

Rules for Argument

Note: These rules spring from your own assessments of the sample arguments, from my experience, and from the points Savellos makes in Reasoning. They will be the basic standards for assessing arguments from now on in the course.

Rule 1: A good argument makes an overall claim that relevantly supports the decision in the case.

This one is fairly obvious: the conclusion of your argument--the thesis sentence of your paragraph--if true, ought to be seen as proving, or at least supporting, the decision you're making in the case.

If you're having problems with Rule 1, it's probably because you haven't located the (or a) real main issue in the case. For example, if you argue that Hit Man shouldn't be censored--i.e., taken off the shelves--for such & such a reason, you're off base: the plaintiffs in the case are suing for damages (money), not an injunction (court order).

Rule 2: A good argument goes on to support that overall claim with good reasons.

Once you've located a potentially good argument, you still have to make it--that's what Rule 2 says. For example, you claim that if we punish the speech in this case, it will create a slippery slope--we will begin punishing other sorts of speech as well. Sounds interesting! Now say why you think we should believe this will happen.

As Savellos (Reasoning, p. 133, 137) suggests, approach the task of constructing arguments by imagining a reader challenging you: "Why should I believe that? How do you know that? What reason can you give? Is that true? What do you have to go on?"

Challenge your overall conclusion, and answer the challenge. Then go on to challenge each of your answers in turn. As Savellos (Reasoning, p. 27) points out, you may end up with a long chain of arguments, the premise of each one being the conclusion of the one before.

If you're having problems with Rule 2, it's because you claimed something that this disagreeable reader found questionable, and you didn't give an answer. Answer!

Rule 3: A good argument overtly addresses disagreement.

One of the best techniques for building your arguments to meet the reader's reasonable doubts and objections is to *include* these doubts and objections in your own prose. There are quite a few verbal devices for doing this; you can say things like:

"The majority argues that..... But I say....."

"It could be argued that..... But this is wrong because"

Be sure when you say this, you are summarizing the other side's argument correctly. To summarize in a way that makes the argument look weak is called the *Straw Man Fallacy*, and you won't get away with it.

At the beginning, I strongly advise you to do this at least once in each argument, mechanically if need be. This will help you build the skills of imagining and answering disagreement.

If you're having problems with Rule 3, it's because this reader isn't seeing any overt markers of disagreement--that's "easy" to rectify.

Rule 4: A good argument relies only on premises that the audience will take as true.

The process of challenging your statements with questions and providing answers has to stop somewhere. It can stop when you reach statements that can be *taken for granted*--statements your reader will accept as true without argument. This is rather obvious, but it's surprising how easily factual errors can slip into all of our prose. (For example: when was the first amendment adopted?)

Further, the facts you rely on must be more or less the *whole* truth; you can't count on your reader being dumb, and simply ignoring the other half of the fact that you're not telling her about.

If you're having problems with Rule 4, it's probably because you asserted something that this reader believes to be false, or that you asserted what she finds to be only a partial truth. Correct it!

Rule 5: A good argument uses a variety of kinds of support.

What sources can you turn to in building your arguments (Rule 2)? Many! Here are *some*:

- concrete, commonsense examples and illustrations (Savellos, Reasoning, p. 137)
- the facts of the case
- definitions
- eloquence from past cases (e.g., our "profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open"--where is that from?)
- commonsense explanations about what will cause what
- history (e.g., the Sedition Acts)
- analogies, metaphors, similes (e.g., "breathing space")
- and eventually, prior cases (precedents)--NOTE: Off limits in Unit I.

If you're having problems with Rule 5, it's probably because you're only drawing on one of these sources. Press yourself to give two reasons for your claim, and draw the second one from a different source than the first.

Rule 6: A good argument doesn't mix arguments together.

This is the most difficult rule for beginning arguers. In most cases, every argument is connected to every other one, and your ultimate goal is indeed to build a strong *case* out of a series of individual arguments. So it's likely that as you try to follow Rule 2, you'll feel compelled to include *all* these points as you write.

Don't. Have patience. Each individual argument may need the help of all the others, but it also needs to be developed fully on its own. In one paragraph, give at most one argument, and support it thoroughly (Rule 6). Leave the other arguments for later.

If you're having problems with Rule 6, it's probably because this reader has detected two or more major claims being jammed together into one paragraph. Pick just one and argue it.

Rule 7: A good argument is simple, clear and focused.

You are writing trying to persuade a disagreeable reader. Help her out by making sure that at every point she knows *exactly* what you are doing--that she can tell the exact function of each sentence.

Here are three tips:

- State your overall conclusion in your first and last sentences. In your first sentence, state what you're going to prove. In your last sentence, claim to have proved it.
- Use a lot of indicator words, like "because, therefore, as a result, for the reason that" (see Savellos, Reasoning, p. 26). This will help the reader see at least what *you* think are your premises and conclusions.
- Avoid words that indicate the *lack* of disagreement:
 - "Obviously, clearly"--it probably isn't!
 - "I think/feel...."--what matters in argument is what the *reader* thinks/feels.

Finally, avoid what you think may be a "legal" style of writing, with a lot of fancy terms and obscure phrasing. As Savellos says (Reasoning, p. 136), this will likely backfire

If you're having problems with Rule 7, it's because this reader found your prose confusing and/or obscure. Start a re-write by first rethinking your argument. Often the problem with writing clearly is that you yourself don't fully understand what you're trying to say. (This happens to all of us, and in fact one of the main reasons for writing. We all discover what we're really thinking by trying to formulate it for others.) Then try to make sure that your prose reflects your thinking in a very simple and direct way.