

From Argument to Assertion

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Abstract Acceptance or rejection of factual assertions is a far more important process than logical validation of arguments. Not only are assertions more persuasive than arguments; this is desirable, since we want our beliefs and actions to be reasonable and not just rational. When do we resort to argument? Real speeches heavy on arguments aim to present the speaker as calm, serious, and knowledgeable. In public life, one argues not in order to demonstrate the claim for which one is arguing, but to show that one shares the common prejudices or values that appear in the presuppositions and conclusions of one's argument, and to demonstrate mastery of the subject matter by displaying relevant knowledge in coherently organized detail. Arguing is thus a way of presenting facts and principles so as to show one's character as worthy of trust.

Keywords Assertion · Enthymeme · Facts · Reasonableness · Perelman · Aristotle

In 1787, an old man was dying, a friend of Diderot, trained by the philosophers. The priests of the neighborhood were nonplussed: they had tried everything in vain; the good man would have no last rites, he was a philosopher. M. de Rollebon, who was passing by and who believed in nothing, bet the Curé of Moulins that he would need less than two hours to bring the sick man back to Christian sentiments. The Curé took the bet and lost: Rollebon began at three in the morning, the sick man confessed at five and died at seven. "Are you so forceful in argument?" asked the Curé, "You

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outdo even us.” “I did not argue,” answered M. de Rollebon, “I made him fear hell.” –Jean-Paul Sartre (1964, 15)

Keynes said of the British Conservative politician Edward Bonar Law that he was unbeatable in debate, on the assumption that “the pieces visible on the board constituted the whole premise of the argument.” Argument, in other words, is an alternative to doing the hard work of bringing new facts to the table. As Jay Heinrich (2007, 122) points out, “argument allows us to skip the facts when we have to.”

Argument helps in clarifying the consistency, that is to say the rationality, of our beliefs and of others’ assertions. Yet to understand the place of argument in persuasive communication it is crucial to distinguish between the “rational” and the “reasonable.”¹ Rational actions are justified by plausible and consistent beliefs; reasonable actions take account of all relevant facts and principles. It is usually more important that our actions be justified in the light of the facts, that they be reasonable, than that they be justified in the light of our beliefs, that they be rational. Lippmann (1965) puts it thus: “useful discussion... instead of comparing ideals, re-examines visions of the facts”. Insofar as political institutions seek truth or correctness, they are largely engaged in sifting claims of fact rather than assessing arguments.²

Thus, we need to focus on the way that facts enter or get excluded from discussion. To this end, we need a terminological distinction between two kinds of reasons, “argument” and “assertion”: argument means drawing conclusions from premises that are shared with the audience. Assertion means drawing conclusions, or leaving the audience to draw conclusions, from factual assertions that are new to the audience.³

¹ The distinction as I state it here is somewhat different from Perelman’s use of these terms. Perelman (1979) uses “rational” ambiguously, to mean both what is deduced from consistent premises and what is deduced from self-evident and immutable premises. Perelman (1979, 222) uses “reasonable” to mean what is “accepted by common opinion in a given society”; but when we aspire to reasonable precautions in operating our sailboat, we do not mean that we aspire to take only those precautions our neighbors or fellow sailors find “reasonable,” but to do what actually is reasonable. Of course, in taking “reasonable precautions,” we are guided by what others find reasonable.

² In treating the distinction between the rational and the reasonable in law, Perelman (1979) confines himself to cases where the judgment that would result from “adherence to ... the spirit of the system, to logic and coherence, to conformity with precedents, to purposefulness” would be manifestly inequitable in the light of the particular circumstances of a case; he does not ask how the facts that make the case exceptional come to be available to the judge. Perelman (Perelman and Olbrechts-Tyteca 1969, 67), unsurprisingly given that his corpus of evidence seems to be confined to preachers and appellate judges, takes the facts as already “accepted,” as “withdrawn from argumentation”. He then distinguishes between what a reasonable man would accept as equitable on the basis of these facts and what can be strictly rationally deduced from those facts together with the principles we have already accepted as binding. But what is unreasonable about, say, conspiracy theorists can be seen only in the light of the factual claims they refuse to accept. Or to put the issue another way, Perelman and Olbrechts-Tyteca (1969, 68) write, “Accepted facts may be either observed facts—this is perhaps the case for most premises—or supposed, agreed facts, facts that are possible or probable.” Unlike Perelman and Olbrechts-Tyteca, I wish to examine the process by which claimed observations turn into the “observed facts” that constitute most premises, and, in my view, do most of the work of persuasion.

³ My distinction between assertions and arguments is related to the distinction between “arguments” and “evidence” which Brandes (1987) suggests as a translation of Aristotle’s distinction between technical

Acceptance or rejection of factual assertions is a far more important process than logical validation of arguments, and I have contended elsewhere that factual assertions are accepted or rejected based on our judgment of the character of the speaker (Kochin 2002, 2009, Chapter 1). Yet the fact about rhetoric, about persuading human beings, that assertions are more persuasive than arguments should not be seen as some sort of failure, as if we could not expect of mere mortals to live up to the transcendent standards of logic and rationality.⁴ It is desirable that we be more easily persuaded by assertion than by argument, since we want our beliefs and actions to be reasonable and not just rational.

1 Starting with Enthymeme

From Aristotle to Chaim Perelman and Jeffrey Walker, rhetorical theorists have written an enormous amount about enthymeme, about argumentation from premises to conclusions as it appears in discussions of practical affairs. There are, however, two fundamental rhetorical difficulties with laying out one's premises, reasoning, and conclusions. Since arguments are anticlimactic if they are explicit, the speaker who is excessively explicit in his or her reasoning is liable to fall into what one may call "the arguer's dilemma," with its two horns, the horn of banality and the horn of incomprehensibility. Either the audience can see where you are going before you get there (first horn), or they can't (second horn). If they can see where you are going, they will lose attention, since to quote Perelman and Olbrechts-Tyteca (1969 §98, 469), "an anticipated argument is a banal argument," and the arguer has impaled himself on the horn of banality. If the audience can't see where you are going, that is, in all likelihood, because they can't follow the thread of your argument, and the arguer loses their attention as he squirms gored and suspended on the horn of incomprehensibility. If the audience can't follow your argument, this means that even if you have managed to persuade them, we cannot say that they are persuaded to adopt your conclusion *by accepting the argument* you have offered for it.

So if you want to argue, you have to find some way out of the arguer's dilemma: either you have to compose an argument that your audience is able to follow but not to anticipate⁵—an extraordinary achievement—or you have to aim in arguing at

Footnote 3 continued

and extratechnical proofs. However, in understanding the rhetoric of factual assertion, and especially the role of a persuasive character in that rhetoric, we need to keep in mind the distinction between those assertions we accept as evidence and those we do not accept. Consider also the criminal procedure distinction between making false assertions (e.g., in a trial lawyer's opening and closing arguments) and submitting false evidence.

⁴ On assertions as more persuasive than arguments see also Kochin 2009, Chapter 3. The principal studies of the persuasive impact of relevant reasons, work coming out of the Elaboration Likelihood Model, does not bear on this question: those authors do not distinguish between drawing conclusions from premises that are shared with one's audience (what I call "arguments") and drawing conclusions from factual assertions that are new to one's audience (what I call "assertions"); see e.g., Petty et al. (1981).

⁵ One might say, with Aristotle, that an argument will only work rhetorically if the audience feels that they can see where you are going, and simultaneously feel that they are able to see where you are going *only because you have pointed the way*; see *Rhetoric* 2.23.30, 1400b.

some effect other than persuading your audience of the truth of your conclusion through their following and accepting your argument. Cases of the first type are exceedingly rare. I will conclude this paper by discussing a case of the second type: building on expositions by Leff and Mohrmann (1974; Leff 2001) and the recent book by Holzer (2004), I will discuss how Lincoln composed his most carefully argued public speech, the 1860 Cooper Union Address, not in order to persuade his audience of his views about slavery and the Constitution, but to persuade them that he was the suitable spokesman for these views as presidential candidate of the Republican Party.

Until we get to Cooper Union, until we get to one of those cases when persuasion was achieved by (though not through) the argument itself, this paper will consider alternatives to arguing which avoid the arguer's dilemma entirely. That is because (and this is the second difficulty with arguing) when you wish to move your audience to action, setting forth explicitly your premises, your inferences, and your conclusions often causes incredulity to creep back from your conclusions to what were initially shared premises.

Here some of the differences between our logic and Aristotle's logic, which perhaps for other purposes should be seen as improvements, serve principally to obscure the issue. Our logic, the kind of modern logic many of were taught in our first University logic course, is a nominalist logic of unasserted propositions, and we were taught to see logic as the study of formal validity of putative inferences linking such propositions. Aristotle's logic is an essentialist logic of assertions, in which the concepts of truth, necessity, and probability take their place alongside the concept of formal validity.⁶ Accordingly, Aristotle's logic distinguishes between the demonstration and the enthymeme according to what Irad Kimhi has called the "logical-existential" character of their asserted premises: demonstrative syllogisms have necessary premises, which assert essential causal claims about real essences, and which one cannot help but accept when they are asserted.⁷ Such premises may be undeducible, primitive, necessary premises undervived from other premises, but which, Aristotle thinks, any reasoning being who understands the premise has no choice but to accept, such as "All birds are animals." Such premises may instead be derived by necessary deduction from other necessary premises; "No black swans bear live young"—I have left the derivation as an exercise.

Enthymemes, as distinguished from demonstrations, have probable or plausible assertions as premises (Aristotle, *Prior Analytics* 2.27.2, 70a10–11). This means that the audience of an enthymeme always has some way of rejecting the premises, either by asserting that they are false or incredible, or, more important, by falsifying

⁶ See e.g. *Posterior Analytics* 1.19, 81b23–24. Aristotle explains that his inquiry is into assertions at *On Interpretation* 4–5, 17a1–11.

⁷ *Posterior Analytics* 1.6, 74b5–6; 1.10, 76b23–26; with the complication that Aristotle in the second passage cited distinguishes between the syllogism in the soul, which one cannot help but accept, and the verbally expressed syllogism, which one may not understand. See also Barnes 1975, commentary ad. 74b18: "When we object to an argument by saying 'That's not necessary', we generally mean 'that conclusion does not follow from the premises'.... Aristotle would have us mean 'Your premises, or principles, are not necessary.'"

the premises, by acting in the world to make them false. Consider the enthymematic syllogism (with a singular middle term, objectionable to purists):

- ⊢ When a classroom door is locked, that classroom cannot be used
- ⊢ The classroom door is locked
- - - - -
- ∴ The classroom cannot be used

Faced with this enthymeme, one need not give up and look for another classroom. Nor is the reasonable thing to do to dispute the major premise, and find some way to use the classroom even though it is locked, but to falsify the minor premise by bringing the key.

In an important sense, outside mathematics, and certainly in practical affairs, the facts are never all on the table: the question is whether one has the resources to challenge the factual assertions that lead to the conclusions one wishes to reject—whether one can find the key or pick the lock. The issue is what the sociologist of science Bruno Latour has called a “trial of strength”: can you muster the resources required to overcome your opponents’ facts? This can be done by disputing the truth of your adversary’s facts, that is, by arguing, since, *The New Rhetoric* puts it, “recourse to argumentation is unavoidable whenever... proofs are questioned by one of the parties” (Perelman and Olbrechts-Tyteca 1969, 8). More often, one puts the adversaries’ strength to the trial by offering alternative facts that make your opponents’ claims seem irrelevant—that is, if one has not been bludgeoned into *aporia* or absence of recourse by the force of the adversaries’ assertions into accepting their arguments. Appreciating the logical-existential nature of Aristotle’s distinction between enthymematic and demonstrative syllogisms leads us to think about which premises are accepted and which are rejected. This is in fact what Aristotle goes on to do in books 1 and 2 of the *Art of Rhetoric*, with proper allowance for audience effects.

2 Alternatives to Arguing

“Examples,” says Aristotle, “are most appropriate to deliberative oratory, enthymemes more suited to judicial” (*Rhetoric* 1.2.10, 1356b). Most criminal trials, Aristotle presumes, are not like episodes of the old television courtroom drama *Perry Mason*, where the defendant is always innocent and always acquitted based on new evidence that Perry uncovers. The cases I study, political rhetoric and scientific rhetoric, have no fixed record of evidence. Alternatives to arguing such as e.g., stories, numerical data, vivid speech (*enargeia*), are ways of using language to put facts, real or alleged, on the table.⁸ Many of them are what Aristotle calls extratechnical, since they rely on presenting things that come from outside the knowledge of the proper use of effective language (see *Rhetoric* 1.2.2 1355b). For the politicians and scientists I study (see Kochin 2009), their actual extralogical knowledge or adeptness is precisely what they have to get across in speaking or

⁸ For a fuller account of these alternatives to arguing, see Kochin 2009, Chapter 3.

writing, so I have had to consider rhetoric more broadly as conscious reflection on all the available means of persuasion, not merely those logical or stylistic means to which Aristotle confines his attention.

The most straightforward alternative to offering an argument, one Aristotle considers properly rhetorical, is to offer an example. Aristotle says that examples are no less persuasive than arguments, but here we will adopt the version of Russell H. Conwell, the man who built Temple University from his proceeds on the lecture circuit: “people are more impressed by illustrations than by argument” (Aristotle, *Rhetoric* 1.2.10, 1356b; Shackleton 1993).⁹

To move your audience through sight of the things themselves, and not just through deference to your knowledge and expertise, one must argue on the basis of things that one has made present for the audience and thus available to their contemplation. Not words, not rhetorical figures, but things made vivid in words through concrete depiction, through example, or through analogy. The ancient rhetoricians knew the power of detailed circumstantial description as *enargeia*. Quintilian explains the matter pedantically:

I am complaining that a man has been murdered. Shall I not bring before my eyes all the circumstances that it is reasonable to imagine must have occurred in such a connection? Shall I not see the assassin burst suddenly from his hiding place, the victim tremble, cry for help, beg for mercy, or turn to run? Shall I not see the fatal blow delivered and the stricken body fall? Will not the blood, the deathly pallor, the groan of agony, the death-rattle, be indelibly impressed upon my mind? From such impressions arises that *enargeia* which Cicero calls illumination and actuality (Quintilian 6.2.31-2).

Enargeia is defined by Williams (2000, 75–76) as “the extensive use of concrete description, instead of abstract nominalizations.” In the process of taking in the speaker’s concrete description, the listeners create for themselves the images that the speaker describes.

Enargeia requires renouncing the ineffective, ornamented weapons, easily dismissed by the audience as mere rhetoric, in favor of the concrete, vivid, style of depiction that rarely fails of impact. “What can rhetorical depiction (*rhetorikē phantasia*) do?” Longinus asks, and his answer is, “Much, but especially it adds persuasive pull and fellow feeling to your speeches, and mixed with the facts that are ready to hand it does not just persuade your listener but enslaves him” (*On the Sublime*, 15.9, my trans.).

More effective than arguments or assertions, however, is to let things take their course, so that everyone can see that the course of action you propose in response to those things is “self-evidently” justified. The whole work of persuasion as communication is done if we can get the facts or things to speak for themselves. It may take a great deal of work, however, to get things to speak for themselves—to

⁹ Aristotle himself says that induction, or reasoning from examples and cases, should be used with the multitude, while syllogism should be reserved for conversation (*Topics* 1.12, 105a17–19; 8.2, 157a18–21).

quote Gerald Rafshoon, Jimmy Carter's principal advertising man in Carter's 1980. Presidential reelection campaign: "If we had to do it all over again, we would take the 30 million dollars we spent in the campaign and get three more helicopters for the Iran rescue mission" (Popkin 1991, 4). One could claim, with Samuel Popkin, that Rafshoon's statement shows the limits of image-making as against political reality. But we will better understand the gravity of Carter's and Rafshoon's problem if we remind ourselves that the most effective image of President Carter would have been a news broadcast of him receiving the freed hostages. Rafshoon is saying, only half in jest, that the "permanent campaign" for Carter's reelection should have invested in creating that image.

If your case depends on drawing inferences, let your audience do the inferring. This means that the supposed distinction between verbal and extra-verbal or rhetorical and extratechnical modes of persuasion, such as letting things take their course, is irrelevant when one is reflecting on the means of persuasion available in practical affairs. The classical Chinese theorists of politics and rhetoric put most of their effort into teaching their readers how to arrange matters so that things would turn out as they wished, without any need to act or speak (Jullien 1999).

While one's assertions should be as specific, concrete, and detailed as possible, they should not necessarily be put forward with supporting arguments. Indeed, one who would persuade ought generally to elaborate the assertions, rather than elaborate the argument. This is because the constraints on public debate (including the time constraint) are such as to make the fullest disclosure of reasons impossible. If the arguments used in deliberation "happen not to be entirely plain and conclusive, it is the business of the orator to make them appear so," Smith advises (1985, 145). Yet if reasons can only be partially disclosed or clarified, the reasons that are disclosed will always be insufficient. If the audience can spot the insufficiencies but cannot fill the gaps on their own, giving reasons may make one's claims *less* persuasive.¹⁰

In particular, one should not offer explanations in defense of challenged factual assertions. If your facts are disputed, don't argue for their verity, rather, offer new facts. Scientific controversy is resolved not by reinterpreting old experiments, but by creating new experiments, by presenting other, new facts, that imply the same point (Kevles 1998, 387; Franklin 2008).

3 When to Resort to Argument

In public life, one argues generally not in order to demonstrate the claim for which one is arguing, but in order to show one's ethos, that one has the character required to be a reliable leader or decision-maker. Arguing is a way of presenting facts and

¹⁰ See Perelman and Olbrechts-Tyteca 1969, §101, 480–1; cf. Aristotle, *Sophistical Refutations* 15, 174b8–12 (tr. Forster 1955): "The most sophistical of all frauds practiced by questioners produces a striking appearance of refutation, when, though they have proved nothing, they do not put the final proposition in the form of a question but state conclusively, as though they had proved it, that 'such and such a thing, then, is not the case.'"

principles to show one's character as worthy of trust.¹¹ Real speeches heavy on arguments, like real speeches heavy on numbers, seem to aim to present the speaker as calm, serious, and knowledgeable. Two components of Aristotelian *ēthos* can be displayed through argument, *aretē*, or shared values, and *phronēsis*, uncommon practical knowledge. One presents *aretē*, through argument, one shows that one values what the audience thinks it ought to value, by displaying the values in the premises and conclusions of one's argument. Second, one presents *phronēsis* through argument, one demonstrates mastery of the subject matter, by displaying relevant knowledge in coherently organized detail.

Abraham Lincoln, appearing before a sophisticated New York Republican audience in his February 1860 Cooper Union address, displays his conservative commitment to constitutional government and his radical commitment to slavery restriction with a view to slavery extinction. Lincoln displays these values or judgments he shares with his audience by giving a detailed argument purporting to show that a majority of the members of the Philadelphia convention believed that putting slavery in the course of eventual extinction by preventing its territorial expansion was both desirable and compatible with the constitutional limitations on Federal power. Lincoln does not need to convince his audience of the merits or constitutionality of slavery restriction—rather, Lincoln needs to convince his audience that he is solid on slavery restriction while concerned (and competent) to manage the eventual extinction of slavery in a manner compatible with the Constitution. The knowledge, commitments, and sobriety of Lincoln's speech revealed him to possess the traits of character that Americans then and now describe as "Presidential." To quote Leff and Mohrmann, Lincoln "presents himself as the voice of Republicanism," that is to say, "the text constructs Lincoln as persona for his party" (Leff and Mohrmann 1974, 352; see also Leff 2001; Holzer 2004).

Speakers or writers who feel compelled to argue should keep in mind, however, a few maxims about when not to argue. First, never talk at all except when things aren't going your way (admittedly a maxim very hard for academic rhetorical theorists to understand since faculty meetings aren't run on that principle). Second, as Perelman and Olbrechts-Tyteca (1969, §13, 55) write, "To agree to discussion means readiness to see things from the viewpoint of the interlocutor, to restrict oneself to what he admits, and to give effect to one's beliefs only to the extent that the person one is trying to persuade is willing to give his assent to them." To argue is to admit that consent matters; that is why we are generally unwilling to discuss with our students the merits of our choices of reading and writing assignments, while we are hopefully happy to receive their feedback on their merits once the course is finished.

In our life together discussion is instrumental to action: discussion is a cost, not a benefit, and so we can only afford some discussion, whether that discussion consists of facts or of arguments. Any new factual assertion threatens the solidarity we have achieved, and thus the ability to act which that solidarity has fostered.¹²

¹¹ That the audience's assessment of arguments matters for persuasion only insofar as that assessment contributes to an assessment of the character of the speaker is noted by Perelman himself (1982, 138–9).

¹² Cf. Perelman and Olbrechts-Tyteca (1969, §27, 105): "In the realm of action, propositions constitute a kind of commitment which cannot be violated without good reason, without threatening to destroy all possibility of social life."

Arguing has a peculiar cost: as Perelman (1982, 139) writes, “to give reasons in favor of a thesis is to imply that the thesis is not self-evident and does not compel everyone.” In general, if you do not expect to be able to maintain, with fair success, that your thesis is self-evident, you should probably reformulate your thesis until it is self-evident, or rather, self-evident to your audience. Your factual assertions, in particular, must be asserted rather than reasoned-to since “a fact loses its status as soon as it is no longer used as a possible starting point, but as the conclusion of an argumentation” (Perelman and Olbrechts-Tyteca 1969, §16, 68).

It is true that in practical affairs one cannot always wait until one has something self-evident to say. Sometimes the best one can do is argue. My point is merely that one is unlikely to succeed in persuading unless what one is saying is self-evident. One should not be surprised that those who lost the debate often have the better argument—the eventual losers frequently have no choice but to develop the better argument because they lack more effective means of influence.

4 Concluding Logical Meditation

A follower of Perelman could claim merely that my concerns are those of a “master of eloquence” or persuasion rather than those of a logician “desirous of understanding the mechanism of thought” (see Perelman and Olbrechts-Tyteca 1969, 6). This, I must admit, is true enough. Yet the challenge for the argumentation theorist is to show that the mechanisms of argumentation are internal to our actual mechanisms of thought. Here the first person plural must be taken seriously: “our thought” must be understood as collective thought, collective discussion and deliberation.

I am not (or at least, I hope I am not) gesturing toward psychologism, that nineteenth-century view in which the mechanisms of argumentation supposedly get their logical force from the actual ways the human mind thinks. Rather, what I want from the argumentation theorists is something that stands to universal logical rules as virtue ethics stands to the supposed universal moral law. What is needed is a kind of “virtue logic.” “Virtue logic” would show that people—in the plural, not just individuals—*can* think together, *do* think together, and *think* they should think together according to whatever argumentation theorists are going to claim are the mechanisms of thought. My hunch, or prejudice, is that when this is done with appropriate attention to the weight of facts in our deliberations, the role of argument in thinking together reasonably will turn out to be exactly as limited as its role in persuasion. This will be because the role of argument in thinking together reasonably will turn out to be precisely its role in persuasion.

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