

Your Name: _____ Class Hour: _____



1.) Because Tocqueville speaks to those who are _____, his choice of _____ is **COMPRISED** of an extensive _____.

2.) He _____ his _____ because his target _____ is intelligent people who do not desire or need _____ to be pounded into their heads.

3.) He successfully builds his _____ and conveys his ideas through clearly developing his _____.

4.) Tocqueville wants his _____ to be able to make educated _____ concerning the new nation and also to be able to _____ their own decisions.

5.) Tocqueville begins by _____ the concept of democracy.

6.) Tocqueville _____ a _____ for his _____ before diving into the _____ of the United States.

7.) Tocqueville provides many examples, such as:

8.) Tocqueville observes:

9.) What is Tocqueville's purpose with this piece? _____

10.) Please analyze Tocqueville's sentence structure choices and the reasons for his choices. _____

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Alexis de Tocqueville's Democracy in America (1831)

Book 4: INFLUENCE OF DEMOCRATIC IDEAS AND FEELINGS ON POLITICAL SOCIETY

The principle of equality, which makes men independent of each other, gives them a habit and a taste for following in their private actions no other guide than their own will. This complete independence, which they constantly enjoy in regard to their equals and in the intercourse of private life, tends to make them look upon all authority with a jealous eye and speedily suggests to them the notion and the love of political freedom. Men living at such times have a natural bias towards free institutions. Take any one of them at a venture and search if you can his most deep-seated instincts, and you will find that, of all governments, he will sootest conceive and most highly value that government whose head he has himself elected and whose administration he may control.

Of all the political effects produced by the equality of conditions, this love of independence is the first to strike the observing and to alarm the timid; nor can it be said that their alarm is wholly misplaced, for anarchy has a more formidable aspect in democratic countries than elsewhere. As the citizens have no direct influence on each other, as soon as the supreme power of the nation fails, which kept them all in their several stations, it would seem that disorder must instantly reach its utmost pitch and that, every man drawing aside in a different direction, the fabric of society must at once crumble away. I am convinced, however, that anarchy is not the principal evil that democratic ages have to fear, but the least. For the principle of equality begets two tendencies: the one leads men straight to independence and may suddenly drive them into anarchy; the other conducts them by a longer, more secret, but more certain road to servitude. Nations readily discern the former tendency and are prepared to resist it; they are led away by the latter, without perceiving its drift; hence it is peculiarly important to point it out. Personally, far from finding fault with equality because it inspires a spirit of independence, I praise it primarily for that very reason. I admire it because it lodges in the very depths of each man's mind and heart that indefinable feeling, the instinctive inclination for political independence, and thus prepares the remedy for the ill which it engenders. It is precisely for this reason that I cling to it.

Chapter 7: CONTINUATION OF THE PRECEDING CHAPTERS

I BELIEVE that it is easier to establish an absolute and despotic government among a people in which the conditions of society are equal than among any other, and I think that if such a government were once established among such a people, it not only would oppress men, but would eventually strip each of them of several of the highest qualities of humanity. Despotism, therefore, appears to me peculiarly to be dreaded in democratic times. I should have loved freedom, I believe, at all times, but in the time in which we live I am ready to worship it. On the other hand, I am persuaded that all who attempt, in the ages upon which we are entering, to base freedom upon aristocratic privilege will fail; that all who attempt to draw and to retain authority within a single class will fail. At the present day no ruler is skillful or strong enough to found a despotism by re-establishing permanent distinctions of rank among his subjects; no legislator is wise or powerful enough to preserve free institutions if he does not take equality for his first principle and his watchword. All of our contemporaries who would establish or secure the independence and the dignity of their fellow men must show themselves the friends of equality; and the only worthy means of showing themselves as such is to be so; upon this depends the success of their holy enterprise. Thus the question is not how to reconstruct aristocratic society, but how to make liberty proceed out of that democratic state of society in which God has placed us.

These two truths appear to me simple, clear, and fertile in consequences; and they naturally lead me to consider what kind of free government can be established among a people in which social conditions are equal.

It results from the very constitution of democratic nations and from their necessities that the power of government among them must be more uniform, more centralized, more extensive, more searching, and more efficient than in other countries. Society at large is naturally stronger and more active, the individual more subordinate and weak; the former does more, the latter less; and this is inevitably the case.

It is not, therefore, to be expected that the range of private independence will ever be so extensive in democratic as in aristocratic countries; nor is this to be desired; for among aristocratic nations the mass is often sacrificed to the individual, and the prosperity of the greater number to the greatness of the few. It is both necessary and desirable that the government of a democratic people should be active and powerful; and our object should not be to render it weak or indolent, but solely to prevent it from abusing its aptitude and its strength.

The circumstance which most contributed to secure the independence of private persons in aristocratic ages was that the supreme power did not affect to take upon itself alone the government and administration of the community. Those functions were necessarily partially left to the members of the aristocracy, so that, as the supreme power was always divided, it never weighed with its whole weight and in the same manner on each individual.

Not only did the government not perform everything by its immediate agency, but as most of the agents who discharged its duties derived their power, not from the state, but from the circumstance of their birth, they

were not perpetually under its control. The government could not make or unmake them in an instant, at pleasure, or bend them in strict uniformity to its slightest caprice; this was an additional guarantee of private independence.

I readily admit that recourse cannot be had to the same means at the present time, but I discover certain democratic expedients that may be substituted for them. Instead of vesting in the government alone all the administrative powers of which guilds and nobles have been deprived, a portion of them may be entrusted to secondary public bodies temporarily composed of private citizens; thus the liberty of private persons will be more secure, and their equality will not be diminished. The Americans, who care less for words than the French, still designate, by the name of County the largest of their administrative districts; but the duties of the count or lord-lieutenant are in part performed by a provincial assembly.

At a period of equality like our own, it would be unjust and unreasonable to institute hereditary officers; but there is nothing to prevent us from substituting elective public officers to a certain extent. Election is a democratic expedient, which ensures the independence of the public officer in relation to the government as much as hereditary rank can ensure it among aristocratic nations, and even more so.

Aristocratic countries abound in wealthy and influential persons who are competent to provide for themselves and who cannot be easily or secretly oppressed; such persons restrain a government within general habits of moderation and reserve. I am well aware that democratic countries contain no such persons naturally, but something analogous to them may be created by artificial means. I firmly believe that an aristocracy cannot again be founded in the world, but I think that private citizens, by combining together, may constitute bodies of great wealth, influence, and strength, corresponding to the persons of an aristocracy. By this means many of the greatest political advantages of aristocracy would be obtained without its injustice or its dangers. An association for political, commercial, or manufacturing purposes, or even for those of science and literature, is a powerful and enlightened member of the community, which cannot be disposed of at pleasure or oppressed without remonstrance, and which, by defending its own rights against the encroachments of the government, saves the common liberties of the country.

In periods of aristocracy every man is always bound so closely to many of his fellow citizens that he cannot be assailed without their coming to his assistance. In ages of equality every man naturally stands alone; he has no hereditary friends whose co-operation he may demand, no class upon whose sympathy he may rely; he is easily got rid of, and he is trampled on with impunity. At the present time an oppressed member of the community has therefore only one method of self-defense: he may appeal to the whole nation, and if the whole nation is deaf to his complaint, he may appeal to mankind. The only means he has of making this appeal is by the press. Thus the liberty of the press is infinitely more valuable among democratic nations than among all others; it is the only cure for the evils that equality may produce. Equality sets men apart and weakens them; but the press places a powerful weapon within every man's reach, which the weakest and loneliest of them all may use. Equality deprives a man of the support of his connections, but the press enables him to summon all his fellow countrymen and all his fellow men to his assistance. Printing has accelerated the progress of equality, and it is also one of its best correctives.

I think that men living in aristocracies may, strictly speaking, do without the liberty of the press; but such is not the case with those who live in democratic countries. To protect their personal independence I do not trust to great political assemblies, to parliamentary privilege, or to the assertion of popular sovereignty. All these things may, to a certain extent, be reconciled with personal servitude. But that servitude cannot be complete if the press is free; the press is the chief democratic instrument of freedom.

Something analogous may be said of the judicial power. It is a part of the essence of judicial power to attend to private interests and to fix itself with predilection on minute objects submitted to its observation. Another essential quality of judicial power is never to volunteer its assistance to the oppressed, but always to be at the disposal of the humblest of those who solicit it; their complaint, however feeble they may themselves be, will force itself upon the ear of justice and claim redress, for this is inherent in the very constitution of courts of justice.

A power of this kind is therefore peculiarly adapted to the wants of freedom, at a time when the eye and finger of the government are constantly intruding into the minutest details of human actions, and when private persons are at once too weak to protect themselves and too much isolated for them to reckon upon the assistance of their fellows. The strength of the courts of law has always been the greatest security that can be offered to personal independence; but this is more especially the case in democratic ages. Private rights and interests are in constant danger if the judicial power does not grow more extensive and stronger to keep pace with the growing equality of conditions.

Equality awakens in men several propensities extremely dangerous to freedom, to which the attention of the legislator ought constantly be directed. I shall only remind the reader of the most important among them.

Men living in democratic ages do not readily comprehend the utility of forms: they feel an instinctive contempt for them, I have elsewhere shown for what reasons. Forms excite their contempt and often their hatred; as they commonly aspire to none but easy and present gratifications, they rush onwards to the object of their desires, and the slightest delay exasperates them. This same temper, carried with them into political life, renders them hostile to forms, which perpetually retard or arrest them in some of their projects.

Yet this objection which the men of democracies make to forms is the very thing which renders forms so useful to freedom; for their chief merit is to serve as a barrier between the strong and the weak, the ruler and the people, to retard the one and give the other time to look about him. Forms become more necessary in

proportion as the government becomes more active and more powerful, while private persons are becoming more indolent and more feeble. Thus democratic nations naturally stand more in need of forms than other nations, and they naturally respect them less. This deserves most serious attention.

Nothing is more pitiful than the arrogant disdain of most of our contemporaries for questions of form; for the smallest questions of form have acquired in our time an importance which they never had before; many of the greatest interests of mankind depend upon them. I think that if the statesmen of aristocratic ages could sometimes despise forms with impunity and frequently rise above them, the statesmen to whom the government of nations is now confided ought to treat the very least among them with respect and not neglect them without imperious necessity. In aristocracies the observance of forms was superstitious; among us they ought to be kept up with a deliberate and enlightened deference.

Another tendency which is extremely natural to democratic nations and extremely dangerous is that which leads them to despise and undervalue the rights of private persons. The attachment that men feel to a right and the respect that they display for it are generally proportioned to its importance or to the length of time during which they have enjoyed it. The rights of private persons among democratic nations are commonly of small importance, of recent growth, and extremely precarious; the consequence is that they are often sacrificed without regret and almost always violated without remorse.

But it happens that, at the same period and among the same nations in which men conceive a natural contempt for the rights of private persons, the rights of society at large are naturally extended and consolidated; in other words, men become less attached to private rights just when it is most necessary to retain and defend what little remains of them. It is therefore most especially in the present democratic times, that the true friends of the liberty and the greatness of man ought constantly to be on the alert to prevent the power of government from lightly sacrificing the private rights of individuals to the general execution of its designs. At such times no citizen is so obscure that it is not very dangerous to allow him to be oppressed; no private rights are so unimportant that they can be surrendered with impunity to the caprices of a government. The reason is plain: if the private right of an individual is violated at a time when the human mind is fully impressed with the importance and the sanctity of such rights, the injury done is confined to the individual whose right is infringed; but to violate such a right at the present day is deeply to corrupt the manners of the nation and to put the whole community in jeopardy, because the very notion of this kind of right constantly tends among us to be impaired and lost.

There are certain habits, certain notions, and certain vices which are peculiar to a state of revolution and which a protracted revolution cannot fail to create and to propagate, whatever, in other respects, are its character, its purpose, and the scene on which it takes place. When any nation has, within a short space of time, repeatedly varied its rulers, its opinions, and its laws, the men of whom it is composed eventually contract a taste for change and grow accustomed to see all changes effected by sudden violence. Thus they naturally conceive a contempt for forms which daily prove ineffectual; and they do not support without impatience the dominion of rules which they have so often seen infringed.

As the ordinary notions of equity and morality no longer suffice to explain and justify all the innovations daily begotten by a revolution, the principle of public utility is called in, the doctrine of political necessity is conjured up, and men accustom themselves to sacrifice private interests without scruple and to trample on the rights of individuals in order more speedily to accomplish any public purpose.

These habits and notions, which I shall call revolutionary because all revolutions produce them, occur in aristocracies just as much as among democratic nations; but among the former they are often less powerful and always less lasting, because there they meet with habits, notions, defects, and impediments that counteract them. They consequently disappear as soon as the revolution is terminated, and the nation reverts to its former political courses. This is not always the case in democratic countries, in which it is ever to be feared that revolutionary tendencies, becoming more gentle and more regular, without entirely disappearing from society, will be gradually transformed into habits of subjection to the administrative authority of the government. I know of no countries in which revolutions are more dangerous than in democratic countries, because, independently of the accidental and transient evils that must always attend them, they may always create some evils that are permanent and unending.

I believe that there are such things as justifiable resistance and legitimate rebellion; I do not therefore assert as an absolute proposition that the men of democratic ages ought never to make revolutions; but I think that they have especial reason to hesitate before they embark on them and that it is far better to endure many grievances in their present condition than to have recourse to so perilous a remedy.

I shall conclude with one general idea, which comprises not only all the particular ideas that have been expressed in the present chapter, but also most of those of which it is the object of this book to treat. In the ages of aristocracy which preceded our own, there were private persons of great power and a social authority of extreme weakness. The outline of society itself was not easily discernible and was constantly contounded with the different powers by which the community was ruled. The principal efforts of the men of those times were required to strengthen, aggrandize, and secure the supreme power, and, on the other hand, to circumscribe individual independence within narrower limits and to subject private interests to the interests of the public. Other perils and other cares await the men of our age. Among the greater part of modern nations the government, whatever may be its origin, its constitution, or its name, has become almost omnipotent, and private persons are falling more and more into the lowest stage of weakness and dependence. In older society

everything was different; unity and uniformity were nowhere to be met with. In modern society everything threatens to become so much alike that the peculiar characteristics of each individual will soon be entirely lost in the general aspect of the world. Our forefathers were always prone to make an improper use of the notion that private rights ought to be respected; and we are naturally prone, on the other hand, to exaggerate the idea that the interest of a private individual ought always to bend to the interest of the many.

The political world is metamorphosed; new remedies must henceforth be sought for new disorders. To lay down extensive but distinct and settled limits to the action of the government; to confer certain rights on private persons, and to secure to them the undisputed enjoyment of those rights; to enable individual men to maintain whatever independence, strength, and original power he still possesses; to raise him by the side of society at large, and uphold him in that position; these appear to me the main objects of legislators in the ages upon which we are now entering. It would seem as if the rulers of our time sought only to use men in order to make things great; I wish that they would try a little more to make great men; that they would set less value on the work and more upon the workman; that they would never forget that a nation cannot long remain strong when every man belonging to it is individually weak, and that no form or combination of social polity has yet been devised to make an energetic people out of a community of pusillanimous and enfeebled citizens.

I trace among our contemporaries two contrary notions which are equally injurious. One set of men can perceive nothing in the principle of equality but the anarchical tendencies that it engenders; they dread their own free agency, they fear themselves. Other thinkers, less numerous but more enlightened, take a different view: beside that track which starts from the principle of equality to terminate in anarchy, they have at last discovered the road that seems to lead men to inevitable servitude. They shape their souls beforehand to this necessary condition; and, despatching of remaining free, they already do obeisance in their hearts to the master who is soon to appear. The former abandon freedom because they think it dangerous; the latter, because they hold it to be impossible.

If I had entertained the latter conviction, I should not have written this book, but I should have confined myself to deploring in secret the destiny of mankind. I have sought to point out the dangers to which the principle of equality exposes the independence of man, because I firmly believe that these dangers are the most formidable as well as the least foreseen of all those which futurity holds in store, but I do not think that they are insurmountable.

The men who live in the democratic ages upon which we are entering have naturally a taste for independence; they are naturally impatient of regulation, and they are wearied by the permanence even of the condition they themselves prefer. They are fond of power, but they are prone to despise and hate those who wield it, and they easily elude its grasp by their own mobility and insignificance.

They will prevent the establishment of any despotism, and they will furnish fresh weapons to each succeeding generation that struggles in favor of the liberty of mankind. Let us, then, look forward to the future with that salutary fear which makes men keep watch and ward for freedom, not with that faint and idle terror which depresses and enervates the heart.

Your Name: _____ Class Hour: _____

DIRECTIONS: Please thoughtfully read all of the following, as you will be applying it to the subsequent activity.

Effective Argument Analysis

Part I: Terms and Definitions

- A *statement* is any unambiguous declarative sentence about a fact (or non-fact) about the world. It says that something is (or isn't) the case.
- An *argument* is a series of statements meant to establish a claim.
- A *claim* or *conclusion* is the statement whose truth an argument is meant to establish.
- A statement's *truth value* is either *true* or *false*.
 - All statements have a truth value. A statement is false when what it says about the world is not actually the case. A statement is true when what it says about the world is actually the case.
- A *premise* is a statement that is used in an argument to establish a conclusion.

What we can say about an argument:

- An argument is *valid* if its premises necessarily lead to its conclusion. That is, if you accept that the premises are all true, you must accept that the conclusion is true.
- An argument is *sound* if it is valid and you accept that all its premises are true.
- A *good, convincing* argument is a sound argument. That is, since you accept all the premises are true, you must accept the conclusion is true (because the argument is valid).
- A *bad* argument is any other kind of argument.

Examples:

- "Every animal needs to breathe in order to live. Fish are animals. Fish cannot breathe in the air. Therefore, fish cannot live in the air."

Here, the *claim* is that "fish cannot live in the air." The *premises* are "Every animal needs to breathe in order to live," "Fish are animals," and "Fish cannot breathe in the air." The argument is *valid* – the premises necessarily lead to the conclusion. The argument is also *sound* – the premises are true. It is a *good* argument.
- "Oranges are green. All green things make me sick. Therefore, oranges make me sick."

The *claim* is "oranges make me sick." The *premises* are "Oranges are green," and "All green things make me sick." The argument is *valid* – if we accept the premises, we are forced to accept the conclusion. However, the argument is not sound – oranges are not, in fact, green, so one of the premises is *false*. This is a *bad* argument.
- "Broccoli is green. Some green things make me sick. Therefore, broccoli makes me sick."

The *claim* is "broccoli makes me sick." The *premises* are "Broccoli is green," and "Some green things make me sick." Here, all the premises are true. However, the argument is not *valid* – even if we accept the premises, we are not forced to accept the conclusion. Just because some green things are sickening does not mean that broccoli is. This is a *bad* or *unsound* argument. (Notice, it doesn't make any difference whether or not broccoli makes me sick – whether or not the conclusion is true. Even if the conclusion is true, the premises have not given us reason to believe that it is true.)
- "Whales know how to play hockey. Therefore, Canadians like winter."

The *claim* is "Canadians like winter." The *premise* is "Whales know how to play hockey." The argument is neither *valid* nor *sound*. It's a *bad* argument. (Again, it doesn't make any difference whether the conclusion is true.)

Part II: Analyzing an Argument

Reconstructing the argument

The examples I've given are overly simplistic. Usually arguments come in complicated prose. It is therefore difficult to figure out what the argument *is*, let alone whether it is good. Our first step is to *reconstruct* the argument. That is, we must

convert the argument into a series of statements, identifying the premises and the conclusion and laying them out so that the premises lead to the conclusion.

Take Socrates's argument in the *Apology*:

"For Death is to be as it were nothing, and to be deprived of all sensation.... And if no sensation remains, then death is like a dreamless sleep. In this case, death will be a blessing. For, if any one compares such a night as this, in which he so profoundly sleeps as not even to see a dream, with the other nights and days of his life, and should declare how many he had passed better and more pleasantly than this night, I think that not only a private man, but even the great king himself, would find so small a number that they might be easily counted."

The first step is to *identify the conclusion*. Go through the passage and try to find the *point*. What is Socrates trying to establish?

It's buried in there: "Death will be a blessing."

To proceed, we first have to *get rid* of anything unnecessary – mere rhetorical flourishes, repetitions, and irrelevancies. Go through the passage and get rid of anything that doesn't support the conclusion in some way:

"For Death is to be deprived of all sensation.... if no sensation remains, then death is like a dreamless sleep... death will be a blessing... if any one compares such a night [of sleep without dreams]... with the other nights and days of his life, and should declare how many he had passed better and more pleasantly than this night, I think... [he] would find so small a number..."

Once we've dispensed with what we don't need, we can *reformulate* the argument as a series of statements:

1. Death is to be deprived of all sensation.
2. If no sensation remains, death is like a dreamless sleep.
3. Anyone will consider a dreamless sleep better than most days and nights.
4. Death is a blessing.

Now we're ready to *add* anything that seems to be missing. Are there any premises that seem to be assumed, but aren't stated?

1. Death is to be deprived of all sensation.
2. If no sensation remains, death is like a dreamless sleep.
3. *Death is like a dreamless sleep.*
4. Anyone will consider a dreamless sleep better than most days and nights.
5. *Anyone will consider death better than most days and nights.*
6. *Anything that is better than most days and nights is a blessing.*
7. Death is a blessing.

Now, we need to say something about the *inference* in the argument. We need to say how the argument is put together. We should identify assumed premises and sub-arguments – conclusions that are premises for the main conclusion. This will also help us to identify, if anything else is missing.

1. Death is to be deprived of all sensation. (Assumption)
2. If no sensation remains, death is like a dreamless sleep. (Assumption)
3. *Death is like a dreamless sleep.* (Conclusion from 1 and 2)
4. *Anyone will consider a dreamless sleep better than most days and nights.* (Assumption)
5. *Anyone will consider death better than most days and nights.* (Conclusion from 3 and 4)
6. *Anything that is better than most days and nights is a blessing.* (Assumption)
7. Death is a blessing. (From 3, 5, and 6)

At this point, we've completed the *reconstruction* of the argument. No reconstruction is perfect, and I don't mean to suggest that this is the only possible reconstruction of Socrates's argument. It just seems to me as if this is what Socrates is saying. If you disagree with my critique, you can always question the faithfulness of my reconstruction. That's a standard philosophical move.

Analyzing an Argument

Once we've reconstructed an argument – shown what we think it is and how it is supposed to work – we can begin to say whether an argument is good or bad. We need to evaluate the argument's *validity* and *soundness*.

First, take a step back. Assume that you don't have any prior opinion about the conclusion. In this case, are you convinced? If you are, then you need to figure out why. If you aren't, you need to figure out why not. That's the point of the critique – to identify the strengths and weaknesses of the argument.

It's hard to decide where to start. Often, the issues of validity and soundness get tangled up. In general, you just have to choose whatever is convenient. In this case, let's look at soundness first. Do we accept the premises to be true?

The first premise seems acceptable. At least I'm willing to give Socrates the benefit of the doubt.

The second, however, seems questionable. Does the lack of sensation really imply a similarity to dreamless sleep? It seems to me that (permanent) lack of sensation is different from dreamless sleep in at least one important respect – sleeping includes waking up. Lack of sensation does not. I mean, is it right to say that a corpse, or even a stone – neither of which senses ... does something like sleep?

The third premise is a conclusion of a sub-argument. Our willingness to accept its truth depends on the soundness of Socrates' argument for it:

1. Death is to be deprived of all sensation. (Assumption)
 2. If no sensation remains, death is like a dreamless sleep. (Assumption)
 3. *Death is like a dreamless sleep.* (From 1 and 2)
- We've already considered the truth of this argument's premises. We concluded that (1) was fine, but (2) was questionable. What about validity? It seems that this argument is valid. If we accept (1) and (2) we must accept (3). So we are convinced of (3) as much as we are convinced of (2).

The fourth premise is an assumption about what humans in general would think. These kinds of generalizations are notoriously difficult to establish. Who's to say what everyone would think? That said, I think it's a fairly reasonable assumption that *most people* would consider a dreamless sleep better than a hum-drum day at the office or a normal night of tossing and turning. I know I would.

The fifth premise is another conclusion of a sub-argument, which goes like this:

3. *Death is like a dreamless sleep.* (From 1 and 2)
4. Anyone will consider a dreamless sleep better than most days and nights. (Assumption)
5. *Anyone will consider death better than most days and nights.* (From 3 and 4)

Is this sound? Clearly the argument is valid. Ignoring any lingering misgivings about (4), then the argument is as sound as (3), whose acceptance depends on (2), as we said above. The only major problem identified, so far, is with (2). This does raise an interesting point, though. What if we compare death – non-existence – to the days of our lives? It just might be that a state of death – lacking all sensation, including pain and suffering – might be better than some of our days, though certainly worse than more pleasurable ones. Perhaps, then, death is not something to seek, but also not something to fear.

The sixth premise is another assumption I'm willing to grant Socrates. People might disagree about what the definition of "blessing" is, but Socrates's seems reasonable enough.

Now, on to the conclusion. Is the argument valid? Do (3), (5), and (6) lead to (7)? Well, not quite. Properly speaking they only support the claim that "Anyone will consider death to be a blessing." Socrates hasn't established what death really is, just what people would usually think of it. But perhaps this is splitting hairs. As for soundness, we've already accepted (with reservations) (5) and (6). Again, (3), and thus (2), is the major sticking point. We can consider Socrates's argument sound only if we accept (2).

Critiquing an Argument

At this point, it's time to state what we've learned about Socrates' argument in an argument of our own. We've ready to write our critique:

Socrates's argument that death is a blessing in the *Apology* is interesting, but suffers from some weaknesses. As it stands it is not convincing. In the first place, Socrates cannot establish what death really is, but only what people think about it. He never discusses what death is, only what people think about it. Therefore, he cannot reach his intended conclusion. Moreover, the whole argument hinges on whether it is correct to say that lack of sensation is like a dreamless sleep. Sleeping seems to imply the possibility of waking, so it is quite different in this respect from a complete lack of sensation. Is it fair to say that a corpse, or even a stone, is doing something "like sleeping" just because they cannot sense anything? If we do not accept this assumed analogy, Socrates's argument does not follow. That said, Socrates does raise the interesting point that death might be compared to the rest of the days of one's life. In this case, it might be that death is better than some days, but worse than the very best days.

If so, then death is perhaps not something to seek, but not something to fear, either. Even if death is not a blessing, perhaps it is not a curse, either. Socrates's argument does lead us to reconsider our common view of death as something invariably bad and the worst of all possibilities.

Note how I've first identified the conclusion and said what I think about the argument as a whole. Since I don't think the argument is good, I've said why I think so. In particular, I point out two important weaknesses, I say why they are weaknesses, and I say which is more problematic. I then comment on what I think is a strength of the argument, and why I think it is a strength. Finally, I summarize what I draw from the argument.

Now, an argument critique should contain all of these elements, though not necessarily in this order. Most importantly, an argument critique has to say what the strengths and weaknesses of an argument are, *and why they are strengths and weaknesses*.

Examples to be discussed in class

For the following passages, try to reconstruct the argument. Do you think the argument is valid and sound? What are its strengths? What are its weaknesses? How would you critique the argument? We will discuss these passages in class.

The medical profession undoubtedly has special skills for determining and apply the specific criteria that measure whether particular body functions have irreversibly ceased. Whether the Harvard criteria [i.e., criteria that define death largely in terms of the absence of brain activity] taken together accurately divide those who are in irreversible coma from those who are not is clearly an empirical question (although the important consideration of just how sure we want to be takes us once again into matters that cannot be answered scientifically). But the crucial policy question is at the conceptual level: should the individual in irreversible coma be treated as dead? ... If I am to be pronounced dead by the use of a philosophical or theological concept that I do not share, I at least have a right to careful due process. Physicians who take it upon themselves to use those criteria ... should be ... prosecuted..." (Veatch, *Death, Dying and the Biological Revolution* as cited in Barry, *Invitation to Critical Thinking*)

In the fury that surrounds the debate about school prayer, it is sometimes forgotten that prayer is an essential part of religion. To permit school prayer is virtually the same as endorsing religion. What can be said, then, for religion? Not much, I'm afraid. Indeed, religion is dangerous. It has spawned numerous wars throughout history. Today, it continues to sow the seeds of discontent and destruction in Northern Ireland and the Middle East. It divides people by emphasizing their differences rather than their similarities. It breeds intolerance of people of opposed views. Is there any doubt, therefore, that the responsible citizen should oppose school prayer? (Barry, *Invitation to Critical Thinking*)

Listen, then. I say justice is nothing other than what is advantageous for the stronger... And each type of rule makes laws that are advantageous for itself: democracy makes democratic ones, tyranny tyrannical ones, and so on with the others. And by so legislating, each declares that what is just for its subjects is what is advantageous for itself – the ruler – and it punishes anyone who deviates from this as lawless and unjust. That, Socrates, is what I say justice is, the same in all cities: what is advantageous for the established rule. Since the established rule is surely stronger, anyone who does the rational calculation correctly will conclude that the just is the same everywhere – what is advantageous for the stronger. (Thrasymachus in the *Republic*, Reeve edition, p. 15)

Your Name: _____ Class Hour: _____

A House Divided by Former U.S. President Abraham Lincoln

Originally delivered by Abraham Lincoln on June 16th, 1858 in Springfield, Illinois

This re-enactment delivered by Fritz Klein in 2004 at the Illinois Old State Capitol

Mr. President, Gentlemen of the Convention:

If we could just know where we are and whither we appear to be tending, we could all better judge of what to do, and how to do it. We are now well into our fifth year since a policy was initiated with the avowed object and confident purpose of putting an end to slavery agitation.

However, under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. "A house divided against itself cannot stand."

I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved -- I do not expect the house to fall -- but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest this further spread and place it where the public mind shall rest in the belief that it is on a course of ultimate extinction; or its advocates shall press it forward, until it shall become alike lawful in all of the States, old as well as new, North as well as South.

Have we no tendency to this latter condition?

Let any one who doubts this contemplate that now almost complete legal combination -- piece of machinery, so to speak -- compounded of the Nebraska doctrine, and the Dred Scott decision. Let him consider not only what work that machinery is adapted to, but how well adapted. Also, also, let him study the history of its construction, and trace, if he can, or rather fail, if he can, to trace the evidences of design, of concert of action, among its chief bosses, from the very beginning.

The new year of 1854 found slavery excluded from more than half of the States by State Constitutions, and from most of the national territory by Congressional prohibition. Four days later commenced the struggle which ended in repealing that Congressional prohibition. This opened all the national territory to slavery, and was the first point gained. But, so far, Congress only had acted; and an endorsement by the people, real or apparent, was indispensable, to save the point already gained, and to give chance for more.

This necessity had not been overlooked; it had been provided for, as well as might be, in the notable argument of "squatter sovereignty," and "sacred right of self-government," which latter phrase, though expressive of the only rightful basis of any government, was so perverted in this particular application of it as to amount to just this: If any one man desires to enslave another, no third man has the right to object. Well that argument was incorporated into the Nebraska bill itself, in the language which follows: "It being the true intent and meaning of this act not to legislate slavery into any Territory or State, or to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." That opened a roar of loose declamation in favor of "Squatter Sovereignty," and "sacred right of self-government." "But," said opposition members, "let us be more specific, let



us amend the bill so as to expressly declare that the people of the Territory may exclude slavery." "Not we," said the friends of the measure; and down they voted the amendment.

Now, while the Nebraska bill was passing through Congress, a law case involving the question of a negro's freedom, by reason of his owner having voluntarily taken him into first a free State and then a Territory covered by that Congressional prohibition, and held him as a slave for a long time in each, was passing through the U. S. Circuit Court in the District of Missouri. Both the Nebraska bill and the law suit were brought to a decision in the same month of May, 1854. The negro's name was "Dred Scott," which name now designates the decision finally given in that case. Well, before the then next Presidential election, the law case came to, and was argued in, the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requests the leading advocate of the Nebraska bill to state his opinion whether the people of a Territory can constitutionally exclude slavery from their limits; and the latter answers: "That is a question for the Supreme Court."

The election came. Mr. Buchanan was elected, and the endorsement, such as it was, was secured. That was the second point gained. The endorsement, however, fell short of a clear popular majority by some four hundred thousand votes, and, I think, was not overwhelmingly reliable or satisfactory. The outgoing President, in his last annual message, as impressively as possible echoed back upon the people the weight and authority of this endorsement. The Supreme Court met again; did not announce their decision, but ordered a re-argument. The Presidential inauguration came -- still no decision of the court; but the incoming President in his inaugural address, fervently exhorted the people to abide by the forthcoming decision, whatever it may be. Then, in a few days, came the decision.

The reputed author of the Nebraska bill finds an early occasion to make a speech at this capital building endorsing the Dred Scott decision, vehemently denouncing all opposition to it. The new President, too, seizes the early occasion of the Silliman letter to endorse and strongly construe that decision, and to express his astonishment that any should ever had any different view than that.

At length a squabble springs up between the President and the author of the Nebraska bill, on the mere question of fact, whether the Leecompton Constitution was in fact, in any just sense, made by the people of Kansas; and in the squabble the latter declares all he wants is a fair vote for the people; he don't care whether it gets voted down or voted up -- slavery, that is.

I do not understand his declaration that he cares not whether slavery is voted down or voted up, to be intended as anything other than an apt definition of the policy that he wants -- wants to impress upon the public mind -- the principle for which he declared he has suffered much and intends to suffer until the end. Well -- Well may he cling to that principle. If he has any parental feeling at all, well may he cling to it for under the Dred Scott decision "squatter sovereignty" has squatted right out of existence, tumbled down like temporary scaffolding -- like -- like the mould at a foundry served cast off into the sand -- never to be used again. It helped to carry the election and then was kicked into the winds. His late joint struggle with the Republicans, against the Leecompton Constitution -- it involved nothing of the original Nebraska doctrine. The struggle was made on a point -- the right of the people to form their own constitution -- of which we and he have never even differed.

Well the several points of the Dred Scott decision, in connection, with Senator Douglas's "don't care" policy, constitute a major piece of machinery, in its present state of advancement. And this was the third point gained. Now the working points of that machinery are:

First, no negro slave, imported as such from Africa, and no descendant of any such slave, can ever be a citizen of any State, in the sense that that term is used in the Constitution of the United States. Now this point is

made in order to deprive the negro, in every possible event, of the benefit of this provision of the United States Constitution, which declares "The citizens of each State, shall be entitled to all the privileges and immunities of the citizens of the several States."

Secondly, that "subject to the Constitution of the United States," neither Congress nor a Territorial Legislature can exclude slavery from any United States territory. This point was made in order that individuals may fill up the Territory with slaves, without danger of ever losing their property in the slaves -- thus to enhance the chance of the permanency to that institution through all future.

Thirdly, that whether the holding of a negro in actual slavery in a free State, makes him free, as against the holder, the United States courts will not decide, but they'll leave it to be decided by the courts of any slave State where the master of that slave decides to take him.

This point was made, not to be pressed immediately; but, if acquiesced in for awhile, endorsed by the people apparently at an election, then to sustain the logical conclusion that what Dred Scott's master may lawfully do with Dred Scott, in the free State of Illinois, every other master may lawfully do with every other one, or one thousand of like slaves, in Illinois, or in any other free State.

And then auxiliary to all this, and working in hand with it, we have the Nebraska doctrine, or what's left of it, to educate, to mold public sentiment, to not care whether slavery is voted down or up. This shows exactly where we are, partially, also, whither we are tending.

Now it will throw additional light on the -- the latter, to go back, to run the mind over this string of historical facts already stated. Several things will now appear less dark and mysterious than they did then when they were transpiring. The people were to be left "perfectly free," "subject only to the Constitution" of the United States. What the Constitution had to do with it, outsiders could not then tell. Plainly enough now, it was an exactly fitted niche, for the Dred Scott decision afterwards to come in, and declare that perfect freedom to be just no freedom at all.

Why was the amendment, expressly declaring the right of the people to exclude slavery, voted down? Plainly enough now: the adoption of it would have spoiled that niche for the Dred Scott decision. Why was the court decision held up? Why even a Senator's individual opinion withheld, till after the Presidential election? Plainly enough now: speaking out then would have damaged the perfectly free argument upon which the election was to be carried. Why the outgoing President's felicitation of the endorsement? Why the delay of the re-argument? Why the incoming President's advance exhortation in favor of that decision, whatever it might be? These things look like the cautious patting and petting of a much-spirited horse, when it's a-feared that, upon mounting, he'll be thrown. Why the hasty after-endorsements of the decision by the President and others?

We cannot absolutely know that these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, which we know different portions of which have been gotten out at different times and in different places by different workmen -- Stephen, Franklin, Roger, James, for instance -- and when we see these timbers joined together, and see that they exactly frame a house or a mill, all the tenons and mortices fitting exactly together, all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or a piece too few -- not omitting even scaffolding -- or, if a single piece be lacking, we can see the place in the frame where it is fitted and prepared yet to be put in. In such a case, we find it impossible not to believe that Stephen and Franklin and Roger and James all understood one another from the beginning; all worked on a common plan or draft drawn before the first lick was struck.

Now, it shouldn't be overlooked that, by the Nebraska bill, the people of a State as well as Territory, were to be left "perfectly free," "subject only to the Constitution." Why mention a State? They were legislating for

Territories, not for or about States. Certainly the people of a State are and ought to be subject to the Constitution of the United States; but why is the mention of this lugged into a merely Territorial law? Why are the people of a Territory and the people of a State therein lumped together, and their relation to the Constitution treated as being precisely the same? While the opinion of the court, by Chief Justice Taney, in the Dred Scott's case, and the separate opinions of all the concurring Judges, expressly declare that the Constitution of the United States neither permits Congress nor a Territorial Legislature to exclude slavery from any United States Territory, they all omit to declare whether or not that same Constitution permits a State, or the people of a State, to exclude it.

Possibly, this was a mere omission; but who can be quite sure, if McLean or Curtis had sought to get into the opinion a declaration of unlimited power in the people of a State to exclude slavery from their limits, just as Chase and Mace sought to get such declaration, in behalf of the people of a Territory, in the Nebraska bill, -- I ask, who can be quite sure that it would not have been voted down in the one case as it had been on the other? The nearest approach to the point of declaring the power of a State over slavery was made by Judge Nelson. He approaches it more than once, using the precise [idea], almost the language, too, of the Nebraska act. On one occasion, his exact language is, "except in cases where the power is restrained by the Constitution of the United States, the law of the State is supreme over the subject of slavery within its jurisdictions."

In what cases the power of the States is so restrained by the United States Constitution, is left an open question, precisely as the same question, as to the restraint on the power of the Territories, was left an open in the Nebraska Act. Well when you put that and that together, we have another nice little niche, which we may, ere long, see filled by another Supreme Court decision, declaring that the Constitution of the United States does not permit a State to exclude slavery from its limits. And this may especially be expected if this doctrine of "care not whether slavery is voted down or voted up" shall gain in the public mind sufficiently to give promise that that decision will be maintained when it's made.

Such a decision is all that slavery now lacks of being alike lawful in all of the States. Welcome or [un]welcome, such decision is probably coming, and will soon be upon us, unless the power of the political dynasty at present shall be met and overthrown. We shall lie down pleasantly dreaming that the people of Missouri are about to make their State a free one, and we shall wake up to discover that the Supreme Court has just made Illinois a slave State. To meet and to overthrow the power of that dynasty is the work now before all those who would prevent that consummation. That is what we have to do. But how can we best do it?

There are those who denounce us openly to their own friends, and yet whisper to us that Senator Douglas is the aptest instrument for this work...with which to effect this object. They do not tell us, nor has he told us that he wishes any such object to be affected. They wish us to infer it, you see, from all the facts that he now has a little quarrel with the present head of this dynasty, and that he has regularly voted with us on a single point, upon which we and he had never differed. They remind us that he is a very great man, and the largest of us are little ones. Well, let this be granted. But "a living dog is better than a dead lion." And Judge Douglas, if not a dead lion, for this work, is at least a caged and toothless one. How can he oppose the advances of slavery? He don't care whether it gets voted down or voted up. His avowed mission is to impress the "public heart" to care nothing whether its voted down or voted up.

A leading Douglas democratic newspaper thinks Douglas's superior talent will be needed to resist the revival of the African slave trade. Does Douglas believe an effort to revive the African slave trade is approaching? He's not said so. Does he really think so? If it is, how can he resist it? For years he's labored to prove it a sacred right for men to take negro slaves into the new Territories. Can he possibly show that its less a

sacred right to buy them where they can be bought cheaper? Unquestionably they can be bought cheaper in Africa than in Virginia. He's done all in his power to reduce the whole question of slavery to one of a right of property; and as such, how can he oppose the foreign slave trade -- how can he refuse that trade in that "property" shall be "perfectly free"? -- unless he does it as a protection to those who are home producers. Well, then, as the home producers will probably not ask for that the protection, he shall be wholly without any ground of opposition.

Senator Douglas know that a man can rightfully be wiser today than he was yesterday -- that he can rightfully change when he finds himself to be wrong. But can we, for that reason, run ahead, and infer that he will make any particular change, of which he, himself, has never given any intimation? Can we safely base our action upon some vague inference? Now, as ever, I wish not to misrepresent Judge Douglas's position or question his motives, or do aught that would be personally offensive to him. But whenever, if ever, he and we can come together on principle so that our great cause may have the assistance of his great ability, I hope to have imposed no adventitious obstacle upon him. But clearly, he is not now with us -- he does not pretend to be -- he does not promise ever to be.

Our cause, then, must be entrusted to, and conducted by, its own undoubted friends -- those whose hands are free and whose hearts are in the work -- who do care for the result. Two years ago the Republicans of this nation mustered some thirteen hundred thousand strong. We did this under a single impulse of resistance to a common danger, with every external circumstance against us. Of strange, discordant, even hostile elements, we gathered from the four winds; we fought the battle through under the constant hot fire of a pampered, proud, disciplined army. Did we brave all then only to falter now? -- now, when that same enemy is wavering, dissevered, and belligerent? The result is not doubtful. We shall not fail -- if we stand firm, we shall not fail. Wise counsels may accelerate, or mistakes delay, but sooner or later the victory is sure to come.