

COMM 330: Argumentation (1:30-2:50 TTH, KM 204)

Fall 2004

Dr. Kevin M. Minch

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Office Hours: Tuesday and Thursday Noon-1:30 PM and 3-4 PM. Additional hours by appointment.

* Please feel free to call me at home. It does not bother me in the least. In the interest of everyone concerned, however, I would prefer that you confine such calls to the period between 9 AM and 10 PM. I do not consider myself bound by any answers or promises I make during late hours. As a general rule, you are more likely to find me at the office than at home. There is voice mail at both locations.

Course Objectives

The title of this course really tells you very little about this course. What it means to argue varies from person to person. The one thing that should be clear from the start is that this is NOT a debate class. You will not have debates in this class. You will discuss, and make critical arguments, however, about the theories that describe the process of making and critiquing good (and poor) arguments. This course is both a survey of the history of the study of argumentation as well as a survey of the theories that dominate the field. By the end of this semester students should be able to identify major figures in the history of argumentation, understand how arguments manifest themselves in different fields of human endeavor, and know how to approach arguments critically. Some general questions we will explore include:

What is an argument? What is argumentation?
How is rhetoric different than, or synonymous with, argumentation?
Is argumentation, or are arguments, good or bad?
How does a scientist present an argument differently than a lawyer, a professor, or a preacher?
How does a scientist understand an argument differently than one of the above?
What constitutes a “good argument?”
What is the role of criticism in the study of arguments?
How might one best go about critiquing an artifact of argumentation?
...and many others

Evaluation of Performance

A methods course is designed to impart fundamental knowledge about an approach to inquiry. In the case of this course, students will study the process of argumentation as a method of seeking truth and understanding. Argumentation is a fundamental skill needed to approach effective writing, critical thinking, analysis of problems, and social interaction. It is a key to a better understanding of the larger discipline of rhetorical studies, in which it participates. The exams and papers in this course are designed a) to test rote memory of fundamental persons, concepts, and facts, as well as test students on the formulaic application of certain argumentative concepts, and b) assess students' abilities to tie this knowledge together conceptually and articulate a holistic vision of what the study of argumentation is all about. Measurement of success in these two areas is achieved by two separate measures. The exams in this course are decidedly objective—focusing on factual questions with essentially right and wrong answers. The papers in this course are designed to serve a complimentary function—to determine how well students can synthesize the material of the course and express concepts and draw connections. Thus, where exams might normally contain an essay component, that component is diverted to more focused writing opportunities that will permit students an opportunity to creatively demonstrate their broader knowledge of the subject matter.

Course Materials

Rieke, Richard D. and Malcolm O. Sillars. *Argumentation and Critical Decision Making, Fifth Edition*. New York: Longman, 2001. DO NOT BUY THE SIXTH EDITION. BOOKSTORE IS STOCKING FIFTH EDITION.

Tannen, Deborah. *The Argument Culture: Stopping America's War on Words*. New York: Ballantine: 1999.

While not a required text, I strongly recommend that students invest in a style guide appropriate to their further study in this discipline. Students of rhetoric will generally find themselves writing in either the MLA or APA style. The library has limited online references to formats. Students will be expected to adhere to one or the other of these style manuals when writing.

Attendance and Work Completion Policy

I consider each of you to be adults. Consequently, I will not enforce a rigid attendance policy in this course. However, it should be clear to everyone concerned that there is always “collateral damage” when one does not attend class. **I will not accept study questions submitted by students who miss class.** This has the net effect of imposing a penalty on non-attendance. I will not allow students missing quizzes or tests to make up said work. I will not accept papers turned in via mailbox, e-mail, or fellow student courier if the student responsible for the work does not attend the class period during which the assignment was due. I will not supply notes or outlines to students skipping class. Since class participation is an element of the course grade, poor attendance will severely impact that grade. Some assignments are partially based on viewing video materials in class **that most likely cannot be obtained elsewhere**. The instructor will not be responsible for providing access to these missed materials or providing a substitute assignment if missed. Do not ask.

In the event that you have to miss class for a legitimate reason—University-sponsored activity, job interview, serious illness, etc.—I expect prompt notice (preferably advanced notice). Appropriate accommodations for the completion of the assignments involved will be made at the discretion of the instructor. Generally speaking, oversleeping, conflicts with other courses’ assignments, heavy semester workload, hangovers, and excuses not related to direct scheduling conflicts with co-curricular activities (not extra-curricular activities), medical excuses, or family excuses, will not be considered. Co-curricular activities are defined as University-sponsored activities associated with an academic program (such as athletics, forensics, Model UN, music and theater travel, academic conventions). Extra-curricular activities include events associated with clubs, fraternities and sororities, and other activities without direct academic ties.

All assignments in the course must be completed to receive a passing grade. In other words, you cannot “play the points.” If you have enough points to get a B going into the final and decide to skip it, your points to that point will be voided and your grade will drop back to an F.

Digital Submission of Assignments

All papers (study questions are not included) must be submitted digitally—in Microsoft Word format. Please send the paper via-email attachment before the commencement of the class period upon which it is due. Keep a spare copy on hand for your own use. A reply message will be sent upon receipt of your paper. If you do not receive a message verifying receipt of your paper by 5 PM the evening the paper has been turned in, you should immediately contact the instructor. It is your responsibility to verify whether a paper has been correctly submitted. Use of “Spell check” and “Grammar check” are highly recommended, as this will be one of the tools used to check format, spelling, etc. You should also be aware that papers will likely be scanned by Eve2, a plagiarism detection program.

Work Format Policy

Spelling and grammar **do count**. As Cicero and Quintilian explained, the study of language and grammar are an integral part to becoming a good practitioner of the art of rhetoric. I will grade your writing as carefully for spelling, style, and grammar as I do for content. Samples of effective writing are included on my Website. The site also contains suggestions about various stylistic pitfalls to avoid. Errors in style, spelling, and grammar in excess of ten will result in automatic grade reductions. Basic style factors such as headers, page numbers and margins count as well. Your first nine errors are “free.” Once you hit error #10 your grade drops one point for every error. Every subsequent error results in a one-point reduction. On shorter assignments this can quickly turn an A into an F. Once a paper has enough errors to be an F I will stop reading it—whether I am one page in or a paragraph from the end. Proofread VERY carefully. If you are not willing to commit the time to check your work I am not the instructor you want to have class with. Repeating errors count every time the error occurs.

Policy on Plagiarism and Academic Dishonesty

I have no tolerance for academic dishonesty. Cheating is not just copying off of someone else’s paper or exam. Representing someone else’s ideas without attribution, copying word-for-word without using quotations marks, or excessive paraphrasing without attribution, can all be forms of plagiarism. Be sure to carefully site any information you quote—even if it is from a primary source like your class textbook. DO NOT, under any circumstances, considering using the “Buy a Paper” services on the Internet. I have them all book marked on my browser and check for duplicates on every assignment. The penalty for academic dishonesty in my class will be severe, including failure in the course and referral to upper administration for further action.

Appealing Grades

This is an argumentation course. Complaints will not constitute an appropriate grade appeal. If you have a problem with your grade (in other words, if you feel you have been graded unfairly or incorrectly) you must wait at least 24 hours after the grade was returned—do not approach me when you are “hot headed.” Using the **principles discussed in this course**, provide **written arguments** in support of your appeal. Arguments should be supported with evidence, be well reasoned, and when appropriate, should refer to appropriate precedents. Appeals will be disposed of within 48 hours of receipt of the written appeal.

Students With Special Needs

If you have any special needs, such as a physical disability, learning disability, hearing or speech impairment, etc., please let me know at the earliest possible convenience. I will do whatever I can to address your needs within the confines of the law.

Grading

I grade on a straight scale of 1000 points. Students with 900-1000 points at the end of the semester receive an A. Students receiving 800-899 points inclusive will receive a B, and so forth. Students with a total of 599 or fewer points will receive an F. Unless specifically announced as an extra credit opportunity for all students, there will be no opportunities to earn additional extra credit.

Assignments and their point values are distributed as follows:

Midterm Exam	150 Points	Final Brief	150 Points
Final Exam	200 Points	Study Questions	200 Points
Prospectus	75 Points	Class Participation	100 Points
Brief Part One	125 Points		

Course Schedule

All Reading is to be complete before the class period under which it is listed. (SQ) indicates that study questions are due on that date at the conclusion of the class period.

Date	Topic / Reading	Assignments
Aug. 31	Introduction to Course	
Sept. 2	Chapter One “The Domain of Argumentation” & Chapter Two “Critical Appraisal of Argumentation”	SQ
Sept. 7	Finish Discussion of Chapter Two and Chapter Three “Analysis in Argumentation”	SQ
Sept. 9	Chapter Four “Case Building”	SQ; Topic Proposal Due
Sept. 14	Chapter Five “Analysis and Case Building in Law”	SQ
Sept. 16	NO CLASS—DEBATE TEAM IN WYOMING	NONE
Sept. 21	Writing the Argumentative Paper	NONE
Sept. 23	Watch and Episode of Law and Order for Analysis of Case-Building	NONE
Sept. 28	Chapter Six “The Nature of Arguments”	SQ; Prospectus Due
Sept. 30	Chapter Seven “Support: Evidence”	SQ
Oct. 5	Chapter Eight “Argument and Evidence in Science” & Chapter Nine “Evidence and Argument in Religion”	SQ
Oct. 7	MIDTERM EXAM	
Oct. 12	Watch “Inherit the Wind”	No Assignment
Oct. 14	Finish and Discuss “Inherit the Wind”	No Assignment
Oct. 19	Chapter Ten “Support: Values”	SQ; Brief—Part One Due
Oct. 21	NO CLASS—DEBATE TEAM IN COLORADO	Work on Final Briefs
Oct. 26	Chapter Eleven “Support: Credibility”	SQ
Oct. 28	Chapter Thirteen “Refutation”	SQ
Nov. 2	Chapter Fourteen “Refutation by Fallacy Claims”	SQ
Nov. 4	Chapter Fifteen “Refutation in Government and Politics”	SQ
Nov. 9	NCA CONVENTION—NO CLASS	Work on Final Briefs
Nov. 11	NCA CONVENTION—NO CLASS	Work on Finals Briefs
Nov. 16	Watch “The Day After” and “Bear in the Woods”	Watch “The Day After” and “Bear in the Woods”
Nov. 18	Finish Watching “The Day After” and “Bear in the Woods”; Discuss	In-Class Discussion
Nov. 23	Tannen, Chapters 1-3	SQ
Nov. 25	THANKSGIVING DAY	NO CLASS
Nov. 30	Tannen, Chapters 4-5	SQ
Dec. 2	Tannen, Chapters 6-7	SQ
Dec. 7	Tannen, Chapters 9; Exam Review	SQ
Dec. 9	Catch-up Day	As Needed
Dec. 15 (TUES)	As Scheduled	

Appellate Brief/Refutation Papers

The purpose of the semester writing project, in its totality, is to work through the process of challenging a position that seems accepted or established. This doesn't mean the position is widely accepted, but that decision-makers, in the appropriate field or fields, have solidified their position and presume a certain proposition to be true. The best example of this would be a court case—already decided—that is being appealed.

Your job will be to develop an appellate brief (legal topic) or refutational essay (non-legal topic). You will do this in stages during the course of the semester:

- Stage One:** Topic Paper (A paragraph)
- Stage Two:** Prospectus
- Stage Three:** Stage One Brief
- Stage Four:** Stage Two Brief

My personal recommendation would be to choose a topic area that is best for your writing style. If you like structured prompts in essays, then a legal appellate brief is probably best for you. If you write more creatively, then you might find a non-legal topic an appropriate challenge.

Topics might include, but need not be limited to.

Landmark Supreme Court Cases (in this instance, you would have to envision yourself as the lawyer arguing the appeal of a case the Supreme Court has already decided. That generally does not happen, so this is more fantasy than reality. You would essentially envision that the decision was wrong and argue the case again, presumably on different merits than the original appeal. You could also find a “test case,” which would be a case, currently in the judicial system, that might present grounds for overturning the precedent.)

- Furman v. Georgia* (1972)—Death Penalty
- Korematsu v. United States* (1944)—Japanese Internment
- In re Gault* (1967)—Due Process
- Buckley v. Valeo* (1976)—Campaign Finance Laws
- Bush v. Gore* (2000)—Election Law
- West Virginia Board of Education v. Barnette* (1943)—Church, State, and Free Speech
- New York Times v. Sullivan* (1964)—Libel and Slander in the Media
- Boy Scouts of America v. Dale* (2000)—Gay Scout Leaders
- Waller v. Georgia* (1984)—Wiretapping
- Lawrence v. Texas* (2003)—Sodomy Laws

Important Appeals Pending Before the High Court (somewhat easier than above because the appeal is pending and you do not have to envision a test case or rehash an old case).

You can find cases currently being decided, or recently decided at the Federal Courts of Appeal at: <http://www.loc.gov/law/guide/usjudic.html> If you select one of the Emory Law links under the federal circuit lists, there is an option on the Emory search page for Federal Circuit Case Search that would also allow you to search cases by subject areas you're interested in.

You can find cases currently on the Supreme Court docket at: <http://www.supremecourtus.gov/docket/docket.html> . This site allows keyword searching by subject and displays the status of all cases (decided or otherwise) on the Court's docket.

Scientific Topics

Refuting the theory of global warming

Refuting the government's claim not to have evidence of alien visitations of the earth.

Prohibited Topics

There are certain topics that I would prefer you not do (because critiquing the paper would place me in a morally difficult position). These topics include:

Roe v. Wade

Brown v. Board of Education

Plessy v. Fergusson

Refuting Creationism or Evolution

Refuting a particular theological tenet

The following pages contain instructions on how to complete each stage of the assignment.

Paper #1

Topic Proposal

Purpose and Method: Prepare a one-paragraph statement briefly describing your proposed topic.

Method of Submission: Please submit this paper to me via e-mail attachment at kminch@truman.edu BEFORE the time that class meets on the due date. You will receive an e-mail verifying receipt soon after it is received (not automated—just me). You are responsible for making sure the document is in a readable format. My preference is Microsoft Word, although Word Perfect documents usually translate pretty well. Your paper will first be screened for spelling, style, and grammar errors. You will receive a copy of my comments by e-mail attachment. A copy of your paper will be stored electronically through the end of the semester. You are advised to do the same.

Grading: This assignment will not be graded but is required. Failure to complete this assignment on time will result in a 10% reduction of the grade for the second writing assignment—Stage 2.

If you have any questions, contact me.

Paper #2 Prospectus

Objective: A prospectus is a statement of the argument you plan to make, and organizational plan for how you intend to make it, and a presentation of the relevant background information.

Assignment: The structure of the document should be as follows. You should begin with a paragraph or two that introduces the topic. What is the case or presumed idea you seek to overturn? Why is it significant? Next, provide some background information for the reader. How was it that this case or presumed idea came to be decided? What was the timeframe? Who were the decision makers? How did they arrive at their conclusion? Why do you think they arrived at the conclusion they came to? Finally, provide a preview of the arguments you intend to make to overturn/refute the established argument (in subsequent papers). Obviously, there may be quite a few, so in previewing your arguments, identify the broadest lines of attack—not the details.

Length Caveat: This paper should be approximately 3-5 pages long, double-spaced, in 12-point Times Roman font, with 1 inch margins on all sides.

Method of Submission: Please submit this paper to me via e-mail attachment at kminch@truman.edu BEFORE the time that class meets on the due date. You will receive an e-mail verifying receipt soon after it is received (not automated—just me). You are responsible for making sure the document is in a readable format. My preference is Microsoft Word, although Word Perfect documents usually translate pretty well. Your paper will first be screened for spelling, style, and grammar errors. Upon completion of that screening it will be critically evaluated using the rubric found on the course Website. You will receive a printed copy of the evaluation form and a digital copy of the paper will be returned to you with spelling and grammar problems highlighted. A copy of your paper will be stored electronically through the end of the semester. You are advised to do the same.

Grading: It is highly recommended that you consult the rubric on the course website. It is further highly recommended that you consult the section entitled “Kevin’s Recommendations on Paper Writing” before beginning. This will help you avoid some common pitfalls. I am looking for a paper that is WELL ARGUED—not merely a regurgitation of concepts you have heard or read in class. Think the argument through. Tell me what you think! Support your argument. If you have any questions, contact me.

Paper #3

Stage One of the Brief

Objective: This stage of the assignment is designed to get you thinking about the process involved in assessing the prior decisions that lead to the existing controversy.

Assignment: If you are writing on a court case, the paper should address the following elements of the appeal.

1. Statement of Jurisdiction (What court is hearing this appeal and why do they have jurisdiction over the issues being considered?)
2. Nature of the Proceedings (What's in question? What's being appealed?)
3. Statement of the Issue to be Presented on Appeal (What are the contentious issues that make up the case?)
4. Applicable Constitutional Provisions, Statutes, and Rules.(What kind of precedents are you basing your arguments on? What laws, prior cases, etc. will be considered?)

Now, you will notice if you have read any REAL legal briefs (lots of samples exist online) that most of the material for points 1 and 2 above are outlined in the briefs. Points 3 and 4 are sometimes merely bulleted lists of cases. **For the purpose of this assignment I want you to write about these subjects in paragraph form—to get used to making the arguments as you might in an oral context.** Explain the jurisdictional issues, elaborate on what is being debated, and what the issues are, and so forth.

If you are writing on a non-court topic, the same structure may still be useful. A certain “jurisdiction”—group of decision makers—will address the claim you are making (maybe it is a group of scientists, a group of clergy, etc. who are the prime decision makers). There is a certain “shape” to the deliberations, and certain issues are necessary to challenge in overturning an “idea” in much the same way a case is “overturned.” Instead of applicable laws and rules, however, you look to societal precedents in changing ideas. Consider these steps...

1. Describe who has the responsibility to make a decision on your topic.
2. Describe those issues that you feel are most open to dispute. Note: this is not the time you make your case. Instead, you are identifying the points at which disputants would clash (the issues) and describe the potential weaknesses of the existing position.
3. Provide a vision statement. Following some of the suggestions made on pp. 84-87 of the text, describe your vision for the state of human knowledge, belief systems, society, etc., were your position embraced.

Like all other papers, your paper should be carefully structured. On a legal topic your structure will be highly regimented and clearly divided among headings. For non-legal topics, the paper should read more like the prose in a traditional essay. Make sure there is an introduction, a preview statement describing the structure of the paper, and transitions that tie the paper together. Be sure to appropriately conclude the argument, tying all of the issues together.

Length Caveat: The paper should be 5 pages long, double-spaced, in a 12 point Times-Roman font. One inch margins should be used on all sides.

Method of Submission: See instructions from previous assignment.

Grading: It is highly recommended that you consult the rubric on the course website. It is further highly recommended that you consult the section entitled “Kevin’s Recommendations on Paper Writing” before beginning. This will help you avoid some common pitfalls. I am looking for a paper that is WELL

ARGUED—not merely a regurgitation of concepts you have heard or read in class. Think the argument through. Tell me what you think! Support your argument.

If you have any questions, contact me.

Paper #4

Stage Two of the Brief

Objective: The purpose of the final portion of the brief/essay is to present the core of the argument.

Assignment: If you are making a legal appeal you will be presenting the last three stages of the appeal as described on pp. 106-107.

1. Statement of the case. You will state the grounds upon which you believe the appeal should be approved. This is your introduction—a summary of your claim.
2. Statement of the facts. Review the story of the trial that decided the case. Make the reader aware of the agreed upon facts of the case.
3. Summary of the argument. This is like a preview in a speech or essay, except it is coming a little bit later in the process. You are outlining your argument for the audience. Refer back to and/or modify the preview you provided in your prospectus.
4. The argument. Make your claims, supporting them with evidence and logic.

For non-legal topics you should use essentially the same structure as described above, but with a prose style that is more appropriate to the kind of audience you are addressing.

As in the previous paper, you should write this in paragraph form as an ESSAY, not in the form that an actual legal brief would take—which is often bulleted list form.

Length Caveat: This segment of the paper is the main body and should be about 10 pages in length, double-spaced, with 1” margins on all sides and a 12-point Times-Roman font.

Method of Submission: See instructions from previous assignment.

Grading: It is highly recommended that you consult the rubric on the course website. It is further highly recommended that you consult the section entitled “Kevin’s Recommendations on Paper Writing” before beginning. This will help you avoid some common pitfalls. I am looking for a paper that is WELL ARGUED—not merely a regurgitation of concepts you have heard or read in class. Think the argument through. Tell me what you think! Support your argument.

If you have any questions, contact me.

Personal Data Form

Please complete the following information as thoroughly as possible. This information will help me to better help you in this course.

Name: _____

Campus Address: _____

Campus Phone: _____

Work Phone: _____

E-Mail Address: _____

Home Town: _____

May I include your e-mail address in a class mailing list to facilitate quicker dissemination of class news and feedback?

_____ Yes _____ No

Do you have any argumentation experience (such as academic debate, moot court, student congress, etc.)?

If you have taken one of the following courses, please place an X next to the course:

- _____ Oral Advocacy and Debate
- _____ Communication and Democracy
- _____ Communication Law and Ethics
- _____ Survey of Rhetoric
- _____ Classical Rhetoric
- _____ Rhetorical Criticism
- _____ Mass Communication
- _____ Logic
- _____ Informal Logic
- _____ Philosophy of Law
- _____ Writing as Critical Thinking

Why did you take this class?

Please Read and Sign the Following (Due by Second Class Period):

I have read, or plan to read, the course syllabus in its entirety. I understand and accept the policies stated here and agree to abide by those policies. I understand that completion of all of the assignments in this course is necessary to pass it and that I am responsible for obtaining all of the necessary class materials and instructions for the fulfillment of the assignments given here. In addition, I agree to read the University's policy on academic misconduct and am aware of what constitutes plagiarism and the penalties for engaging in it.

Name

Date