

THEY SPOKE IN DEFENSE OF THEMSELVES: ON THE GENERIC CRITICISM OF APOLOGIA

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WITHIN the last three decades, Richard Nixon, Adlai Stevenson, Harry Truman, and Edward Kennedy stood trial before the bar of public opinion regarding the propriety of some public or private action; each chose to take his case to the people in the form of an apologia, the speech of self-defense. In so doing, they followed a custom of Occidental culture firmly established by Socrates, Martin Luther, Robert Emmet, and thousands of lesser men. These events, separated by time and differing in particulars, are alike in that in each case the accused chose to face his accusers and to speak in defense of himself. That there are rhetorical genres and that one such may be the family of apologetic discourse occurring in situations such as those mentioned above are hardly revelations in the study of public address.¹ Yet, although most

critics assent to the existence of genres, few engage in anything which even resembles what might appropriately be called *generic* criticism. Edwin Black, whose own *Rhetorical Criticism: A Study in Method* is one of the few lengthy considerations of speech genres, contends that "critics can probably do their work better by seeing and disclosing the elements common to many discourses rather than the singularities of a few"; but he is quick to add that the history of speech criticism to date is primarily one of attempts to "gauge the effects of the single discourse on its immediate audience." In the end, however, Black is critical of his own study of a genre, the argumentative, and characterizes his work as being too "gross" in the sense that it does not discriminate "among the types of discourses within the genre."² His self-criticism is valid, as well as of considerable import to the topic of this study, in that he leaves open the question of whether the argumentative genre subsumes apologia, as Black implies,³ or whether apologetics is a genre in its own right, as others insist.⁴

We believe that apologetical discourses constitute a distinct *form* of public address, a family of speeches with sufficient elements in common so as to warrant legitimately generic status. The recurrent theme of accusation followed by

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¹ Examples of criticism in the apologetic genre include James H. Jackson, "Plea in Defense of Himself," *Western Speech*, 20 (Fall 1956), 185-195; L. W. Rosenfield, "A Case Study in Speech Criticism: The Nixon-Truman Analog," *Speech Monographs*, 35 (Nov. 1968), 435-450; Wil A. Linkugel and Nancy Razak, "Sam Houston's Speech of Self-Defense in the House of Representatives," *Southern Speech Journal*, 43 (Sum. 1969), 263-275; Bower Aly, "The Gallows Speech: A Lost Genre," *Southern Speech Journal*, 34 (Spr. 1969), 204-213; David A. Ling, "A Pentadic Analysis of Senator Edward Kennedy's Address 'To the People of Massachusetts,' July 25, 1969," *Central States Speech Journal*, 21 (Sum. 1970), 81-86; and Sherry Devereaux Butler, "The Apologia, 1971 Genre," *Southern Speech Communication Journal*, 36 (Spr. 1972), 281-289.

² (New York: Macmillan, 1965), pp. 176-177.

³ *Ibid.*, pp. 150-161. Black considers John Henry Newman's *Apologia pro Vita sua* as a constituent of the argumentative genre.

⁴ See Rosenfield, 435.

apology is so prevalent in our record of public address as to be, in the words of Kenneth Burke, one of those "situations typical and recurrent enough for men to feel the need of having a name for them."⁵ In life, an attack upon a person's character, upon his worth as a human being, does seem to demand a direct response. The questioning of a man's *moral nature, motives, or reputation* is qualitatively different from the challenging of his policies. Witnesses to such a personal charge seem completely and most easily satisfied only by the most personal of responses by the accused. In the case of men and women of position, this response is usually a public speech of self-defense, the apology.⁶ Apologia appear to be as important in contemporary society as in years past, despite today's emphasis upon the legal representative and the public relations expert.

Our task in this paper is to examine a portion of the genre of speeches resulting from those occasions when men have spoken in self-defense. In the end, we hope to accomplish two goals. First, we attempt to discover those *factors* which characterize the apologetic form. Our choice of the term *factor* is problematic and requires some explanation. Factors are hypothetical variables which in various combinations account for or explain the variations in a particular kind of human behavior.⁷ They are not found within the speech; they are merely classificatory instruments that the critic brings to the speech as a means of grouping like rhetorical strategies for ease in study. The use of the term *factor*

as a means for classifying conglomerates of like strategies that are relatively invariant across apologia is not an attempt on our part to introduce scientific rigor into the critical act; it is likewise not intended to confuse, frighten, or threaten the speech critic of a traditional bent. Factor analytic theory as it is known in the social sciences serves merely as a source for a new departure in thought with regard to the criticism of public address.⁸ For those who might find the use of the term objectionable on the grounds that it confuses "action," intended behavior on the part of sentient beings, with "motion," non-purposeful movement on the part of objects, we would remind them that no less of a humanist than Burke insists that "statistical" is another name for "symbolic," as "equations" is for "clusters" of terms, and that he speaks of the relationships among the terms of the dramatic pentad as "ratios."⁹

Second, we hope to discover the subgenres, the "types of discourses within the genre" of which Black speaks, by noting the *combinations* of factors found in speeches of self-defense. People speak in defense of themselves against diverse charges, in varied situations, and through the use of many different strategies. Each apology, therefore, is in some sense unique. The subgenres of the apologetic form, which we refer to as the *postures* of rhetorical self-defense, must not be viewed as a classification of speeches in the Aristotelian sense of *genus* and *differentia*.¹⁰ Our determina-

⁵ *The Philosophy of Literary Form*, 2nd ed. (Baton Rouge: Louisiana State Univ. Press, 1967), p. 3.

⁶ In recent years, only Senator Thomas Eagleton among men of national prominence has eschewed delivery of an apologia when one seemed advantageous.

⁷ See Paul Horst, *Factor Analysis of Data Matrices* (New York: Holt, Rinehart, 1965), p. 3.

⁸ Such a use of scientific literature is at least implied by Wayne Brockriede, "Trends in the Study of Rhetoric: Towards a Blending of Criticism and Science," *The Prospect of Rhetoric*, ed. Lloyd F. Bitzer and Edwin Black (Englewood Cliffs, N.J.: Prentice-Hall, 1971), pp. 123-139.

⁹ *The Philosophy of Literary Form*, pp. 18-27; *A Grammar of Motives* (New York: Prentice-Hall, 1945), pp. 15-16.

¹⁰ The possibility of such definition of linguistic contexts is even to be doubted given

tion of the apologetic postures is a mapping of the genre, a matter of detailed comparisons of differences and resemblances, which leaves open the possibility of finding intermediate cases.¹¹ Just as the genre itself is a rough grouping of speeches on the basis of occurrence in a situation of attack and defense of character, our divisions of the genre are merely working subcategorizations of apologetic discourses.

THE FACTORS OF VERBAL SELF-DEFENSE

The nature of the resolution process occurring when a rhetor attempts to reconcile a derogatory charge with a favorable view of his character is the subject of an extensive body of psychological literature.¹² We feel, however, that the theory developed by Robert P. Abelson pertaining to the resolution of belief dilemmas is the most fruitful source of factors pertinent to the body of apologetic rhetoric.¹³ We note at the outset that we take Abelson's theory as a starting point only. We borrow certain concepts and terminology from his work, but we often adapt the meanings

of those terms for better usage in speech criticism. Much of his theory is discarded, not because it does not adequately describe psychological processes or interpersonal interaction, but because it implies a degree of predictive power which is not yet available to the critic. Abelson identifies four "modes of resolution": (1) denial, (2) bolstering, (3) differentiation, and (4) transcendence. Each of these is hereafter considered a factor commonly found in speeches of self-defense, and each is illustrated from at least one of the apologetic speeches from which we shall draw our examples for this article.¹⁴

The first factor, that of denial, is easily imagined to be important to speeches of self-defense. One may deny alleged facts, sentiments, objects, or relationships. Strategies of denial are obviously useful to the speaker only to the extent that such negations do not constitute a known distortion of reality or to the point that they conflict with other beliefs held by the audience. Denial is *reformative* in the sense that such strategies do not attempt to change the audience's meaning or affect for whatever is

Ludwig Wittgenstein's denial of the general form of propositions. See *Philosophical Investigations*, trans. G. E. M. Anscombe, 3rd ed. (New York: Macmillan, 1971), No. 67.

¹¹ This discursive function of criticism is explained in detail in John Casey, *The Language of Criticism* (London: Methuen, 1966), pp. 16-17.

¹² For example, see T. M. Newcomb, "An Approach to the Study of Communicative Acts," *Psychological Review*, 60 (Nov. 1953), 393-404; C. E. Osgood and P. H. Tannenbaum, "The Principle of Congruity in the Prediction of Attitude Change," *Psychological Review*, 62 (Jan. 1955), 42-55; Leon Festinger, *A Theory of Cognitive Dissonance* (Stanford, Calif.: Stanford Univ. Press, 1957); R. P. Abelson and M. J. Rosenberg, "Symbolic Psycho-logic: A Model of Attitudinal Cognition," *Behavioral Science*, 3 (Jan. 1958), 1-13; and Bernard Kaplan and Walter H. Crockett, "Developmental Analysis of Modes of Resolution," in *Theories of Cognitive Consistency: A Sourcebook*, ed. Robert P. Abelson et al. (Chicago: Rand McNally, 1968), pp. 661-669.

¹³ "Modes of Resolution of Belief Dilemmas," *Journal of Conflict Resolution*, 3 (Dec. 1959), 343-352.

¹⁴ Speeches examined but not used as examples for this article include: Socrates' "Apology"; Isocrates' "On the Antidotes"; Demosthenes' "On the Crown"; Sir Thomas More's "Remarks at His Trial"; Martin Luther's "Speech at the Diet of Worms"; Thomas Cranmer's "Speech at the Stake"; Thomas Harrison's "Speech from the Scaffold"; The Earl of Strafford's (Thomas Wentworth) "Speech When Impeached for High Treason"; Sir Robert Walpole's "Address to the King for His Removal"; Edmund Burke's "Bristol Election Speech Upon Certain Charges Regarding His Parliamentary Conduct"; Mirabeau's "Against the Charge of Treason"; Marat's "Defense Against the Charges"; Robespierre's "Facing the Guillotine"; John Brown's "Courtroom Speech"; Susan B. Anthony's "Is It a Crime for a United States Citizen to Vote?"; Bartolomeo Vanzetti's "I Would Live Again"; Douglas MacArthur's "Address to Congress"; Harry S. Truman's "Television Address on Harry Dexter White"; Adlai Stevenson's "The Hiss Case"; and Thomas Dodd's "Address to the Senate Concerning Charges of Irregular Financial Dealings, June 14, 1967."

in question.¹⁵ Denial consists of the simple disavowal by the speaker of any participation in, relationship to, or positive sentiment toward whatever it is that repels the audience.¹⁶ The use of such strategies has lent considerable psychological impact to a number of famous self-defense speeches.

Many apologia rely upon the denial of *intent* to achieve persuasiveness. Naïve psychology dictates that people respond differently to the actions of others when they perceive those actions to be intended than when they perceive them to be merely "a part of the sequence of events."¹⁷ The person who is charged with some despicable action often finds a disclaimer of *intent* as an attractive means of escaping stigma if the denial of the existence of the action itself is too great a reformation of reality to gain acceptance. Marcus Garvey's "Address to the Jury" in the 1923 trial concerning fraud in the activities of the Universal Negro Improvement Association is illustrative.¹⁸ Garvey does not deny that people were defrauded of their investments in the Black Star Line. He does insist that he believed the steamship company to be a good investment and that, therefore, he had not intended to mislead investors.¹⁹ However,

¹⁵ The classification of strategies as "reformatory" does not involve an ethical judgment on the part of the critic of the speaker's choices. Reformatory strategies are those which simply revise or amend the cognitions of the audience.

¹⁶ See Abelson, *Theories of Cognitive Consistency*, pp. 344-345.

¹⁷ See Fritz Heider, *The Psychology of Interpersonal Relations* (New York: Wiley, 1958), p. 100. In the naïve analysis of action, "intent" merely implies the perception of "trying."

¹⁸ Text taken from *Philosophy and Opinion of Marcus Garvey*, ed. Amy Jacques-Garvey, 2nd ed. (London: Cass, 1967), pp. 184-216. Though not a lawyer, Garvey represented himself during the trial.

¹⁹ *Ibid.*, p. 186. In 1919, Garvey had started the Black Star Line to provide employment opportunities for the Black community. Stock in the company was sold through the mails. See Edmund David Cronon, *Black Moses* (Madison: Univ. of Wisconsin Press, 1955), pp. 112-118.

the accused does not stop at this level of denial. Near the end of the speech, Garvey talks at some length concerning his race. Suddenly speaking of himself in the first instead of in the third person, as is his practice to this point, Garvey says: "I know there are certain people who do not like me because I am black; they don't like me because I am not born here, through no fault of my own."²⁰ Having established that neither his foreign birth nor his race is through his own intent, Garvey notes: "I didn't bring myself into this western world. You know the history of my race. I was brought here; I was sold to some slave master in the island of Jamaica."²¹ Finally, he denies any purpose in working with the Black Star Line other than "to redeem Africa and build up a country" for the Negro.²² Garvey cleverly uses stylistic strategies in his denials of intent to present himself as a *tragic* figure. Speaking of himself in the third person, he assumes the stance of one who is acted upon rather than one who acts with intent. Only at the end of the speech does he become an "I," but it proves to be to his own detriment when he does act, despite his good intent. The theme of the man who causes his own downfall in attempting great gain is common to tragedy, and by employing denial on several levels, Garvey manages to introduce an element of tragedy with all its implicit pathos into a speech of self-defense.²³

We should conclude, therefore, that strategies of denial are not simplistic matters to be lightly passed over by the

²⁰ "Address to the Jury," p. 213.

²¹ *Ibid.* Here, Garvey uses "I" to refer to his race; he was never personally a slave. He was, in fact, possibly a descendant of the Jamaican Maroons, runaway slaves who won their freedom and independence from England in 1739. See Cronon, p. 5.

²² "Address to the Jury," pp. 213-214.

²³ For a discussion of the psychological aspects of tragedy, see Heider, p. 100.

critic. To begin with, they compose an important element of many speeches of self-defense. Though only one lengthy illustration is presented here, many others would be equally suitable examples. Clarence Darrow's "They Tried to Get Me" is noteworthy in part because of his excellent use of strategies of denial.²⁴ Richard Nixon's "Checkers" speech contains such strategies; Sam Houston's "Address to the House of Representatives" results in a tragic pose based upon denial in much the same way Garvey accomplishes this end.²⁵ Nor should we conclude that the examples here are exhaustive of all the possible uses of denial strategies, for such is certainly not the case. Due to considerations of space, however, we must now focus our attention upon the second reformatory factor of apologia, that of bolstering.

The bolstering factor is best thought of as being the obverse of denial.²⁶ Bolstering refers to any rhetorical strategy which reinforces the existence of a fact, sentiment, object, or relationship. When he bolsters, a speaker attempts to identify himself with something viewed favorably by the audience. Bolstering, like denial, is reformatory in the sense that the speaker does not totally invent the identification, nor does he try to change the audience's affect toward those things with which he can identify himself. In the case of bolstering strategies, the accused is limited to some extent by the reality the audience already perceives. Even so, this factor is an important component of the apologetic form.

Our examination of apologetic

speeches disclosed a number of famous persons who have made effective use of bolstering strategies when speaking on their own behalf; few, however, proved as skillful as Senator Edward Kennedy in this respect. A careful reading of his "Chappaquiddick" address discloses the Senator's attempts to reinforce a "unit relationship," a feeling of belonging, between the public and the Kennedy family.²⁷ This is particularly true with regard to the people of Massachusetts, the group with which the Senator most closely identifies his family. This theme emerges early in the address. "In the weekend of July 18th," Kennedy observes, "I was on Martha's Vineyard Island participating with my nephew, Joe Kennedy, as for thirty years my family had participated, in the annual Edgartown sailing regatta." Referring to the party for Senator Robert Kennedy's campaign staff, special notice is taken of the efforts to make Mary Joe Kopechne "feel that she still had a home with the Kennedy family." The Senator refers to the weekend of her death as "an agonizing one for me, and for the members of my family"; it is the "most recent tragedy" in the family's history, a cause for speculation "whether some awful curse did actually hang over all the Kennedys." The death of Mary Jo Kopechne becomes identified with the tragedy of the Kennedy family. The Kennedy family, in turn, is inseparably linked with the people of Massachusetts. Speaking directly to those citizens, Kennedy recalls: "You and I share many memories, some of them glorious, some have been very sad." He then requests the "advice and opinion" of the people, much as one would ask a family member "to think this through with me,"

²⁴ See *Attorney for the Damned*, ed. Arthur Weinberg (New York: Simon and Schuster, 1957), pp. 494-531.

²⁵ See "My Side of the Story," *Vital Speeches of the Day*, 19 (15 Oct. 1952), 11-15. The text for Houston's speech is in *Gales and Seaton's Register of Debates in Congress*, Vol. 8, part 2, 1st session, 22nd Congress, pp. 2810-2822.

²⁶ See Abelson, p. 345.

²⁷ We take the text from "Kennedy Asks Voter Advice," *Kansas City Times*, 26 July 1969, p. 8A. For a discussion of the psychological processes involved in a sense of belonging, see Heider, p. 200ff.

regarding whether he should keep his Senate seat or resign from Congress. The Senator through the use of bolstering strategies turns the entire affair into a family matter, a decision to be made by himself with the counsel of the many Americans who can identify with the tragedy of one of the first families of Massachusetts and of the United States.

Bolstering and denial, then, are factors vital to the apologetic form of public address. We should conclude that both subsume a number of diverse, lesser rhetorical forms which represent stylistic and strategic choices by speakers. They differ in the treatment they provide of the speaker's place in the audience's perception of reality. Denial is an instrument of negation; bolstering is a source of identification. Finally, strategies of bolstering and denial are reformative in the sense that they do not alter the audience's meaning for the cognitive elements involved. The two factors of apologetic discourse remaining to be discussed, differentiation and transcendence, are both, on the other hand, transformative.²⁸

Differentiation subsumes those strategies which serve the purpose of separating some fact, sentiment, object, or relationship from some larger context within which the audience presently views that attribute. The division of the old context into two or more new constructions of reality is accompanied by a change in the audience's meanings. At least one of the new constructs takes on a meaning distinctively different from that it possessed when viewed as a part of the old, homogeneous context. In other words, any strategy which is cognitively *divisive* and concomitantly transformative is differentiation. The differentiation factor, therefore, consists of those strategies which represent a particularization of the charge at hand; the

psychological movement on the part of the audience is toward the less abstract. Such strategies are useful in apologetics only to the extent that the new meaning and the old lend themselves to radically different interpretations by the audience.²⁹ Quibbling over meanings of definitions is not likely to aid the accused, but strategies which place whatever it is about him that repels the audience into a new perspective can often benefit him in his self-defense. Indeed, this latter case has proven useful in numerous apologetics.

The presence of differentiation as an important factor in apologetics is often signaled by the accused's request for a suspension of judgment until his actions can be viewed from a different temporal perspective. Such is the case in Robert Emmet's speech from the dock delivered on September 19, 1803, prior to his sentencing to death for treason against Ireland. As a result of his secret dealings with the French, Emmet faces the charge of desiring to supplant British rule of Ireland with domination by Napoleon. Early in his speech, Emmet makes the observation that he sought "a guarantee to Ireland similar to that which Franklin obtained for America."³⁰ He then explains why "treason" is an inappropriate definition of his intrigues with the French. "Were the French to come *as invaders or enemies uninvited by the wishes of the people*," Emmet assures the court, "I should oppose them to the utmost of my strength."³¹ He completes the differentiation in a phrase by suggesting that his actions are best termed "moral and patriotic,"³² a conclusion that he is sure others will accept when his behavior is viewed from a fu-

²⁹ *Ibid.*, p. 351.

³⁰ We take the text from Thomas Addis Emmet, *The Emmet Family* (New York: Privately printed, 1898), pp. 161-164. For this citation, see p. 161.

³¹ *Ibid.*

³² *Ibid.*, p. 164.

²⁸ See Abelson, pp. 345-346.

ture date as an attempt "to make Ireland totally independent of Great Britain, but not to let her become a dependent of France."³³ Hence, his strategies of differentiation permit him to make a final plea for the postponement of any judgment concerning his value as a human being:

Let no man write my epitaph; for, as no man who knows my motives dares now vindicate them,—let not prejudice or ignorance asperse them. Let them rest in obscurity and peace; my memory be left in oblivion, and my tomb remain uninscribed, until other times and other men can do justice to my character. When my country takes her place among the nations of the earth, then and not 'till then, let my epitaph be written—I have done.³⁴

In his "Chappaquiddick" speech, Edward Kennedy employs differential strategies for his own defense in a manner quite different from that of Emmet. The Senator notes that he "felt morally obligated to plead guilty to the charge of leaving the scene of an accident" and that he feels the need to "talk to the people of Massachusetts about the tragedy." With a plea of guilty already entered, he resorts to a lengthy differentiation of his normal self from the Edward Kennedy who barely escaped drowning that night at Chappaquiddick. After commenting upon his exhausted state following repeated efforts to rescue Miss Kopechne from the water, Kennedy discourses: "My conduct and conversation during the next several hours, to the extent that I can remember them, make no sense to me. My doctors informed me that I suffered a cerebral concussion as well as shock." He describes his thoughts during that period at some length as:

All kinds of scrambled thought, all of them confused, some of them irrational, many of them which I cannot recall, and some of which I would not have seriously entertained under normal circumstances, went through my mind during this period.

They were reflected in the various inexplicable, inconsistent and inconclusive things I said and did, including such question [sic] as whether the girl might still be alive somewhere out of that immediate area . . . whether there was some justifiable reason for me to doubt what had happened and to delay my report, whether somehow the awful weight of this incredible incident might in some way pass from my shoulders. I was overcome—I am frank to say, by a jumble of emotion—grief, fear, doubt, torture, panic, confusion, exhaustion, and shock.

Kennedy clearly does not expect to excuse his actions through this differentiation. "I do not seek," he says, "to escape responsibility for my actions by placing the blame either on the physical, emotional trauma brought on by the accident or on anybody else." However, he is careful to complete the differentiation by noting that he finally took the proper action the next morning when his mind became "somewhat more lucid."³⁵ We can now see the differentiation factor permits the Senator to assume a *palliative* pose in his explanation of his behavior. Seemingly introducing new information about the accident, he is actually emphasizing the extenuating circumstances that surrounded those events. In so doing, the stance of palliation enables him to mitigate successfully the blame he feels he must assume.³⁶

³⁵ All quotations taken from "Kennedy Asks People's Advice," p. 8A.

³⁶ An easily identifiable use of differentiation occurs when a speaker employs *regenerative* strategies in an apology. Regeneration is the assertion that one is now somehow fundamentally different and worthy of increased valuation than at some previous time. Typically, therefore, a speaker employing these strategies will differentiate his present self from the old, a self guilty of wrongdoing. An excellent example of regeneration in a gallows speech is that of one John Whittington before his execution at Fort Smith, Arkansas, on September 3, 1875. See Fred Harvey Harrington, *Hanging Judge*

³³ *Ibid.*, p. 162.

³⁴ *Ibid.*, p. 164. Marcus Garvey employs differentiation in much the same manner as does Emmet when he urged the jury to judge his actions with regards to the Black Star Line from an imagined perspective a hundred years in the future when there would be a "terrible race problem in America." See Garvey's "Address to the Jury," pp. 213-214.

The fourth and final major factor of self-defense, transcendence, is the obverse of differentiation. This factor takes in any strategy which cognitively joins some fact, sentiment, object, or relationship with some larger context within which the audience does not presently view that attribute. As is the case with differentiation, transcendence is transformative in the sense that any such strategy affects the meaning which the audience attaches to the manipulated attribute.³⁷ In sum, those strategies which involve a change in cognitive *identification* and in *meaning* factor together as transcendence. Transcendental strategies, therefore, psychologically move the audience away from the particulars of the charge at hand in a direction toward some more abstract, general view of his character. Such strategies are useful in apologetic discourse to the extent that the manipulated attribute(s) proves to be congruent with the new context in the minds of the audience. Several speeches of self-defense exemplify the transcendence factor as it results either from complex combinations of strategies or from relatively straightforward attempts by speakers to identify attributes with new contexts.

Speeches by Eugene V. Debs³⁸ and Clarence Darrow illustrate usage of transcendental strategies. Although charged with allegedly inciting "insubordination, mutiny, disloyalty and refusal of duty within the military,"³⁹ Debs claims that the important issue of the Cleveland trial is not his guilt or

(Caldwell, Idaho: Caxton, 1951), p. 35. Whittington claimed that "good instruction" in prison had led him to realize that liquor was the cause of his ruin and to wish that he could go free with his new lesson to live as a "good and happy man." Also, see Aly, 212.

³⁷ See Abelson, p. 346.

³⁸ The text is taken from "Debs' Speech to the Jury," *The Debs White Book* (Girard, Kansas: Appeal to Reason, n.d.), pp. 37-57.

³⁹ *Ibid.*, p. 38. These are only the most important charges against Debs.

innocence. He readily admits responsibility for the inflammatory speech delivered at Canton, Ohio, on June 16, 1918, the address which led to his indictment for violation of the Espionage Law. He obviously wants to transcend the particulars of his own case when he links World War I with the profit incentive of the capitalist class⁴⁰ and maintains: "I know that it is ruling classes that make war upon one another, and not the people. In all the history of this world the people have never yet declared a war. Not one."⁴¹ Consequently, the Socialist leader is able to argue that his trial really does not concern his opposition to the war. He concludes:

Gentlemen, I am the smallest part of this trial. I have lived long enough to appreciate my own personal insignificance in relations to a great issue, that involves the welfare of the whole people. What you may choose to do to me will be of small consequence after all. I am not on trial here. There is an infinitely greater issue that is being tried today in this court, though you may not be conscious of it. American institutions are on trial here before a court of American citizens.⁴²

As Debs presents his case, the real issue becomes the First Amendment to the Constitution: freedom of speech, of the press, and of assembly.⁴³ He wisely attempts to justify his opposition to the war by identifying the attacks against himself with opposition to the people and to the people's Constitution. In such a manner, he places his actions into a context much more favorable to a public currently immersed in a patriotic fervor surrounding a massive war effort than would otherwise have been possible if he had dealt solely with the indictment and evidence presented in court. Transcendence strategies assist Debs in this speech by placing his reputation above

⁴⁰ *Ibid.*, p. 53.

⁴¹ *Ibid.*, p. 42.

⁴² *Ibid.*, p. 57.

⁴³ *Ibid.*, pp. 48-49.

the simple question concerning whether or not he opposes the war in Europe.

Clarence Darrow was apparently more assured than was Debs that his audience would see the broader context within which he cast his own trial. He began employing strategies of transcendence very early in his "They Tried to Get Me" speech.

I am not on trial for having sought to bribe a man named Lockwood. . . . I am on trial because I have been a lover of the poor, a friend of the oppressed, because I have stood by labor for all these years, and have brought down upon my head the wrath of the criminal interests in this country. Whether guilty or innocent of the crime charged in the indictment, that is the reason I am here, and that is the reason that I have been pursued by as cruel a gang as ever followed a man.⁴⁴

The exact nature of the new context into which the trial was to be placed did not, however, become apparent until Darrow began describing those who desired his conviction. In brief summary of the opposition, the Chicago attorney exclaimed: "Oh, you wild, insane members of the Steel Trust and Erectors' Association! Oh, you mad hounds of detectives who are willing to do your master's will! Oh, you district attorneys."⁴⁵ Having found such a diverse group of opponents, Darrow could then quite believably introduce a motive of conspiracy to his enemies, a theme which carried with it a certain sinister aura to Darrow's new perspective of the trial. "These men are interested," insisted Darrow, "in getting me. They have concocted all sorts of schemes for the sake of getting me out of the way."⁴⁶ Hence, the accused utilized one set of transcendental strategies to represent himself as a hero of the downtrodden and another set to shade his accusers as wicked plot-

ters whose own evil deeds overshadowed any crimes charged against Darrow.⁴⁷ The persuasive impact of such an archetypal motive was made possible by the judicious use of transcendence strategies.

Transcendence and the other three major factors illustrated previously account for most of the strategies people find useful in speaking in their own defense. Two factors, denial and bolstering, are psychologically reformative and obversely related; the remaining two, differentiation and transcendence, are psychologically transformative and also represent an obverse relationship. Denial and differentiation are essentially divisive in that they result in a splitting apart, a particularization, of cognitive elements in the minds of the listeners. Bolstering and transcendence, on the other hand, end in a joining of cognitive elements, a newly realized identification on the part of the audience. Between the four, these factors subsume the many and varied strategies people invent in speaking in their own defense.

The critical value of the factor terminology, however, is not solely one of classification. The terms we employ as names for the various categories of strategies are dialectically related; each term, like the strategies they name, is a function of the others. A dialectic relationship among terms is a sign of ambiguity, and certainly, there are no objective means by which a critic can assign a given strategy to one factor as opposed to another. No two strategies are exactly alike. Therefore, the terms used to classify strategies are necessarily ambiguous, as ambiguous as the subject strategies are different. Such ambiguity in classificatory terminology meets the

⁴⁴ Darrow, p. 495.

⁴⁵ *Ibid.*, p. 497.

⁴⁶ *Ibid.*, p. 496.

⁴⁷ The conspiracy theme is one common to many speeches of self-defense. For another example of the use of transcendental strategies to introduce the conspiratorial motif, see Garvey, p. 210.

needs of the critic, for as Burke notes, the student needs "not terms that avoid ambiguity, but terms that clearly reveal the strategic spots at which ambiguities necessarily arise."⁴⁸ The factor terminology does exactly that; it focuses the attention of the critic upon what language does for the apologetic rhetor when he deals with the charge or his character attributes, the strategic points in any speech of self-defense. By employing the factor terminology, the student must necessarily determine whether the rhetor is denying, bolstering, differentiating, or transcending through the strategic use of language, for these are the only rhetorical choices available to him in the apologetic situation. As the examples indicate, a speaker may employ reformative strategies; he may choose either to deny the charge directly or to ignore the charge through bolstering his character. On the other hand, he may opt for transformative strategies and move the audience's attention away from the charge through transcendental abstraction or through differential particularization. The factor terminology forces the critic to discern which choices a given strategy represents. The total import of these factors of apologetic discourse, however, become apparent only after we consider the ways in which speakers usually combine them to produce that human behavior we term the speech of self-defense.

THE POSTURES OF VERBAL SELF-DEFENSE

Speakers usually assume one of four major rhetorical postures when speaking in defense of their characters: absolution, vindication, explanation, or justification. Each of these postures results from a heavy reliance upon two of the factors described above, and we consider each to constitute a subgenre of the

apologetic form.⁴⁹ We are not surprised to find that each of the four stances involves the combination of a transformative with a reformative factor. In a rhetorical situation as complex as that of accusation and response, a speaker would be expected to attempt to change the meaning of some, but not all, cognitive elements in the minds of the audience. Nor are we surprised to learn that only four of the possible combinations of factors have found widespread usage. Each combination represents a locus within the form around which similar, not identical, apologia tend to cluster; the four subgenres represent those postures which Western culture, customs, and institutions seem to dictate as being *most* acceptable in dismissing charges against a rhetor's character. The assignment of speeches to the postures is problematic, for our terms naming the subgenres are dialectic and ambiguous for the same reasons we note in discussing the factor terminology.⁵⁰ Each of the postures is a recognizable category of addresses into which the critic may group speeches on the basis of dominant strategies found in the discourses; the postures, like the factors, are not completely distinct classifications void of intermediate cases.

An *absolutive* address, resulting from the union of primarily the differentiation and denial factors, is one in which the speaker seeks acquittal. This posture is in no way limited to legal proceedings; the accused may seek acquittal from an extra-judicial body or even by

⁴⁹ Any speech of self-defense is likely to contain all four of the factors of self-defense. We do not mean to imply that each of the apologetic postures contains only two of the factors. Rather, we contend that speeches of self-defense usually rely most heavily for their persuasive impact upon two of the factors. The determination of which two are most important in a given speech is, in this study at least, a subjective decision based only partly upon frequency of appearance of a given factor.

⁵⁰ See Burke, *A Grammar of Motives*, p. xix.

⁴⁸ *A Grammar of Motives*, p. xviii.

public opinion. The absolutive speech is one in which the accused denies any wrong and in which he differentiates any personal attribute in question from whatever it is that the audience finds reprehensible. In this self-defense stance, the speaker is primarily concerned with "clearing his name" through focusing audience attention upon the particulars or specifics of the charge, just as Robert Emmet considered the nature of treason in great depth in "My Country Was My Idol."⁵¹ The absolutive speech differs from the vindicative address in that it is more specific than the latter. The *vindicative* address, due to the reliance upon transcendental strategies, permits the accused greater ease in going beyond the specifics of a given charge. Such an apology aims not only at the preservation of the accused's reputation, but also at the recognition of his greater worth as a human being relative to the worth of his accusers. A good example of the vindicative subgenre results from Clarence Darrow's use of transcendence strategies to formulate an implicit comparison between his own character and that of his prosecutors in his "They Tried to Get Me."⁵²

A similar distinction is possible between the explanative and the justificative postures. The former, as a combination of bolstering and differentiation, is somewhat more defensive than is the latter, a category of discourse relying upon the use of bolstering and transcendence strategies. In the *explanative* address, the speaker assumes that if the audience understands his motives, actions, beliefs, or whatever, they will

be unable to condemn him. This seems to have been the hope of Edward Kennedy in his "Chappaquiddick Address."⁵³ The *justificative* address, on the other hand, asks not only for understanding, but also for approval. Hence, Eugene V. Debs in his "Speech to the Jury" sought to establish the basis for his own actions in a concern with human dignity and fundamental rights such as freedom of speech.⁵⁴

This conceptualization of the apologetic genre into subgenres should assist the critic in comparing the rhetorical uses of language occurring across somewhat different apologetic situations. The act is not, in and of itself, criticism, just as the categorizing of strategies into factors does not complete the critical act. Such classification taken alone lacks an evaluative dimension. However, the dialectic and ambiguous nature of the posture terminology focuses the critic's attention upon the strategic decision a speaker makes whenever he chooses a culturally acceptable stance from which to speak on his own behalf. Herein lies the critical advantage of mapping the apologetic genre, and as we argued in the beginning, the explication of the genre should precede the criticism proper of the apologetic form. We offer this conceptualization of the subgenres and the factor terminology as "experimental incursions into the field with which they deal; essays or examinations of specimen concepts drawn rather arbitrarily from a larger class; and finally *ballons d'essai*, trial balloons designed to draw the fire of others."⁵⁵

⁵¹ Other examples of absolutive addresses would include Sam Houston's "Address to the House of Representatives"; Marcus Garvey's "Address to the Jury"; and Richard Nixon's "My Side of the Story."

⁵² Two further examples of vindicative discourses are Socrates' "Apology" and Harry S. Truman's "Television Address on Harry Dexter White."

⁵³ Other famous explanative addresses are Martin Luther's "Speech at the Diet of Worms" and Adlai Stevenson's "The Hiss Case."

⁵⁴ Susan B. Anthony's "Is It a Crime for a United States Citizen to Vote?" and Douglas MacArthur's "Address to Congress" are also well known examples of justificative addresses.

⁵⁵ *The Uses of Argument* (Cambridge, England: Cambridge Univ. Press, 1957), p. 1.

