawed enterprise” (Jones 1999). For
activists, learning the skills to successfully negotiate
hazardous political terrain is crucial. They must know when
to and when not to compromise, negotiate, and strike
political alliances in order to be successful. The pure number
of failed movements in the past several decades
demonstrates the severity of the risk assumed by groups who
do not focus on refining their preferred means of change. For
example, some have argued that anti-nuclear and other peace
movements have been largely ineffective because of their
inability to coalesce around detail plans and methods for
change (Martin, 1990).

Given the importance of strategies for change, SSD
is even more crucial. Debaters trained by debating both sides
are substantially more likely to be effective advocates than
those experienced only in arguing on behalf of their own
convictions. For several reasons, SSD instills a series of
practices that are essential for a successful activist agenda.
First, SSD creates more knowledgeable advocates for public
policy issues. As part of the process of learning to argue
both sides, debaters are forced to understand the intricacies
of multiple sides of the argument considered. Debaters must
not only know how to research and speak on behalf of their
own personal convictions, but also for the opposite side in
order to defend against attacks of that position. Thus, when
placed in the position of being required to publicly defend an
argument, students trained via SSD are more likely to be
able to present and persuasively defend their positions.
Second, learning the nuances of all sides of a position greatly
strengthens the resulting convictions of debaters, their ability
to anticipate opposing arguments, and the effectiveness of
their attempts to locate the crux, nexus and loci of
arguments. As noted earlier, conviction is a result, not a
prerequisite of debate. Switching sides and experimenting
with possible arguments for and against controversial issues,
in the end, makes students more likely to ground their beliefs
in a reasoned form of critical thinking that is durable and
robust in the face of knee-jerk criticisms. As a result, even
though it may appear to be inconsistent with advocacy, SSD
“actually created stronger advocates” that are more likely to
be successful in achieving their goals (Dybvig and Iverson, 2000).

Proponents of abandoning SSD and returning to debating from conviction should take note. Undoubtedly, many of their ideas would be beneficial if enacted and deserve the support of activist energies. However, anti-SSD critics should consider important question of how to translate good ideas into practice. By teaching students to privilege their own personal beliefs prior to a thorough engagement with all sides of an issue, debating from conviction produces activists that are more likely to be politically impotent. By positing that debaters should bring prior beliefs to the table in a rigid manner and assuming that compromising is tantamount to giving in to cooptation, the case of debating from conviction undercuts the tactics necessary for forging effective coalitional politics. Without such broad-based alliances, sustainable political changes will likely be impossible (Best & Kellner, 2001).

Tolerating the Intolerable: A Defense of Limited Argumentative Pluralism

A second criticism of SSD that has recently been voiced is that, because the practice places some restrictions upon what debaters may argue (by forcing them to take the position of the both the affirmative and the negative), it requires students to become advocates for certain intolerable ideas that should be “off limits” for discussion. For example, the increasingly prevalent usage of postmodern arguments in collegiate debate rounds has caused many teams to argue that they should not be forced to defend the “dirty” bureaucratic politics of the federal government (Solt 2004).

However, the relevance of argumentation for advancing tolerant politics cannot be underestimated. The willingness to be open to alternative views has a material impact on respect for difference in at least two primary ways. First, rendering certain beliefs as “off limits” from debate and the prohibition of ideas from the realm of contestation is conceptually indistinct from the physical exclusion of people from societal practices. Unlike racial or gendered concerns, certain groups of people (the religious,
minority political parties, etc.) are defined almost exclusively by the arguments that they adhere to. To deem these views unspeakable or irrelevant is to functionally deny whole groups of people access to public deliberation. Second, argument, as individual advocacy, is an expression of belief. It has the potential to persuade members of the public to either support or oppose progressive politics. Belief itself is an accurate indicator of the way individuals will choose to act—with very real implications for openness, diversity and accommodation. Thus, as a precursor to action, argument is an essential starting point for campaigns of tolerance.

Argumentative pluralism can be defined as the proper tolerance for the expression of a diversity of ideas (Scriven 1975). Contrary to monism, pluralism holds that there are many potential beliefs in the world and that each person has the ability to determine for himself or herself whether these beliefs hold true. In the argumentative context, pluralism requires that participants in a debate or discussion recognize the right of others to express their beliefs, no matter how objectionable. The key here is expression: although certain beliefs may be more “true” than others in the epistemic sense, each should have equal access (at least initially) to forums of deliberation. It is important to conceptually distinguish pluralism from its commonly confused but only loosely connected counterpart, relativism. To respect the right of others to hold different beliefs does not require that they are all considered equal. Such tolerance ends at the intellectual level of each individual being able to hold their own belief. Indeed, as Muir writes, “It [pluralism] implies neither tolerance of actions based on those beliefs nor respecting the content of the beliefs” (288). Thus, while a pluralist may acknowledge the right for some to hold exclusionary views, he or she need not endorse racism or anti-Semitism, or the right to exclude itself.

Even when limited to such a narrow realm of diversity, argumentative pluralism holds great promise for a politics based on understanding and accommodation that runs contrary to the dominant forces of economic, political, and social exclusion. Pluralism requires that individuals
acknowledge opposing beliefs and arguments by forcing an understanding that personal convictions are not universal. Instead of blindly asserting a position as an “objective Truth,” advocates tolerate a multiplicity of perspectives, allowing a more panoramic understanding of the issue at hand (Mitchell and Suzuki, 2004). In doing so, the advocates frequently understand that there are persuasive arguments to be had on both sides of an issue. As a result, instead of advancing a cause through moralistic posturing or appeals to a falsely assumed universality (which, history has shown, frequently become justifications for scapegoating and exclusion), these proponents become purveyors of reasoned arguments who attempt to persuade others through deliberation.

A clear example of this occurs in competitive academic debate. Switch-side debating has profound implications for pluralism. Instead of being personally invested in the truth and general acceptance of a position, debaters use arguments instrumentally, as tools, and as pedagogical devices in the search for larger truths. Beyond simply recognizing that more than one side exists for each issue, switch-side debate advances the larger cause of equality by fostering tolerance and empathy toward difference. Setting aside their own “ego-identification,” students realize that they must listen and understand their opponent’s arguments well enough to become advocates on behalf of them in future debates (Muir, 1993). Debaters assume the position of their opponents and understand how and why the position is constructed as it is. As a result, they often come to understand that a strong case exists for opinions that they previously disregarded. Recently, advocates of switch side debating have taken the case of the practice a step further, arguing that it, “originates from a civic attitude that serves as a bulwark against fundamentalism of all stripes” (English, Llano, Mitchell, Morrison, Rief and Woods, 2007). Debating practices that break down exclusive, dogmatic views may be one of the most robust checks against violence in contemporary society.
Undoubtedly, there are many who reject argumentative pluralism in all or nearly all cases. Absolutists maintain that there are certain positions where no other side exists or where one side is of such a minority opinion that it does not warrant being the subject of debate. For those who hold a mainstream political view, statements such as, “the State is beneficial and anarchy would be chaos,” “capitalist globalization is inevitable,” or, in the most extreme, “human life has value,” are taken as givens. For pluralists, the previous statements can be true but still be open to debate. For argumentative monists, such positions are so “true” that further discussion would not only be a waste of time, but may also risk changing the minds of some of the debaters to be more tolerant of a dangerous position (as discussed above). In academic debate, a substantial amount of controversy has existed in recent years over the state-centric nature of policy resolutions (the subject of debate). Liberals complain that being required to debate about state politics defuses radicalism by teaching students that bureaucratic politics is the means to all ends (Massey, 2006). This is the flip-side of the previous discussion of absolutism: critics can be so convinced of their positions, even if in the minority, that they refuse discussion of dominant principles altogether.

To preserve an open and accessible space of deliberation, limits need to be placed on the ability of participants to use violence or coercion to prevent others from voicing their own opinions. Some groups are so convinced of their position that they are willing to do anything, including forcefully silencing opposition, to ensure that their argument wins. Thus, some degree of exclusion is inevitable—the relevant questions are only who does that silencing and what circumstances it occurs under. As Ruth Lessl Shively, professor of political science at Texas A&M University notes:

The most radical skepticism ends in the most radical conservatism. In other words, a refusal to judge among ideas and activities is, in the end, an endorsement of the status quo... To fully support political contest, one must fully support some uncontested rules and reasons. (2000)
Violence seeks to destroy the open circulation of ideas that generate the progression towards truth. The arguments that prevail in an atmosphere of coercion are those promoted by the powerful elite, not the most intellectually sound. To ensure effective deliberation, certain communicative norms must be established to govern the conduct of participants. Even though the elaboration of clear rules may sometimes result in the exclusion of certain perspectives, it is a necessary means to protect the greater end of productive debate.

A second exception to the rule of free expression must be made to limit irrelevant discussion and establish a common starting point for debate. In the rhetorical tradition, the belief in the necessity of a mutual topic of disagreement, known as stasis (meaning “standing” and derived from a Greek word meaning “to stand still”), has a long history dating back to Aristotle. Through several modes of proceeding, the topic of controversy between interlocutors is established and an implicit contract—that here is the shared point of disagreement—is created. Without stasis, opponents may argue back and forth without really disagreeing with each other because they are not truly speaking about the same subject. For example, when one debater argues that the United States should refuse to negotiate with North Korea to avoid legitimating its harmful human rights policies and the opponent responds that President Clinton’s accommodation of North Korea in the 1990s was the source of its current human rights dilemma, there is no true disagreement. Each position can be entirely true without discounting the other. In this instance, the truth-generating function of deliberation is short-circuited. To eliminate errors, fallacies must gradually be replaced by truths, correct positions must win out over incorrect ones, and strong arguments must gain more acceptance than weak ideas. This process requires conflict; it necessitates rejection. To determine that something is “true” requires that its converse is “false.” The statement that “snow is cold” requires the dismissal of its contrary. Such choices can only be made when there is a point of disagreement for debate to revolve around. Without stasis,
the productive potential of deliberation is profoundly undermined.

To avoid this scenario of “two ships passing in the night,” argumentation scholars have recognized the importance of a mutual agreement to disagree and have attempted to create guidelines to facilitate productive discussion. “Some agreed upon end or goal must be present to define and delimit the evaluative ground within which the interchange is to proceed,” writes Douglas Ehninger, “When such ground is lacking, argument itself … becomes impossible” (1958). Shively concurs, stating that, “we must agree about what it is that is being debated before we can debate it” (2000). In the academic context, policy debates create stasis by utilizing a year-long resolution that sets the topic for discussion. Affirmative teams must present a topical advocacy (one that fits within the bounds of the resolution) or they are procedurally disqualified. In public forums, the task falls upon moderators and discussion facilitators to set clear lines of relevance. Advocates, who frequently have strategic political incentives to avoid direct disagreement, need to be institutionally constrained by the framework for discussion.

A position that favors a limited form of argumentative pluralism undermines the claims made by those who oppose SSD and wish to render certain controversial issues “off limits” from debate. Limits should be placed on the content of debate only because such choices as to what is debatable are inevitable, and, given that, it is preferable to choose the path that best protects the forum for deliberation by minimizing exclusion. The arbitrary choice about what content should and should not be “up for debate” threatens to render deliberation impossible—either all issues are up for debate, or none can be.

**An Antidote to Exceptionalism**

A third criticism of SSD is an argument linking the practice of debating both sides to the development of societal norms that reinforce American exceptionalism. While originally a limited and context-dependent claim, this line of argument has been expanded to argue that the dominant
practice of debate colludes with forces of domination that seek to marginalize and silence alternative methods and styles of communication (Ellis 2004; Massey 2006). In 2005, Ronald Greene and Darrin Hicks, drawing on the existing body of theory relating to SSD, wrote an article claiming that debating both sides “helps liberalism create a governing field” between an individual’s personal convictions and their belief in the process of deliberation and debate (2005). Drawing on the case study of the previously discussed 1954 “Red China” controversy, in which several debate programs boycotted the topic based on ideological opposition to engaging the communist nation, Greene and Hicks demonstrated that, during the Cold War, SSD colluded with forces of liberalism to contribute to exceptionalism. They argue that this is the case for two reasons. First, during this period of time, the idea of “free” speech emerged as a way for the United States to distinguish itself from others and claim a moral superiority over closed societies. As part of many liberal elements of society, the promotion of free speech allowed the United States to posit itself as the bearer of reason and civility in opposition to the Soviet Union. Second, Greene and Hicks criticized the shift to process conviction advocated by Day, who argued that debating both sides of a given issue is the “highest ethical act” because it places absolute faith in the “free and full expression” of the democratic process of debate (1966). They claimed that Day’s subordination of personal convictions to a second-order conviction in the belief in debate as a process provided critical sustenance to societal norms governing the proper behavior of democratic citizens. Instead of providing an epistemic defense of SSD (in that it facilitated good decision-making or critical thinking), Day’s model of SSD was argued to be preferable because it best met the defining characteristics of democracy. As part of this, Day’s defense of SSD shifted the order of conviction from the personal (“I say what I believe”) to the process (“I do not always say what I believe, because I believe in the benefits of switch-side debate”). A necessary component of a firm belief in the process of SSD is the norm of “free and full expression” (Day 1966). During the Cold War, the American promotion
of free speech, as opposed to the repression and restrictions imposed on people living behind the “Iron Curtain,” was a key element of the case for the superiority of democratic society. Greene and Hicks picked up on this theme, arguing that:

By instantiating a desire for full and free expression, the pedagogical technique of debating both sides became a mechanism by which the student-debater-citizen becomes an exceptional ‘American’ – the bearer of universal norms of liberal democracy. (2005)

Thus, by debating both sides, democracy was sustained on the level of an individual’s self-fashioning which, as was very prominent at the time, contained an element of exceptionalist thinking about liberal values vis-à-vis communism. Additionally, Greene and Hicks noted that, during the debates over the “Red China” issue, there was a widespread fear that affirming such a topic would turn the American youth into communist sympathizers (Greene & Hicks 2005). Instead of questioning the core liberal belief inherent in such a claim (that sympathizing with communism should be rejected), the defenders of SSD chose not to take issue with this claim and instead only questioned whether the link to such an outcome was valid. The pro-SSD advocates claimed, along the lines of Baird, that debating both sides would produce a stronger conviction that would be impervious to communist propaganda—a reinforcement of liberalism.

In contemporary debate, others have taken this charge much further, to its logical extreme. Teams participating in debate rounds arguing on behalf of extreme positions, such as radical critiques of humanism, conventional morality, or the state, have drawn upon the work of Greene and Hicks to claim that SSD dangerously risks allowing debate to become a “form of cultural technology re-affirming a commitment to American Exceptionalism and global domination” (Massey, 2006). To do so, they extend the argument made in “Lost Convictions” in two ways. First, they expand the scope of its analysis beyond that of the Cold War and “Red China” controversy
and apply it to contemporary debate practice. Second, they explicitly connect American exceptionalism to the worst instances of U.S. global violence: the “kill-to-save” mentality of American soldiers in the Vietnam war, the preventive invasion of Iraq, and the unending “war on terrorism” that prioritizes national security over all else. Some have gone so far as to claim that the practice of switch side debate, revolving around state-centric issues (as mandated by the resolution), is meant to produce more effective policy wonks, imperial planners, and even engineers of genocide (Ellis 2004).

The extension and expansion of the previous claims of Greene and Hicks is dubious. Many of the elements of Greene and Hicks position are undoubtedly true. Like any principled approach to communication, SSD is laden with ideological presuppositions and biases. It presumes that the marketplace of ideas operates with a degree of efficacy, that democratic and deliberative approaches to problem-solving produce strong outcomes, and that there is a gap between the “private” debate round and the “public” realm of advocacy-after-conviction.

However, the arguments in “Lost Convictions” alone should not be read as a sweeping indictment of SSD for two reasons. First, Greene and Hicks make a specific and context-dependent claim about the Cold War that cannot be easily applied to contemporary discussion of the merits of SSD. 1954 was a time of McCarthyism and anti-Communist witch-hunts. It was quite possible then that one justification for debating both sides was a re-affirmation of liberalism against the communists. Now, in the midst of the “war on terrorism,” widespread restrictions on civil liberties, and President Bush’s mantra of “with us or against us,” it seems that the opposite is more true. Fidelity to the American cause is performed through the willing silence of its citizens. Dissent is quelled, and the public is encouraged to view the world through the singular lens of “freedom” against the forces of terrorism. Debating both sides—and lacking immediate conviction—is a sign of weakness and waffling in the face of imminent threats to national security. Thus, in the contemporary context, to reject SSD and promote argument
only through conviction is far more conducive to supporting American exceptionalism than debating multiple sides is as a liberal democratic justification.

Second, the fact that certain communicative practices like SSD are implicated in operations of power does not alone make them undesirable. Consistent with the Foucauldian basis of such a criticism, one cannot simply assert that power is a monolithic entity that can be deemed either “good” or “bad.” Instead, it is imperative to examine the “specificity of … practices in order to delineate their forces and effects” (Muckelbauer 2000). Many actions were taken during the Cold War under the pretense that they would contribute in some way to the case for U.S. superiority over the Soviet Union. For example, it could be argued that the racial integration of schools in the United States was complicit with a narrative of plurality and openness that was, in at least some ways, exceptional. Does this make the integration of schools undesirable? Assuredly not. Bracketed off from the benefits derived from SSD, the interweaving of the practice with liberalism may be a cause for some concern. However, once the advantages of such an approach are considered, they do not alone merit a whole- sale rejection of the process. Greene and Hicks acknowledge this when they write that, “In a world increasingly dominated by fundamentalism (religious and otherwise) the development of a respect for pluralism, tolerance and free speech remains politically valuable” (2005). Yes, as instructors and practitioners of debate, it is our responsibility to remain cognizant of precisely what type of “moral development” is being taught. But, once that awareness has been raised, the fact that it may not be totally neutral, itself an impossible goal, does not warrant abandonment of the switch-sides approach.

The arguments advanced by vocal critics of switch side debating are susceptible to several other responses. First, as have been previously argued by Stannard (2006), many of the processes that have contributed to American exceptionalism—globalization, infiltration of academic institutions by agents of imperialism, etc.—are on-going, inevitable, and independent of the institution of competitive
debate. As Alan Coverstone has noted, the disengagement of the public from political participation and adoption of a pure “spectator mentality” has now become the “predominant mode” of politics (2005). Any citizen who been attentive to political developments over the past eight years can tell that American politics has become susceptible to being overtaken by administrations bent on pursuing illiberal policies while wrapping themselves in the clothing of liberalism.

Given the now almost all-consuming exceptionalist mantra, debate is one of the last arenas that reward anti-institutional thinking and oppositional rhetoric (Stannard, 2006). It is a tremendous “stretch” to attribute the causal source of exceptionalism to debate (Lacy, 2006). Debate isn’t compulsory. Nothing in the activity makes students participate. Once involved, there are no thought-police who control the content of students’ speeches. Those who argue otherwise show a profound lack of respect for the magnitude of violence that their comparisons draw likeness to. Instead, the exact opposite seems defensible: a major and endemic problem that contributes to American exceptionalism is the lack of debate at all levels of society. Stannard agrees, warning:

Don’t throw the baby out with the bathwater. Instead, seek to expand this method of deliberation to those who will use it to liberate themselves… If capitalism corrupts debate, well, then I say we save debate. (2006)

The proper task of critics is not to retreat into speaking only from conviction. It is to strive to expand SSD to new avenues and to make ideas that were once considered dogma contestable. The very nature of the approach acts as a counter-weight to imperialism and “foster[s] resistance to domination” (Stannard, 2006).

Second, switch side debate’s emphasis on tolerance and empathy, which has been noted by many authors (Sanders, 1982; Muir, 1993; Bellon, 2000; Lacy, 2002), may indeed by one of the strongest “antidotes” to the disease of exceptionalism (Mitchell & Suzuki, 2004). Debate combines a commitment to reason and logic over emotive and political appeals, a priority placed upon quality research, and
vigorous norms of openness and plurality to create a forum where unwarranted and inappropriate forms of exceptionalism cannot survive. English, Llano, Mitchell, Morrison, Reif and Woods have referred to this deliberative attitude as a “bulwark against fundamentalism of all stripes” (2007). SSD teaches that no argument is “off limits,” that issues are more complex than black and white, and that reflection and contemplation are preferable to rash and preemptive decision-making. It is thus no surprise, as the Debate Authors Working Group has noted, that many of the most vocal contemporary critics of the Bush administration’s exceptionalist (and debatably imperialist) policies, including lawyer Neal Katyal and law professor Laurence Tribe, received a portion of their training in the pedagogical bullpen of debate.

In particular, SSD is an especially effective tool to combat the “with us or against us” absolutism of contemporary neoconservative ideology. Debating both sides increases debater’s appreciation of the arguments made by the opposition (English, Llano, Mitchell, Morrison, Rief and Woods, 2007). Oftentimes, as is frequently the case with complex issues, a reasonable party may conclude that two positions, which are polar opposites may each contain an element of truth. It is revealed that a compromised position is preferable to both extremes and that the discrete “with us” and “against us” stances are arbitrary and inaccurate categorizations. As far back as Day (1966), there is an emphasis on the expression of minority view points. Debating both sides allows debaters the intellectual flexibility (through un-attachment to their personal beliefs) to express dissent and critique even the most firmly established policies and norms. This ensures a vibrant activist influence in debate that can provide at least a modest check against the most extreme governmental abuses.

Conclusion

The popularization of certain strands of thinking has contributed to the controversy over switch side debating in new ways. However, after consideration, none of the major criticisms are sufficiently sound to merit a rejection of the
practice. The foundational claims of the pro-SSD position, that conviction is a product of debate, that the social good is served by replacing falsities with progressive truths by keeping all issues open for discussion, and that debating both sides is an act of tolerance that poses a potent challenge to the forces of exceptionalism, remain strong. Even if some elements of these criticisms are true, they still must be balanced against the strong benefits of the switch side approach. Given the advantages for activists and advocates for change, the creation of strong decision-making and critical thinking skills, the pluralistic method of argumentation, and the promotion of tolerance inspired by debating both sides, an on-balance assessment of SSD must conclude that the practice has both pedagogical and social benefits that should not be rejected.

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FUNCTIONAL ANALYSIS OF THE 2008 SADDLEBACK PRESIDENTIAL FORUM

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Abstract: On August 16, 2008, Pastor Rick Warren invited Senator Barack Obama and Senator John McCain to appear in a televised forum at his Church, the Saddleback Church. Although the nominating conventions had not yet been held, both McCain and Obama had amassed enough delegates to assure them the nominations of their political parties. General election debates were held in 1960 and from 1976-2008 but the idea of a presidential forum broadcast from a church was a new concept. This paper applies the Functional Theory of Political Campaign Discourse to the text of this forum, analyzing functions, topics, and issues addressed here. The candidates relied more on acclaims (positive statements about self) than attacks on opponents; the incumbent party candidate (Senator McCain) acclaimed more and attacked less than the challenger (Senator Obama). The candidates stressed policy more than character (although unlike previous debates, the Democratic candidate here did not discuss policy more than the Republican). Finally, each candidate stressed the issues owned by his political party more.

The 2008 presidential campaign was unusual in several aspects. It was the first campaign to feature an African-American as a major party presidential nominee, Senator Barack Obama; the second to feature a woman as a major party vice presidential nominee. President Bush was at the end of his second term and could not run again; Vice
President Cheney decided not to run for president. So, this was the first time since 1952 that a current president or vice president was not a candidate for president. The primary campaign started earlier than ever, with the Iowa caucuses on January 3 and the New Hampshire primary on January 8 (of course, candidates were on the campaign trail well in advance of the caucuses and primaries). Nevertheless, the campaign dragged on for months; with Obama winning the Democratic nod on June 4, 2008 (Senator John McCain accumulated enough delegates to secure the Republican nomination on March 4).

This campaign had many traditional elements (nominating conventions, TV spots, general election debates) but one of the new elements was the Saddleback Presidential Candidate Forum. After the two candidates had clinched their respective nominations, Pastor Rick Warren invited Obama and McCain to attend a forum at his church. Warren is the pastor of the Saddleback Church (Lake Forest, CA) and leader of the Purpose Driven Network of Churches. According to Sermon Central, Saddleback Church is the eighth largest church in America with an attendance of over 19,000 (2008). On Sunday, August 16, 2008, the Saddleback Forum was held at Warren’s church and broadcast live on CNN. Pastor Warren asked questions of each candidate (separately) for an hour. The candidates were not together on stage during the questions and answers.

This event offered voters a chance to see the two presumptive major party nominees near the beginning of the general election campaign. This forum was different from traditional presidential debates in several ways: It was held in a church and hosted by a pastor; the candidates were not on stage at the same time and could not respond or react to one another, and the questions were not asked by journalists (Warren asked the questions). This was not the first time religion surfaced in the 2008 presidential campaign; Hillary Clinton, John Edwards, and Barack Obama participated in the “Sojourners Forum” on June 4, 2008 (organized by
Reverend Jim Wallis). Furthermore, unflattering revelations about Obama’s pastor, the Reverend Jeremiah Wright, forced Obama to give a speech on race (New York Times, 2008). This paper reports a content analysis of the 2008 Presidential Saddleback Forum. It will be interesting to compare the results of this analysis with similar studies of more traditional presidential debates from past years.

**Literature Review**

Numerous books (see, e.g., Benoit & Wells, 1996; Bishop, Meadow, & Jackson-Beeck, 1978; Bitzer & Rueter, 1980; Carlin & McKinney, 1994; Coleman, 2000; Dailey, Hinck, & Hinck, 2007; Friedenberg, 1994, 1997; Hellweg, Pfau, & Brydon, 1992; Hinck, 1993; Jamieson & Birdsell, 1988; Kraus, 1962, 1977, 2000; Lanoue & Schrott, 1991; Schroeder, 2000; Swerdlow, 1984, 1987) and many articles (see, e.g., Louden, 2008; Racine Group, 2002) investigate presidential debates. This study adopts the Functional approach to political campaign messages for three reasons. First, research on German presidential debates has confirmed that viewers react differently to acclaims and attacks (Reinemann & Maurer, 2005). Second, research on this theory indicates that campaign messages are related to election outcome (candidates who stress policy more, and character less, than opponents are significantly more likely to win elections (Benoit, 2003). Finally, research employing that theory had produced longitudinal data on general election debates which can provide a useful comparison point for new work. We also use Petrocik’s theory of issue ownership (1996) in this study.

Research on historic presidential debates (1960, 1976-2004; see Benoit, 2007a for a summary) found that the candidates’ statements in these debates were mostly positive (57%), with attacks comprising about one-third of the utterances (35%); occasionally the candidates defended themselves from attacks (8%). Incumbent party candidates tended to acclaim more (64% to 51%) and attack less (25%
to 44%) than challenger candidates. Incumbents, who were subjected to more attacks than challengers, produced more defenses (12% to 6%). Research has found significant correlations between the number of attacks directed toward a candidate and the number of defenses produced by that candidate (Benoit, 2007b). Most of the comments by the candidates in general election debates were about policy (75%) with much less of the talk devoted to questions of character (25%). Democrats tended to emphasize policy even more (77% to 72%) and character even less (23% to 28%) than Republicans (Benoit, 2007a). Historically, both Democrats and Republicans have a tendency to discuss issues owned by the Republican Party (reputations for ability to handle an issue). However, Democrats discuss Democratic issues more (35% to 22%) and Republican issues less (78% to 65%) in general election debates (Benoit, 2007a). Finally, candidates in general election debates discuss the issues on which they are advantaged more than the issues on which the other party is favored (Benoit, 2007a; Benoit & Hansen, 2004).

Theoretical Underpinning

Functional Theory

The Functional Theory of Political Campaign Discourse was developed by Benoit and his associates through a series of studies (see, e.g., Benoit, 2007a). Functional Theory stipulates that people vote for the candidate who appears preferable on the criteria that matter to each voter (Benoit, 2007a). Candidates can establish desirability in three ways. First, the candidate can offer acclaims or self-praise. The more benefits of or advantages of one candidate, the more likely that person will appear preferable to a voter. Second, candidates can attack or criticize their opponents; as costs or disadvantages of opponents become more salient, opposing candidates should appear less desirable to voters (of course, it is possible that
candidates who attack could experience a backlash from voters who generally dislike mudslinging). Finally, candidates who have been the recipient of an attack can defend against (refute) that attack. The fewer and less important the costs or disadvantages, the more likely that a candidate will appear preferable to opponents. These three options can be seen as roughly similar to cost-benefit analysis, providing information that can help persuade the voter to prefer one candidate (we do not claim that voters systematically quantify the impact of acclaims, attacks, or defenses or perform mathematical calculations to decide their vote choice; acclaims tend to increase one’s benefits, attacks may increase an opponent’s costs, and defenses can reduce one’s costs). As noted earlier, a study of German presidential debates found that viewers react differently to acclaims and attacks (Reinemann & Maurer, 2005). However, it is important to keep in mind that all voters do not react in the same way to a given utterance: For example, Jarman (2005) found that those who watched the second general election presidential debate in 2004 evaluated the comments from the candidate representing their own party more favorably than viewers who affiliated with the opposing party.

The three functions (acclaims, attacks, and defenses) can be employed on two broad topics, policy (issues) or character (personality). Policy utterances are those which address governmental action or problems that are amenable to governmental action. Character comments are about the candidates as individuals (personality, leadership experience, and values). Of course, the perceived importance of these two general topics of discourse can vary from one voter to another.

Functional Theory (Benoit, 2007a) predicts that acclaims will be more common than attacks: Conceptually, acclaims have no drawbacks; however, there is some incentive to moderate attacks because many voters report that they dislike mudslinging (Merritt, 1984; Stewart, 1975).
Defenses are expected to be rare for three reasons: Most attacks occur where a candidate is weak, so responding to an attack will usually take the candidate off-message; one must identify an attack before one can refute it and doing so could inform or remind voters of a potential weakness; and defenses may create the undesirable impression that the candidate is reactive rather than proactive. Past research (Benoit, 2007a) has shown that defenses are more common in debates than other media.

**H1. The candidates in the 2008 Saddleback Forum will use more acclaims than attacks and more attacks than defenses.**

Historically, incumbent party candidates have acclaimed more (64% to 51%), and attacked less (25% to 44%), than challengers (Benoit, 2007a). Although in some years the incumbent may face widespread perceptions of problems (e.g., President Bush in 1992), the challenger may need to provide a reason (problems in the *status quo*) to unseat the incumbent. Of course, 2008 was a fairly unusual campaign in that neither candidate was the current president or vice president. Nevertheless, John McCain was the incumbent party candidate and Barack Obama the challenger, so we predict:

**H2. In the 2008 Saddleback Forum, the incumbent party candidate will acclaim more and attack less than the challenger candidate.**

As noted above, research on previous general election presidential debates has found that policy is more common than character (Benoit, 2007a). Public opinion polls for presidential elections in America reveal that most voters say that policy is a more important influence on their vote than character (Benoit, 2003). Candidates have an important incentive to adapt their messages to voter desires, so Functional Theory predicts that policy will receive a heavier emphasis than character:

**H3. The candidates in the 2008 Saddleback Forum will discuss policy more than character.**
As just noted, presidential candidates in general election campaigns tend to stress policy more than character. However, Functional Theory (Benoit, 2007a) observes that in general, Democrats are more likely to emphasize policy than Republicans, whereas Republicans discuss character more than Democrats. Democrats have a proclivity to see governmental solutions to problems whereas Republicans often prefer private action (e.g., charity). This means Democrats are more likely to discuss policy than Republicans. Research on presidential campaign messages (Benoit, 2004) confirms this expectation. Hence we predict:

**H4. In the 2008 Saddleback Forum, the Democratic candidate will discuss policy more, and character less, than Republican candidate.**

**Issue Ownership**

One additional prediction, derived from issue ownership theory (Petrocik, 1996) will be investigated in this study. Over time, each of the two major political parties in the U.S. has become associated with different issues: More voters think one party can better deal with a given issue than the other party. For example, people tend to believe that Democrats can do a better job handling such issues as education and the environment; citizens are prone to think that Republicans can do a better job handling such issues as taxes and crime. Petrocik (1996) predicts that presidential candidates are likely to discuss the issues owned by their own political party more often than candidates from the other party. Research has supported this prediction in presidential nomination acceptance addresses and general television spots (Petrocik, Hansen, & Benoit, 2003/2004) as well as in presidential primary and general election debates (Benoit & Hansen, 2004). This study will investigate this prediction in the 2008 presidential primary debates:

**H5. In the 2008 Saddleback Forum, the Democratic candidate will discuss Democratic**
issues more, and Republican issues less, than the Republican candidate.

These five hypotheses will guide our analysis of the 2008 Saddleback Forum.

Method

Our content analysis, following previous research using the Functional approach (Benoit, 2007a), employed four steps. The texts of the Saddleback Forum (obtained via Lexis-Nexis) were unitized into themes, or utterances that address a coherent idea (only candidate remarks were coded, although questions were part of the context unit used to interpret the candidates’ utterances). Benoit (2000) described the theme as “the smallest unit of discourse that is capable of expressing a complete idea” (p. 280). Similarly, Berelson (1952) indicated that a theme is “an assertion about a subject” (p. 18). Holsti (1969) defines a theme as “a single assertion about some subject” (p. 116). Themes vary in length from a short phrase to several sentences: The textual excerpt must focus on a single idea to qualify as a theme.

Second, each theme’s function was classified using the following rules:

- *Acclaims* portray the candidate speaking favorably.
- *Attacks* portray opponents unfavorably.
- *Defenses* respond to a prior attack on the candidate who is speaking.

Almost all in the remarks in the debates in our sample served one of these functions; the very few other (non-functional) utterances that occurred were not analyzed.

Third, the topic of each theme was classified according to these rules:

- *Policy* remarks concern governmental action and problems amenable to such action.
- *Character* remarks address properties, abilities, or attributes of the candidates.

Because defenses occur infrequently they were not coded by topic (policy or character).
Finally, each policy theme was examined to see if it concerned one of the five Democratic or Republican issues employed in the Issue Ownership analysis. Lexis-Nexis polls from the Roper Center in 2007 were employed to select the issues employed to test the last hypothesis on issue ownership. Initially, Iraq, the economy/jobs, health care, education, and the environment were chosen as issues owned by the Democratic Party; immigration, terrorism, abortion, taxes, and crime were selected as Republican issues.

To illustrate how these texts were coded (and to clarify the nature of our coding categories) we offer examples of the three functions and two topics from the texts in our sample. For instance, in this passage, Obama criticized the status quo: “I believe it is irresponsible inter-generationally for us to invest or for us to spend $10 billion a month on a war and not have a way of paying for it.” Whether one supports the war in Iraq or not, surely most people would agree we should not spend these huge sums without having a way to pay for it, so this excerpt was coded as an attack. It negatively assesses policy generally (governmental action) and the war in Iraq in particular, so this excerpt was coded as an attack.

We employed Cohen’s $\kappa$ for calculating inter-coder reliability because this statistic controls for agreement by chance. Reliability was calculated on about 10% of the texts. The $\kappa$s were .92 for functions, .86 for topics, .96 for issue addressed. Landis and Koch (1977) indicate that these levels of agreement are acceptable: $\kappa$s of .81 and above reflect “almost perfect” agreement (p. 165), so these data should be considered reliable.

**Results**

The first hypothesis concerned the allocation of the three functions in this forum. Acclaims were much more common that attacks (80% to 20%); no defenses occurred in these messages. For example, McCain offered two acclaims in this utterance: “If I’m president of the United States, my
friends, if I have to follow him to the gates of hell, I will get Bin Laden and bring him to justice. I will do that. And I know how to do that. I will get that done.” Americans would agree with this policy goal (bringing Bin Laden to justice) and having a president who knows how to do this (leadership ability) would be desirable, so these two themes function as acclaims. Obama provided an example of an attack when he criticized President Bush on abortion: “The fact is that although we have had a president who is opposed to abortion over the last eight years, abortions have not gone down.” Even those who are pro-life can oppose abortion (preferring adoption, for example), so the fact that the number of abortions has not gone down is an attack. A chi-square goodness of fit test confirms that the frequency of acclaims was significantly different from the frequency of attacks ($\chi^2 [1, 194] = 69.36, p < .0001$). So, these data confirm the first hypothesis (see Table 1).

<table>
<thead>
<tr>
<th></th>
<th>Acclams</th>
<th>Attacks</th>
<th>Defenses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Obama</strong></td>
<td>84 (72%)</td>
<td>32 (28%)</td>
<td>0</td>
</tr>
<tr>
<td><strong>McCain</strong></td>
<td>71 (91%)</td>
<td>7 (9%)</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total 2008</strong></td>
<td>155 (80%)</td>
<td>39 (20%)</td>
<td>0</td>
</tr>
<tr>
<td><strong>Past Debates</strong></td>
<td>4050 (57%)</td>
<td>2501 (35%)</td>
<td>604 (8%)</td>
</tr>
</tbody>
</table>

H2 anticipated that the incumbent party candidate, Senator John McCain, would acclaim more and attack less than the challenger, Senator Barack Obama. This prediction was confirmed in this Forum. Although both candidates acclaimed more than they attacked, McCain acclaimed more (91% to 72%) and attacked less (9% to 28%) than Obama. Statistical analysis confirms that these differences are significant ($\chi^2 [1, 194] = 10.06, p < .005, \varphi = .23$). These data are also displayed in Table 1.

The third prediction addressed the topic of discourse in this Forum. As predicted, the two candidates focused
more on policy (84%) than character (16%). Discussion of the war in Iraq, mentioned above, illustrates a policy topic. John McCain’s declaration about his leadership ability (“I know how to do that [bring Bin Laden to justice]” illustrates an utterance about character. This difference was significant ($\chi^2 [1, 194] = 94.32, p < .0001$). See Table 2 for these data.

Table 2. Topics of 2008 Saddleback Forum

<table>
<thead>
<tr>
<th></th>
<th>Policy</th>
<th>Character</th>
</tr>
</thead>
<tbody>
<tr>
<td>Obama</td>
<td>98 (84%)</td>
<td>18 (16%)</td>
</tr>
<tr>
<td>McCain</td>
<td>65 (83%)</td>
<td>13 (17%)</td>
</tr>
<tr>
<td>Total 2008</td>
<td>163 (84%)</td>
<td>31 (16%)</td>
</tr>
<tr>
<td>Past Debates</td>
<td>4885 (75%)</td>
<td>1666 (25%)</td>
</tr>
</tbody>
</table>

The next hypothesis expected that the Democratic candidate would discuss policy more, and character less, than the Republican candidate. Both candidates stressed policy to about the same degree (Obama 84%, McCain 83%). These differences were not significant ($\chi^2 [1, 194] = 0.05, p > .8$). See Table 2 for these data. The power of this test to detect small, medium, and large differences is .27, .98, and greater than .99, respectively (Cohen, 1988)

The final prediction concerned Issue Ownership Theory (Petrocik, 1996), anticipating that the Democratic candidate would emphasize Democratic issues more, and Republican issues less, than the Republican. As expected, in this Forum Obama’s utterances focused more on Democratic issues than Republican ones (67% to 33%) whereas McCain discussed Republican issues more than Democratic issues (58% to 42%). Statistical analysis confirms that these differences are significant ($\chi^2 [1, 91] = 5.82, p < .05, \phi = .25$). See Table 3.
Table 3. Issue Ownership in 2008 Saddleback Forum

<table>
<thead>
<tr>
<th></th>
<th>Democratic</th>
<th>Republican</th>
</tr>
</thead>
<tbody>
<tr>
<td>Obama</td>
<td>31 (67%)</td>
<td>15 (33%)</td>
</tr>
<tr>
<td>McCain</td>
<td>19 (42%)</td>
<td>26 (58%)</td>
</tr>
<tr>
<td>Past Democrats</td>
<td>1916 (35%)</td>
<td>3595 (65%)</td>
</tr>
<tr>
<td>Past Republicans</td>
<td>896 (22%)</td>
<td>3103 (78%)</td>
</tr>
</tbody>
</table>

Discussion

This campaign event resembled previous general election debates in several ways. Acclaims were more common than attacks; defenses were the least common function (defenses were not used in this Forum). However, the discourse in this Forum was more positive than in previous debates (80% acclaims here, 57% in previous general election debates; 20% attacks here, 35% attacks in earlier debates). The absence of defenses may reflect the fact that fewer attacks are likely to provoke fewer (or no) defenses (Benoit, 2007b). A chi-square confirms that these differences are significant ($\chi^2 [1, 6745] = 26.08, p < .0001, \phi = .06$). It is possible that the format of this event, in which the two candidates were not on stage together (reducing direct confrontation), played a role here. Furthermore, previous research has shown that defenses are related to (prompted by) attacks (Benoit, 2007b); the infrequency of attacks may explain the lack of defenses here.

As in earlier general debates, this forum emphasized policy over character. However, these messages privileged policy even more than in previous years’ general election debates: 84% policy here, 75% policy historically ($\chi^2 [1, 6745] = 8.94, p < .005, \phi = .04$). America’s economic woes had begun before the Forum was held in August (Associated Press, 2008) and many were concerned about the war in Iraq, so perhaps it is not too surprising that policy dominated this forum. Perhaps the unusually high focus on policy (84%) left little room for distinctions between the two candidates (historically, Democrats focus even more on policy than Republicans).
Finally, as predicted by Issue Ownership Theory, the candidates focused more on the issues they owned than on the issues owned by the opposing party. If campaigns are viewed as a struggle to increase the salience of issues that favor each candidate, Obama and McCain were working to achieve an advantage on the issues their own party owned.

Conclusion
The Saddleback Forum in 2008 was a new development in presidential general election campaigns. Both candidates appeared and responded to questions, but they were not on stage simultaneously. This event has much in common with general election debates and those debates provide a context for investigating the Forum. In many ways, the forum resembled traditional debates: an emphasis on acclaims, policy, and on the issues owned by a candidate’s political party; the challenger candidate also had more acclaims and fewer attacks than the incumbent party candidate (despite the fact that McCain, neither president nor vice president during the campaign, was not a “true” incumbent). However, some of these contrasts were heightened, as the forum was more positive and more focused on policy than general election debates. The relative lack of attacks (and the fact that the two candidates did not share the stage) may explain their failure to use any defenses. Perhaps because there was such an emphasis on policy (84%), the Democratic candidate had no greater emphasis on policy than the Republican.

All research has limitations and this study is no exception. It is important to acknowledge that Functional Theory does not address all aspects of discourse. For example, no attempt is made to analyze such concepts as metaphor, word choice, or evidence. Furthermore, this Forum was but one event in a campaign full of messages. Nor does this study attempt to see how media (or others) portrayed or commented on this Forum. One can question whether or not this event qualifies as a “debate” (although
one can argue that more traditional debates are not genuine; see Auer, 1962 or Jamieson & Birdsell, 1988). Still, this study investigates some aspects of a new general election event: a religious forum between the presumptive nominees of the two major political parties.

References


*Dr. William L. Benoit is Professor of Communication Studies at University of Ohio and Leigh Anne Sudbrock is a graduate of the Department of Communications at the University of Missouri.*
There are countless ways to think about rhetorical genre and the taxonomic impulses of style. Playing with field, area, topic, sentiment or even ideology, rhetorical genre is a series of ways to classify links between discourse and/as materiality. This issue is built on the notion of rhetorical genre as “discursive assemblage” in a broad sense and, from Harrell and Linkugel (1978), classifications of rhetorical situation in public discourse in a narrow sense. The genesis traces to a panel at the Seattle RSA on deliberative and judicial rhetoric in the regulation of public controversy. As this forum moors itself in some of the traditional quandaries surrounding genre, the articles that make up the compilation follow wildly divergent trajectories on the notions of rhetoric style and constitution, creating a festival of academic inquiry difficult to look past and satisfying to embrace.

We start with an invitation from Brent Saindon, accepted through the course of the forum, to permute the works of Michael Calvin McGee (1980, 1990) into a masterful synthesis of critical theory, the “ideographic fragment.” This notion allows a rhetorical critic to evaluate a significant trope, such as equality, and assess its contextual moment. Through Saindon’s intervention we see how,
for example, Singer’s application of equality to animal liberation operates inside, outside, and between a given rhetor’s intent. The discourse of equality as applied to animals is an ideographic fragment because it retrenches ideologies on both sides, it enables discourse formations to shift from one context to another, and it defies (while constituting) the stable speaker or author. As Saindon carefully notes, we should criticize how these processes “are the products of a dispersed, multiplicitous public sphere containing a cacophony of vernacular voices.”

The call for further research into this nuanced form of criticism emerges in the forum’s subsequent essays, moving through an outline of the genre of public diplomacy, the application of such criticism to the links between war and nationalism in a crucial address by President of the Confederacy Jefferson Davis, the refusal to accept argumentative logics justifying slavery or restrictions on reproductive freedom, and the “writing out” of transgressive identity discourse seen through a suicide girl’s tattoos. Matt Gerber adds the next step to the collection with a sharp description of “public diplomacy” as a rich area of research in communication studies, but also a genre that incorporates the ways discourse in international relations can include a give-and-take or partially open-ended dialogue. Theorizing the concept of “listening” in international relations by emphasizing limited dialogue and synthesis brilliantly highlights and adds to the utility of public diplomacy as a field of study, what Gerber calls “the ongoing discursive management of national reputation.”

And, where else would such a field emerge but in the speeches of Presidents in American history making appeals to go to war? Jarrod Atchison joins the conversation with a wonderful piece of historical criticism that defends and expands the notion of “war rhetoric” as argumentation designed to justify or maintain the legitimacy of taking a nation to war. When Jefferson Davis made the choice to downplay adherence to slavery and states’ rights in order to conscript slaves into a beleaguered army, he found himself caught between the pragmatic need to find additional soldiers and the larger demands of a nation’s identity. Even though Davis’s
challenge to slavery was only temporary, his inability to imagine an alternative community for the Confederacy signaled the eventual defeat of that nation.

The article written by myself and co-authors Paul Achter and Liz Lauzon also grapples with the discourse and public controversy of slavery, tracing how the same arguments isolated by Atchison during the reign of the Confederacy have crossed time and context to re-appear in debates over abortion and reproductive freedom. In other words, arguments that once were used to justify slavery, not from a national unity or economic perspective, but from a individual sense of “doing what is right for the slaves,” now appear as conservative attempts to prohibit the choice to have an abortion by deploying the argument that the interests of the fetus must be protected at all costs. Yes, the genre of “body arguments” is now grounded in multiple locations in communication studies, but it may also fill in a missing component alluded to throughout this forum.

Rhetorical genre always flows discursively through argumentation, for the interests and arrangements affected by a realm will argue with and against that realm, just as boundaries themselves represent and manifest argumentation. The bodies of animals in the context of equality and animal rights, the bodies of the negotiators and their states during a period of public diplomacy, the bodies of the soldiers and the slaves pitted against the body of the nation during the Civil War, and the bodies of the women literally subordinated to images of the mythical fetus—what Berlant calls infantile citizenship—all work to carry an embodied notion of discourse beyond the limitations of a particular genre. It is fitting, then, to conclude with the text as body and the body as text in Megan Harlow’s compelling account of Jaylin. Jaylin self-identifies as a suicide girl and expresses herself through a series of tattoos, yet, as most Suicide Girls, she “embraces her ‘social death’ and erotic potential through tattoos and alternative sexual performances…rejecting a vision of beauty that would airbrush away her desire.” The desires are often contradictory, but always vivid and lived through the skin as the phrase “art as life” takes on new and more permanent contours.
Eclectic and complementary, the pieces in this forum ask a number of important questions for the study of rhetoric and beyond. When we detect patterns and common forms, when we encounter situations with previous parallels, how can we merge those overlapping elements while still carving out enough space for the fidelity of the event itself—the specifics and why they matter? Genre tells us that we should and must wallow in the specifics and acknowledge our own presence there, for doing so ensures that we will not stray far from the goal of energizing and relevant scholarship. All of this “mattering,” frankly, is the means by which we describe and criticize at the same time, admitting to our standpoint and adding layers to the inevitable tessellation that is the communication genre.

References


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DEBATING MICHAEL CALVIN McGEE’S “CRITICAL” SHIFT IN RHETORICAL THEORY.

Brent Allen Saindon, University of Pittsburgh

Abstract: This essay stages a debate between two different theories of Michael Calvin McGee: ideographs (1980) and discourse fragments (1990). Examining the rhetoric of equality in Peter Singer’s Animal Liberation, it is argued that McGee’s three structural relationships for recomposing textual fragments provide a strong starting point for scholarly investigation, but does not provide an account of rhetorical motive. As an alternative, this essay argues for a new concept, the “ideographic fragment,” which explains the desire to make value appeals in a culture lacking stable social narratives.

On April 24, 2007, The Daily Show with Jon Stewart produced a “presidential” debate over U.S. foreign policy in Iraq. Splicing together publically accessible video footage, Jon Stewart moderated a heated exchange between President Bush in his first term and the President in his second term. The juxtaposition of video clips, recorded from the same person yet espousing totally contradictory views, accentuated drastic changes in a supposedly consistent foreign policy. A section toward the end of the debate was particularly insightful:

Jon Stewart: Alright, look, look, we’re not getting anywhere here. Let’s back up. First term President Bush, why did we invade Iraq in the first place?
Old Bush: The terrorist threat to America and the world will be diminished the moment that Saddam Hussein is disarmed.
Jon Stewart: I see, so you wanted to protect America from the terrorist threat. Current President Bush, why can’t we leave Iraq?

New Bush: Our enemies would have a safe haven from which to plan and launch attacks on the American people. [Long pause with restrained laughter]

Jon Stewart: So let me see if I have this straight. Basically, first term President Bush, you invaded to remove the threat of Saddam Hussein, and you current President Bush are there to battle the threat created by the lack of Saddam Hussein. [Laughter and Applause] Hmm, ok. That’s interesting. So, basically, second term President Bush has to undo the damage created by first term President Bush. First term President Bush, any thoughts as you watch your future self prosecute this second part of the war?

Old Bush: This looks like the re-run of a bad movie and I’m not interested in watching it. [Laughter]

Jon Stewart: Wise words. (Jeverbaum & Stewart, 2007)

Of course, one could create rationalizations to ease the tensions between the “Bushes.” One could claim that the extent of the internal Iraqi power struggle after toppling the regime was not properly anticipated, that Saddam Hussein was only one of many targets in the “War on Terror,” or, for the more cynical, that the positions of both old and new Bush are designed to mask a consistent foreign policy based on the economic interests of military and energy companies. Regardless of the possible rationalizations, this debate, pitting the views of the same person against themselves at two different moments in juxtaposition, still seems unsettling. It confronts us with the fear that convictions can change radically over a short period of time and that the work of others cannot always be trusted as a stable resource for argument.

For rhetorical critics and theorists, the shift in Michael Calvin McGee’s work from ideological criticism (1980) to his later concern for discourse fragments circulating in a postmodern culture (1990) seems to have a similar effect. Stuck between two seemingly incompatible genres of rhetorical criticism, scholars
have produced a series of rationalizations that have prevented a debate between the two “McGees” from being staged. One of the most common responses has been to ignore the fragmentation thesis (McGee, 1990) and to continue to use the ideograph (McGee, 1980) as a tool of rhetorical analysis (Cloud, 1998; Delgado, 1999; Moore, 1993; 1994; 1996; Short, 1994). Another set of studies has used the later McGee (1990) to analyze the disintegration of meta-narratives into visual memory fragments that support post-Cold War consumer culture (Dickenson, 1997; Taylor, 2003). Some have attempted to simply fuse the notion of “performance fragments” with ideological critique, arguing that sound bite culture serves a dominant ideology (Erickson, 2000), allowing the powerful to stitch fragments together that rationalize institutional authority (Hasain, 1997). Finally, those that acknowledge the “postmodern turn” in McGee’s criticism have found it to be a source of anxiety (Goodnight, 1995) or a threat to a materially interested rhetoric (Cloud, 1994; Condit, 1990).

Judging by the various reactions of critics appropriating the ideas of both the earlier (1980) and the later (1990) McGee, the tension between them creates a theoretical quandary for critics. Is it even possible to resolve their inherent divisions? Which McGee should be privileged in the discussion? How can one develop a bridge between the two theories (if at all)? Perhaps instead of trying to hide the disciplinary anxiety of incommensurable opinions expressed by the same scholar, rhetoricians ought to take a cue from The Daily Show. In much the same way that the “Bushes” were made to debate one another through selective video editing, the tension between the earlier McGee’s commitment to ideological criticism (1980) and the later McGee’s challenge to the possibility of an all-encompassing social totality in the form of audience constructed discourse fragments (1990) ought to be subjected to a similar juxtaposition. The debate form, as a mechanism that distills and highlights differences between positions, however minute, offers a way to clarify these different “rhetorical genres” and to begin the process of negotiating between them.
In order to create a space of encounter between the perspectives of the ideological McGee (1980) and the postmodern, fragmentary McGee (1990), it is necessary to provide a practical medium for theoretical application. *Animal Liberation* (2002), written by famed ethicist Peter Singer, offers a conduit for dialogue because “equality” rhetoric, explicitly identified by McGee (1980) as a significant ideograph in American culture, is a central part of Singer’s rhetorical appeal in *Animal Liberation*. Originally published in 1975, *Animal Liberation* received critical acclaim as the seminal text of the modern animal rights movement (Birnbaum, 2003). In philosophy, the text revived a discussion on the nature of rights as either linguistic markers used to express suffering (Singer, 2002) or as ethical absolutes (Regan, 1984). A considerable amount of literature has recently emerged applying Singer’s equality principle to the legal protection of animals (Bartlett, 2002; Decoste, 2003; Kniaz, 1995; Letourneau, 2003; St. Pierre, 1998; Sunstein, 2003; Wise, 2002). Even negative responses to the work of Singer acknowledge the importance of his vision of equality to the conversation concerning the moral status of animals (Coope, 2003; Lloyd, 2004; Saunders, 2003). Much like the space of a popular comedic news program, Singer’s use of equality has sufficient circulation in American culture to function as a reasonable test case for these different genres of criticism.

To preview, I suggest that the three structural relationships for reconstructing texts from fragments, outlined by the later McGee (1990), provide a strong way to catalogue shifts in meaning, audience appropriations, and the textual responsiveness of fragments operating in a culture. However, they are unable to provide a theory of value that can account for the popularity of certain fragments at a particular point in time. To do so, one needs to transform the ideograph from a linguistic indication of a dominant culture’s power to manipulate the consciousness of society (Cloud, 1998) to an appeal generated by the desire to reconstitute a single vision of society in the face of growing
fragmentation (Biesecker, 2002; Bhabha, 1994), which I call the “ideographic fragment.” This conceptual shift parallels the theoretical development of the public sphere from a unified field of civil society’s deliberation (Habermas, 1989) to a divided and contentious conglomeration of publics with only relative amounts of cultural influence (Hauser, 1999; Warner, 2002).

To make this debate happen, I first outline the dispute between the earlier (1980) and later (1990) McGee. Second, an analysis of *Animal Liberation* and the rhetoric of equality occur using the protocols for textual interpretation appropriate to McGee’s (1980) ideographic criticism. Third, McGee’s (1990) directives for textual construction in a fragmented culture are applied to *Animal Liberation*’s use of equality. Fourth, I argue that the fragmentation thesis elides an account of the intensity of social influence, answered through the redefinition of ideograph as “ideographic fragment.” The conclusion comments on the significance of this study and makes suggestions for future research.

**The Stage of the Debate**

Ernst Wrage’s “Public address: A study in social and intellectual history” (1947) marks a revolutionary moment in rhetorical criticism. Neo-Aristotelian criticism had, up to that point, emphasized the importance of the immediate context and audience (Wichelns, 1925), overlooking a broader audience and the long-term influences of rhetoric (Black, 1978). Wrage displaces the immediate influence of the speaker in favor of the relationship between a text and the transmission of important ideas in a culture. In short, rhetoric was beginning to be theorized as a social force in history, not just as targeted to persuade an immediate audience.

Michael Calvin McGee’s seminal essay “The ‘ideograph’: The link between rhetoric and ideology” (1980) develops a method to examine the long-term ideational impact of rhetoric, while taking issue with some of the central tenets of Wrage (1947). Rather than conceiving of the
social force of rhetoric through the transmission of a determinate message (or content), McGee sees persuasive force operating through rhetorical appeals to high level concepts, or ideographs, which are empty of specific meaning while being heavily overdetermined in society. By tracing the diachronic (the plurality of the concept’s meanings over time) and synchronic (its relationship to other important concepts at a particular moment in time) structures of ideographs, one can come close to knowing how ideology operates in a particular culture at a certain moment in time. Following Althusser (2001), McGee believes that ideology is the key concept for understanding the reproduction of the means of production, “the trick-of-the-mind which deludes us into believing that we ‘think’ with/through/for a ‘society’ to which we ‘belong’” (1980, p. 4). In this way he links the idealist study of myths and ideas to a materialist account of the modes of production.

Published a decade later, McGee’s “Text, context, and the fragmentation of contemporary culture” (1990) breaks sharply from his earlier work on ideographs (1980). Tracing the 20th century emergence of rhetoric in very broad strokes, he characterizes most of the rhetorical tradition as fixated on criticism. Rhetoric was treated as a type or genre of discourse, different from poems, novels, and theatre. As a result, the discipline largely assumed the existence of a text, which is separable from context, as a stable artifact for criticism. McGee (1990) reverses the traditional moniker of “rhetorical criticism,” arguing for a “critical rhetoric” that focuses on discourse as a “performance” (1990, p. 279).  

1 His advocacy comes on the heels of Raymie McKerrow’s (1989) call for a critical rhetoric. Though many of the conclusions are the same, these two thinkers call for a critical rhetoric based on very different grounds. For McKerrow, a critical rhetoric must be a materially invested, yet self-reflexive enterprise that criticizes the techniques of domination enabled by particular rhetorical strategies. Although he recognizes knowledge as “doxastic,” or socially constituted, McKerrow’s deployment of Michel Foucault’s theory of power still largely assumes a set of stable institutional forces of hegemony that can be identified, criticized, and displaced by the
Rather than assuming the existence of a completed text, critical rhetoric posits that:

Texts are to be understood to be larger than the apparently finished discourse that presents itself as transparent. The apparently finished discourse is in fact a dense reconstruction of all the bits of other discourses from which it was made. It is fashioned from what we can call ‘fragments.’ (1990, p. 279)

The task of the critic, then, involves constructing a text from available bits of discourse, making “a text suitable for criticism” (1990, p. 288).

Although both theories stem from the same general assumption that texts are a social force in a culture, several points of contention emerge between the two decade-inaugurating essays of Michael Calvin McGee (1980, 1990). The first point concerns the nature of the worlds theorized by each work. With the ideograph, McGee (1980) argues for a method to understand the ideology of contemporary society. Concerned with the structures guiding one’s life, the piece suggests that understanding the operation of ideographs allows the critic to know how ideology constructs subject positions and controls populations. Myths are not just symbolic resources for the world making practices of humans, but tools of securing certain narratives of structural inequality.

Following Lyotard’s declaration of the end of meta-narratives (1984) and the crumbling edifice of Cold-War politically motivated critic. His appropriation of Foucault has been highly criticized by Biesecker (1992) and Greene (1998) for presuming an oppositional relationship between domination and resistance that Foucault’s writings seem to question explicitly. In McGee’s version of critical rhetoric, no such notions of power, hegemony, and resistance are foregrounded as important in the process of textual construction. While I share the skepticism of others regarding McKerrow’s appropriation of Foucault, McGee’s unwillingness to address the question of power directly is a stunning omission. It plays a major part in the need to reconcile ideographic criticism with the postmodern condition in the final section of this essay.
structures (Bleiker, 2000), McGee writes the move to “critical rhetoric” in the face of the fragmentation of contemporary culture (1990). No longer tied to a belief in the totality of a social structure (ideology), the postmodern condition refuses the possibility that a “consensus…could embrace the totality of metaprescriptions regulating the totality of statements circulating in the social collectivity” (Lyotard, 1984, p. 65). McGee (1990) argues the fragmentation of contemporary culture also fragments the text. No longer a unified whole, all that seems to reach people are “discursive fragments of context” (p. 287). Rather than texts providing a vehicle for conditioning populations to accept prevailing modes of production, all narratives of social cohesion are contestable and questionable. In the era of post-modernity, “the public’s business is now being done more often via television spots, documentaries, mass entertainment, and ‘quotable quotes’ on the evening news” (p. 286). In short, the fragmentation thesis questions the primacy of ideographs as the rhetorical building blocks of the Ideological State Apparatus (Althusser, 2001). Whereas McGee (1980) would read Singer’s text as a deployment of pre-existing ideological resources that ultimately sustain inequitable power relationships, McGee (1990) would see Singer’s definition of equality as a fragment of discourse appropriated from previous sources, but capable of being continually ventriloquized by future audiences for their own ends.

Second, McGee (1980) argues that rhetorical critics need to analyze two structural relationships in order to understand the ideograph’s link to ideology: diachronic and synchronic movement. Diachronic movement consists of the shifts in meanings of the ideograph available to the present situation, which functionally means the totality of all previous meanings conferred upon a particular ideograph over time. Synchronic movement is the relationship between the ideograph under consideration and the other ideographs operating in society. For example, if trying to understand the
ideograph of “equality,” one would trace the historical uses of the term, along with how it relates to other significant value appeals, such as “liberty,” “freedom,” and “justice.” In Singer’s case, equality is a value driven by the need to calculate positive and negative impacts, offering a mechanism to maximize the collective “interests” of society.

A decade later, McGee (1990) suggests that the critic textualizes a fragment through an attention to three structural relationships: sources, culture, and influence. Sources (relevant previous meanings from which the rhetor forms the fragment) and culture (relevant social circumstances in which a fragment emerges) seem to collectively express the same critical concerns as tracing diachronic and synchronic movement, respectively. However, the third structural relationship, influence, questions the causal link between ideograph and audience compliance assumed in the early McGee (1980). In other words, for the ideological McGee (1980), “the rhetorical process becomes implicated in an act of social conditioning likely to promote asymmetrical relations of power favorable to the speaker” (Greene, 1998, p. 23). For the postmodern McGee (1990), the fragment gains attention through its cultural prominence (circulation and repetition). Overall, the relationships relevant for text interpretation (1980) and text construction (1990) are fairly similar, with some modifications regarding the nature of rhetorical effect.2

2 It is difficult to parse the difference in rhetorical effect in the earlier and later McGee, but it is important for understanding how a text/fragment is related to its cultural influence. Giving form to a materialist theory of rhetoric, McGee (1982) defines it as “a natural social phenomenon in the context of which symbolic claims are made on the behavior and/or belief of one or more persons, allegedly in the interest of such individuals, and with a strong presumption that such claims will cause meaningful change” (p. 38). The success or failure of rhetoric is assessed based on the ability to connect the desired change to the speaker’s action, which makes this version of influence a direct cause and effect chain between speech act and outcome. For the later McGee (1990), the notion of influence softens, instead designating the ability of a fragment to receive attention from other textual fragments circulating in the culture. The measure of success
These two differences provide a broad conceptual map that can be used to ascertain the distance between the ideological McGee (1980) and the postmodern McGee (1990). In the next two sections, these differences are operationalized with respect to Peter Singer’s use of equality rhetoric in *Animal Liberation* (2002).

**Equality as Ideograph**

Ideographic criticism, inaugurated by the earlier McGee (1980), supplies the largest area of work in communication studies on the history of the rhetoric of equality. In his introductory essay, the term equality is used as an example of an ideograph’s capacity to define a collectivity:

So, in the United States, we claim a common belief in “equality,” as do citizens of the Union of Soviet Socialist Republics [USSR]; but “equality” is not the same word in its meaning or its usage. One can therefore precisely define the difference between the two communities, in part, by comparing the usage of definitive ideographs. (p. 8)

This gesture for studying comparative ideology is a product of studying each culture’s synchronic affiliations of equality. Presumably, one could read the “Cold War” political conflict between “democracy” and “communism” through these different constellations. For instance, one might find that the political usage of equality in the former USSR is linked to their theorization of material conditions: it offers a moral principle to assess the proper outcome of state policies. To say that all persons are equal is factual; they are entitled to similar wages, living conditions, and proportions of collective labor.

is not compliance, but citation, whether that occurs in assent, response, or extension of a fragment’s meaning. As such, McGee’s (1990) view of influence more closely corresponds to contemporary demands to follow a more nuanced logic of “articulation” (Biesecker, 1989; Greene, 1998; Stormer, 2004).
Peter Singer’s equality principle in *Animal Liberation* is most certainly a product of the intellectual tradition of West European and American social philosophy. Defining equality as “the equal consideration of equal interests” seems tautological, but his expression gains meaning if one has a strong grasp of its context of usage and its contrast with the “factual” equality characteristic of communist value constellations:

The extension of the basic principle of equality from one group to another does not imply that we must treat both groups in exactly the same way, or grant exactly the same rights to both groups. The basic principle of equality does not require equal or identical treatment; it requires equal consideration. Equal consideration for different beings may lead to different treatment and different rights. (Singer, 2002, p. 2)

Singer’s rhetorical gesture in this passage has an important ideological function. By separating his explanation of equality from one that drives communist doctrine, Singer attempts to display moderation and to garner support for his principle (the text is written in 1975 at the height of the Cold War). He becomes even more suggestive on this point, arguing that his version of equality emerges not only in the work of Jeremy Bentham, but also in “Thomas Jefferson, who was responsible for writing the principle of the equality of men into the American Declaration of Independence” (p. 5).

Furthermore, Singer (2002) uses the extension of rights to women and to African Americans as a rhetorical resource for extending protections to non-human animals, a goal that only makes sense if the term “equality” is placed in a value constellation with other common ideographs such as “liberty,” “freedom,” and personal “interests.” Arguing that the protections of these groups are not rationalized on the basis of equitable ability or needs in all human beings, but rather based upon the need to consider the different interests
of others when formulating personal or social policy, Singer explains the relationship between the principle of equality and the protection of these other values:

Concern for the well-being of children growing up in America would require that we teach them to read; concern for the well-being of pigs may require no more than that we leave them with other pigs in a place where there is adequate food and room to run freely. But the basic element—the taking into account of the interests of the being, whatever those interests may be—must, according to the principle of equality, be extended to all beings, black or white, masculine or feminine, human or nonhuman. (p. 5)

For Singer, it seems obvious that human children have a personal “interest” in scholastic enrichment, while pigs, lacking the linguistic capacity to articulate desires, want to be left alone to their own devices, paralleling the traditional invocation of “liberty” as a form of self-determination. In each case, equality relates to these other values as a principle of calculation: to compare interests fairly and to make decisions that aid the satisfaction of the most quality interests when tradeoffs exist.

Singer’s use of equality is indebted to previous historical usage of the term (diachronic association) in the Western philosophical and political tradition. According to McGee (1980), “earlier usages become precedent, touchstones for judging the propriety of the ideograph in a current circumstance. The meaning of ‘equality’ does not rigidify because situations seeming to require its usage are never perfectly similar: as the situations vary, so the meaning of ‘equality’ expands and contracts” (p. 10). In one of the most thorough studies of the diachronic associations of equality in American culture, Condit and Lucaites (1993) suggest that the possible meanings of equality exploded from the 1820s to the 1980s, largely due to the prowess of African American rhetors. In the immediate context in which Peter Singer’s Animal Liberation occurs (mid 1970s), two
discourses of equality coexist concerning race relations in the United States: the “integrationist” call for equitable treatment under the law and for equitable opportunity for personal development, and the “cultural separationist posture” that called “for a combination of absolute economic equality and absolute cultural equality” (Condit & Lucaites, 1993, p. 207).

Singer’s equality principle can be read as a conservative reaction to the explosion of equality rhetoric in the early 1970s that challenged the pervasive racism and sexism of American culture. Singer uses the rhetorical resources of both these movements consistently in his appeal to protect non-human animals, yet he curiously refuses to apply his thinking to other issues without the same level of cultural cache (e.g. discourses concerning societal heterosexism). The manifestation of this implicitly conservative argumentative appeal comes from the co-presence of two characteristics in his work. First, he works very hard to court the mainstream anti-racist and anti-sexist sentiments of progressives by drawing parallels between the commitments of each movement. For example:

Racists violate the principle of equality by giving greater weight to the interests of their own race when there is a clash between their interests and the interests of those of another race. Sexists violate the principle of equality by favoring the interests of their own sex. Similarly, speciesists allow the interests of their own species to override the greater interests of members of other species. The pattern is identical in each case. (2002, p. 9)

Second, while courting these other groups, he also chastises those that push the extremes of factual economic equality. By formulating equality as a principle for deliberating across interests, Singer refers back to the philosophical formulation of the term popular in the late Eighteenth and early Nineteenth centuries. His traditional notion relied on, “fairness in terms of a prior moral code that entailed
rankings and necessitated appropriate actions with regards to them” (Condit & Lucaites, 1993, p. 29), against a more expansive definition. While in one sense such a gesture is done to increase the persuasive appeal for non-human protection, it also does so at the expense of other progressive social forces.

I have tried to offer a broad outline of how McGee’s (1980) theory of ideographs could be applied to Peter Singer’s *Animal Liberation* (2002). Of course, one could provide more details about the synchronic and diachronic associations at work in Singer’s invocation of equality rhetoric. One thing seems certain even from this brief experiment in McGee’s interpretive method: the goal of ideographic criticism is to provide a thick description of a term’s use at a particular moment in time by reading its cultural context. In doing so, one explains why the speaker deploys a particular ideological resource rather than others, and what effect the speaker desires.

This centrality of motive in speech production becomes a key point of contrast between the ideographic (1980) and the postmodern (1990) McGee, as the next section illustrates. How would the elder McGee (1990) analyze equality discourse as a fragment? Do his three structural relationships offer a fruitful avenue for subtle textual construction? Going further into *Animal Liberation* and its significance in contemporary culture, the following section outlines the bare essentials of the three structural relationships for text construction in order to clarify the differences dividing the two generations of McGees and to test the validity of the latter’s method.

**Equality as Fragment**

A number of changes have occurred in the rhetorical canon since McGee’s (1980) attempt to reconcile rhetoric and the study of ideology. The originator of ideographic criticism seems to shift his critical perspective later in life, arguing for the fragmentation of the text (1990). On face,
McGee’s later work seems to directly respond to his previous theory of ideographs, rendering it anachronistic. How would a scholar making a modest attempt to follow the directives of text construction provided by McGee (1990) read Singer’s principle of equality? I divide these reflections according to the three structural relationships that the postmodern McGee (1990) outlines as significant for textual construction in order to provide a clear picture of the methodological contrasts that dominate these two decade inaugurating essays.

**Discourse and Sources**

Negotiating several distinct forms of utilitarianism, Peter Singer fuses the thought of Bentham, Darwin, Mill, Hare, and others. Singer, an outspoken advocate of utilitarianism, posits that the fundamental principle of utilitarian thinking is the principle of equality, formulated as the equal consideration of equal interests (2002). He explains: “No matter what the nature of the being, the principle of equality requires that its suffering be counted equally with the like suffering—insofar as rough comparisons can be made—of any other being” (2002, p. 8). This guiding principle is derived from references to Jeremy Bentham’s utilitarianism which values pleasure and pain above all else. “The question is not, Can they reason? nor Can they talk? but, Can they suffer?” (Bentham, as quoted in Singer, 2002, p. 7). Rather than follow Bentham’s prescription that suffering (or pain) is the only moral consideration, Singer recognizes a diverse group of interests, with some allotted more value consideration than others.

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3 Utilitarianism is generally understood as an ethical framework that attempts to achieve the greatest good for society in any given situation. This axiom, on its own, only provides a general framework for calculation. The meaning of “good” in the context of utilitarian thinking has been the source of debate for nearly 200 years. Rather than summarize that debate, I wish only to attend to the construction of utilitarianism that Peter Singer produces by stringing together the fragments of thought provided by his forerunners. As such, for the purposes of this essay, utilitarianism will be operationally defined by Peter Singer’s commentary.
(Mill, 2003). Intellectual virtues carry more importance when in direct conflict with pain unless a substantial asymmetry of intensity exists in favor of pain (Singer, 2001).

R. M. Hare (1981) suggests that moral thinking is an imaginative act of understanding the interests of another. One can understand another’s pain only by observing outward expressions that seem to be analogous to one’s own pain. Singer uses the concept of reading one’s own aversion to pain into the responses of another for two purposes: to articulate similarity of response to stimuli between humans and animals as grounds to presume the existence of pain in animals, and to universalize the principle of caring for the interests of another as the goal of moral philosophy. Humans, according to Singer, strive morally to take the “point of view of the universe” (2001, p. 268) by seeing beyond the limited perspective of the solipsistic individual. Thus, the construction of utilitarianism mapped out by Singer reveals itself as a radical selflessness produced from universalizing self-interested decision making (1993).

Singer parts ways with Mill (2003) and Hare (1981) on the narrative that grounds moral consideration. Rather than ascribe an abstract or transcendental value to reason, Singer lays the foundation for valuing interests in evolutionary biology (2000). The complexity of an organism’s self-awareness dictates the quality of its interests. The more complex the organism becomes, the more developed and intensified its interests will be. From this principle, one can argue that, when in conflict, one ought to choose the value of a fully developed human being over the suffering of a dog, or other lower order animal (Singer, 2002). McGee (1990) suggests that discourses do not emerge ex nihilo, but rather from a dense web of competing interpretations. Though Singer speaks to the popular, tracing the sources of discourse reveals the complicated terrain of philosophical citation within the utilitarian tradition.
Discourse and Culture

With the collapse of context as a separable and objective entity, one must account for the responsiveness of a textual fragment to its cultural surroundings (McGee, 1990). As a number of scholars note, Singer’s defense of non-human animals also responds to other constructions of equality circulating in the public sphere (Brennan, 2003; Coope, 2003; Hari, 2004; Herrnstein Smith, 2004; Kenny, 2003; Regan, 1984; Singer, 1986; 2002). In the previous account of equality as ideograph, I already documented some of the conservative inclinations of this discourse. On the other hand, thinking about his equality principle as a circulating “fragment” in a culture that is not determined by reference to an ideological field, a conservative response also has liberatory possibilities.

Singer (2002) criticizes certain strands of Civil Rights discourse for appealing to factual equality. Rhetorical scholars have confirmed Singer’s observations about the prevalence of this particular strain of discourse (Condit & Lucaites, 1993; Hasain Jr. & Klinger, 2002; Haskins, 1981). Singer attempts to reveal some of the undesirable consequences of this position through two arguments: the inherent inequality of human beings and the risks of statistical analyses of race and gender. The first argument suggests that differences in character and ability are essential to the uniqueness of each human being (the principle of individuality undergirding nearly all rights claims), denying the possibility of ever truly being equal. The second is a variation of the first, but argues that statistical data on the aggregate characteristics of a race could be used as a basis for discrimination (Singer, 2002).

To compensate, Singer argues that framing equality as a moral principle does not risk biological essentialism of both humans and non-humans, or the inequitable treatment of others. He explains that “precisely what our concern or consideration requires us to do may vary according to the characteristics of those affected by what we do” (2002, p. 5).
The principle of equal consideration is a moral doctrine necessitated by the need to fulfill and negotiate between interests. The qualities of each individual being matter, but not the typology of that being. In the cultural milieu of 1970s America, Singer’s appeal seems, in one sense, to upend the Afrocentric discourses of equality identified by Condit and Lucaites (1993), suggesting, in a fashion akin to political conservatism, that positions advancing factual equality support the cause of racial discrimination. But in another sense, one can clearly differentiate the motive of his injunction; he argues instead that Civil Rights discourses would do well to insulate themselves from being assaulted by scientific developments and pseudo-eugenic discourses. By accepting his version of the equality principle, one does not give up a struggle for equitable treatment, but that defense must be based on the development of certain human interests and with attention to possible negative outcomes.

As an analysis of the relationship between the fragment and its culture demonstrates, the emergence of equality rhetoric in Animal Liberation (2002) is not only indebted to the philosophical thinking of previous generations, but is also responsive to other uses of equality circulating in society. Rather than this response simply offering an ideological return to an older (predominately white) meaning, Singer is able to frame the concept as potentially useful to Civil Rights groups, if effectively deployed. The ambivalence between the conservative and the liberatory possibilities of the fragment requires that one attend more closely to a third structural relationship in the postmodern McGee (1990), entirely missing from the ideological McGee (1980), that considers the subsequent reception and appropriation of the fragment.

Discourse and Influence

McGee uses the concept of influence to capture the radical intertextuality of any given discourse. Fragments that matter will be remembered and “structured into our
experience” (1990, p. 282). This postmodern McGee (1990) parts with his earlier work on ideology (1980), at least in part, by refusing the possibility of ever knowing the totality of a given situation, context, or linguistic concept. Rather than the ideograph representing dominant social interests, a fragment begs to be engaged, denied, or transformed (1990). Not only do fragments respond to a particular situation in a culture, but they are also responded to and engaged by other discourses.

In the philosophical discipline, Tom Regan (1984) produced one of the most well known responses to Singer. Regan argues that utilitarian thinking, regardless of its strain, fails to provide adequate protection for animals, largely due to its rejection of rights claims. In any given situation, Singer still allows for the killing of non-human animals, so long as human interests outweigh animal interests. The real danger becomes that humans, who have self-interests, will just routinely value their interests above another being. In response, Regan articulates a Neo-Kantian view of rights, positing that the characteristic of sentience is sufficient to have a natural right to bodily integrity. Regan devotes much of his book to proving the sentience of most non-human animals. Finally, he argues for a principle of presumption against taking the life of another, so long as there remains reasonable doubt of an animal’s object status. Regan, responding to the dangerous, relative nature of Singer’s concept of “interests,” makes an appeal for the equal treatment of animals based on the factual existence of sentience.

In the pragmatic battleground of the courtroom, Singer’s principle of equality has taken on a life of its own. In Canadian law, there has been a huge debate regarding the treatment of animals in anti-cruelty legislation (Wise, 2002). In this case, the Darwinian underpinnings of Singer’s argument become a mechanism to erase the distinct barrier between subjects (humans) and objects (animals). Instead, animal development exists somewhere along the continuum
of evolutionary progression. Though some have attempted to think of rights as an absolute category (Decoste, 2003 arguing for animal exclusion, and Bartlett, 2002; Letourneau, 2003 arguing for inclusion), the rhetoric of Darwinism infused with the principle of equality seems to mediate conservative concerns and radical politics, opening a dialogue for progressive change (Rachels, 1998).

Singer’s philosophy can also be re-composed to serve conservative political interests. First, an objection is raised regarding Singer’s willingness, in subsequent writings, to defend disposing of humans with intellectual disabilities (Vehmas, 1999). Once he admits to the differentiation of interests, then those humans that have not been able to develop higher level cognitive capacities are assigned lower value interests in comparison to others. Second, Singer’s position also risks the reduction of all diverse characteristics of beings to an exchange value couched in the vague language of interests, reducing the multiplicity of worldly experience to a flat, dedifferentiated and overly simplistic world view (Herrnstein Smith, 2004). Third, even McGee (1987) cautioned about the association of equality in the United States with property and equal opportunity, both of which can easily be used to discriminate against those with no such interests. According to that view, we can dominate the environment and own property at will because animals have no “interest” in property.

These examples demonstrate the ambivalence of influence for a fragment. Framed as a piecemeal protection, a mechanism to make large-scale progressive changes, or as a way to rollback protections of vulnerable populations, the reception of Singer’s equality rhetoric seems to confirm McGee’s (1990) observation that fragments are embedded in several different contexts of experience. In this small sample, the fragment circulates between philosophical reflection, legal frameworks, and social concerns in popular culture. It is precisely this aspect of a fragment (its ability to insinuate itself in a multitude of different contexts) that
requires a de-emphasis on the intent of the speaker in favor of tracing multiple, often contradictory, effects of discourse. Although clearly advantageous in this regard, one must still ask: is anything lost in the analysis? This last question ought to drive researchers toward reconsidering ideographic analysis.

**From “Ideograph” to “Ideographic Fragment”**

A clear advantage of the method articulated by the postmodern McGee (1990), critics trace the processes of transformation through clashes and convergences between fragments, which help to produce a text. Following the sources, the culture, and the influence that structure the emergence of Singer’s equality fragment provides a sophisticated object of criticism. In explaining how a fragment transforms into text, another set of questions surface for the postmodern McGee (1990): Why do some fragments have a higher degree of circulation than others? What accounts for the intensity of influence of fragments?

Now the trend of the debate reverses with the younger, ideographic McGee (1980) reminding the older (1990) of an important element for understanding how rhetoric works in particular situations. McGee’s (1980) theory of ideographs clearly had the advantage of explaining the relationship between a particular value appeal and the reproduction of a mode of production. The desire to maintain relations of production that sustain asymmetrical social positions offered a simple, but important, motive for producing rhetoric. But the lack of a stable meta-narrative and value system in a postmodern society makes it impossible to understand why certain appeals occur. Given the dissolution of any grounding narrative that would motivate such an action, how would one explain why Peter Singer uses equality rhetoric in order to protect non-human animals? Why do people feel compelled to respond to his appeal?
In order to venture an answer, one must return to one of the sources of inspiration for McGee’s (1990) fragmentation thesis. According to Lyotard, the postmodern condition does admit that proponents of ideology exist and attempt to regulate collective behavior, but “it is the absence for which the ideology of the ‘system,’ with its pretensions to totality, tries to compensate and which it expresses in the cynicism of its criterion for performance” (1984, p. 65). Biesecker (2002) provides a concrete example for this phenomenon. Discussing the resurgence of a national memory of World War II, she writes:

Thus, prompted by the unprecedented decision to break ground between the Washington Monument and the Lincoln Memorial for a structure commemorating not just the veterans of WWII but also an exemplary era of “American national unity,” this examination of several contemporary WWII texts argues that the return of WWII may be understood as a more or less thinly veiled conservative response to the contemporary crisis of national identity. (p. 406)

Biesecker’s rationale, that the need to commemorate an era of “national unity” is responsive to the perceived fragmentation of citizen identity, mirrors Lyotard’s suggestion that ideological claims are a product of dissensus, not consensus. In other words, the only reason to talk about and commemorate a national unity is because it does not exist and likely never existed as a material fact (Bhabha, 1994). The speaker, attempting to cope with the mass of confusion, the contradictory tendencies, and the seeming lack of direction exhibited in the actions of contemporary society, uses the speaking occasion to stitch together a coherent social narrative from the fragments of text circulating in a culture.

Thinking briefly about Singer’s (2002) formulation of the moral principle of equality, these supplementary theoretical materials allow the critic to piece together a
plausible motive for the fragment’s emergence. The intense struggle over equality in the Civil Rights movement (Condit & Lucaites, 1993; Hasain & Klinger, 2002), its codification into law (Zarefsky, 1980), and the attempt of the Women’s Movement to pass certain equal rights protections (Foss, 1979), left the American nation with an incoherent amalgam of different usages of equality in contention with one another, from the legal securing of opportunity, to appeals for equitable outcomes, and even to attempts to justify continued inequalities. Singer attempts to suture the social divisions driven by the different definition of these terms, appealing to it as moral principle rather than as a statement of factual similarity or as an inherent characteristic of each individual. As my account in the previous section of the “influences” of Singer’s fragment testifies, his view of equality has had a myriad of different rhetorical effects, ranging from affirmation, to the limited reformation of the legal sphere, and even to its repudiation by other scholars.

Though ideology may never reach total control nor bind the entirety of the social field, the remnants of meta-narrative construction (much like the broken pieces of the Berlin Wall), still seem to have appeal in a fragmented culture. No longer akin to “God” terms (McGee, 1980) concepts formerly considered to have an ideographic function serve as a medium of exchange between speaking subjects. Their respective familiarity with certain terms and conditioned respect for a term’s value (though empty in itself) creates a magnetic relationship between the “ideographic fragment” and other fragments circulating in the culture. The “ideographic fragment” operates like a sound bite, its influence no longer determined by the truth it posits, but instead performed through its repetition or iteration (Derrida, 1988). The path of least resistance: gain attention in popular culture by attaching to something familiar and desired, then attempt to mutate the significance of the term, changing its association with other fragments.
The fragmentation of culture and the types of rhetorical appeals characteristic to it have a parallel theoretical analog in the conversation concerning the nature of the “public sphere.” In response to the desire to recuperate a late 18th and early 19th century version of the public sphere, understood as “the rational communication of a public consisting of cultivated human beings” (Habermas, 1989, p. 35), Lyotard (1984) argues that the fragmentation of culture frustrates any attempt to resurrect a universal, rational consensus; it “destroys a belief that still underlies Habermas’s research” (p. 66). As social divisions in contemporary culture proliferate, it becomes necessary to theorize the internal division of the public sphere. Michael Warner (2002), in an attempt to increase the visibility of particular marginalized groups in American culture, theorizes the element of the public with the concept of a counterpublic: a public that is in “tension with a larger public… [and that] maintains at some level, conscious or not, an awareness of its subordinate status” (p. 56). While Warner’s gesture goes a long way to develop an analytic framework for studying cultural fragmentation, the notion of the counterpublic still presumes the existence of a dominant public with a relatively stable ideology. Instead, we ought to follow Hauser’s (1999) theorization of multiple, vernacular publics: temporary social groups brought together over a common concern, and that compete with several other public discourses for increased cultural attention. “Ideographic fragments” are the products of a dispersed, multiplicitous public sphere containing a cacophony of vernacular voices: they strive for social cohesion, but in relation to voices of conceptual extension, conceptual distinction, and outright dissent. They have only relative degrees of rhetorical success, largely measured by the extent to which such fragments are given reference by other contemporaneous voices in a culture. As “ideographic fragment,” Singer’s proscription has made some inroads into changing the tenor of the animal protection conversation, but has failed to
suture the social, political, and philosophical divisions that are characteristic of our contemporary condition.

**Conclusion: Toward a New “Critical” Shift**

The debate between the early (1980) and the later (1990) theories of Michael Calvin McGee has been largely ignored by rhetorical theorists or, when acknowledged, not fully staged. McGee’s (1990) appropriation of Lyotard’s (1984) diagnosis of cultural fragmentation created serious tension with his earlier pretensions (1980) to understand the reproduction of the modes of production through ideographs. Instead, discourse fragments are to be the building blocks of textual construction by critics. The rhetoric of equality in Peter Singer’s *Animal Liberation* (2002) provides a topic of conversation between the two theories. Although the three structural relationships (source, culture, and influence) offered by McGee (1990) provide a sophisticated map of the connections between fragments, they do not provide an adequate account of why certain types of rhetorical appeals are used and the motive for attempting to persuade others. Supplementing the postmodern McGee (1990) with a theory of motive grounded in the desire to recompose a social unity from division (Bhabha, 1994; Biesecker, 2002) corrects this oversight. Shifting away from belief in ideology as confirmation of social control, the “ideographic fragment” as a concept of scholarly investigation responds to the fragmentation of culture. It makes an appeal to an impossible, illusory social cohesion, yet it has relative degrees of influence within many different vernacular publics (Hauser, 1999). Finally, for those interested in Singer’s defense of non-human animals, the “ideographic fragment” provides a conceptual tool to map the sources, cultural responsiveness, and reception of his equality principle while also enabling an account of his motive for his rhetorical appeal.

This investigation has sought to use debate as a framing metaphor for exploring a tension within rhetorical
theory. Working under the assumption that each side of an issue should be given voice and its arguments treated with respect, the fruit of this staged conflict is the development of a new theoretical concept: the “ideographic fragment.” The “ideographic fragment” permutes McGee’s later theory of fragments (1990) with an explanation of rhetorical motive and rhetorical circulation that can account for why certain fragments, usually high-level value abstractions, still offer, at least in the case of equality, a viable appeal to several different interested publics in a culture. If this theoretical intervention is correct, then future research needs to go back through previous scholarship on ideographs, determining whether the results herein are applicable to other forms of value appeals. In addition, this research ought to spur future scholars to bring the study of ideographs into the ongoing call to investigate vernacular discourse (Ono & Sloop, 1995). Finally, this essay ought to alert scholars to the benefit of thinking through the McGee debate as a scene of theoretical innovation. The tensions between scholarly positions can become, if treated fully and fairly, the foundations for new forms of theoretical synthesis.

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ON THE CONSIDERATION OF ‘PUBLIC DIPLOMACY’ AS A RHETORICAL GENRE

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Abstract: In this article, I make a case for the consideration of public diplomacy as a rhetorical genre. While I concede that other fields (most notably political science) have provided meaningful insight into the function of public diplomacy, I conclude that due to the common suasive elements that recurrently appear in this type of discourse, rhetorical approaches to the study of public diplomacy are the most appropriate. I have identified four common characteristics that recur in public diplomacy, and I argue that these commonalities necessitate the consideration of public diplomacy as a genre of rhetoric.

The Emergence of ‘Public Diplomacy’

Considerable scholarly effort has been devoted to the interrogation of the issues surrounding the emergence of “public diplomacy.” As globalization, cultural pluralism, and mass information transmission converge, interest in the nexus of public communication and international relations has concurrently increased across multiple academic disciplines. In the process of coming to grips with the new public diplomacy, some of the recent work in this field has centered on resolution of the inevitable definitional ambiguities that accompany the rise of what some have even called a new academic discipline (Gregory, 2008). In particular, for scholars in the field of political science, the lack of clearly demarcated academic approaches to public diplomacy has been particularly troubling. Gregory (2008)
bemoaned a perceived dearth of seminal literature in the area of public diplomacy when he recently asked, “where is the academic research and where are the scholarly publications that would give meaning to a field of study?” (p.274). I argue that Gregory was perhaps premature when he indicated that “scholars have had little to say directly about public diplomacy until recently” (p.274). A closer look into the literature in the field of communication studies would have revealed a rich tradition of scholarship, particularly given that Gregory defined public diplomacy as a “communication instrument used in governance” whose primary purpose was to “engage and influence foreign publics” (p.276).

Similarly, Cowan and Cull (2008) mistakenly argued that public diplomacy had been “neglected in academic circles” and had been “dominated by practitioners, frequently with an institutional axe to grind” (p.7). In fact, public diplomacy has been investigated rigorously by scholars and critics (rather than solely by practitioners) in the field of communication studies for decades. Indeed, “scholars in rhetoric have produced a number of critical studies of foreign policy discourse” whose aim is to “reveal that foreign policy decision making is influenced powerfully by modes of persuasive appeal” (Beer & Hariman, 1996). Calling public diplomacy a “new field of practice and scholarship,” Gilboa (2008) argued that “while scholars have applied communication models to issues of foreign policy and international relations, only a few researchers have applied them to public diplomacy” (p.64). Gilboa fails to draw any distinction between ‘public diplomacy’ and the discourse of foreign policy and international relations. It seems that Gilboa’s ‘criticism’ concedes that scholars have a rich tradition of applying communication theories to the study of foreign policy rhetoric and the various discourses of international relations; both are variants of public diplomacy that could be classified in the same ‘genus’ of rhetoric.

While I disagree with the labeling of public diplomacy as an entirely new field of study, I support
Gilboa’s claim that “experts and practitioners in public diplomacy have often ignored relevant information in communication” (p.73). I argue that while it may be premature to attempt the categorization of public diplomacy as a new academic field altogether, and while public diplomacy and its study is certainly multidisciplinary, it may be useful to consider public diplomacy as a rhetorical genre. The categorization of public diplomacy as a rhetorical genre can hopefully begin to shed light on possible solutions to the definitional dilemmas associated with the birth of this area of study, and point to ways in which approaching public diplomacy from a communications perspective may be both practical and enriching to the enterprise.

‘Generic’ Rhetorical Criticism

A rhetorical genre, simply defined, is a category of discourse (Fisher, 1980). Critics categorize particular types of rhetoric based upon their similarities. There are many ways to group species of discourse together, and similarities in type can be based on multiple characteristics. A genre, by definition, is also a generalization, and is hence both true and untrue (Fisher, 1980). A generalization, about any object, image, or idea, describes only what is true most of the time. A generalization also then presupposes exceptions to, or variations from what is true most of the time. Fortunately, the boundaries and parameters of a given category of discourse need not be rigid or considered to be without exception. Indeed, one of the primary goals of generic criticism is to enable the critic to examine not only what fits within a particular genre, but also what does not fall within the category. Exceptions or deviations in the genre need not obviate the category, rather, the very aim of generic criticism is to “capture what is permanent, and what changes in discourse over time” (Fisher).

Traditional approaches to generic criticism broadly posit that the borders of any given category are determined by both the situation in which they arise and the types of
rhetorical strategies that are called forth by the expectations of the audience within that situation. Harrell and Linkugel (1978) argued that the genesis of most rhetorical genres “stem(s) from organizing principles found in recurrent situations that generate discourse characterized by a family of common factors”, and that critics should attempt to highlight “strategic variations which consistently appear within a given genre of discourse” (p.263-4). That is, rhetors often find themselves in recurrent situations, and the discourses engendered by those situations are often similar to patterns of rhetoric that have been employed in similar situations by rhetors past. Jamieson (1975) argued that rhetors were constrained by “antecedent “or previously occurring “rhetorical forms” (p.162). Campbell and Jamieson (1978) indicated that the “rhetorical forms that establish genres are stylistic and substantive responses to perceived situational demands” (p.19). Drawing upon earlier work by Fisher (1970), Harrell and Linkugel (1978) explicated four exigent situations which might create the need for a rhetorical response: affirmation, reaffirmation, purification, and subversion. Affirmation entails a situation in which a rhetor must convince an audience to change their minds, or embrace a new concept. Reaffirmation is a situation in which a communicator must galvanize or reinforce a perception already held by the audience. A situation in which a speaker seeks to “refine an image, idea, or concept” is referred to as purification. Finally, a situation in which a rhetor must persuade the audience to abandon or reject an ideology, image, or concept is defined as subversion. The present essay draws upon this taxonomy of generic situations/responses in order to demonstrate the ways in which it may be theoretically useful to situate public diplomacy as a rhetorical genre.

William Benoit’s (2000) research on rhetorical genres marked a minor deviation from the situational approach. Benoit argued that while contemporary genre theory was useful in terms of providing critics a “benchmark
to provide guidance” in the analysis of discourse, it overemphasized situation as “a single factor” to explain an “inherently complex rhetorical event” (p.178). Benoit turned to the work of Kenneth Burke to offer a ‘corrective’ to genre theory that sought to add the concepts of purpose, agent, and agency (in addition to scene or situation) to the list of factors or motives that could influence a rhetor’s choice of styles or arguments. Benoit wrote that “these four Burkean ratios jointly account for the genesis of rhetorical action” (p.180). This essay also draws upon Benoit’s work to provide insight into the manner in which public diplomacy could be framed and analyzed as a rhetorical genre.

Defining Public Diplomacy

Recently, scholars from across several disciplines have attempted to operationally define ‘public diplomacy’. While no definitonal consensus has been achieved, several studies have made clear the foundations and contours of what is meant by the term. The Center on Public Diplomacy, housed in the University of Southern California’s Annenberg School of Communication, defined public diplomacy as “the amalgam of activities by which a transnational socio-political actor with standing in world politics openly and purposefully advances policy goals by seeking to influence, and engage with, foreign publics” (2009). This broad definition would include “educational exchange programs for scholars and students; visitor programs; language training; cultural events and exchanges; and radio and television broadcasting” (2009). Traditional modes of public diplomacy, such as public addresses by Presidents or diplomats would also be included in the aforementioned taxonomy. Cowan and Arsenault (2008) advocated a dialogic interpretation of public diplomacy, which emphasized the two-way communicative nature of contemporary diplomatic discourse. They argued that this relational model of public diplomacy is “what can and should separate public diplomacy from propaganda,
lobbying, and public relations” (p.11). Indeed, ‘public diplomacy’ was “developed partly to distance overseas governmental information activities from the term propaganda, which had acquired pejorative connotations” (Center on Public Diplomacy, 2009). Under this view, public diplomacy is concerned with transnational relationship building through genuine communication rather than through ‘monologic,’ one-way ‘broadcasting’ of information.

Van Ham (2008) defined public diplomacy as a ‘place branding’ exercise, wherein the country’s image and national reputation are marketed and transmitted globally in the same way that a product would be. However, even proponents of the ‘public relations’ approach conceded that “public diplomacy comes in many shapes and guises but can be brought back to the strategy of appealing to the core values of foreign audiences” (Van Ham, 2008). Nye (2008) defined public diplomacy as a powerful tool to be employed by nation-states in the exercise of ‘soft power’. For Nye, a nation’s “soft power rests on the ability to shape the preferences of others” and to use “the power that comes from setting the agenda and determining the framework of a debate” (p.94). Nye, a political scientist, concluded that for public diplomacy to be effective, “it is crucial to understand the target audience” (p.103). Despite the myriad ways in which public diplomacy has been defined, the constant factor at the root of these approaches is the centrality of communication and persuasion. Public diplomacy is, at its core, a necessarily suasive endeavor, concerned with the influence of foreign audiences and the modification of their behavior in some way. It makes sense then, to analyze and unpack public diplomacy with the investigative tools germane to the field of communication studies.

Situating Public Diplomacy as a Rhetorical Genre

To identify public diplomacy as a rhetorical genre, I begin with a discussion of recurrent and similar situational constraints that help to determine both the substance and
style of discourse. Rather than focusing on one extended example of discourse that exemplifies all of the generic characteristics of public diplomacy, I will use several examples of diplomatic rhetoric, drawn from the field of communication studies, in order to point to the diverse ways in which public diplomacy might be studied generically. First, public diplomacy is public, and not private. Public diplomacy is conducted in the open, and represents the work of transnational actors such as nation-states or their ‘citizen-diplomats’. To envision public diplomacy as a rhetorical genre, the first step for a critic is to identify similar patterns or characteristics that appear in the corpus of relevant discourse. Both the substance and style of public diplomatic discourse is influenced by the public nature of its location. To further draw upon the work of the aforementioned critics who chose to foreground situation as the guiding force in the categorization of rhetoric, I argue that the ‘public’ in public diplomacy is a situation that affects strategy choice. Indeed, because public diplomacy was increasingly being conducted in the open, and “exposed to public scrutiny in all its processes”, the consideration of how to control foreign public opinion suddenly became salient for policymakers during the Cold War (Gerstman, 1962). Benoit’s work is also instructional here in that a critic could approach public diplomacy of this sort from a Burkean scene-act ratio perspective, in which the physical location of the speech (or public broadcast) would have a direct bearing on which arguments were likely to be effective with the target audience. Finally, as early as the 1950s, scholars in communication studies were pointing to the importance of the public nature of transnational diplomacy. Commenting on the quickly evolving nature of global mass communications and its impact on the face of diplomacy and the ways in which national identity was represented by diplomats, Simpson (1957) quipped, “it is remarkable how often the observation of an individual acquires an attribution to the entire nation” (p.13).
Second, public diplomacy largely occurs in response to the recurrent need to manage the national reputation. For example, when a foreign dignitary dies, it is necessary, indeed required, to send diplomatic condolences on behalf of the nation. This type of public diplomacy is both government-to-government, and government-to-public. In the context of contemporary international relations, failure to engage in the epideictic task of sending official condolences would send the wrong signal, and risk damaging the national reputation in the eyes of the global audience (Fenton-Smith, 2007). This type of public diplomacy is also indicative of Harrell and Linkugel’s aforementioned reaffirmation rhetoric; in this case, the rhetor was expected to engage in epideictic discourse in order to galvanize foreign opinions about American values, and in this case, its commitment to bilateral relations with the Palestinian nation.

To further illustrate this point, while seemingly a different example of rhetoric altogether, Presidential missile defense advocacy is aimed at managing foreign perceptions about the intent of U.S. policymakers. Specifically, this particular discourse is aimed at generating foreign public support for the deployment of American ballistic missile defenses (BMD). Convincing the Russian media, public, and elites of the benign intent of missile defenses, and creating the perception of friendship and mutual protection was the central rhetorical strategy in George W. Bush’s diplomatic campaign to market BMD (Gerber, 2007). This type of foreign policy discourse could be categorized and explained by Harrell and Linkugel’s rhetoric of affirmation, in which the rhetor must convince an audience to adopt a new image, concept or idea; in this case, the construction of American missile defenses in Poland. Consideration of public diplomacy from the perspective of ‘national image management’ also invites investigation from the public relations and ‘place branding’ approaches to communication mentioned previously.
One common feature in all of the aforementioned examples is the government-to-public nature of the communication. This factor represents a third categorical similarity within the substance of the arguments made during the exercise of public diplomacy, and also clearly invites investigation from Benoit’s perspective in which the role of the agent (government) determines which rhetorical strategies are most likely to resonate with the audience (agency).

Indeed, this feature of public diplomacy was directly established by Vincour (1957), a communications scholar, when he argued that “modern diplomacy no longer consists solely of governments speaking to governments; today it requires that ambassadors speak directly to the people” (p.201). Vincour drew upon the earlier work of Margaret Mead, who “emphasized the importance of cross-national communication” (p.203). Gerstman (1962) noted that public diplomacy entailed the “government appealing directly to the people” (p.19).

To illustrate this characteristic, I briefly compare two admittedly different types of public diplomacy; first, America’s al-Hurra public television broadcasts, and second, newly elected U.S. President Barack Obama’s recent interview on Arab television station al-Arabiya, in which he sought to “speak directly to the Arab world” (Ghazi, 2009). Al-Hurra, a U.S.-funded TV station broadcasting in Arab countries with a stated goal of promoting a “positive image of the United States,” is an example of the government speaking directly to a foreign public audience, attempting to influence and control perceptions about the United States, and ultimately to manage national reputation (Linzer, 2008). Al-Hurra broadcasts a mixture of Arabic and English language news and popular music, but it became viewed as a tool of American propaganda, and was widely criticized (at least domestically), for ‘pandering’ to its Arab viewers (Mowbray, 2007). This example seems to invite interrogation from Harrell and Linkugel’s theory of
subversive rhetorical situations. After the attacks of September 11th, the United States, faced with a perceived situation in which anti-American sentiment and ideology was beginning to directly challenge its military and economic supremacy, responded with a rhetorical move to subvert and undercut those ideologies. However, the role of the U.S. as rhetor in terms of how the U.S. was perceived by Muslim audiences created a situation in which the al-Hurra strategies were viewed as propaganda. The “representations of the American ideology of universal egalitarianism” were transparent and positioned the U.S. as a “blameless victim of misguided terrorists” (Plaisance, 2005, pp. 259-260). Without commenting on the truth of this claim, it is nonetheless clear that the role of the rhetor played a prominent part in determining the ultimate impact of the messages upon the target audience.

President Obama’s interview was in a similar venue, had a similar rhetorical goal, and represented government-to-public diplomatic communication, but the strategies and outcome were different. Obama, as the highest representative of the American government, created identification and solidarity with his audience by saying “I have Muslim members of my family,” and that “I have lived in Muslim countries” (Melham, 2009). As a way to distance himself from ‘antecedent’ rhetorical forms, Obama also refused to endorse or employ the phrase “War on Terrorism” (Baldor, 2009). Obama’s rhetoric represented “part of a concerted effort to repair relations with the Muslim world that were damaged under the previous administration” (Schreck, 2009). Like the al-Hurra television broadcasts, Obama’s interview can be classified and analyzed as government-to-public communication, but the role of the rhetor is markedly different, and clearly influenced the rhetorical strategies that were employed. Indeed, it seems that Obama’s strategy was wholly concerned with changing the image of the rhetor, the United States government. Obama’s rhetoric was not subversive, but was rather aimed at what Harrell and
Linkugel would call *purification*. Obama’s goal was to restore the tarnished image of the United States in Muslim public opinion. I have only briefly discussed the effectiveness of these two examples, for it is the identification of the variations in the category, the differences and departures from the genre that make this type of criticism rich and relevant. Generic categorization of rhetoric is a tool that provides critics with another way of analyzing types of rhetoric; in this case, public diplomacy. Measell (1976), a communications scholar who identified the “rhetoric of diplomacy” as a genre, put it this way: “The purpose of criticism by genres is not so much to classify as to clarify” (p.1).

A generic, situational approach to the classification and analysis of public diplomacy yields a fourth potential benefit for critics: the ability to chart changes in the trajectory of diplomatic rhetoric over time, specifically in the context of international relations. For example, a generic approach would invite investigations of the ways in which American (or Soviet/Russian) public diplomacy changed (or remained the same) from the period of the Cold War, to the current period of multipolarity and global concern about terrorism. Der Derian’s (1987) *On Diplomacy* is illustrative of this type of criticism. Der Derian employed a Foucauldian genealogy to retrace the evolutions of diplomacy as genre of discourse, and to render alternate narratives regarding both the theoretical import and function of diplomatic language in international relations. While Der Derian would likely resist being ‘claimed’ as a communication scholar, his ideological and methodological approach would support that classification. Indeed, much of Der Derian’s argument relies upon identification of the ways in which diplomatic discourse has evolved in relation to both its audience and to changes in the international situation. For Der Derian, diplomacy and “diplomatic culture” was an endeavor permeated by and created by mythology, symbolism, and exigency (p.49). Perhaps this type of approach might also
help to explain public diplomacy in an era of ‘paradigm gap’ in which no “overarching goals, no single paradigm” provides “direction for large elements of America’s engagement abroad” (Hunter, 2000). Critics could also choose to focus on the ways in which bilateral public diplomacy changed between two (or more) nations, based upon changes in the international situation. For example, public diplomatic relations between the United States and Iran have been non-existent for nearly three decades, but the investigation of subtle changes in how the Obama administration publicly communicates with Iran are clearly warranted (Gordon & Zeleny, 2007). Genre criticism represents a way to uncover subtle (or overt) deviations in the substance, style, form, and function of public diplomacy, based upon changes in the predominant global situation or context.

**Conclusions**

I have attempted to demonstrate, albeit briefly, the potential value in approaching public diplomacy from a generic rhetorical perspective. Specifically, I have argued that viewing public diplomacy as a genre of rhetoric yields insight into both the definitional problems associated with the emergence of this field, and to the ways in which public diplomacy is deployed discursively and strategically. Viewing public diplomacy as a rhetorical genre provides a critical tool to isolate and explicate the factors that are a permanent part of discourse, and the ones that change over time. Generic criticism is an approach that has been traditionally concerned with analysis of rhetoric in response to a situation. I hope to have demonstrated that a situational approach to the classification and study of public diplomacy is both appropriate and useful to critics. I have argued that public diplomacy constitutes a genre of rhetoric, and that it is best defined as the ongoing discursive management of national reputation.
This article has also hopefully cast new light on the rich tradition of the examination of public diplomacy that has taken place in the field of communication studies. To be clear, I am not arguing that the study of public diplomacy hasn’t taken place in other academic fields, nor am I arguing that future research in this area shouldn’t be undertaken from a variety of methodological and disciplinary approaches. Rather, this article merely sought to posit that there is indeed a bedrock of seminal, foundational literature on public diplomacy to be found in the field of communication studies. In particular, while I am willing to concede that other fields (most notably political science) have provided meaningful insight into the function of public diplomacy, I conclude that due to the common suasive elements that recurrently appear in this type of discourse, rhetorical approaches to the study of public diplomacy are the most appropriate.

As an aside, my argument in this particular article was for the critical consideration of public diplomacy (at a ‘macro’ level) as a rhetorical genre. I have identified four common characteristics that recur in public diplomacy, and I argue that these commonalities necessitate the consideration of public diplomacy as a genre of rhetoric. This conclusion is not meant to exclude the consideration of ‘sub-genres’ within the larger genus of public diplomacy. It could rather easily be argued that foreign policy apologia, for example, is a recurrent species of discourse with similar situational exigencies that call forth a particular strategic response. In fact, given the vast and constantly evolving nature of global international relations, there are potentially many sub-genres of public diplomacy. The thrust of this essay is to begin to demonstrate the potential of the generic approach to enrich the study of public diplomacy and its sub-genres, particularly from the academic lens of communication studies.
References


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WAR RHETORIC ON THE BRINK OF DESTRUCTION: JEFFERSON DAVIS AND CONDITIONAL EMANCIPATION

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Abstract: This essay investigates how leaders negotiate the tensions generated by war policies that threaten the values a nation holds of itself. I use Confederate President Jefferson Davis’s message to the Confederate Congress on November 7, 1864 as a case study in how rhetors can gain legitimation for policies that undermine the national identity. The majority of war rhetoric scholarship has generally looked at the rhetorical strategies that leaders deploy to justify initiating military action. In this instance, however, I explore the sorts of appeals used when leaders have to maintain support for a military commitment. In particular, I argue that Davis’s message provides an opportunity to examine how leaders negotiate the tension between the pragmatic demands of war and the ideals which shape a nation’s identity. I conclude that Davis’s failure to offer a new vision of the Confederacy demonstrates the critical attention that leaders must give to balancing both the pragmatic demands of war and the struggle to maintaining a strong national identity.

By November of 1864, the Confederate States of America had suffered major setbacks in its campaign for independence. Since the beginning of the war, the Union had maintained a material advantage: 850,000 soldiers fought for the Confederacy compared to the Union’s 2,100,000 soldiers and, by 1864, the Union was reaping the benefits of war
industrialization including increased iron production, a burgeoning firearms industry, and astounding increases in overall manufacturing (McPherson, 1988). The South, by contrast, was suffering from devastating resource shortages and the damaging effects of having the majority of the war fought on its territory. The Union invasions had destroyed almost all of the South’s industries, killed one-quarter of their white men, killed two-fifths of southern livestock, demolished half of the machinery for agriculture, and rendered thousands of miles of railroad useless (McPherson, 1988).

With military resources dwindling and Atlanta, one of the South’s largest cities, in enemy hands, Confederate President Jefferson Davis issued a message to the Confederate Congress on November 7, 1864. Tenuously balanced between assertions of victory and explanations for defeat, the message was steeped in the language of desperation and hope. Through forty-one paragraphs, Davis detailed the status of the Confederate fight for independence in an address that would be published and circulated throughout both the North and South. He dedicated the majority of his message to the status of the military campaigns in the East and West, foreign relations with England and France, finances, reorganization of the Department of War, negotiations for peace, and the “Employment of Slaves” (Davis, 1923).

Given that Davis’s subject centered on the prosecution of a war and that the message was delivered during a war, the address should serve as a case study in war rhetoric.¹ The majority of scholarship on war rhetoric has

¹ Robert Ivie’s (1974) essay, “Presidential Motives for War”, helps explain the scope of discourse that is considered war rhetoric. Ivie examines 150 years of presidential addresses in order to, “locate the images they project in the justification of war.” Through these images, Ivie begins to answer James Andrews’s (1969) call for “Future research (that) could fruitfully examine the questions of whether or not there is a perceptible pattern of war persuasion that emerges from the study of our history” (as quoted in Ivie). War rhetoric, then, is the study of the
generally looked at the rhetorical strategies that leaders deploy to justify the initiation of military action. In this instance, however, I explore the sorts of appeals used when leaders have to maintain support for a military commitment, arguing that Davis’s message provides an opportunity to examine how leaders negotiate the tension between the pragmatic demands of war and the ideals that shape a nation’s identity.

In order to investigate the relationship between war rhetoric and nationalism, this essay moves in three stages. I first discuss the rhetorical significance of Davis’s address and emphasize its potential for studies of war rhetoric. Second, I review the current literature on war rhetoric and nationalism to highlight how Davis’s address conforms to the genre of war rhetoric while simultaneously pushing us to extend our understandings of war rhetoric beyond the initiation of a conflict. Third, turning to the strategies that Davis used to gain legitimacy for his war proposals that threatened the core identity of the Confederacy, I examine his struggle for a conditional emancipation for Confederate slaves. I argue that Davis’s message was a remarkable rhetorical construction that utilized narrative and inductive argument to legitimate his war policy. Where Davis failed, however, was in constructing an identity for the Confederacy assuming that his policy was implemented. If the South agreed to sacrifice states’ rights and the institution of slavery, what would they be fighting for? What would the Confederacy be? Why should they continue to die for it? Davis offered no new vision of the nation even as he undermined its previous identity.

Rhetorical Significance: Desperation in the Final Days of the Confederacy

Although Davis’s message covered a wide variety of topics, his section on the “Employment of Slaves” where
Davis proposed “a radical modification in the theory of the law” (1923) should interest scholars of war rhetoric and nationalism. The modification that Davis forwarded was a policy of conditional emancipation that would grant freedom to 40,000 slaves after they had helped to secure a Confederate victory through faithful service to the Confederate military effort. Given the significance of slavery and states’ rights to the foundation of the Confederacy, Davis’s address is an opportunity to investigate the strategies that rhetors can deploy to gain legitimation for a war policy that challenges the fundamental identity of the polity.

In addition to the subject of the address, Davis’s status as a political leader facing defeat on American soil is unique in our nation’s history. Presidents rarely face defeat, and never on American soil. With the exception of the Civil War, the United States has not faced a protracted conflict on its own territory. As a result, most of our presidential addresses on war focus on justifications for deploying United States soldiers to fight in other places in the world. The American public has been removed from the horrors of a major ground war. The people of the South, in contrast, needed only to look out their windows at the smoke and flames rising from Atlanta or listen to the shells falling over Vicksburg to understand that defeat was literally on their doorstep. There are certainly other examples of political leaders who were forced to justify failing war policies (e.g. Johnson and Nixon on Vietnam, and George W. Bush on Iraq), but because the civil war was a fight for independence, defeat for the Confederacy would signify the end of the nation.

In summary, Davis’s address offers new insights into the rhetoric of war because of the timing, location, and subject of the text. He was facing defeat, the defeat was on American soil, and he was desperate enough to call for a reversal of the Confederacy’s position on slavery and states’ rights through conditional emancipation. Davis’s address provides us with an opportunity to examine how rhetors
deploy war rhetoric to justify war policies that threaten the values that constitute the national identity. Given these grounds, it is next appropriate to consider the current approaches to investigating war rhetoric and nationalism.

Current Approaches to War Rhetoric: Initiation and Legitimation

John Murphy (1992) identifies two major streams of war rhetoric research—“the president’s justification for war,” and, “…studies of presidential rationale for military actions short of war—international crises.” After reviewing the scholarship of David Birdsell, Karlyn Kohrs Campbell and Kathleen Hall Jamieson, Richard Cherwitz and Kenneth Zagacki, Bonnie Dow, Robert Ivie, and Theodore Windt, Murphy argues that (despite differing approaches) the majority of war rhetoric research reaches similar conclusions (1992). He identifies Campbell and Jamieson’s (1990) generic outline of war rhetoric as the set of unifying themes that exist throughout the majority of war rhetoric scholarship. According to this outline, presidents typically engage in five rhetorical processes during war rhetoric:

1. every element in it proclaims that the momentous decision to resort to force is deliberate, the product of thoughtful consideration;
2. forceful intervention is justified through a chronicle or narrative form which argumentative claims are drawn;
3. the audience is exhorted to unanimity of purpose and total commitment;
4. the rhetoric not only justifies the use of force but also seeks to legitimate presidential assumption of the extraordinary powers of the commander in chief; and as a function of these other characteristics, strategic misrepresentations play an unusually significant role in its appeals (Campbell and Jamieson, 1990)

Although there are a few instances where scholars deviate from this basic outline to discuss presidential actions during a conflict the vast majority of war rhetoric research focuses on the initial decision to intervene rather than the
maintenance of political support. Despite the fact that their generic outline focuses on initiation, Campbell and Jamieson articulate the central component of war rhetoric in their discussion of legitimation. Utilizing Davis’s discussion of conditional emancipation, we can better understand how legitimation works in the advanced stages of a conflict which requires rhetors to balance conceptions of national identity with pragmatic war decisions.

The goal of gaining legitimation for presidential actions is critical to Campbell and Jamieson’s analysis of war rhetoric. They argue: “What is central to war rhetoric: the need for the public and the congress to legitimate presidential use of war powers for an end that has been justified. Each war message has this legitimation as its central persuasive purpose” (1990). For Campbell and Jamieson, legitimation is intimately tied to a president’s attempt at gaining consent to use the powers of the commander and chief to initiate a conflict. While Davis demonstrates that legitimacy is also central throughout a conflict, his address requires us to consider the role of nationalism in gaining and sustaining legitimation.

**Rhetoric and Nationalism**

General studies of nationalism are concerned with investigating how people constitute an identity as a nation. In Benedict Anderson’s (1983) germinal book, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, he argues that the nation is nothing more than “an imagined political community—and imagined as both inherently limited and sovereign.” Locating the basis of nationalism in an imagined community places a primacy on the discourses that construct the community. Unlike other approaches to nationalism that rely on an objective set of criteria, based in political institutions, to determine whether or not a nation has come into existence, Anderson acknowledges the role of public discourse in shaping nations
In order to understand how Davis generates legitimacy for wartime sacrifices, it is necessary to look beyond the simple existence of political institutions. Umut Ozkirimli (2005) supplements Anderson’s analysis and provides a connection between rhetoric and nationalism:

We thus need an alternative conceptualization of nationalism, one that carries us beyond the objective/subjective and cultural/politics dichotomies...these goals can be achieved if we see nationalism as a form of ‘discourse’, or as a particular way of seeing and interpreting the world, a frame of reference that helps us make sense of and structure the reality that surrounds us (original emphasis).

The intersection of nationalism studies and rhetoric helps provide a framework for better understanding Davis’s struggle for legitimation in the late stages of the Civil War.

Within rhetorical studies, Michael McGee (1975) and Maurice Charland (1987) have theorized the role of rhetoric in constituting subject positions for certain people. McGee and Charland’s articulation of constitutive rhetoric fits nicely with Anderson’s theorization of nationalism as an imagined community. Putting Anderson, McGee, and Charland together elucidates the role of rhetoric in studying nationalism. Rhetoric, although often under theorized in nationalism studies, is the essential component to constituting the imagined community. The success or failure of a nation depends on the rhetorical competence of the individuals with the power and position to construct the vision of nationhood. Vanessa Beasley’s (2004) You, the People: American National Identity in Presidential Rhetoric, and Mary Stuckey’s (2004) Defining Americans: The Presidency and National Identity are investigations that treat seriously the role of rhetoric in constituting a national

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2 This is especially important given that the Confederate government mirrored the same political institutions that were present in the United States.
identity. Stuckey focuses on presidential rhetoric and argues that “Presidents…articulate national identity and, to be successful, must do so in ways that will be accepted as obvious, even inevitable” (2004). In this essay, I am interested in how nationalism also relies on presidential war rhetoric to sustain the imagined community during conflict.

Campbell and Jamieson help clarify the role of war rhetoric in constituting the people. They argue that “…presidential war rhetoric constitutes the audience as a united community of patriots that is urged to repulse the threat with all available resources, assured that, with the help of Providence, right will prevail” (1990). The process identified by Campbell and Jamieson, by which presidents construct an audience of patriots, parallels Anderson’s larger study of nationalism. For Anderson, the strength of the nation’s identity rests upon the strength of the imagined community. When it comes to war, he argues:

Regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship. Ultimately, it is this fraternity that makes it possible, over the last two centuries, for so many millions of people, not so much to kill, as willingly to die for such limited imaginings (1983).

Campbell and Jamieson’s unanimity of purpose and Anderson’s imagined communities intersect to construct a particular role for utilizing nationalism within war rhetoric. Nationalism becomes the path that presidents use to construct an audience of patriots who are willing to sacrifice for the cause. Nationalism helps to explain Jeff Bass’s argument that the longer a war continues, the more likely it is that epideictic appeals will grow (Murphy 1992). With these epideictic appeals comes a focus on nationalism because as a conflict progresses and the sacrifices increase it becomes more important for leaders to articulate a clear vision of their imagined community. The Civil War was no exception. As the conflict drew on and the deaths continued
to rise, Jefferson Davis was forced to articulate a clear vision of his imagined community.

There is a significant debate over Davis’s success in generating a Confederate national identity. The role of nationalism (or lack thereof) in the defeat of the Confederacy has been the subject of several scholarly inquiries.3 This essay focuses on Jefferson Davis’s November 7, 1864 address as a central starting point for examining how he managed an imagined community for the Confederacy while simultaneously undermining its core values. Campbell and Jamieson’s outline of war rhetoric combined with Anderson’s conceptualization of nationalism points to presidential speeches as an excellent site for examining how these imagined communities function to create legitimacy for war policies.

Although Davis did not ask the Confederate Congress for permission to assume the role of Commander in Chief, he sought legitimation for taking radical actions as commander in chief. Davis’s address was an effort to gain legitimation for his proposal to conscript 40,000 slaves to fight for the South in exchange for their freedom. In order to understand more fully how nationalism and legitimation function for Davis, we must turn to the debate over conditional emancipation.

Context of the Emancipation Debate

Jefferson Davis’s address was not the first time that emancipation had been proposed in the South. Robert F. Durden (1972) details several early proposals for emancipation, some arising from the Confederate Army itself. One of the most powerful proposals came from Patrick

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Cleburne of the Army of Tennessee. On January 2, 1864, Cleburne wrote a memorandum that included one major-general, three brigadier-generals, four colonels, two lieutenant-colonels, one captain, and one major pushing for emancipation if the slaves would fight for the Confederacy. The officers argued that there were several military and political benefits: “The immediate effect of the emancipation and enrollment of negroes on the military strength of the South would be: To enable us to have armies numerically superior to those of the North, and a reserve of any size we might think necessary; to enable us to take the offensive, move forward, and forage on the enemy” (1972). It is important to note that the Confederacy had already implemented a policy of conscription, but the officers argued that the Union was still at a numerical advantage that threatened the Confederate armies. The officers further claimed that the move “would instantly remove all the vulnerability, embarrassment, and inherent weakness which result from slavery” (1972). The officers also noted that the policy would also have political benefits. They wrote, “The very magnitude of the sacrifice itself, such as no nation has ever voluntarily made before, would appal[1] our enemies, destroy his spirit and his finances, and fill our hearts with a pride and singleness of purpose which would clothe us with new strength in battle” (1972).

Cleburne’s proposal for change, however, did not reach the public or the Confederate Congress. The official policy of the Confederacy, until November 1864, had been to use slaves for support positions such as cooking, building fortifications, and manual labor (Levine, 2006). The problem was that by 1864, the numbers of white soldiers that the Confederacy could count on to fight was quickly dwindling and the slaves were becoming force multipliers for the Union. When the Union armies drew near to Confederate cities or armies, the slaves would escape and provide intelligence to the Union. Cleburne’s memo demonstrates that the shrinking numbers of soldiers and the Union’s use of
slaves as spies was a severe problem in early 1864. Cleburne argued that, “every soldier in our army already knows and feels our numerical inferiority to the enemy…Our single source of supply is that portion of our white men fit for duty and not now in the ranks” (1972). He continued, “All along the lines slavery is comparatively valueless to us for labor, but of great and increasing worth to the enemy for information. It is an omnipresent spy system, pointing out our valuable men to the enemy, revealing secretly that there is no means to guard against it” (1972).

Despite support by key military figures for conditional emancipation, the role of slaves in the Confederate Army was extremely divisive for two central reasons. First, the Confederacy had clearly designated black people as mentally, physically, and spiritually unfit for citizenry. Second, forced emancipation would necessitate a violation of states’ rights which was the Southern justification for secession. In the next two sections I examine the discourses surrounding each of these rhetorical obstacles.

Slavery and the Confederacy

The history of slavery in the South dates back to 1619 when the first black people came to the Virginia colony in bonds (Thomas, 1991). Although the majority of slaves were black, it was not until the mid-seventeenth century that the white majority started making essentialist claims that fixed all black people as slaves (Thomas, 1991). Nevertheless, the argument that black people were naturally inferior engulfed the elite and aristocratic Southern thinkers. Even enlightenment thinkers such as Thomas Jefferson argued, “as a suspicion only, that blacks, whether originally a distinct race or made distinct by time and circumstances, are inferior to the whites in the endowments both of body and mind” (Thomas, 1991). While this racist thinking was pervasive throughout the country, the cotton boom generated a demand for slave labor that established a new relationship between the South and the institution of slavery. Thomas
(1991) argues, “By the end of the first quarter of the nineteenth century, Southern thought had crystallized on the subject . . . slavery changed from a ‘necessary evil’ to a ‘positive good’.”

With a firm “defense” of slavery, the South entered into nineteenth century politics with the goal of preserving and expanding this institution. While states’ rights may have provided the legal justification, it was slavery that provided the political impulse for secession. As Robert Durden summarizes, “The South had spent forty or so years convincing itself that slavery was ordained by God as the best, indeed the only, solution to the problem posed by the massive presence of the Negro” (1972). As a result, any potential threat to slavery was treated as a threat to the Southern way of life. Thomas makes the final connection between the Southern way of life, slavery, and the Civil War when he argues, “If the South seceded and went to war to defend her way of life against threats real and imagined, surely the ‘peculiar institution’ was the most threatened portion of Southernism, and thus in this context the ‘cause’ of the Civil War” (1991). The question remains, however, did the national identity of the Confederacy truly rest on preserving slavery or was it merely the motivation for secession?

The recognition of the inferiority of black people was the defining characteristic of the Confederacy according to Vice President Alexander Stephens. In a speech in Savannah, Georgia on March 21, 1861, he argued, “Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests upon the great truth, that the negro is not equal to the white man; that slavery—subordination to the superior race—is his natural and normal condition” (1972). The cornerstone of the Confederacy, according to Stephens, was the Confederacy’s belief in the institution of slavery and the inferiority of black people.
Not surprisingly, several newspaper editorials supported Stephens’ view that emancipation would threaten the core of Southern society, fearing that conditional emancipation would result in complete equality for black people. The newspaper *The Republican* summarized this position on November 2, 1864, stating that “if the negro is made to fight our battles of ‘freedom’ then he must be governed by the same laws of war, and he must stand upon the same footing of the white man after the war” (1972). The editorial clarified, “In other words, the South is to be converted by this war into an abolitionized colony of free negroes, instead of a land of white freemen…If they are to be armed like the master, then they are in fact equal to the master…” (1972).

The threat of potential equality for slaves was supplemented by charges that slaves would not make adequate soldiers. A Confederate soldier wrote an editorial in the *Memphis Appeal*, on November 3, 1864, rejecting the idea that slaves would make good soldiers. He wrote, “The Yankees for eighteen months have had negroes in their armies; and from what they say, got very little good fighting out of them. Would it be any better if they were in our armies? I think not, and if it is ever tried disaster and defeat will follow in its train” (1972).

Other editorials argued that the Confederacy seceded in order to preserve slavery and, therefore, to emancipate the slaves would make the fight meaningless. An editorial published in the *Enquirer* argued, “What has embittered the feelings of the two sections of the old Union? What has gradually driven them to the final separation? What is it that has made two nationalities of them, if it is not slavery?” (1972). The editorial continues with an answer: “It was slavery that caused them to denounce us [as] inferiors; it was slavery that made the difference in our Congressional representatives; it was slavery which made the difference in our pursuits, in our interests…it is slavery which now makes of us two people, as widely antagonistic and diverse as any
two people can be…” (1972). The editorial establishes the link between slavery and separate national identities; the maintenance and expansion of the institution of slavery became the central reason that the South needed its own nation. The South had a special relationship to slavery that, by the 1860s, had grown into its central defining characteristic.

States’ Rights and the Confederacy

In 1798 Thomas Jefferson wrote a set of resolutions to respond to the Federalist Alien and Sedition Acts. His argument was that the states had voluntarily agreed to participate in the Union and therefore it was a compact. The implication was that, “…as in all other cases of compact among parties having no common Judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress” (Thomas, 1991). Jefferson’s resolutions were later adopted by the Kentucky legislature and have become known as the Kentucky Resolutions. As Thomas points out, “Southerners eventually appropriated Jefferson’s position that the Union was a compact of sovereign states and reasoned that the ultimate ‘mode and measure of redress’ was secession, withdrawal from the compact” (Thomas, 1991).

Perhaps no person was more responsible for articulating the Southern understanding of states’ rights than John C. Calhoun. Calhoun, once vice-president under Andrew Jackson, adapted Jefferson’s position to develop his own theory of nullification, reasoning that a state could declare a federal law null and void without leaving the Union (Thomas, 1991). Calhoun saw his position as a compromise between tyranny and secession, and, in 1832, South Carolina tested Calhoun’s theory by declaring the tariffs of 1828 and 1832 null and void within the state. In response, Andrew Jackson’s “Force Bill” signaled that he was willing to send troops to enforce the federal law, although conflict was avoided as Henry Clay negotiated a
compromise tariff. The debate over states’ rights went unresolved and Calhoun resigned as vice-president to become a powerful Southern Senator from South Carolina and a proponent of states’ rights. When he died in 1850 many Southern politicians adopted his theory without any of the Unionist sentiments; instead they preferred the threat of secession as the ultimate defense of the Southern way of life.

As the political conflict over slavery escalated, the Southern politicians depended on states’ rights to provide protection for the institution of slavery. In his post-war apologia, Jefferson Davis (1881) argued that the South seceded because of states’ rights and not slavery. He wrote, “The question of the right or wrong of the institution of slavery was in no wise involved in the sectional controversies.” He continued, “They were essentially struggles for sectional equality or ascendancy—for the maintenance or the destruction of that balance of power or equipoise between North and South, which was early recognized as a cardinal principle in our Federal system.” This post-war sentiment demonstrates how states’ rights became a sophisticated legal argument that provided political cover for slavery. According to Thomas, “It was a political habit of mind so long and so articulately used to defend the Southern way of life that finally it became inseparable from that way of life.”

In his November 1864 address, however, Davis was forced to justify violating the rights of the Confederate States in order to conscript slaves into the Confederate Army. The conscription of slaves to fight for the Confederate Army was perceived as a great violation of states’ rights because slaves were viewed as property. The Charleston Mercury published a staff editorial that summarized this argument on November 3, 1864: “Now, if there was any single proposition that we thought was unquestionable in the Confederacy it was this—that the States, and the States alone, have the exclusive jurisdiction and mastery over their slaves” (1972). It continues, “To suppose that any slaveholding country (i.e.,
state) would voluntarily leave it to any other power than its own, to emancipate its slaves, is such an absurdity, that we do not believe a single intelligent man in the Confederacy could entertain it” (1972). Any attempt by Jefferson Davis to propose emancipation would first have to justify the exercise of power by the Confederacy over the states. As Thomas (1991) summarizes, “…Southern politicians had raised the doctrine of state rights to the level of an article of faith. And as such, state rights seemed to some Southerners the very cornerstone of their way of life.”

An examination of the public discourse published before Jefferson Davis’s address reveals several constraints to gaining popular and congressional legitimation for his proposal to emancipate 40,000 slaves. Although he had several pockets of support, Davis was entering a hostile debate that challenged not only his specific proposal but also his institutional authority as commander in chief. Davis was addressing the people of the Confederacy at a time of great peril and asking them to sacrifice two of the strongest community values that tied the Confederacy together—slavery and states’ rights.

Davis’s Credibility

Davis’s struggle for legitimation for conditional emancipation was compounded by his own wartime credibility. Despite having been the head of the Department of War under Franklin Pierce, Davis had come under increasing attack from within the Confederacy. Throughout the war, Davis’s military decisions had angered various groups throughout the Confederacy. Davis was accused of focusing too much on the battles in the East to the detriment of the military leaders in the West. The accusation generated a “Western Concentration bloc” that was staunchly opposed to Davis’s policies (Castel, 1992). Additionally, Davis had already begun to violate states’ rights with his policies concerning conscription of property and his military draft (Escott, 1978). Unfortunately for Davis, these unpopular policies were not turning the tide of the war.
Historian William Davis (2001) argues, “By the winter of 1864-1865 certainly no one needed a clairvoyant to sense that the South was all but on its knees. The war appeared to start well..., but numbers and resources and time all worked against Jefferson Davis and his cause.” As the South’s vision of complete independence began to slip away, Davis’s war policies came under attack from prominent Confederate voices including Vice President Alexander Stephens, Robert Toombs, Robert Barnwell Rhett, General P.G.T. Beauregard, and General Joseph Johnston (Davis, 2001). Stephens was convinced that the Confederate states needed to exert more independence to resist Davis’s policies while others advocated more radical solutions including an open call from Rhett to overthrow Davis and install Robert E. Lee as leader. Toombs, who also advocated using violence to overthrow Davis, summarized the opposition’s position when he roared, “Begone Davis!” (Davis, 2001).

If Davis was going to be successful in getting his policy of conditional emancipation passed, he was going to have to overcome the criticism of his war policies from the other prominent Confederate voices. Davis thus entered into his message facing three streams of discourse that inhibited his rhetorical invention: pro-slavery advocates, states’ rights advocates, and opposition from within the Confederacy.

**Rhetorical Strategies for Legitimation**

Four years into the most destructive war in United States history, Jefferson Davis proposed a radical change in the way the Confederacy should prosecute the war. The change would require sacrificing the two core values that constituted the Confederate national identity at a time when his credibility as commander in chief was dwindling. In an effort to gain legitimation for his policy of conditional emancipation Davis delivered an address to the Confederate Congress that deployed three rhetorical strategies. First, Davis carefully constructed a narrative of military operations that established his credibility as a wartime leader while
simultaneously isolating troop resources as the central impediment to more Confederate victories. Second, Davis constructed his audience as the persecuted chosen people in order to frame the meaning of the Confederate military losses. Finally, Davis used the unanimity of purpose of his audience to propose his radical policy change. Despite the fact that Davis’s message was carefully constructed to justify his radical war policies, he ended his message without establishing a vision of the Confederacy after his policy.

**Narrative and Inductive Argument**

Davis began his quest for legitimation by constructing a narrative of Confederate battles from the past year. He began by dividing the Confederacy along the Mississippi river into the West and the East. In the West, he argued that Texas, Louisiana, Arkansas, and Missouri had all been sites of large Confederate military successes. He proclaimed, “Our forces have penetrated into central Missouri, affording to our oppressed brethren in that State an opportunity…of striking for liberation from the tyranny to which they have been subjected” (1923). Davis was just as exuberant about the status of Confederate forces in the East. Again he listed the Confederate victories in Alabama, Mississippi, and Tennessee. Davis’s use of the broad geographic markers “West” and “East” ensured that everyone in the Confederacy could celebrate the military successes. Davis’s narrative of Confederate victories also functioned to restore his credibility because, according to the narrative, the Confederacy was winning crucial battles and he was orchestrating the charge.

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5 It is important to understand that the victories that Davis cites were not inaccurate, but that the Confederacy was still facing military defeat. The explanation rests in the Union military strategy which was concerned with concentrating major forces against major Confederate armies. The Union
Although Davis’s explanation of Confederate victories was clear and concise, a closer examination of the narrative reveals a more nuanced argumentative structure. Davis’s narrative is tenuously balanced between assertions of victory and explanations for defeat. Within this balance, the difference between victory and defeat was the resource that Davis would later ask for—soldiers. The inductive argument that Davis used from the beginning of the message was that the number of soldiers on the field dictated the Confederacy's chances at winning battles. Davis continually emphasized the overwhelming force of the Union to prepare his audience for the introduction of his plan for conditional emancipation. Davis characterized the conflict in terms of resources and soldiers early in the message when he described the status of the Union and Confederate war efforts. When describing the Union, Davis sounded in awe of “the magnitude of the preparations made by the enemy, the number of his forces, the accumulation of his warlike supplies…” In contrast, the Confederacy, Davis argued, deserved to be applauded for its successes given “the numbers and means at our disposal for resistance.” Davis continued to develop a pattern of description that consistently emphasized the number of soldiers for both Union and Confederate armies. For instance, when describing three separate battles, Davis put a primacy on the size of the armies involved. In these three examples, Davis used the number of soldiers available for assaults, defensive

was not necessarily concerned with attempting to occupy the entire South, but instead to destroy the Confederacy’s war making capacity. As a result of this strategy, the Confederacy could easily move back into lands that the Union had once occupied but subsequently left. This strategy is summarized in Castle’s (1992) discussion of the Meridian Mississippi Campaign. Castle argues that Sherman attacked Meridian and destroyed the railroads, repair shops, barracks, an arsenal, and a hospital. His attack was so efficient and surprising, however, that by the time the Confederate reinforcements arrived, Sherman had moved on. Much to Sherman’s surprise, the newspapers reported the campaign as a victory for the Confederacy because Sherman was unable to go on from Meridian to Mobile or Montgomery.
lines, and reinforcements to paint a picture of valiant Confederate forces being overrun by a sea of Union soldiers. Davis’s references to the numbers of soldiers involved in battles remains consistent throughout his narrative of the Confederate victories and losses.

In order to further his argument for conditional emancipation, Davis needed to position the Confederacy in a unique space. At the outset, he needed to construct a narrative that the South could still win independence with sufficient troop resources. However, given the grave sacrifice that he was proposing, Davis needed to simultaneously dismiss any other potential solution to the imminent Southern defeat. Davis carefully constructed this narrative by pointing to the recent Confederate victories, arguing that soldiers were critical to the victories, and highlighting that the Confederacy was quickly running out of soldiers.

Despite his exultation of Confederate victories, Davis was faced with a significant rhetorical problem that is unique to advanced stages of a conflict: his side had lost major battles and faced defeat. In order for his narrative to remain cohesive, Davis needed to create a framework of meaning for the wide resource disparity and recent military losses. Davis turned to a second rhetorical strategy of constructing his audience as the persecuted chosen people.

_Davis and the Persecuted Chosen People_

Religion plays a critical role in Davis’s narrative from the very beginning of the message. He began by constituting the North as an evil enemy who was willing to pour all of its resources into ensuring the destruction of the South. This opening portion of Davis’s speech is very closely related to Campbell and Jamieson’s description of the narrative forms in war rhetoric that justify military response to an evil opponent (1990). However, the distinction between the initial stages of a conflict and the
advanced stages of a conflict becomes clearer when Davis attempts to reconcile the recent military losses.

Instead of using strategic misrepresentations to dismiss the claims that the Union had a strategic advantage over the Confederacy, Davis used the continued survival of the Confederacy in the face of the Union’s resource advantage as evidence of divine intervention. He embraced the vast resources of the Union and highlighted the structural disadvantages of the Confederacy. Although this introduction would seem problematic for leaders attempting to gain legitimacy from their people, Davis used the Union’s overwhelming advantage to demonstrate that the South was truly God’s chosen people.

He began by examining the Union’s strength. Davis asked his audience to consider “the magnitude of the preparations made by the enemy, the number of his forces, the accumulation of his warlike supplies, and the prodigality with which his vast resources have been lavished in the attempt to render success assured.” He then compared the Union’s resources to the Confederacy. He explained “When we contrast the numbers and means at our disposal for resistance, and when we contemplate the results of a struggle apparently so unequal, we cannot fail...to perceive that a power higher than man has willed our deliverance.” He concluded that the people should have been grateful, “…to recognize the protection of a kind Providence in enabling us successfully to withstand the utmost efforts of the enemy for our subjugation.” Davis used the persistence of his audience as evidence of God’s intervention. Their continuing existence demonstrated a divine intervention because they were still living outside the control of the Union, the vast resources of which should have enabled it to decimate the Confederacy long before 1864. However, Davis continued to point to the Union’s troop advantage as a way of cautioning his audience. In Davis’s narrative, the enemy would continually pour troops onto the battlefield in an effort to conquer the South. Divine intervention had helped them
survive on fewer resources, but it was up to the people of the South to ensure that they were doing all that they could to sacrifice for the cause. At some point, they must recognize that God helps those who help themselves.

Davis also used the wisdom of God to frame the recent Confederate losses. He once again began by emphasizing how much more powerful the Union armies should have been in comparison to the Confederate armies. He proclaimed, “If we now turn to the results accomplished by the two great armies, so confidently relied on by the invaders as sufficient to secure the subversion of our Government and the subjugation of our people to foreign domination, we have still greater cause for devout gratitude to Divine Power.” Davis’ introduction ensured that the audience was always considering how much worse things could have been as he addressed the specific instances of Union victories.

The capture of Atlanta was front and center in Davis’s message. He argued, “The army of General Sherman, although succeeding at the end of the summer in obtaining possession of Atlanta, has been unable to secure any ultimate advantage from this success.” Davis continued, “The same general, who in February last marched a large army from Vicksburg to Meridian with no other result than being forced to march back again, was able, by the aid of greatly increased numbers and after much delay, to force a passage from Chattanooga to Atlanta…” Davis did not simply call the army a Union army, but instead personalized the discussion by naming General Sherman. Naming Sherman directly helped substantiate his argument that the Union was not the chosen people and allowed Davis to assert that General Sherman commanded a wide array of power with no divine wisdom. According to Davis, without divine wisdom, General Sherman was a military failure. Davis turned to Sherman’s personal history to emphasize this point. He argued that Sherman had a history of having control of powerful armies, but not having the wisdom to know what to
do with them. Davis suggested that it was the sheer number of Sherman’s troops that led to Atlanta’s fall, but that it took Sherman a long time to capture such a defenseless city. Davis used Sherman to create a synecdoche whereby the ignorant leader represented the whole of the Union army. In doing so, Davis was able to frame the Confederate losses as a result of brute power and not brilliant military strategy.

Davis used the capture of Atlanta to frame the entirety of the Confederate losses. He argued that Sherman lacked wisdom and therefore had gained no military advantage from his victory. Davis used this as a transition point for discussing all of the Confederate cities that could be captured. He argued, “The lessons afforded by the history of this war are fraught with instruction and encouragement. Repeatedly during the war have formidable expeditions been directed by the enemy against points ignorantly supposed to be of a vital importance to the Confederacy.” Davis argued that there were no cities that the Union could capture that would break the Confederacy. The people of the Confederacy were the chosen people which meant that should continue to fight for their divine right to independence. Davis’s narrative was now complete; the only structural disadvantage inhibiting Confederate Independence was the sheer magnitude of the Union armies and he had a proposal for that very problem.

**Davis Proposes Emancipation**

Davis’s section on the conditional emancipation is entitled, “Employment of Slaves.” In this section, Davis asked the Confederate Congress to conscript 40,000 slaves and train them to fight for the Confederacy. Given the tremendous sacrifice that his proposal required, Davis could not merely rely on his earlier inductive argument and narrative. In this section Davis addressed the states’ rights advocates and pro-slavery advocates who would be staunchly opposed to his proposal.
Davis began by reviewing the various roles played by slaves in the Confederate war effort. He reminded the audience that the Confederate Congress had already conscripted 20,000 slaves for use in non-combat positions. After establishing that a legal precedent had already been set for the Confederate Government to conscript slaves into service for the war effort, Davis proposed his “radical modification in the theory of the law.”

In order to circumvent the states’ rights argument, Davis proposed that slaves have two distinct relationships to any governing institution. The first relationship was that of property. Davis had already established that the Confederate Government had the power to confiscate property if it was necessary for the war effort. He acknowledged that this was traditionally a states’ rights domain. However, the second relationship involved the connection that all people had to their governing institutions. He argued, “The slave, however, bears another relation to the State—that of a person. The law of last February contemplates only the relation of the slave to the master and limits the impressment to a certain term of service.” In this radical move, Davis asserted that the slaves were not only property, but instead people who could aid in the war effort. If they were just property, then they would clearly fall in the domain of the master and the states, but as people, the Confederate government could conscript them to perform the duties of a soldier. The only question was whether the right to private property would outweigh the right of the Confederate government to use the “personhood” of the slaves for the war effort.

Davis immediately argued that the “personhood” of slaves was more important than their status as property. He argued, “In this respect the relation of person predominates so far as to render it doubtful whether the private right of property can consistently and beneficially be continued, and it would seem proper to acquire for the public service the entire property in the labor of the slave…” Although Davis was quick to argue that the slave owners should have been
fully compensated for their loss of property, Davis proposed that the war effort was ultimately more important than individual’s property and states’ rights because the need for the slaves’ “personhood” was more beneficial to the Confederacy than their status as property.

Davis’s justification for emancipation centered on the need for loyalty among soldiers, which is a distinctly human quality. Davis used loyalty to answer the argument that the slaves should have been conscripted to fight without giving them their freedom. He argued, “The permission would doubtless be more readily accorded as a reward for past faithful service…their freedom and the gratification of the local attachment which is so marked a characteristic of the negro, and forms so powerful an incentive to his action.” Davis continues, “The policy of engaging to liberate the negro on his discharge after service seems to me preferable to that of granting immediate manumission, or that of retaining him in servitude.” Davis, thus, used racial stereotypes to justify conditional emancipation. He argued that “local attachment” was a characteristic of slaves that made them more willing to fight for the Confederacy if they were offered their freedom and the ability to stay in the South. He attempted to assuage the fears of immediate emancipation by arguing that faithful execution of duties would be a condition of freedom. The condition helped Davis answer the equality argument that opponents had been making throughout the debate. Slaves would never be equal to white people; however, if they were willing to die for the Confederacy then they should be given the opportunity to fight for their freedom.

After setting out his legal precedent for conscription, Davis turned to his last rhetorical strategy: using the unanimity of purpose to justify radical actions. Davis attempted to situate himself in the middle of the debate by arguing that slaves should only be used when the Confederate resources were in dire straits. The presumption against using the slaves was important because Davis used
the survival of the Confederacy as a trump argument for conditional emancipation. As we saw earlier, Davis constructed his audience as the persecuted chosen people who were willing to make any sacrifices to achieve independence. Davis used the unanimity of purpose to argue that all people in the Confederacy should be willing to make sacrifices for independence. He used a worst case scenario to argue that, “should the alternative ever be presented of subjugation or of the employment of the slave as a soldier, there seems no reason to doubt what should then be our decision.” He continued, “The appalling demoralization, suffering, disease, and death which have been caused by partially substituting the invader’s system of police for the kind relation previously subsisting between the master and slave have been a sufficient demonstration that external interference with our institution of domestic slavery is productive of evil only.”

Davis used the unanimity of purpose to establish that survival of the Confederacy should have been the ultimate goal of anyone making sacrifices for the Confederacy. Then, he forwarded the debate by arguing that it would have been better for the Confederacy to make the changes to the institution of slavery than for the Union to interfere with the institution, resulting in death, disease, and demoralization. In essence, Davis denied the ability of his opponents to continue arguing for the “good old days” by highlighting the inevitability of change for the institution of slavery.

Conclusion

Jefferson Davis’s message to the Confederate Congress on November 7, 1864 provides scholars with unique insight into war rhetoric on the brink of destruction. I have argued that Davis’s message both reaffirms and extends the generic outline of war rhetoric provided by Campbell and Jamieson and used by many scholars of war rhetoric today. By focusing on war rhetoric that occurs later in a conflict we open up an avenue to new research that focuses on how
rhetors navigate the rhetorical dilemmas created by war itself. Besides serving as a case study for later stage war rhetoric, the analysis of Davis’s message directs us toward two tentative conclusions. First, Davis’s message was a pragmatically effective speech. Second, while effective, Davis’s failure to offer a new vision of the Confederacy demonstrates the critical attention that leaders must give to balancing both the pragmatic demands of war and the struggle to maintaining a strong national identity.

Given the tumultuous context of the emancipation debate and the power of the slavery and state’s rights, it is difficult to conclude that his address was anything but an exemplary model for negotiating the pragmatic demands of war. He successfully structured the address, through inductive argument, to ensure that his audience was prepared for his radical war policy that threatened to undermine the fundamental values that defined the populace. Davis framed the Confederate losses and ensured that they were willing to make any sacrifice in the name of independence by constructing his audience as the chosen people. Finally, Davis situated the Confederacy as a nation on the brink of collapse, but still able to win independence by carefully balancing a message of optimism and pessimism. Through these rhetorical strategies, Davis was able to establish the critical component of war rhetoric outlined by Campbell and Jamieson—legitimation.

In the end, Davis was successful in gaining legitimacy for his proposal. It is difficult to argue that any one speech had the direct effect of achieving such a dramatic shift in Confederate policy. Some historians have suggested that it was the influence of Robert E. Lee’s support for Davis’s proposal that helped it pass (Durden, 1972), but the fact remains that it was Davis’s proposal and the Confederate Congress did authorize Jefferson Davis to recruit up to 300,000 slaves to fight for the Confederacy (Thomas, 1991). Some slaves were immediately recruited, put into companies, and even paraded in Southern cities, but
none of the slaves ever fought for the Confederacy because the war ended before they were put into official service (Thomas, 1991).

The second conclusion we can draw is that while pragmatically effective, Davis’s failure to offer a new vision of the Confederacy demonstrates the critical attention that leaders must give to balancing both the pragmatic demands of war and the struggle to maintaining a strong national identity. Thomas (1991) points to Davis’s proposal to substantiate his argument that by the end the Confederacy sacrificed everything it purportedly seceded to protect. He argues, “Faced with choosing between independence and the Southern way of life, the Confederacy chose independence... The fact was that the Confederacy was prepared to let slavery perish and to fight on! For what?” Thomas surmises that the decision to sacrifice the institution of slavery signaled the official change from the Confederacy using secession to preserve Southern values to the Confederacy sacrificing Southern values to preserve secession. He argues, “In four years the Southern nation had given up that which called it into being. Independence at last was no longer means but end...Had the heavens opened, the waters parted, and the Confederacy achieved independence, the postwar South would have resembled the prewar South in little more than name” (1991). Escott (1978) makes the final connection between nationalism and the collapse of the Confederacy, “Internal dissensions seriously weakened the Confederacy, for there is a clear link between the failure of Jefferson Davis to build a spirit of Confederate nationalism at home and the inability of southern generals to establish Confederate independence on the battlefield.” In the end, Davis was not rhetorically competent enough to sustain the Confederacy because he did not articulate a vision of the imagined community without slavery and states’ rights.

As Garry Wills (1992) has noted, we now point to Abraham Lincoln’s Gettysburg Address as the defining point in our history where our national identity was constructed.
At Gettysburg, Lincoln needed to justify the Union’s participation in the Civil War. Instead of focusing on policies to increase the Union war effort, Lincoln used 272 words to construct an identity that Americans hold onto today. As Wills notes, we now date the nation from the opening words of the Declaration of Independence and not the Constitution. Davis’s message utilized the opposite strategy; he focused entirely on the policy with little regard for the national identity. As a result, the Confederacy’s imagined community became synonymous with independence for the sake of independence, which did little to motivate soldiers and civilians during a time of great sacrifice.

Recent conflicts reveal that presidents still find themselves attempting to justify wartime policies that threaten the identity of the nation. The torture at Abu Ghraib, the detentions without charge at Guantanamo Bay, the loss of civil liberties from the PATRIOT Act, the public disclosure of C.I.A. operatives, the domestic spying program, rendition programs, and the increased use of racial profiling have all come under attack because they represent challenges to the imagined identity of the United States. Davis’s address demonstrates that there is a careful balance between justifying policies that sacrifice identity and those that sacrifice victory. For the Confederacy, wartime policies threatened the core identity of the imagined community and may have precipitated its collapse. It is difficult to argue that today’s controversial wartime policies require the same degree of sacrifice, but the tension between war policies and national identity still exists and still requires our political leaders to address it. Given the historical implications of the tension and the potential impact of any wartime decision in the nuclear age, it is important that scholars continue to investigate how leaders negotiate and justify decisions that threaten the core values that America has come to represent.
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THE SLAVE, THE FETUS, THE BODY:
ARTICULATING BIOPOWER AND THE PREGNANT WOMAN

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Abstract: Many slaveholders attempted to justify the institution of slavery in the United States by claiming that the practice of slavery was actually in the interests of the slaves themselves. Not only are these arguments invalid because they justify inhumane treatment and the imprisonment of innocent human beings, they also contain a dangerous paternalism (a “speaking for”) that has not vacated the social sphere. Indeed, this same logic—the notion that bodies can be regulated and controlled for their own protection—is presently being used to speak for the fetus in order to justify fetal rights. Borrowing from Berlant (1997), these fetal rights arguments work against the interests of the mother, constituting pregnant women as chattel and reinforcing the governing logics of a fetal and infantile citizenship.

In the spirit of W.E.B. Du Bois, we contend that, “she must have the right of motherhood at her own discretion,” regardless of deployments of fetal citizenship (2007, p. 121). A pregnant woman should have the right to abort the fetus just as those enslaved had and have the right to freedom. Following Koppelman, we note that abortion restrictions result in the involuntary servitude of women to the fetus and effectively impede pregnant women from exercising their right to break a contract with the fetus. Consequently this essay argues that we have the responsibility to defend reproductive freedom based on the concept of prohibiting involuntary servitude.
Introduction

In a speech given to the Commonwealth Club in San Francisco, in August 1999, Senator John McCain explained his stance on abortion this way:

I’d love to see a point where [Roe v. Wade] is irrelevant, and could be repealed because abortion is no longer necessary. But certainly in the short term, or even the long term, I would not support repeal of Roe v. Wade, which would then force x number of women to [undergo] illegal and dangerous operations (Marinucci, 1999).

As a presidential candidate McCain’s views have become much less confusing, and he now opposes abortion rights and favors overturning Roe. This past year, in an interview with “Meet the Press,” McCain bluntly stated that he has “always been pro-life, unchanging and unwavering” (Conason, 2008). Apparently nine years and a presidential nomination race have changed Senator McCain’s views. If this trend continues, it will not be long before McCain is making claims like his former opponent and fellow Republican Mike Huckabee. As the 2008 Republican primary race took shape, an interviewer asked Huckabee if use of the so-called “morning after” pill “counted” as an abortion. He stated in his answer: “Anything that ends the life after it has been fertilized to me is problematic, because it is a life at that point” (Scherer, 2007). Elaborating, the Baptist pastor and former Arkansas governor added that the time had come for the view that abortion is murder to prevail: “... it took us a long time to come to the conviction that slavery was fundamentally wrong and that it was not a political issue, but a moral issue.”

Huckabee’s comparison of the practice of abortion to the practice of slavery conjures up a certain kind of fetal body—a living body with rights—that is in danger without protections from the government. These conservative arguments, the same ones that would position the image of a black man being lynched alongside the image of an aborted
fetus, are attempting to equate the plight of the figure of the slave in U.S. history to that of the contemporary fetus. This slavery analogy must be challenged because it forces individuals to attach their citizenship to the decision that abortion is the murder of the fetus. The result is an infantile citizenship that enslaves us all to the act’s immorality and requires that we demand abortion restrictions to secure the freedom of the fetus. By comparing “pro-life morality” to the abolition of slavery, many fetal rights advocates see themselves as speaking for a subjugated class of citizens who cannot speak on their own.

The problem here is that the very status of the fetal body is precisely the issue being debated. Unlike the bodies of the men and women who were enslaved and who abolished slavery, the fetal body presents a challenge for the pro-life position because its classification as a distinct life is continually in flux. Put another way, the gap between the adult body that usually serves as a sign of the citizen, and the body that is typically imagined as a fetus, helps us understand how pro-life rhetoric works. This move, we argue, invests the fetus with a body, a personhood, and a corresponding citizenship that is separate from and often at odds with its mother. If the pro-life stance is correct—that the fetus, like the slave, will one day be set free by law—the comparison must also be reversed to examine how the fetal body is ascribed rights and privileges. Absent a discussion of the pregnant woman and her rights, fetal citizenship is elevated and given access to justice through the values of morality and life. Comparing fetuses to slaves should, contrary to Huckabee’s statement, reinforce the centrality of the pregnant woman and the mother's body to any conception of citizenship. Indeed, in opposition to this pro-life position, we articulate a reversal: the history of slavery actually warns us against
subjugating women to a construction of pregnancy and re/production as subordinate to the sign of the fetus. Rhetorical constructions of the fetal body as analogous to the body of the slave only act to devalue the pregnant mother and motherhood by enslaving both to the fetus.

**Power over and through the body: The fetus as “slave”**

Many of the laws regulating reproduction are attempts by the State to control the capacity and energy of pregnant women in order to “save the fetus.” Furthermore, comparisons between the fetal body and the slave body are being juxtaposed in order to harness claims of morality and to exert additional power over women’s bodies. As LaDelle McWhorter argues, “the anchor points for exercises of power are always bodies” (McWhorter, 2004). The target of regimes of power, she shows, is “bodies—their capacities, their energies, their pleasures.” The juxtaposition of the images of lynched slaves and aborted fetuses is an example of how two such regimes of power intersect and then consolidate their unique governing apparatus. McWhorter argues:

(1)n present-day discourse and institutions, race and sex intersect primarily at points where people think in terms of normality and abnormality or deviance, where people have major managerial goals for large populations, and where there is a strong desire to control human development. [...] if we are to overcome the oppressive effects of these conceptual instruments of power, we will have to address the specific and multileveled regimes of power within which they were conceived and in which they continue to function as categories of normalization. But understanding their genealogical similarities should make those analyses both less difficult to construct and more accurate and effective as
antiracist and antisexist interventions in modern political life (p. 54).

Addressing “specific and multileveled regimes” implies that we cannot limit our analysis of regimes of power to present-day abortion discourse; consequently, we gesture to a genealogy of slavery and its justifications as a crucial starting point. More specifically, we ask, how are arguments that resemble pro-slavery rhetoric appearing in the abortion controversy? Are there resonances between the position that “slaves need slavery for their own protection” and the position that abortion should be restricted because the fetus needs protection?

During the antebellum era, slaveholders and other defenders of slavery constructed justifications for slavery and its continuation, especially in the South. D.F. Ericson draws attention to one notable justification in defense of slavery: consent (Ericson 2000). Proponents of slavery were convinced that a lack of resistance was verification from slaves that they had agreed to their position in society, and reasoned that slaves had consented (indirectly) to their situation (Ericson, p 22). Slaves were perceived and constituted as generally obedient and content with their situation. Thomas Roderick Dew, a slave-holding humanities professor and eventual President of the College of William of Mary during the 1830’s, was a well-known slavery apologist. In his piece, *Abolition of Negro Slavery*, he asserted:

In the debate in the Virginia legislature, no speaker *insinuated even*, we believe that the slaves in Virginia were not treated kindly; and all too agreed that they were most abundantly fed, and we have no doubt but that they form the happiest portion of our society. A merrier being does not exist on the face of the globe than the negro slave of the United States.

(Dew, p. 66)

This excerpt demonstrates that some slaveholders believed that slaves were happy and content with their status. Not
only does this exemplify the naivety of the slaveholders and the nature of this commonly held belief, it also exposes the rationale used to prove that slaves “consented” to their status because they were relatively happy and merry.

According to the apologists, the signs of pleasure or happiness obviously prove that these humans wanted to remain slaves. James Henry Hammond expressed a similar view in his “Letter to an English Abolitionist.”

And to sum up all, if pleasure is correctly defined to be the absence of pain – which, so far as the great body of mankind is concerned, is undoubtedly its true definition- I believe our slaves are the happiest three million of human beings on whom the sun shines. Into their Eden is coming Satan in the guise of an abolitionist (Hammond, p. 192).

Hammond’s conception of pleasure allows him to contend that slaves are happy because “there is an absence of pain.” This tautological definition is so broad as to be meaningless and ignores the endemic and soul-destroying pain of being enslaved. Paternalistic slaveholders could turn a blind eye to the injustices holding up the practice of slavery, believing the absurdity that they were providing pleasure to the slaves. They could thus rationalize treating slaves like objects in order to provide for their happiness. Thomas Dew referenced a lack of rebellions as evidence that his thesis (that slaves were content with their position) was correct, erroneously observing that there were surprisingly few slave rebellions during the over two hundred years of slavery in the United States (Dew; Jenkins). Dew and Hammond, among others,

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1 Thomas Roderick Dew in his defense of slavery tried to frame the insurrections that did take place as a result of the abolishment of slavery. He argued that insurrections rarely occurred when blacks were enslaved and that other crimes were more frequent. Furthermore, he pointed out that the threat of insurrection was very low (Faust, 1990, pp. 69-70). The first instance of slavery in North America was in New England when the settlers captured the Pequot American Indians and enslaved them in 1637. Later, the slave trade reached America and blacks were imported as slaves because they were better laborers. (Jenkins 3); Thomas R. Dew,
believed that the consent of the slaves may not have been
direct, but their actions served to confirm to the slaveholders
that the slaves were not opposed to their standing in society.2

In the same way, advocates of abortion restrictions
declare that when a woman consents to sex she is
simultaneously consenting to the risk of pregnancy. This
conclusion is flawed because even if the woman’s consent to
sex is explicit, she does not automatically consent to
pregnancy in the same moment. For example, when a person
decides to engage in a dangerous activity she recognizes that
there is a risk of injury but does not necessarily consent to
actually being injured. McDonagh argues that even an
implicit consent to pregnancy is not sufficient to constitute
consent (McDonagh, 1996). She provides the example of
rape, noting that a woman who does not verbally and
explicitly say “no” to sexual intercourse is not implicitly
consenting to intercourse. Furthermore, Koppelman contends
that women should have the right to abort the fetus even if
they have consented to sex because, as reinforced by Bailey
v. Alabama,3 a person has the right to break a contract at any
point in time, despite prior consent to the agreement (1990,
p. 491). Abortion restrictions result in the involuntary
servitude of women to the fetus and effectively impede
pregnant women from exercising their right to break a

2 McDonagh compiled definitions of consent: it is a voluntary choice
made by a person that is “direct” and “unequivocal… requiring no
inference or implication to supply its meaning.” The person expressing
consent has to be willing to allow an act to take place upon the body in
question without resistance (McDonagh 60).

3 Bailey v. Alabama, 219 U.S. 219, 241 (1911); Bailey, a black laborer,
was charged with fraud after defying a one year contract and a forward
advancement of $15 for his service with the Riverside Company even
though that fraud may not have been his intent. Justice Hughes stated that
a criminalization of a lack of service imposes involuntary servitude.
(Koppelman 491)
contract with the fetus. The Bailey case elucidates the notion that it is not permissible to criminalize a refusal of service to another person (or the fetus) because that would constitute a form of involuntary servitude (Koppelman, 1990, pp. 491-493). Koppelman concludes that it is illegal for the state to compel a woman to remain pregnant despite the fact she acquiesced to sexual intercourse.

The application of “consent” as a justification for slavery extended beyond the consent of blacks to slavery, for Ericson reveals how the “consent of the governed” was also deployed by slaveholders who proclaimed that the government enacted laws in support of slavery because “the representatives voted for what the governed desired (in the South that would consist of laws that supported and protected the institution of slavery)” (Ericson, 2000, p. 22). In the same way, pro-life members of society claim that restrictive abortion laws represent the desires of all the people and are thus made with the consent of the governed. Many citizens may endorse abortion restrictions, but the logic behind the “consent of the governed” argument is unsound because it ignores the ways that legislators exert biopower over pregnant women, just as slaveholders exerted biopower over their slaves. Slavery systematized the subordination of black men and women, for example, when slaveholders raped female slaves as a means to acquire more slaves. Paternalistic rhetoric is deeply embedded in the discourses that constitute slaves and fetuses, a disturbing tone common in justifications for slavery. As Ulrich B. Philips and John David Smith contended, slavery was an educative system for the civilization of the seemingly savage but child-like blacks that needed the help of paternalistic slaveholders (Foster, p. 666).4

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4 Ulrich B. Philips was the author of American Negro Slavery, a defense of slavery in the South post-Revolutionary War era and into the early 1800s. Additionally, John David Smith is the author of An Old Creed for the New South: Proslavery Ideology and Historiography, 1865-1918.
Slave owners presumed they were helping the blacks by exposing them to a “superior culture” and educating them about racial inferiority (Ericson, 2000, p. 25). According to some slaveholders, abolishing slavery would jeopardize the development of human progress, in particular the progress and development of blacks. Dew was concerned with the impact of emancipation on progress:

An emancipation of our slaves would check at once that progress of improvement, which is now so manifest among them. The whites would either gradually withdraw, and leave whole districts or settlements in their possession, in which case they would sink rapidly in the scale of civilization; or the blacks, by closer intercourse, would bring the whites down to their level. In the contact between the civilized and uncivilized man, all history and experience show, that the former will be sure to sink to the level of the latter (Dew, p. 56).

Slavery was seen as a means to elevate society from its primitive state, a mechanism, according to George Fitzhugh, for the strong to protect the weak (Ericson, 2000, p. 110).

Paternalistic rhetoric turns women, like slaves, into children who need guidance, especially with regards to making decisions about abortion and pregnancy. Laws such as informed consent are the state’s attempt to persuade women to make the “correct” choice by providing them with detailed information about abortion and its effects on the fetus. These laws presume that pregnant women are unaware of what an abortion actually is or its consequences. After being presented with biased information, women are then forced to wait twenty-four hours before selecting the procedure again. Abrams suggests that this form of

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5 Evidence of the belief of racial inferiority is seen in Dew’s Abolition of Negro Slavery; “… the slave is not only economically but morally unfit for freedom. And first, idleness and consequent want, are of themselves sufficient to generate a catalogue of vices of the most mischievous ad destructive character.” (Dew 53)
paternalism denies women the ability to make their own independent choices (Abrams, 1995, p. 488). Informed consent and the twenty-four hour waiting period are just a few of the more blatant examples of paternalism in anti-abortion rhetoric. Justice Stevens in Planned Parenthood v. Casey points out in his dissent that the waiting period relies on flawed notions about a woman’s ability to make important decisions. Each limitation on abortion is another paternalistic move by the state to control the pregnant woman and make sure she does not act irrationally. Just as slaveholders pointed out the benefits of slavery for the slaves, the Justices in Casey defend abortion restrictions by contending that it may be better for the psychological health of the woman not to have the procedure, and that the waiting period thus allows for the woman to make a proper decision.

The similarities between slavery and abortion restrictions do not stop there. Despite the separation of church and state, religion plays an important role in everyday life and politics as a whole. Likewise, during the era of slavery, apologists justified slavery by alluding to its presence in the Bible. Defenses of slavery contained in the Bible ranged from the Hebrews having slaves to Jesus not condemning Rome’s brutal forms of slavery. Other slavery proponents would point to a letter by Paul to Philemon that advises a servant return to his master and serve him obediently (Ericson, 2000, p. 19). Thornton Stringfellow, a Baptist minister and a prominent slaveholder in Virginia, focused his works on the benevolent aspects of bondage (Faust, 1981, p. 136). In his essay, A Brief Examination of Scripture Testimony on the Institution of Slavery, he drew on the authority of the Bible in order to prove his point:

…we have shown from the text of the sacred volume, that when God entered into covenant with Abraham, it was with him as a slaveholder; that when he took his posterity by the hand in Egypt, five hundred years afterwards to confirm the promise made by Abraham, it was done with them as slaveholders; that when he gave them a constitution of government, he gave them the right to perpetuate hereditary slavery […]

We have also shown from authentic history that the institution of slavery existed in every family, and in every province of the Roman Empire, at the time the gospel was published to them. […]

We have also shown from the New Testaments, that all the churches are recognized as composed of masters and servants; and that they are instructed by Christ by how to discharge their relative duties; and finally, that in reference to the question which was then started, whether Christianity did not abolish the institution, or the right of one Christian to hold another Christian in bondage, we have shown, that “the words of our Lord Jesus Christ” are, that so far from this being the case, it adds to the obligation of the servant to render service with good will to his master, and that gospel fellowship is not to be entertained with persons who will not consent to it!

I will propose, in fourth place, to show that the institution of slavery is full of mercy. […] this institution was a motive for sparing the prisoner’s life. […] (Stringfellow, p. 165).

This excerpt illustrates how Biblical examples of slavery and obligations of servitude were used to conclude that slavery was acceptable and necessary. Slavery apologists like Dew who asserted that no religious law prohibiting slavery existed (in Faust, 1981, p. 61) also contributed to the notion
that slavery was acceptable in the eyes of God. To a Christian nation, the obligation of the servant to serve, as pointed out by the Lord, was seen as a compelling reason to maintain slavery. Additionally, Stringfellow points out that historically slavery had good intentions: the desire to “save” lives.

Thus, to slavery apologists, the institution also served as a method for Christianizing the slaves. James Henry Hammond, a pro-slavery plantation owner who eventually was elected to Congress in the House of Representatives and later to the Senate, used the Christian conversion argument to defend his proposal to re-open the slave trade (Faust, 1981, pp. 168-169, 171). The Christianizing process was seen as a way to save the blacks from all the evils of the world. While paternalism may creep in through many justifications for slavery, the combination of proselytizing and missionary guilt within the religious justifications was particularly ironic. Stringfellow, for example, argued in his essay that the institution of slavery prevented the extinction of the slaves, an outcome that would have been certain if the slaves were freed:

In their bondage here on earth, they have been much better provided for, and great multitudes of them have been made the freeman of the Lord Jesus Christ, and left this world rejoicing in hope of the glory of God. [...] An officious meddling with the institution, from feelings and sentiments unknown to the Bible, may lead to the extermination of the slave race among us, who, taken as a while, are utterly unprepared for a high civil state; but benefit them, it cannot. Their condition, as a class, is now better than that of any other equal number of laborers on earth, and is daily improving (Stringfellow, p 166).

Slaves are represented here as children who cannot take care of themselves. In the eyes of the apologists, freedom would condemn the slaves to death because they would be incapable of finding God and providing for themselves
without the help of white slave owners. Today, religious discourse profoundly influences the public discussion of abortion restrictions. To abort a fetus is to kill a human life according to multiple religions, beliefs that have an impact on legislation concerning abortion on a state and national level. Speaking to an anti-abortion group in 2007, President George W. Bush invoked an explicitly religious argument against abortion and called on the adult citizen to protect the fetal one:

> It is important for all Americans to remember that our Declaration of Independence states that every person has the right to life, liberty, and the pursuit of happiness. It also states that these rights come from our Creator, and that governments are formed to secure these rights for all their citizens. And we believe every human life has value, and we pray for the day when every child is welcome in life and protected into law (“President Bush Calls,” 2007).

As Bush rooted proper citizenship in religious faith, he invested the fetus with rights, and the pregnant woman became an afterthought when compared to the apparently vulnerable fetus. As we turn more directly to questions surrounding citizenship, it is important to note the common element of “servitude”—or the harnessing of the body for interests external to the body—between anti-abortion policy and the institution of slavery. Exploring this common element may open space for a new challenge against infantile citizenship that emphasizes equality, justice, and freedom from bodily intrusion.

**Citizenship as (opposition to) involuntary servitude**

Just as many slaveholders argued that they were helping to protect the slaves, the pro-life movement tries to promote an image of the fetus in desperate need of the state’s good will—an unprotected person vulnerable to a wayward mother’s will. Fetal personhood transforms women into chattel and re-entrenches their inequality by treating them as
a collective incubator. If a woman is forced into the position of property, it is reasonable to assert that her citizenship is jeopardized and uncertain. What happens to citizenship as a whole when the fetus is given access to its umbrella? Lauren Berlant uncovers the true state of citizenship within the U.S. as a result of the independence of the fetus: “A nation made for adult citizens has been replaced by one imagined for fetuses and children” (Berlant, 1997, p. 1). Berlant names this “fetal citizenship” because both the fetus and the adults surrounding it begin to lack full citizenship: the fetus lacks full legal citizenship because it is contingent on the already limited rights of the mother, and adults lack full citizenship because they have ceded their reproductive rights to governmental control.

It appears, under the unified sign of citizenship, that this fetal standard can be used to compromise all other forms of identity, race and gender in order to create a more unified nation and “resolve” conflict (Berlant, 1997). Abortion restrictions are an example of creating fetal citizenship in that they attempt to resolve conflict between the woman and the fetus while washing away the woman’s identity based on gender or pregnancy. The pregnant woman is forgotten in the equation even though she is the essential component: she provides the body necessary for the fetus’s existence and survival. Representations of the independent fetus contribute to the constitution of the pregnant woman as a child with limited agency who needs help making important decisions in her life. In this way, Berlant suggests, “the pregnant woman becomes the child to the fetus” (Berlant, 1997, p. 85).

This process by which a paternalistic state controls the bodies of its citizens is familiar to the black population in the United States. By law, through prejudice in society, and in demonizing representations, blacks have been treated as less than human, as either uncivilized or unable to make proper decisions. Proslavery arguments propagated these views of blacks by positing the slave’s inability to survive in
civilization without the help of their slaveholders. This rhetoric of inferiority, codified in the U.S. Constitution for many years, reinforced the idea that slaves were property and unworthy of citizenship. Only after the Emancipation Proclamation and the 13th and 14th Amendments passed were blacks recognized as humans with a standing as full citizens. The problem in this instance, however, is that personhood in the civil rights arena cannot be blindly applied in the context of the fetus. We align ourselves with Berlant (1997) when she claims that fetuses should not be added as “persons” to the concept of “people” because such a move would disrupt the “norms and principles of national embodiment” and the distinctions between the two groups (such as occupying an autonomous body and possessing ability to vote) would begin to disappear (pp. 97-98). Giving the fetus rights allows the state to speak for the fetus, denying the rights and citizenship of the pregnant woman who now exists to “serve” the fetus.

Likewise, the enslavement of blacks constituted involuntary servitude, a means of controlling the black body within the production of services and labor for the benefit of the slaveholders. In an attempt to link these instances, Koppelman (1990) notes that the Supreme Court has deemed involuntary servitude as compulsory labor that is provided by one person for the benefit of another (Koppelman). Is there a valid comparison between historical conditions of slavery as involuntary servitude and abortion restrictions as

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8 At the Constitutional Convention the Three-Fifths Compromise between Northern and Southern States was created. For the purpose of representation in the House of Representatives, slaves were counted as three fifths of a person, thus allowing the South to have more representatives than if only the white population was counted. This dehumanized slaves and reinforced their position as less than human. Once again, slaves were only important as long as they benefited the white male property owner. Their own political situation was of no importance to slaveholders, other whites or the state (Berlant 1897).  
9 *Slaughter House Cases* 83 U.S. (16 Wall.) 36, 72 (1873); *Plessey v. Ferguson*, 163 U.S. 537, 542 (1896); *Hodges v. United States*, 203 U.S. 1, 16 (1906); *Bailey v. Alabama*, 219 U.S. 219, 241 (1911).
involuntary servitude? One of the many tragic effects of slavery was the slaves’ loss of control over their own bodies (Condit, 1994, p. 71-72). In the same way, the combination of an unwanted pregnancy and restrictions on reproductive choice results in the dehumanization of pregnant women by situating them as chattel. Women who have unwanted pregnancies are often compelled to be mothers by the State, and are no longer in possession of free agency and control over their own bodies. They have become servants “with a special duty to serve others and not themselves” (Koppelman, 1990, p. 487). In this sense, women who are compelled to continue their pregnancy and become mothers without their own consent are encompassed by the definition of involuntary servitude.

If abortion restrictions create involuntary servitude, then the Thirteenth Amendment may protect the rights of a woman with an unwanted pregnancy to be free from involuntary servitude to the fetus (Koppelman).10, 11 Citizenship, in theory, also means that blacks should control what they produce and that the white slaveholders could no longer control the labor and production of other human beings. The thirteenth amendment gives citizens control over their bodies and the productive capabilities they have—individuals own their own service. Production or produce—the core of what servitude and slavery are concerned with—also applies to women and their capability to (re)produce. When they are forced to serve interests besides their own, when they lose their identity and find themselves treated as (re)producers and not humans, pregnant women are

10 The Thirteenth Amendment to the Constitution:
   Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.
   Section 2. Congress shall have the power to enforce this article by appropriate legislation.

11 Slaughter House Cases, 83 U.S. (16 Wall.) 36, 72 (1873)
positioned as the property of society and a vessel for the fetus. The Thirteenth Amendment makes no delineation between people to which the amendment Louisiana should apply (Koppelman, 1990, p. 488). We contend that the amendment and the concept should apply to pregnant women even if their servitude is generally not as extreme as that experienced by slaves. In other words, it should be illegal for the state to compel a woman to remain pregnant despite the fact she acquiesced to sexual intercourse just as it is illegal to possess slaves (p. 491).

Conclusions
It is important to think of abortion restrictions as a form of involuntary servitude because of the impact they have on women across the country. Addressing how regimes of power are conceived and implemented is necessary in order to challenge and resist these oppressive regimes (McWhorter, 2004, p. 54). To ignore the possibility that what women experience, when compelled by the state to carry a fetus, is involuntary servitude is to allow for the continuation of pregnancy slavery in this country. We do not intend to trivialize what blacks experienced under slavery and there is no doubt of the unfathomably severe, violent, widespread, and dehumanizing consequences of slavery in this country. Nevertheless, this does not mean that the logic behind the slavery of blacks and the control of the pregnant body cannot and should not be compared. The process by which women are enslaved through paternalism, a loss of rights, and the reduction to property is reminiscent of slavery.

Coming full circle, when we see images of a fetus juxtaposed with images of lynched black men, we cannot ignore this comparison. The aim of this juxtaposition is to associate the immorality of lynching with the immorality of aborting a fetus, but close scrutiny disrupts the aim itself by demonstrating the very tangible erasure of the pregnant woman and the inapplicability of the slave-fetus analogy.
We have to challenge the representations of the fetus as always outside of the womb because the woman’s body existed before the fetus and is the pre-requisite for the fetus.

The pregnant body can become a site of resistance to state power because it no longer focuses on the separate entity that the body has the capacity to produce. This move helps explain that the fetus is not the enemy, for the real enemies are “those who would appropriate and solidify the symbolics of procreation in the service of social agendas hostile to women’s procreative integrity” (Morgan and Michaels, 1999, p. 6). By focusing on the pregnant body, the fetus is “reconnected” to the woman and prevents her erasure, which is a necessary step to prevent the reduction of her citizenship to “fetal citizenship” and infantilization. Using slavery as the starting point for our research and analyzing how pro-slavery arguments are resurfacing in pro-life arguments today allows us to understand how power relations intersect and contribute to involuntary servitude. Our hope is that exposing the ways in which the state controls individuals through both pro-slavery and pro-life rhetoric could help challenge specific oppressive power structures surrounding citizenship.

References


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THE SUICIDE GIRLS: TATTOOING AS RADICAL FEMINIST AGENCY

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Abstract: Tattooing is a form of radical feminist identification. Jaylin, a Suicide Girl, is a part of an alternative genre of feminist actors who perform the pain of beauty in order to upset beauty’s hegemonic control on women’s bodies. The tattoos of Jaylin speak to the contradictory performances of gendered actors in light of Butler’s theories on agency to highlight the ways in which agents subvert imposed subjectivities. Beauty is thus not only a system of control but a means by which the individual can resist power structures through positive articulations of one’s agency.

In a culture built on women's silence and bent on maintaining silence as a primary part of the relationship between women's bodies and cultural writing, the rules have been simple. The written body may only speak from a patriarchal script that tries to limit women's voice and bodies to supporting roles and scenery. So on a woman's body any tattoo becomes the symbol bodily excess. When a woman's body is a sex object, a tattooed woman's body is a lascivious sex object; when a woman's body is nature, a tattooed woman's body is primitive – (Braunberger 1)

1 Diving into the world of sexual performances this paper analyzes the rebellious use of tattoos as a form of radical feminist self-identification. Through an analysis of Jaylin’s tattoos on Suicide Girls provides an example of a post-structuralist agency. The world of alternative erotica is an emerging genre that seeks to challenge the Playboy culture of artificial
Bringing pain out of the closet and onto a virtual stage, Suicide Girls performances blur the boundaries between beauty and beast. Jaylin speaks to the horror of the beauty hegemony in visual screams of pain on stage. Bringing the blood to the surface, let the red drops fall, let it spill, let it stand for pain, let it express that which is real and unspoken. A multiplicity of powers emerges, reclaiming the dead as free to name themselves! To start speaking about pain is to inscribe meanings upon a history that wrote woman as passive, a text devoid of meaning. Raising the dead through the act of writing pain upon herself, Jaylin speaks her gender in a way that goes against the institutional norms of a Playboy world.

Tattooing is a radical form of feminist self identification. This paper unravels the process of gendered identification through a rhetorical analysis of Jaylin, a member of the Suicide Girls website. This paper will shed light on positive forms of resistance that found within an alternative genre of sexual performance. First I introduce Suicide Girls, and then examine Jaylin’s three central tattoos. The tattoos are radical assertions of self that reject an imposed capitalist plastic definition of woman. Responding to the call of Sloop and West (2008) to increase attention to gender norms and its accompanying cultural hegemonies, beauty. Through a rhetoric of death agency is exerted through inscriptions on the body that reject the unmarked bodies prized status.

2 Being named woman is described by Fournier in terms of pain. Living the life of a woman involves realizing that one is more at risk than men to be a victim of violence, etc. The girl who learns that she is somehow less than her brother experiences frustration and realizes her place such as Virgina Woolf’s famous ghost of Shakespeare’s sister (Woolf). Knowing that you are the other upon which culture has been built is a painful experience. Bonnie Kreps explains that the end effect of this process of socialization creates the essential characteristic of the female as passivity (Kreps 46). Heterosexist patriarchal power remains strong through keeping silent this pain. As women engage in various attempts to become beautiful, through make-up dieting, fashion they are acting within their script. As they play the role of the supporting wife at home and at work the women does her job, and reifies herself as lacking that which man has.
this paper articulates tattooing as a positive form of self-identification.

The photograph of Jaylin is not an act in isolation; rather it is part of an emerging genre of ‘alternative erotica,’ and therefore has powerful consequences for how gender and sexuality are constituted. Suicide Girls is a website that hosts nude sexually provocative images of women. These women are not the typical Playboy model and often are adorned with tattoos, piercings, and other punkish aesthetics. Jaylin is a Suicide Girl, part of a growing company that has expanded into a multi-platform empire with DVDs, live burlesque tours, magazines, books, a website, and various Suicide Girl merchandise including hoodies and stickers. The website also boasts that more than 48% of its viewers are women (Suicide). Suicide Girls is a unique website compared to traditional sites such as Playboy where only 17% of its readers are identified as women (Baron, 2006). Scholars focused on genre and argumentation must turn towards popular culture and its underbelly because of the rising influence it has on students and the radical possibilities of expanding notions of agency that can arise from such a focus. With over 1,000,000 hits a week on the Suicide Girls website this medium is a powerful site for debate over sexual identification (Warpechowski, 2006) Suicide Girls promotes itself through a feminist rhetoric. The website states their goal clearly on the homepage: to redefine beauty through ‘Suicide Girls’ who commit social suicide and assert their own version of non-conventionally aggressive beauty.

The Ideal Unmarked Body----Silence----

In the visually fixated post-capitalist world women’s beauty has become a commodity. Women’s bodies are plastered across the supermarket isle and television screen selling a variety of commodities. The fragments of eroticism have been refigured as fragmented body parts. Deleuze and Guattari (1983) have described capitalism through the metaphor of the schizophrenic. As a young girl grows up
surrounded by images of artificial beauty that value the body in fragments, she comes to know herself as fragmented. Shattered representations of female bodies privilege a partial perspective that denies a holistic sense of self. Advertisements feature women’s legs, women’s breasts, women’s lips – the body once fragmented is easier to conquer and sell.

Patriarchy has imprisoned women’s subjectivities through an imposition of artificial beauty; first defining women by her body, menstruation and childbirth only to follow this with condemnation. In order to come to speak a woman must sanitize her writing, lower her voice, and scrub her voice to a point of stasis. Helene Cixous (1976) calls for a rhetoric that returns to the body, “Woman must write her body, must make up the unimpeded tongue that bursts partitions, classes, and rhetorics...go beyond the discourse with its last reserves, including the one of laughing off the world “silence” (Cixous, p. 95). Jaylin embraces desire as a form of agency through writing her body. Beauty is transformed from a silent canvas to a speaking skin. And what does the skin have to say?

Performing the Language of Death
The tattoo featured on the forearm of Jaylin is the image of a beauty queen with blood pouring from her mouth (figure 1).

Figure 1:

The mouth has been an erotic marker within Western art; the surrealists saw the mouth as an invitation for transcendence
and erotic realization. Andy Warhol’s silkscreen, Marilyn Monroe’s Lips, immortalizes the artificial beauty ideal of pop art and its corresponding plastic voyeuristic culture. Warhol comments, “Marilyn’s lips weren’t kissable, but they were very photographable” (Gilles, 1998, p. 87). Wrapped in an ethos of cellophane, pop art king Andy Warhol’s portrait of Marilyn Monroe embraces the beauty ideals of a post-modern world. Warhol’s observation that “the whole world is plastic” wraps up the aesthetic of a Playboy culture. In this image dominated culture everything is for display, but nothing can be touched. Eroticism turns into voyeurism, and all connections to a real body become fuzzy as touch, smell, and pain are replaced with voyeurism, perfume, and medicalization.

Beauty icons displayed on the covers of Playboy embrace this artificial beauty. Pictures are airbrushed to sanitize any sign of a ‘real’ woman. Attempting to live up to this standard is impossible, as there is no airbrushing for daily life. (Freedman, 1986). Playmates are displayed for consumption by a male audience. While the beauty queen and woman as artist’s tool remains unaltered in many regards, beauty standards continue to changes over time (Fallon, 1990). As Butler (1994) writes there is always the possibility for a subject to refuse the power that names them as such. The act of tattooing holds the “possibility of individual agency subverting externally imposed inscriptions” (Schildkrout 323).

The crowned beauty queen demarcating Jaylin’s forearm is the heroine of Chuck Palinhuk’s novel Invisible Monster (1999). The story focuses around Shannon McFarland, a fashion model who shoots herself in the face to escape the artificial world of appearances. Shannon describes her motivation, “I wanted the everyday reassurance of being mutilated. The way a crippled, deformed, birth-defected, disfigured girl can drive her car with the windows open and

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3 Jaylin writes in her public SG blog that this tattoo holds the most meaning for her.
not care how the wind makes her hair look, that’s the kind of freedom I was after” (Palihnuk, 1999, p. 286). Monstrous beauty promises a sense of identity that escapes the voyeuristic Playboy culture and engages the freedom of the senses. To feel the wind as it blows through the hair, without the double-consciousness of being watched motivates Shannon’s violent self-mutilation.

“Abigail” is inscribed on Jaylin’s lower spine in Hebraic (figure 2).

On Jaylin’s blog she describes the tattoo’s meaning, “My Hebrew name is Abigail, and it was given to me because it means "father's joy." No it is not my REAL name (that would just be silly of me to have an SG name when my real name is inked on my lower back for the world to see but it was the name my mother chose for me before my Bat Mitzvah” (Jaylin, 2006). It is ironic that the name her mother desired to give her means “father’s joy.” Girls are the apple of their father’s eye, possessed linguistically and economically by their fathers; women have been handed from father to husband. This process has been sealed with the stamp of linguistic finality through patriarchies mark, the name (Butler, 1993, p. 125). Naming herself is a way of rejecting pre-given definitions to become oneself.

Tattoo’s are religiously prohibited within traditional interpretations of Jewish codes as idolatry (Lev 19:29; 21:9). By choosing to tattoo, Jaylin is rejecting the societal rules
that attempt to dictate her body and identifying with radical feminism. In opposition to the passive role most women within the Old Testament ascribe to, Abigail bravely travels to King David requesting he spare her husband’s life (Samuel 25:14). To be fair, her husband was starving, but he foolishly overestimated his power within society when he took off to demand that the King feed him. Abigail’s husband kills himself, shamed by her actions. Jaylin’s entire left arm is covered with a sleeve tattoo (Figure 3).

![Figure 3](image)

A black angel marks Jaylin’s otherwise white skin. The black angel’s flesh only covers half of her skeletal figure, blood drips from a shotgun wound to the head. A piercing pricks the angel’s nipple and large wings extend from her back. The borders between death and life speak through the angel’s skeletal figure. Angels symbolically connect the divine and human in Western Culture. The angel’s black skin is a visual break between a black and white dichotomy of racial identification. Between skin and bones the angel’s fury is, “women’s pain [as] the embodiment of the contradictions and constraints under which women are placed in patriarchal systems, the expression of ‘body anger’” (Fournier, 2002, p. 56). As a border between living skin and the dead skeleton, skin negotiates the contradictions
of life. The angel’s pierced nipple startles the viewer; piercings add an apparatus to the flesh disrupting associations of angels and natural innocent skin (Chao, 2006). Angels are traditionally thought of as beautiful and divine, yet this image shows the angel of fury”, an angel that has turned the fury of God into violence against herself. She is the bearer of the end times, signifying the end of days. The angel speaks of the unlivable position: a black female angel who was denied her place in Religious text and society. To escape the dichotomies within the angel, death is her response. The pain the angel expresses parallels the violence that accompanies navigating the border lands of gender.

**Written Bodies and Some Radical Possibilities**

Tattoos visually mark the excess of repressed desire. Excess is femininity exceeding its text, an overflow of meaning (Fournier, 2002, p. 53). Skin wraps the body’s senses and bears the marks of its wearer’s experiences. “The skin, becomes a fetish when its color diverges from the commonplace, when it feels so beautiful and silky; when it is adorned with tattoos; when it calls forth a cannibalistic sensuality…” (Gilles, 1998). Tattoos are loud rejections of the silent place that skin generally hides behind.

Those who have not embraced the full range of erotic possibilities are not actively expressing their identity (Baitaille, 1989). The fear of death and the fear of the erotic shackle desire that values the body and self. Suicide Girls embrace their ‘social death’ and their erotic potential through tattoos and alternative sexual performances. Aligning themselves with a radical feminist aesthetic, they reject a vision of beauty that would airbrush away their desire. Opposing a sanitized culture, Jaylin embraces the abject monstrous body.

Performing sexuality on stage is a double-edged sword. The risk of co-option of sexual performance still operates within a traditional sexist framework. Her body becomes objectified for consumption by viewers on the
website and holds little hope for a subversive version of feminist sexual liberation. Her tattoos are attempts at creating new forms of language that embody the pain of being designated female.

The risk of co-option should not close the book on the transgressive possibilities for a radical form of feminist agency. Biesecker (2002) read’s Cixous’s The Laugh of the Medusa as a call for a rhetoric that cuts into a phallocentric system. Feminism and rhetoric can converge through alternative genres that release the imposed notions of ‘action’ and ‘good speech’ to unveil alternative forms of writing and speaking. Examining tattoo’s material effects returns the disembodied virtual self of today’s world to the material body (Schildkrout). Tattoos archive the rhetorical rejection of Playboy beauty standards- each step rhetorically⁴ etched into the skin - to mark and break apart the passive beauty that has attempted to shroud women in silence. Jaylin’s virtual performance of identity embodies the ways in which material bodies continue to make themselves present.

⁴ Examining the body as a text, forces a reading of bodies. One doesn’t pick up a book and declare, “This is book”, then put it down. Reading is an intimate project in which the reader becomes engaged with a text. A critical reading will question, who does the author cite, what arguments are the author proceeding? What worldviews does this text aim to create? Jaylin is not simply a woman’s body because she is designated as such. Going further and encountering through reading brings the critique closer to an understanding of the construction of that text. As with books, there is no definitive explanation or static way to know what a book is. Readers will vary on their descriptions of the books meaning and each new reading can highlight new hidden meanings. One approaches a novel in search of meaning and takes a generous read looking for secret meanings, as one reads directions for their new cell phone the reading holds a different understanding. One does not look for novel meanings, new metaphors, one will skip to the pieces they want, they will look for the Truth of direction. Let us read Jaylin as a novel not a dishwasher manual.
References


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Reviews

REPRESENTATIONS OF DEBATE IN FILM


Debate trains students in the art of public speaking and advocacy, yet the activity itself remains largely insulated from society at large. Rarely do those not involved in the activity catch a glimpse of debate tournaments or the preparation that precedes them, resulting in perceptions markedly different from those of the debaters, coaches, and judges that constitute the debate community. A highly specialized and intensive activity that sometimes baffles those unfamiliar with its practices, debate nonetheless relies heavily upon outside support for their existence. It is therefore worthwhile to consider the way non-debaters see the activity.
One avenue to social perception is to inspect the way debate is portrayed in film. In recent years, numerous films have focused on debate, or incorporated it as an important plot device. Analyzing the films in which debate appears to play a prominent role and the way debate is treated as a subject in these films provides an untapped opportunity for those inside the community to see themselves in ways shared by society at large. While not every film that we review presents itself as a faithful documentary, they all shed light on the cultural baggage debate carries, as well as the social mystic of the activity.

Films tend to represent debate in either an overly positive or negative light, with little middle ground. This split did not correspond to the traditional division among documentaries and fictional films. Rather, the dividing line appears to have been whether debate was portrayed as a positive means of self-empowerment, such as in *The Great Debaters*, or as a symptom of alienation and isolation, as with *Debate Team*. Both of these tropes suggest that debate carries significant cultural baggage, and that it is understood by many as a symbol of individual transformation.

B. Douglas Robbins’ *Debate Team* presents a rather negative view of the activity. The film documents the struggle of four teams – Michigan State HV, Harvard KT, Cal Berkeley NW, and West Georgia KT–as they compete to win the 2005 CEDA Nationals tournament, held that year at San Francisco State University. *Debate Team* alternates between footage of actual debates and reality-television-style confessions where individual debaters and coaches are interviewed about everything from their views of the activity itself to their own personal history. The documentary does not make an effort to empathize with its subjects. Rather, it revels in footage of debaters trash talking each other, making offensive jokes, and soullessly intoning their desire for victory above all else. These images of the contemporary debate community are juxtaposed with scenes of former Houston debater Mike Miller, now a middle aged father,
who gives the viewer the impression that life as he knew it ended when he was eliminated from the final round of the NDT in the 1960s. The resulting (and one suspects, intended) effect of these scenes is to paint debate as an inaccessible, hopelessly competitive, and often mean-spirited activity whose educational value consists largely of finding creative scenarios for human extinction.

This aside, Debate Team is not a dishonest documentary. Debaters and former debaters anchor all the dialogue, and the film’s extensive deployment of in-round footage provides an “inside view” of collegiate debate. Although Robbins and crew may not like everything they find at the 2005 CEDA Nationals, they at least seem to give it a chance, and take the time to explain the format, structure, and content of an activity that may seem hopelessly incomprehensible for many. For those on the outside, Debate Team is unlikely to convert them to the cause, but it nonetheless gives them a good feel for debate tournaments. For those in the community, the film’s value lies largely in its ability to force them to confront their own reasons for participating in debate, and provide a cautionary tale of warning for those who view forensics solely as a series of wins and losses.

In Rocket Science, debate similarly appears as a force for mindless competition, but serves largely as a backdrop for the film’s more or less typical tale of adolescent angst. The film’s protagonist, Hal Hefner (Reece Thompson), is an awkward, shy fifteen year old with a serious stutter who is inexplicably recruited for his high school debate team by Ginny Ryerson (Anna Kendrick) who happens to be Hal’s crush as well as the school’s star debater. Ginny has been left partner-less after her former teammate, Ben Wekselbaum (Nicholas D’Agosto) suffers an emotional collapse while debating, of all topics, agricultural subsidies. What Wekselbaum perceives as the innate futility of switch sides debate (and, one suspects, Ginny’s intolerable attitude) drives him away from the activity and
sets the stage for the film’s plot, revolving around Ginny and Hal’s unlikely and unsustainable partnership. Hal’s stutter makes him a poor candidate for policy debate, and his attempts to overcome it provide some comic relief, albeit of the “painful to watch” variety. The plot thickens when Ginny fails to materialize for her and Hal’s first tournament together, and Hal’s coach reveals that their partnership was little more than a part of a shrewd scheme to allow Ginny’s school transfer. Infuriated, Hal tracks down washed out star Wekselbaum, and the two make a hilarious last-ditch effort to win the fictional Policy Debate Championship tournament.

Rumor has it that director Jeffrey Blitz was himself a disillusioned former debater, and it shows. The debaters don’t orate, they spread. When Hal approaches Wekselbaum, the experienced debater assures him that if they just write one counterplan and get good at it they’ll do fine on the negative. Ginny’s plot to transfer schools to enhance her debate success, while seemingly ridiculous, did remind this viewer of similar situations in the debate community. Moreover, Blitz gets the atmospherics of New England regional debate just right; as debaters who learned to argue on that circuit, we found it almost eerie how accurate the scenes of New Jersey debate tournaments looked and felt. It was largely these atmospherics that captures attention, and, unless you consider awkward, independent, not-quite-love story films the pinnacle of filmmaking, Rocket Science is nothing to write home about. The characters do provide a good cross-section of high school debaters, though, albeit a somewhat negative one. There’s the hopelessly dedicated competitor (Ginny), the washed up star (Ben), and the one who doesn’t quite belong (Hal). One might hope for a broader portrayal of high school debate and those who participate in it.

2005’s Thumbsucker provides a similar view of high school debate, and here, too, the activity is more of a character device than an integral part of the film. Like
Rocket Science, Thumbsucker focuses on awkward teen Justin (you can guess what his impediment is), played by Lou Pucci, who sees debate as a way to prove himself and possibly win the interest of advocate and environmentalist Rebecca (Kelli Garner). Like his counterpart in Rocket Science, Justin doesn’t find much value in debate itself, but sees it as a means to an end, namely Rebecca and social recognition. Vince Vaughn plays Justin’s coach Mr. Geary, an intensely competitive man who has little time for Justin until the teen starts taking Ritalin and becomes a stellar debater. Justin’s newfound debate talents quickly earn him competitive success and confidence, but these go to his head, and soon even his family cannot stand his confrontational, know-it-all attitude. Even Mr. Geary, a coach so dedicated that he calls all of his female students into the men’s bathroom before a debate to do speaking drills, finds Justin’s competitive drive extreme. The two have an exchange after a tournament that succinctly illustrates Justin’s view of the activity, and causes Mr. Geary to rethink everything he knows about competition:

Mr. Geary: Why do you feel good?
Justin: I’m winning.
Mr. Geary: What about learning?
Justin: I’m learning how to win.

Like Rocket Science, Thumbsucker is not a terribly interesting film on its own terms. Appearances by Keanu Reeves and Vincent D’Onofrio do little to speed up a not very engaging story, and the typical teen romance plot ends predictably in betrayal, embarrassment, and heartbreak. For whatever reason, both Thumbsucker director Mike Mills and Rocket Science’s Jeffery Blitz tend to portray women, and especially women in debate, as cold, self-absorbed, and downright mean-spirited. After watching both films, one comes away with the impression that Kelli Garner’s Rebecca and Anna Kendrick’s Ginny could have switched roles without anyone noticing. It’s one thing to stereotype an activity; it’s another to homogenize everyone in that activity
into either a self-conscious, bumbling boy or an attractive but manipulative girl. The resulting formula plays out better in *Rocket Science* than *Thumbsucker*, which falls back on these typecast roles in a more fundamental way than Blitz’s film. Ultimately, Blitz’s caricatures reminded these reviews of real people they know, whereas Mills’ just seemed like, well, caricatures.

In *The Great Debaters* forensics appears in a more positive light. The film revolves around a debate team from the all-black Wiley College, and chronicles their historical journey to the national championship in 1939. Whereas in the other films debate is associated with competition for competition’s sake, in *The Great Debaters* there is something far greater at stake. Set in rural Texas during the Great Depression, the debaters from Wiley College face challenges above and beyond just finding the right evidence or writing briefs. For them, debate is a way to combat racial inequity, a means to prove to the intolerant and prejudiced around them what they, and we, already know: that they are every bit as intelligent, articulate, and learned as the white students they eventually defeat. Denzel Washington delivers an excellent performance in the role of Wiley’s historic coach, Melvin Tolson, a professor whose tutelage extends beyond the classroom and into the everyday lives of his students.

The film does is not centered around Washington, however. His students–Henry Lowe, James Hamilton Jr. and Samantha Booke–progress from timid students to talented rhetoricians and it is this journey that forms the backbone of *The Great Debaters*. As they argue about civil disobedience and segregation in higher education they gain the confidence and knowledge to productively confront the inequities of the period, whether racial or socioeconomic. Indeed, the film’s class consciousness is one of its strongest points; it eschews typical racial dichotomies in favor of a much more nuanced view of the time period. Ultimately, though, the film is about debate, and the power of argumentation and advocacy to
spark social change. It’s a utopian vision, but a wonderful one, and you can’t be blamed for being enchanted by the persuasiveness and conviction of *The Great Debaters*.

Similarly, Greg Whiteley’s *Resolved* explores the positive aspects of debate through an unusually motivating success story about two very different high school debater teams. The movie follows two pairs of debate partners over a span of two years, documenting for viewers the struggles and joys of high school debate. Richard Funches and Louis Blackwell, underprivileged students from Long Beach Jordan, California, fight to succeed, while a second pair of debaters, Matt Andrews and Sam Iola, from Highland Park, Texas, naturally enact their school’s competitive success.

Andrews is portrayed as a rising star in Highland Park debate and is paired with Sam Iola, who has already proven himself as one of the elite debaters. Sam acts as a mentor for Andrews, teaching him how to debate and how to live life. After a successful run at the California Invitational, Sam and Matt get prepared for the most important tournament of the year, the Tournament of Champions. Matt finds a lot of meaning in debating with Sam, who is entering the last tournament of his high school career. Sam and Matt end their run by losing to Chattahoochee’s John Warden and Garrett Abekop in the semi-final round. Matt then follows up his brilliant sophomore career with a championship at the Tournament of Champions in 2006 for the Greenhill School, Texas.

In contrast to Highland Park, debate is not simply about the competitive success for Funches and Blackwell. Going into their senior year, the two African American debaters choose to debate about the inequities in debate. This strategy of “debating about debate” catches their opponents off guard and forces both their opponents and judges to reexamine the way they view debate. For Blackwell, debate helps keep him in line and provides him hope for a college scholarship. The struggles and triumphs of Funches and Blackwell culminate with their run at the California
In need of a 6-2 record in order to clear to elimination rounds and thereby secure their bid to the Tournament of Champions, Long Beach Jordan FB falls short when they are eliminated in the seventh round. Despite the disappointment of their high school careers, both debaters find their way into college at California State University Fullerton and the University of Louisville.

*Resolved* sheds a positive light upon debate. If the viewer did not know that prominent figures such as Samuel Alito and Karl Rove thought highly of debate and the way it heavily influenced their lives, the multitude of interviews throughout the movie will drive that reality home. *Resolved* is a feel good story not just because it shows the success of under privileged debaters; but it is real and not a Hollywood drama. Debate is shown as a life changing activity that positively influences the lives of those involved. Moreover, *Resolved* tell not just the story of four debaters, but teaches the viewers about the activity itself. By including informative snippets, such as the origin of the concept “spreading” (speed reading), Whiteley’s *Resolved* creates a clearer picture of what debate actually looks like and where it came from.

The films reviewed here reveal remarkable differences, as well as some fundamental similarities, in cultural representations of debate. Divergences in the films centered largely upon whether or not debate-induced social transformations had positive or negative effects on their subjects. This split extended across both documentaries and studio productions; debate appears alienating both to its real world participants in Debate Team and their fictional counterparts in *Rocket Science* and *Thumbsucker*, and offers success, knowledge, and gratification to the great debaters from Wiley College, Highland Park, and Long Beach. Lines of contiguity appeared between both types of films, however, and all seemed predicated on the image of the debater as the esoteric, bright social outcast. Indeed, while directors Robbins, Blitz, and Mills seem skeptical of the
debate enterprise, they never for a moment suggest that those who participate in the activity are anything less that extraordinarily driven and intelligent. Their representation of debate as something of a cult seems founded upon their incredulity that a popular and competitive activity revolves around research, argumentation and knowledge, and in some cases borders on reverence. Similarly, the students from Wiley College, and those represented in Resolved are enlightened students who employ debate as a liberator of potential. What Debate Team, Thumbsucker, and Rocket Science sometimes look down upon for its supposedly abnormal or antisocial tendencies, The Great Debaters and Resolved are willing to push further to create a mode of resistance to ignorance and privilege and general social apathy. Both sets of films reveal a culture that holds a love/hate relationship towards knowledge and refutation, a society that admires those willing to talk back, while also being quietly annoyed by them. This mixture of reverence and disdain is not absolute in any of the films, as it is not absolute in our society. As such the opportunity for those involved with the debate community is to try and live the former and not the latter.

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