Goodwin, Jean. (2020). Norms of advocacy. In J.A. Blair & C. Tindale (Eds.), Rigour and Reason: Essays in Honour of Hans Vilhelm Hansen (pp. 111-142). Windsor,ONT: WIndsor Studies in Argumentation.

CHAPTER 5.

NORMS OF ADVOCACY

JEAN GOODWIN

ABSTRACT: This essay follows Hansen in spirit, if not in letter, by defending argumentation theory as rightfully centered on argument assessment. Although advocacy is one of the paradigmatic activities within which arguments get made, many theorists have viewed it as having no norms: as being assessable only by its empirical effectiveness. But the ethical principles articulated within the advocacy professions of law and public relations show that advocates are not just out to persuade. Instead, they undertake obligations of vigor in making the case for their positions while also maintaining the integrity of the communication systems within which they operate. While not fully audience-regarding, these undertakings can benefit audiences by revealing the outer boundaries of the arguable. This account of the ordinary activity of advocating demonstrates that it is intrinsically normative, and that rhetoric conceived of as the art of advocacy has a place in a unified theory of argumentation.

KEYWORDS: Hansen, advocacy, argumentation, argument, normative pragmatics, rhetoric, norms, argument assessment, legal ethics, public relations ethics

1. INTRODUCTION

Hans Hansen closes "An Enquiry into the Methods of Informal Logic," by proposing "a new definition of 'informal logic'" as "the set of methods of non-formal illative evaluation" (2012, p. 115). Placing evaluation at the center of informal logic allows Hansen to re-vision the field; theories of argument structure and argument kind can now be seen as methods that support (or at least, ought to support) improved argument assessment.

Although Hansen focuses only on informal logic, I believe his lesson applies more broadly. Argumentation theorists should be following him in adopting assessment as the center of gravity around which will orbit the scholarship in our far-flung fields. We may be studying diverse aspects of argumentation – perhaps the arguments themselves, perhaps the argumentative activities in which arguments get made.[1] We may spend most of our time describing, cataloging or taking apart the arguments or activities we study. But at the end of all this theory-building around argumentative phenomena, we must eventually face the task of evaluating whether it is good. That is the point of argumentation theory.

There is at least one perspective on argumentation that would seem to resist this push towards normativity: a perspective that takes as irrelevant whether (e.g.) an argument is reasonable or an interaction fair, because all that really matters is whether they are successful in persuading the audience. Perhaps this perspective could allow a little normativity to sneak back in by admitting that the arguer could be aiming at noble or base ends. In that way, the Effectiveness Only argumentation theorist could say that an argument or activity was good in an extrinsic manner by asking: successful *at what?* – and then assessing the "what." But this tweak would still offer no assessment of the intrinsic merit of an

1. On arguments and argumentative activities as the two objects of study for any theory of argumentation, see Goodwin (2001b).

argument or its making. The standard of effectiveness would be applied equally well to arguments and hammers, to argumentative processes and procedures for repairing cell phones. "Does it work?" becomes the only question for an EO theory of argumentation.

But who in the interdisciplinary mélange of argumentation theory actually holds such a view? Ironically, it is my own field that is often considered the primary proponent of this perspective. "Rhetoric is now widely conceived" – that is, widely by theorists in *other* fields – "as the study of effective communication" (Johnson 2000, 268). A rhetorical approach to argumentation thus is supposed to focus not on normative aspects of argumentative discourse, but instead on "those properties of the argumentative discourse that play a vital role in persuading an audience" (van Eemeren et al. 2014,10).

To uphold my generalized version of Hansen's more modest claim I will need to establish the centrality of normative interests even to rhetorical perspectives on argumentation (and thus along the way the insufficiency of this view of rhetoric). While rhetoric has to maintain its long-accepted office of making a difference in the world, rhetorical approaches must (and do) also take normativity to be intrinsic to argumentation. A rhetorical theory of argumentation is both a pragmatic and a normative theory. In this paper, I thus join the tradition of insisting on an ethics of rhetoric. (And an honorable tradition it is: Johnstone, 1981; Leff, 2000; Tindale, 2004; Kock, 2007). I proceed *a fortiori*. Starting from a worst-case scenario, I show that even the most openly persuasive – that is, the most rhetorical – argumentative activity is in fact governed by intrinsic standards of good and bad. In short, I articulate the norms of advocacy.

Advocacy is often taken as oriented entirely towards persuasion – persuasion without respect for any ethical standards. In the *Oxford English Dictionary*, for example, the earliest use of *advocate* (n.) expresses just this suspicion:

> 1574 A. Golding tr. J. Calvin Serm. on Job (new ed.) cvi. 545/2 We shall see many, which..becomen themselues aduocates [Fr. aduocats] of vntruthes, and fall to foysting in of lies to ouerthrow the right.

A similar attitude is implicit in some informal logic textbooks. For example, Johnson and Blair in their aptly named *Logical Self-Defense* promise to arm students against such advocacy:

> Groups and individuals are incessantly vying for our support for their way of seeing things, for our acceptance of their views of what is true, important, or worth doing. The list of topics varies; the point is that we are consumers of beliefs and values as well as products. An important question thus emerges: How good are our buying habits? Some arguments are damaged goods. Buying a bad argument can, depending on the situation, do a person more harm than buying a defective CD player (1994, 1).

Here the authors distinguish their informal-logical, approach, centered as Hansen would wish on assessing the goodness of the arguments on offer, from the amoral, or immoral, art of offering them.

From this perspective, it may seem surprising that scholars of argumentation working in rhetorical traditions apparently hold a different view. The name of our leading journal is *Argumentation & Advocacy*, one of our leading textbooks is called *Advocacy and Opposition* (Rybacki & Rybacki, 2008), and many of other textbooks use the term "advocate" as a virtual synonym for "arguer," to capture the role we invite students to take. Hollihan and Baaske, for example, tell their readers that "your task as an advocate is to create the best arguments that you can" (2005, 79). We apparently think that advocacy is worthy of respect and that it is a job with responsibilities that must be met.

Both scholarly traditions recognize that advocacy is one of the paradigmatic activities within which arguments are made. One takes advocacy to be happening outside of the realm where assessment takes place. The other holds advocacy to be subject

to assessment on intrinsic grounds. The rhetoricians are right. Advocacy has norms.

In this paper, I adopt an empirical approach to identify these norms. I presume that competent advocates already know what normatively good advocacy is, at least in the sense of an implicit, practical "know-how." Following Robert Craig and Karen Tracy (Craig & Tracy, 1995; Craig, 1989, 1996), I take it that one goal of theorizing is to make this implicit practical knowledge more explicit, as a first step towards putting it in order, binding it to more basic principles, critiquing its limitations, and possibly improving it. So I will look to two communities of good advocates to begin developing a clearer conception of the norms of advocacy: lawyers, and public relations professionals. Both professions (as we will see) count advocacy among their central activities. Both face suspicions from the general public – both encounter resistance to their self-assertions of normative respectability. Both therefore have engaged in significant self-reflection, articulating for themselves a variety of values, ideals, principles, rules, obligations, best practices and so on in documents that I'll lump together and call "ethics statements." These statements are a particularly reliable source for evidence of the norms of advocacy, because they have to re-assure critical public audiences of the professions' integrity while also laying out norms that advocacy professionals can in practice follow. They have to be both normatively sound and practically useful – just what we need to get clear about the norms of the ordinary activity of advocating.

In the following sections, I analyze each community's ethics statements in turn, establishing that there are norms of advocacy and detailing the fine-grained set of obligations that each community puts forward. In the final sections, I close by generalizing an account of the normative structure of the ordinary activity of advocating and by exploring the implications of this account for argumentation theory more generally.

2. NORMS OF ADVOCACY AMONG THE LAWYERS

The current American Bar Association Model Rules of Professional Conduct (2012) – the source for the code of legal ethics in most US jurisdictions – recognize advocacy as one of several roles lawyers must play. "As advocate," the Preamble explains, "a lawyer zealously asserts the client's position under the rules of the adversary system." Notice first that this principle places advocacy in the particular context of "the adversary system": paradigmatically, a trial, but by extension other processes where open disputation is expected. Notice second that this standard pulls in two directions: an advocate owes "zeal" to her client, but is also constrained by ("under") her role within the "system" in which she operates. This same tension between responsibilities to clients and to systems turns up in the other places where the Rules talk of advocacy:

> The advocate has a duty to use legal procedure for the fullest benefit of the client's cause, but also a duty not to abuse legal procedure (Rule 3.1 Comment).
>
> A lawyer acting as an advocate in an adjudicative proceeding has an obligation to present the client's case with persuasive force. Performance of that duty while maintaining confidences of the client, however, is qualified by the advocate's duty of candor to the tribunal (Rule 3.3 Comment).

These "yes, but also" statements echo the more embroidered language of the earliest set of codified provisions in the U.S., the 1908 Canons of Professional Ethics:

> Canon 15: How Far a Lawyer May Go in Supporting a Client's Cause….The lawyer owes entire devotion to the interest of the client, warm zeal in the maintenance and defense of his rights and the exertion of his utmost learning and ability, to the end that nothing be taken or be withheld from him, save by the rules of law, legally applied. No fear of judicial disfavor or public unpopularity should restrain him from the full discharge of his duty. In the judicial forum the client is entitled to the benefit of any and every rem-

> edy and defense that is authorized by the law of the land, and he may expect his lawyer to assert every such remedy or defense. But it is steadfastly to be borne in the mind that the great trust of the lawyer is to be performed within and not without the bounds of the law. The office of attorney does not permit, much less does it demand of him for any client, violation of law or any manner of fraud or chicane.

The 1969 ABA Code of Professional Responsibility captured the same thought in a plainer style, stating as black letter law the principle "A Lawyer Should Represent a Client Zealously Within the Bounds of the Law" (Canon 7).

The current formulation has tried to de-emphasize zeal by taking the word out of the Rules themselves, reserving it only for less binding Comments. But as the Preamble to the Rules discusses at length, the central dilemma between an advocate's obligations of *zeal* for the client and *restraint* for the system remains. The Preamble starts with the hopeful proposition that "a lawyer's responsibilities as a representative of clients, an officer of the legal system and a public citizen are usually harmonious." Whatever boundaries one lawyer's zeal may push will be met by her opponent's equal and opposite zeal in return. But the Preamble then continues on a less optimistic note:

> In the nature of law practice, however, conflicting responsibilities are encountered. Virtually all difficult ethical problems arise from conflict between a lawyer's responsibilities to clients, to the legal system and to the lawyer's own interest in remaining an ethical person while earning a satisfactory living. The Rules of Professional Conduct often prescribe terms for resolving such conflicts. Within the framework of these Rules, however, many difficult issues of professional discretion can arise. Such issues must be resolved through the exercise of sensitive professional and moral judgment guided by the basic principles underlying the Rules. These principles include the lawyer's obligation zealously to protect and pursue a client's legitimate interests, within the bounds of the law, while maintaining a professional, courteous and civil attitude toward all persons involved in the legal system.

In the following, I examine first the lawyer's duty of zeal, and then the specific limitations placed on it by the "bounds of the law."

Most importantly, the ethics statements recognize zeal as a *responsibility* – "an obligation to present the client's case with persuasive force" (Rule 3.3 Comment), "a duty to use legal procedure for the fullest benefit of the client's cause" (Rule 3.1 Comment). Beyond this, the various legal ethics statements leave "zeal" undefined, suggesting that the background cultural understanding of a "zealous advocate" is so well established as not to need much discussion.[2] Generally, zeal is associated with activity that benefits a client, and in particular communicative activities. Thus the advocate is said to "assert [] the client's position" (Preamble) or "assert…remed[ies] or defense[s]" (Canon 15).

The limits imposed on zeal, by contrast, are treated much more explicitly. A lawyer must confine her communication to the adversary proceeding itself, and within the proceeding, to communicative methods that are appropriate. She may not communicate privately with the judge or jurors (Rule 3.5). Her rights to communicate with the public are restricted (Rule 3.6). She is barred from achieving her client's goals by illicit, non-communicative methods like bribing, intimidating or harassing any of the other key participants in the courtroom setting (Rule 3.5). As the Comment to Rule 3.6 explains, these provisions are necessary to "preserv[e] the right to a fair trial," since "if there were no such limits, the result would be the practical nullification of the protective effect of the rules of forensic decorum and the exclusionary rules of evidence." Similarly, the obligation to refrain "from abusive or obstreperous conduct" in the courtroom "is a corollary of the advocate's right to speak on behalf of litigants" there (Rule 3.5 Comment). Thus these rules oblige the lawyer not to

2. As pointed out by the commentator on the original version of this essay, presented at the 2013 OSSA conference, there may indeed be different and changing cultural views on what exact "zeal" requires (Cameron, 2013).

proceed in ways that would undermine the adversary system that gives her room to advocate at all.[3]

An even more detailed set of rules govern the communicative means that the lawyer is allowed to deploy within the adversary proceeding. Most stringent is an absolute prohibition against making statements known to be false, or helping others make them:

> Rule 3.3 Candor Toward The Tribunal. (a) A lawyer shall not knowingly: (1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or previously made to the tribunal by the lawyer;… (3) offer evidence that the lawyer knows to be false.
>
> Rule 3.4 Fairness to Opposing Party and Counsel: A lawyer shall not… (b) falsify evidence, [or] counsel or assist a witness to testify falsely.

The rationale given in the Comments to these Rules again stresses the lawyer's obligation "to avoid conduct that undermines the integrity of the adjudicative process" (Rule 3.3 Comment). "Destruction or concealment of evidence," for example, blocks the basic "procedure of the adversary system" which "contemplates that the evidence in a case is to be marshalled competitively by the contending parties" (Rule 3.4 Comment).

Avoiding known falsehood still leaves scope for presenting less than known truth, however. As the Comment to Rule 3.3 puts it, "The prohibition against offering false evidence only applies if the lawyer knows that the evidence is false. A lawyer's reasonable belief that evidence is false does not preclude its presentation to the trier of fact." Indeed, "a lawyer should resolve doubts about the veracity of testimony or other evidence in favor of the

3. As Cameron (2013) also pointed out, specific venues may impose additional, informal responsibilities on advocates who wish to practice there. Failure to live up to these additional responsibilities will result in the advocate losing credibility within, or even access to, the venue. Thus, as with the formal Rules, the advocate must so act as to maintain the system that gives her room to advocate.

client." Within this broad terrain of non-known-falsehood, the ethical rules require lawyers to have at least some backing for what they say. For example, a lawyer can raise any issue – including an argument for overturning current law – as long as "there is a basis in law and fact…that is not frivolous" (Rule 3.1). The Comment explains:

> Such action is not frivolous even though the lawyer believes that the client's position ultimately will not prevail. The action is frivolous, however, if the lawyer is unable either to make a good faith argument on the merits of the action taken or to support the action taken by a good faith argument for an extension, modification or reversal of existing law.

Similarly, in making arguments, "a lawyer shall not… allude to any matter… that will not be supported by admissible evidence" (Rule 3.4). Note that this Rule does not require a lawyer to actually believe the evidence ("a lawyer in an adversary proceeding is not required… to vouch for the evidence submitted in a cause," Rule 3.3 Comment); it merely requires her to base her arguments only on (non-known-to-be-false) evidence that could be admitted.

Finally, in two specific cases the lawyer is affirmatively required to present matters known to be true, even if they are adverse to her client's interests. She must disclose the law to a judge, and, if no opposing lawyer is present, must disclose all material facts (Rule 3.3). The first of these obligations is, amusingly enough, an obligation of veracity that the lawyer owes to her fellow lawyer, the judge. The Comment characterizes suppression of known legal provisions as a scandalous "dishonesty toward the tribunal." The second obligation is imposed only when in an adversarial proceeding – the presumed ordinary context of advocacy – there is no adversary present, so "there is no balance of presentation by opposing advocates." In both cases, however, the Comments stress that these are unusual situations: the exceptions which prove the rule. In general, "a lawyer is not

required to make a disinterested exposition of the law," and "an advocate has [only] the limited responsibility of presenting one side of the matters that a tribunal should consider in reaching a decision" (Rule 3.3 Comment).

In sum, lawyers are obligated (a) to pursue a client's interests zealously (b) in an adversarial context, and (c) to do this exclusively by communication within the institutional setting, while ensuring that all statements made (d) are not known to be false, (e) are supportable by evidence and reasoning, and (f) in a few limited cases, are the whole truth.

3. NORMS OF ADVOCACY AMONG PUBLIC RELATIONS PROFESSIONALS

It may be surprising to some to discover that there are norms of public relations at all. The occupation seems to suffer especially in comparison to its sister profession, journalism. Both PR professionals and journalists are expected to get messages out to broader publics. But where journalists work under a well-understood set of norms including accuracy, fairness and independence, PR professionals may appear to outsiders to be subject to no such guidelines. As the Public Relations Society of America acknowledges, there are "those who refer to our craft as spin, our professionals as flacks, and our currency as misrepresentation and disinformation." But this denigration of their profession has been fiercely resisted by the PRSA and other professional associations, in part based on the "special obligation [of public relations professionals] to practice their craft ethically" (PRSA, n.d., "Communicating public relations' value"). In the following, I review the ethics codes and associated materials from these societies, to elicit the norms of advocacy in PR.

As we saw with the legal profession, PR professional associations express their central ideal as what we can recognize as a dilemma, cramming into one principle obligations to those they represent and obligations to the public. The PRSA identifies as its

first value: "Advocacy. We serve the public interest by acting as responsible advocates for those we represent. We provide a voice in the marketplace of ideas, facts, and viewpoints to aid informed public debate" (PRSA Code). An earlier version of the PRSA code was explicit about the tension, insisting that PR folk maintain their integrity "while carrying out dual obligations to a client or employer and to the democratic process" (PRSA 1988 Code).

As is obvious from the above quotations, the PR community takes advocacy itself as a value. But what such advocacy requires is, as with the legal community, more assumed than specified. PRSA defines "public relations" as "a strategic communication process that builds mutually beneficial relationships between organizations and their publics" (PRSA, n.d., "About public relations"). "Strategic communication" suggests a strong goal-directedness; this emerges in another ethics statement as well, which requires professionals "to vigorously pursue their [client's] organizational goals in educating or persuading audiences that matter most to them" (PR Council). "Vigor" here parallels the lawyer's "zeal" on behalf of the client; as one case discussion put it, "PR professionals advocate – often vigorously – on behalf of those we represent. Our job is to promote a particular position or organization" (PRSA, PRSA speaks out). "Strategic communication" also puts the focus on communication – or as the PRSA Code puts it, "provid[ing] a voice in the marketplace of ideas." Finally, the context invoked in these statements is one where the PR professional must achieve his goals among multiple, relatively powerful, possibly competing voices: he is in a "marketplace of ideas, facts, and viewpoints" (PRSA Code), or "in the sphere of such complex issues as thorny policy debates, intense market competition or critical education needs in areas of public health, safety and well-being" (PR Council).

Advocacy as portrayed in these statements is thus the vigorous pursuit of a client's interests, using communication, in an environment of other communicators who do not share the same

goals. What are the limits of this vigor? A first set of restrictions is imposed by the PR professional's need to preserve the system of communication which allows him room to be vigorous. Thus an earlier version of the PRSA Code echoes the Model Rules by providing that "a member shall not engage in any practice which has the purpose of corrupting the integrity of channels of communications" (PRSA 1988 Code). At times the statements speak as if what is involved is a principle of fair return: since PR advocates themselves benefit from freedom of speech and the free flow of information it allows, it is only right that they in turn respect the views and voices of others. This creates an environment where "a diversity of viewpoints and opinions" are "heard, but must compete on the merits of argument and fact" (PRSA PSA-06).

Practically speaking, however, it's hard to see how a lukewarm invocation of the Golden Rule would serve to restrain an advocate's vigor. So it is interesting that the ethics statements also put forward a second, more pointed, rationale for not "corrupting the integrity" of the communication system. PR professionals not only benefit in general from principles of free expression, they also benefit very specifically from the independence of other communicators. Producers of movies, books, software and video games for example, want independent reviewers to give them a good rating. A business wants its local newspaper and television stations to report on activities which give it a good name. But reviews and reports are only trusted by the ultimate audience if they are disinterested. Thus while it may be tempting for the PR professional to ply reviewers and reporters with gifts or threaten them with exclusion from access, when those bribes or threats are discovered the reviews and reports will then be worthless. A recorded ethics discussion of a case involving negative video game reviews analyzes this well:

> Larsen: A reviewer's credibility is on the line with their audience every time they evaluate a product – the nature of which demands

> honesty, fairness and bias-free analysis. However frustrating a negative review may be, a developer's relationship with reviewers is critical in reaching the marketplace. There is a trust factor between the two that should not be inhibited or breached by threats, which ultimately invalidate the assessment…
>
> Whalen: Absolutely. It's the independent third-party endorsement that makes public relations a valuable tool. If the client buys the review – either through actual monetary exchange or through intimidation – the reviewer has no credibility… Don't be afraid of a few negative reviews. Customers will often overlook a reviewer's comments and make up their own minds, but they have little tolerance for people who seem to be trying to manipulate them with fake reviews or intimidation (PRSA Issues in Ethics).

Thus the PRSA Code provides an explicit guideline for practice: "preserve the free flow of unprejudiced information when giving or receiving gifts by ensuring that gifts are nominal, legal, and infrequent." This injunction to avoid pay for play parallels the similar injunction in the legal setting against bribing or intimidating witnesses, jurors, judges and other courtroom actors. But the unregulated openness of the public sphere, in contrast to the institutional regularities of the courtroom, adds another layer of complexity. In fact, it is not necessarily wrong for a PR professional to give other communicators compensation or assistance. Examples which turn up in the PRSA's cases include: payments to expert and celebrity endorsers, early and free access to product reviewers, giveaways at trade shows, payments for publishing advertorials, and support for public groups who support the PR professional's client. The ethical issue that arises in these cases is instead one of openness and transparency – a very pressing issue indeed, judging from how frequently it turns up in the ethics statements. One association declares its commitments thus: "We believe that our clients and the public are best served when third party relationships with spokespeople, bloggers, partners and allies are open and transparent. Our bias in counseling clients is toward disclosure, which we believe is appropriate as a principle and effective as a communications tool" (PR Council). The

PRSA similarly warns against unattributed video news releases (PSA-13), fake online reviews and other covert uses of social media (ESA-08) and front (or astroturf) groups (PSA-06). The rationale put forward for transparency is again that it is in the "client's best interest," as one case discussion explains, "since deceiving the media and the public(s) could contribute to declining public(s) trust in the [client]… [Full disclosure of sponsorship] would preserve the integrity of processes of communication and also help the [client] (and the public relations professional/firm) maintain important relationships with… citizens, voters, media and government officials" (PRSA Public Relations Ethics Case Study #2). Or as an PRSA Ethics Standards Advisory puts it:

> If the entire weight of the PRSA Code of Ethics could be loaded into a single word, that word would be Disclosure… Disclosure is difficult, but it builds trust. Avoiding disclosure ultimately destroys trust and replaces it with fear of the unknown. From a public relations perspective, disclosure and openness are powerful tools for building relationships and encouraging progress. Whenever there is doubt, choose disclosure. Disclosure is quite simply one of the most powerful tools to enhance and ensure the well-being of everyone (PRSA ESA-19).

PR advocates are thus obligated to be open about advocacy, since in the long run that is the only way for their advocacy to be successful.

The final set of restrictions focuses not on the PR professional's relationship to other communicators, but on the commitments to veracity he is undertaking in his own communications. The ethics statements of all the organizations include inspiring language about honesty in public relations work:

> [2.] Honesty. We adhere to the highest standards of accuracy and truth in advancing the interests of those we represent and in communicating with the public (PRSA Code).

1. Tell the truth. Let the public know what's happening with honest and good intention; provide an ethically accurate picture of the enterprise's character, values, ideals and actions (Arthur Page Society).

2. We are committed to accuracy. In communicating with the public and media, Member firms will maintain total accuracy and truthfulness (PR Council).

Another association adopts a more restrained approach, including farther down on their list of principles a modest ambition:

7. Accuracy. Take all reasonable steps to ensure the truth and accuracy of all information provided;

8. Falsehood. Make every effort to not intentionally disseminate false or misleading information, exercise proper care to avoid doing so unintentionally and correct any such act promptly (IPRA).

In this version, the PR professional has a significant obligation to avoid false statements ("every effort"), a moderate obligation to make sure that what he chooses to say is true ("reasonable steps"), and apparently no obligation to say all that he knows. While some argue that complete candor is, like full disclosure, necessary in the long run to preserve trust and make continued advocacy possible, this is not the only view. As one commentator put it, "you [the PR professional] give them [news reporters] information which will benefit your client if published… You, of course, are supposed to give them accurate information and to do so as promptly as possible. But you are not obligated to tell the news media all you know" (Smith, 1972). In an advisory on "greenwashing" (advertising of products as environmentally sound), the PRSA cautions its members to "review product claims and make certain supporting marketing collateral and key messages accurately describe the product and avoid unsubstantiated claims… Product claims should be thoroughly vetted and defensible…. Ensure that your green claim is completely substantiated and

that you have the evidence to back up the claim" (PRSA PSA-12). The emphasis here is on defensibility, not truth per se: on not making false claims, and on having support for the ones that do get made.

In sum: public relations professionals are obligated (a) to pursue a client's interests vigorously (b) in a context where there are other communicators with different perspectives, (c) avoiding non-communicative means like bribery and intimidation, while ensuring that all statements made (d) are not known to be false and (e) are defensible; and finally, (f') to do all this openly.

4. A GENERAL ACCOUNT OF THE NORMS OF ADVOCACY

While some aspects of legal ethics might be traced to specific features of the institutionalized practice of law, public relations ethics has been developed outside of formal institutions, and in particular in an environment that has experienced dramatic changes from traditional to new media. Despite these differences, the pictures of advocacy that have emerged from ethics statements in law and public relations appear to converge. This gives us warrant to generalize from these two special cases to an account of the ordinary communicative activity of advocating.

Lawyers and PR professionals are hired to speak for another person or organization. In general, however, an advocate does not need to formally be retained by another; she can undertake to advocate for another person or organization, for herself, for a proposal, or even for an abstract cause.[4] We have no problem understanding a headline like "thousands mobilize to advocate for an end to poverty," for example.

4. For some additional ethical complexities of advocating for a cause, see Cohen (2004). The self-appointed advocate may weigh his own vision of the future more heavily than those directly affected. Economic and identity interests in continuing the advocacy may also distort the self-appointed advocate's view.

Based on the accounts developed in law and PR, advocacy is appropriate in contexts where diverse voices, messages, positions, causes, etc. are circulating (see also Goodnight, 2009). This feature begins to differentiate advocacy from propaganda, where inequalities of power mean that only one message is being heard. It also distinguishes advocacy from the communication activities that occur against a background of agreement. To borrow an example from Roger Pielke (2007), someone who yells "get to the basement – there's a tornado coming!" would not be said to be advocating; she expects a consensus around the value of safety and the effectiveness of basements.

In the courtroom setting, the diverse voices are in direct competition – the advocates are also adversaries. While competition among advocates may also occur in non-institutionalized contexts, it is not necessary. Competition, after all, is only one strategy among others for managing diverse interests. Outside of institutionally organized adversarial contexts, advocates may find that their goals overlap, or that there are mutually beneficial ways for them to coordinate their activities while seeking different goals, or that they can simply ignore each other. Advocating may thus appropriately find a home among a broad range of ordinary interactions that are neither openly competitive nor fully collaborative.

The activity of advocating is structured around two sets of obligations: obligations undertaken to the person or cause advocated for, and obligations undertaken to the audiences and other participants in the communication setting. These two sets of obligations are often going to be in tension with each other—an unhappy situation for the advocate, who might prefer to cut through the problem by jettisoning one set of obligations. Indeed, in both legal and public relations ethics there is a long history of disputes about whether professionals should commit themselves just to persuasive effectiveness or just to public service (e.g., Andrews, 2012; L'Etang, 2004). But as Craig & Tracy

(1995) point out, "dilemmatic" goals are typical of communicative practices generally. The art of advocacy is to manage the dilemma as it arises on particular occasions.

To the person or cause she is advocating for, the advocate undertakes to communicate with zeal and vigor. She commits herself not just to diligent efforts to achieve a goal, but to "intense ardour in the pursuit of [that] end; passionate eagerness in favour of a person or cause; enthusiasm as displayed in action" (to quote the *Oxford English Dictionary's* definition of "zeal").

The advocate's obligations to others are obviously more complex. These are owed primarily to the audience, but also to other advocates, other communicators, and perhaps to the public generally. In the ethics statements in both law and PR, this set of obligations is traced back to a basic undertaking not to undermine the "integrity" of the communication "system" which makes the advocacy possible. In the case of legal ethics, the system is visible and the penalties for undermining it expressed. PR professionals work in no such institutional setting, but instead in the midst of the vast, confused and always-changing collection of communication practices we glibly name the "public sphere." So the vague idea of an obligation to a "system" needs to be made more specific, and the ethics statements do this in three ways.

First, the advocate owes it to her audience to be open about the fact that she is advocating. This obligation was not included in statements of legal ethics, likely because in the courtroom setting the lawyer is manifestly an advocate.[5] But as we saw, concerns about disclosure are prominent in PR ethics.[6] The crowded and disorderly public sphere makes it easy for an advocate to mask her dedication to her cause. But while admitting advocacy

5. The ABA Model Rules do provide that lawyers appearing in "nonadjudicative proceeding[s]," where communicators often speak for themselves, "shall disclose that the appearance is in a representative capacity" (Rule 3.9).

6. And in other settings; there is a literature on undisclosed "stealth" or simply inadvertent advocacy by scientists (Pielke 2007; Wilhere 2012).

can make audiences cautious, revelation of covert advocacy will destroy trust entirely. The prudent advocate will thus commit to openness from the start.

Second, the advocate owes it to other participants in the communicative situation, including her audience, to show respect for their autonomous roles. This obligation emerged in prohibitions against bribing, intimidating and harassing witnesses, reviewers, journalists, jurors and judges. As with the obligation of openness, this is not simply a responsibility to maintain a general system. The advocate needs to gain the trust of her audience, and can secure this trust only by letting other communicators remain independent.

Finally, the advocate owes her audience some obligation of veracity. Both legal and PR ethics insist that an advocate ought not say things she knows to be false. Both also agree that the advocate ought to have some non-frivolous reason(s) in support of what she said. Beyond that, it appears that the advocate's obligation of veracity is a limited one. Does she commit herself to having made a thorough investigation to back what she says, or to confirm its non-falsity? It doesn't look like it. Does she commit herself to telling the whole truth, including the bits that go against her? Not likely. Does she commit herself to sincerity—to saying only things she herself believes to be true? Definitely not. Indeed, in the courtroom setting, the legal advocate is prohibited from personally "vouching" for her client.

We can summarize this discussion with the following account of the norms of ordinary activity of advocating:

> A speaker advocates when she (a) openly commits herself (b) to the zealous, vigorous support of a person or cause (c) in the context of multiple voices or views, and to do this (c) through communication, disavowing persuasive means like bribery, intimidation and harassment, committing herself to the (d) justifiability and (e) non-known-falsity of what she says.

5. IMPLICATIONS

The account I have given demonstrates that advocacy is intrinsically normative. It is constituted of a complex of obligations the advocate undertakes towards her client or cause and towards her audience.

Advocating is not the activity of a person who simply wants to win. Indeed, some advocates representing unsavory clients may in their hearts prefer losing. Nor do we judge the advocate by her success; some of the greatest advocates know they will see no victory in their lifetimes. Instead, advocating is activity of a person who has *undertaken responsibility* for zealous support of a person, organization, proposal or cause. We criticize her not when she fails to persuade, but when she fails to be vigorous in the attempt.

However, this commitment on its own is insufficient, since as a communicative activity, advocacy needs an audience. But why should anyone consent to be the object of someone else's vigor? As a practical matter, in order to secure an audience to advocate *to*, the advocate must undertake additional, audience-regarding obligations. She commits to the veracity (although not the completeness) of what she says – a minimum guarantee that it will have informational content. She commits to the justifiability of what she says – a minimum guarantee that she won't be wasting the audience's time with matters that on inspection will be found frivolous. And finally, she commits to securing some of the conditions the audience needs in order to make good judgments. She undertakes not to distort other's communications to the audience (e.g., with bribery or intimidation), and she undertakes to be open about her own commitments.

As we saw, the advocate can feel torn between her dual and sometimes dilemmatic responsibilities. Audiences can feel a similar strain. On one hand, the advocate has openly committed herself to pursue her cause zealously. This is not an audience-regarding responsibility; she is not committing herself to saying

something worth the audience's time (as in proposing, Kauffeld 1998b), or to adapting what she says to the audience's concerns (as in advising, Kauffeld 1999). She is not even committing herself to the truth of what she is saying and to having made a reasonable effort to ascertain that truth, as she would in the basic act of saying something seriously (Kauffeld 2012b). Given that the advocate has openly announced her loyalty to her cause, her audience is right to be suspicious, can subject what she tells them to heightened scrutiny, and can even discount it entirely.[7]

At the same time, even cautious audiences can find value in advocacy. An advocate holds herself out as providing the strongest possible, non-frivolous, non-known-to-be-false support for a cause. The audience can trust the advocate to do this, and presume that no stronger non-frivolous, colorable support can be given. In this way, even discounted statements have some informational value. If the advocate presents some evidence, then no better evidence for her position exists. If she ignores a topic, then that topic must not support her view. If she makes a claim, the truth may be somewhat less, but is not somewhat more, than she presents it. Recall furthermore that advocacy occurs in the context of *other* advocacy. Competing advocates can

7. It is widely recognized that audiences have to use some interpretive principles to figure out what an arguer (or indeed, any communicator) means. Trudy Govier (1997a) has proposed a universal principle of *moderate charity*, according to which the audience understands that the arguer is cooperating with them in a mutual exchange of good reasons. When faced with a patently vague statement (for example), the audience is thus licensed to presume whatever is needed to make the argument sound. The account I have given here of advocacy suggests that instead, the interpretive principles that audiences can appropriately use are context-dependent: they arise from the specific commitments that arguers have made to them. The audience of an advocate reasonably adopts a principle of *discounting*. They can presume that the zealous arguer made the strongest non-false statement possible for her claim. If the arguer is vague, the audience is licensed to think "That's the best she can do?!" and dismiss the argument. For further discussions of discounting, see Goodwin (2001a) for the context of criminal trial advocacy and Goodwin (2012, 2014) for advocacy by scientists.

be even more useful to audiences. Audiences can count on them to lay out the boundaries of what can non-falsely and non-frivolously be said on a given topic. This allows the audience to outsource some of the time-consuming and wearisome activity of reasoning to those who are obliged to be zealous about it. Cognitive misers appreciate vigorous advocates.

The codes of ethics in both law and PR envision advocacy as a specifically *communicative* activity, in contrast to bribery or intimidation. But neither profession in their ethics statements requires advocacy to be *argumentative*. Why then the longstanding association of argumentation and advocacy? The advocate does not undertake probative obligations to her audience – she does not accept a burden of proof. The obligations she does undertake, however, can often best be fulfilled by making arguments, especially when they are challenged by other advocates.[8] The advocate commits herself to the justifiability (in the weak sense of "non-frivolity") of what she says. If challenged, she can show that her advocacy is justifiable by making justifications apparent. The advocate commits herself to not saying anything she knows to be false. If challenged, she can demonstrate that she doesn't know what she is saying to be false by making manifest evidence of its truth (or at least, evidence that raises reasonable doubts of its falseness). Zealous advocacy, in short, will often take the form of making the strongest possible *case*.[9]

8. See Jackson and Jacobs' classic paper on conversational argument (1980) for a general version of this view: people make arguments when the commitments that they have undertaken in speaking get called out. In the advocacy situation, with its multiple voices, such callings out will be routine.

9. On the concept of "case" – an entire body of arguments (an "argumentation," in one meaning of that term) fulfilling an arguer's responsibilities (however conceived) – see Govier (1997b) and Kauffeld (1998a). Both Kauffeld and Govier are concerned to define the limits of an arguer's responsibility to make a case, so that she doesn't have to respond to objections *forever*. The obligation of zeal may mean that for the advocate, there are no such limits. She must continue to make her case until she succeeds, or until extrinsic cir-

To review: Advocacy has sometimes been considered a clear case of brute persuasion, unbound by considerations of goodness, lacking any intrinsic norms. Attention to the theory-in-practice articulated by competent advocates makes evident a different view. Far from being "unbound," advocates openly undertake heightened responsibilities to their cause or clients, and weaker but still significant responsibilities to their audience. These responsibilities guide both the advocate's practice and the audience's reception of it. Indeed, it is only by undertaking and fulfilling responsibilities that the advocate can earn a reception for her case; lies, specious "spin" and especially nondisclosure will lose her the basic audience trust she needs to gain hearing. The advocate thus has an investment in the "integrity" of the "system" in which she operates. To be effective, she must be ethical (Goodwin 2018).

If even advocacy has norms, then it is reasonable to infer that other, less suspicious activities where arguments tend to turn up are similarly structured. I and other argumentation theorists working in the rhetorical tradition have examined the normative constitution of proposing, accusing, advising, reporting (Kauffeld 1998b, 1999, 2012a), exhorting (Kauffeld & Innocenti 2018), and demanding (Innocenti & Kathol 2018) among other acts; and of broader activities including exercising authority (Goodwin 2010, 2011), using humor (Innocenti & Kathol 2018), appealing to emotions (Innocenti 2011) and exploiting all the affordances of language lumped generally under the term "stylistic devices" (Innocenti 2005; Kauffeld 2009a). In these studies, we fill out a rhetorical perspective on argumentation that is dedicated to accounting simultaneously for the impact and for the intrinsic norms of argumentative activities. We have dubbed this approach to argumentation theory "normative pragmatics," since we show how arguers can, practically speaking, secure or even

cumstances force her to stop (e.g., the end of the trial, or nonpayment, or death).

force an intended response from their audience by subjecting themselves to norms (for overviews, see especially Goodwin 2000, Kauffeld 2009b, Innocenti 2019).

I have thus justified hope in the Hansen-inspired vision with which I opened this essay: hope of a (loosely) unified argumentation theory centering on a core concern for assessment. Hansen ended his "Enquiry" by claiming for informal logic one large portion of territory of argumentation: "non-formal illative evaluation," i.e., assessment of the reasons given. I will close with a similar contention. Informal logic's counterpart, normative pragmatics, can cover the rest: assessment of the reason-giving.

ETHICS STATEMENTS: LAW (U.S.A.)

American Bar Association. 2012. Model Rules of Professional Conduct. Retrieved from https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_table_of_contents/s

American Bar Association. 1969. Model Code of Professional Responsibility. Retrieved from https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/mrpc_migrated/mcpr.pdf

American Bar Association 1908. Canons of Professional Ethics. Retrieved from https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/1908_code.pdf

Ethics Statements: Public Relations (U.S.A.)

Arthur W. Page Society. n.d. The Page Principles. Retrieved from https://page.org/site/the-page-principles

International Public Relations Association (2011). Code of Conduct. Retrieved from https://www.ipra.org/member-services/code-of-conduct/

PR Council. n.d. The PR Council code of ethics and principles. Retrieved from https://prcouncil.net/join/the-pr-council-code-of-ethics-and-principles/

Public Relations Society of America n.d. PRSA Code of Ethics. Retrieved from https://www.prsa.org/about/ethics/prsa-code-of-ethics

—– 1988. Code of Professional Standards for the Practice of Public Relations. Retrieved from http://www.paularuth.com/ethics.htm

—– 2005. Professional Standards Advisory PS-6, Disclosure by Expert Commentators and Professional Spokespersons of Payments or Financial Interests. Retrieved from https://www.prsa.org/docs/default-source/about/ethics/eas/disclosure-by-expert-commentators-and-professional-spokespersons-of-payments-or-financial-interests-(april-2005)dd1f6d652b3a4a168aaa0f726f644e88.pdf?sfvrsn=c4d09509_0

—- 2008. Public Relations Ethics Case Study #2: Representing Front Groups with Undisclosed Sponsors and Engaging in Deceptive Practices While Representing a Front Group. Retrieved from https://www.prsa.org/docs/default-source/about/ethics/ethics-case-studies/ethics-case-study-front-group.pdf?sfvrsn=83045c0_2

—– 2009. Professional Standards Advisory PSA-12, Questionable Environmental Claims and Endorsements (Greenwashing). Retrieved from https://www.prsa.org/docs/default-source/about/ethics/eas/questionable-environmental-claims-and-endorsements-(greenwashing)-(october-2009).pdf?sfvrsn=bc8be581_0

—– 2009. Professional Standards Advisory PS-13, Use of Video News Releases as a Public Relations Tool. Retrieved from https://www.prsa.org/docs/default-source/about/ethics/eas/use-of-video-news-releases-as-a-public-relations-tool-(october-2009).pdf?sfvrsn=d7a0d1f7_0

—– 2011. Issues in ethics: Rescuing reputations at risk. Retrieved from https://apps.prsa.org/Intelligence/Tactics/Articles/view/9370/1035/Issues_in_ethics_Rescuing_reputations_at_risk

—-2011. PRSA Speaks Out Against Utah Mayor's Unethical Actions. http://prsay.prsa.org/2011/11/15/prsa-speaks-out-against-utah-mayor-unethical-communication-practices/

—– 2012. Ethical Standards Advisory ESA-08, Deceptive Online Practices and Misrepresentation of Organizations and Visuals. Retrieved from https://www.prsa.org/docs/default-source/about/ethics/eas/deceptive-online-ethical-standards-advisory.pdf?sfvrsn=806b591f_2

—– 2014. Ethical Standards Advisory ESA-19, Disclosure and Transparency in Native Advertising and Sponsored Content. Retrieved from https://www.prsa.org/docs/default-source/about/ethics/eas/ethical-standards-advisory-disclosure-and-transparency.pdf?sfvrsn=e9d89ed_2

REFERENCES

Andrews, C.R. 2012. Ethical limits on civil litigation advocacy: A historical perspective. *Case Wester Reserve Law Review, 63*, 381-439.

Lewin´ski (Eds.), *Virtues of argumentation*: *Proceedings of the Tenth OSSA Conference.* Windsor, ON: Ontario Society for the Study of Argumentation. Retrieved from https://scholar.uwindsor.ca/ossaarchive/OSSA10/papersandcommentaries/62/

Cohen, E.S. 2004. Advocacy and advocates: Definitions and ethical dimensions. *Generations*, *28*(1), 9-16.

Craig, R.T. 1989. Communication as a practical discipline. In B. Dervin, L. Grossberg, E. Wartella & B.J. O'Keefe (Eds.), *Rethinking communication, Vol 1: Paradigm issues*, 97-122. Newbury Park, CA: Sage Publications.

Craig, R.T. 1996. Practical-theoretical argumentation. *Argumentation, 10*, 461-474.

Craig, R.T., & Tracy, K. 1995. Grounded practical theory: The case of intellectual discussion. *Communication Theory, 5*(3), 248-272.

Eemeren, F.H. van, Garssen, B., Krabbe, E.C.W., Snoeck Henkemans, A.F., Verheij, B., Wagemans, J.H.M. 2014. *Handbook of argumentation theory*. Dordrecht: Springer.

Goodnight, G.T. 2009. The duties of advocacy: Argumentation under conditions of disparity, asymmetry, and difference. In F.H. van Eemeren & B. Garssen (Eds.), *Pondering on problems of argumentation: Twenty essays on theoretical issues,* 269-286.

Goodwin, J. 2000. Comments on [Jacobs'] Rhetoric and dialectic from the standpoint of normative pragmatics. *Argumentation, 14*, 287-292.

Goodwin, J. 2001a. The noncooperative pragmatics of arguing. In E. T. Nemeth (Ed.), *Pragmatics in 2000: Selected papers from the 7th International Pragmatics Conference* (Vol. 2), 263-277. Antwerp: International Pragmatics Association.

Goodwin, J. 2001b. One question, two answers. In H. Hansen, C. W. Tindale, J. A. Blair, R. H. Johnson & R. C. Pinto (Eds.), *Argumentation and its applications*. Windsor, ON: Ontario Society for the Study of Argumentation.

Goodwin, J. 2010. Trust in experts as a principal-agent problem. In C. Reed & C.W. Tindale (Eds.), *Dialectics, dialogue and argumentation: An examination of Douglas Walton's theories of reasoning and argument*, 133-143. London: College Publications.

Goodwin, J. 2011. Accounting for the appeal to the authority of experts. *Argumentation 25*(3): 285-296.

Goodwin, J. 2012. What is "responsible advocacy" in science? Good advice. In J. Goodwin (Ed.), *Between scientists & citizens: Proceedings of a conference at Iowa State University, 1-2 June 2012,* 151-161. Ames, IA: GPSSA.

Goodwin, J. 2014. Conceptions of speech acts in the theory and practice of argumentation: A case study of a debate about advocating. *Studies in Logic, Grammar & Rhetoric, 36*, 79-98. doi:10.2478/slgr-2014-0003

Goodwin, J. 2018. Effective because ethical: Speech act theory as a framework for scientists' communication. In S. Priest, J. Goodwin, & M. Dahlstrom (Eds.) *Ethics and Practice in Science Communication*, 1-21. Chicago, IL: University of Chicago Press.

Govier, T. 1997a. A new approach to charity. In *Problems in argument analysis and evaluation*, 133-158. Dordrecht: Foris Publications.

Govier, T. 1997b. Arguing forever? Or: Two tiers of argument appraisal. In H.V. Hansen, C.W. Tindale, & A.V. Colman (Eds.), *Argumentation and Rhetoric: Proceedings of the Second OSSA Conference*. St. Catherines, ON: Brock University. Retrieved from https://scholar.uwindsor.ca/ossaarchive/OSSA2/papersandcommentaries/46

Hansen, H.V. 2012. An enquiry into the methods of informal logic. In H. J. Ribeiro (Ed.), *Inside arguments,* 101-115. Cambridge: Cambridge Scholars Publishing.

Hollihan, T.A. & Baaske, K.T. 2005. *Arguments and arguing: The products and process of human decision making* (2nd ed.). Long Grove, IL: Waveland Press.

Innocenti Manolescu, B. 2005. Norms of presentational force. *Argumentation and Advocacy, 41*, 139–151.

Innocenti, B. 2011. A normative pragmatic model of making fear appeals. *Philosophy and Rhetoric, 44*(3), 273–290.

Innocenti, B. 2019. Constructing effective arguments. In J.A. Blair (Ed.), *Studies in critical thinking* (213-224). Windsor, ON: Windsor Studies in Argumentation. Retrieved from https://windsor.scholarsportal.info/omp/index.php/wsia/catalog/view/106/106/1089-1

Innocenti, B. & Kathol, N. 2018. The persuasive force of demanding. *Philosophy and Rhetoric, 51*(1), 50–72.

Innocenti, B. & Miller, E. 2016. The persuasive force of political humor. *Journal of Communication*, 66(3), 366–385.

Jackson, S. & Jacobs, S. 1980. Structure of conversational argument: Pragmatic bases for the enthymeme. *Quarterly Journal of Speech, 66*, 251-264.

Johnson, R.H. 2000. *Manifest rationality*. Mahwah, New Jersey: Lawrence Erlbaum Associates.

Johnson, R.H. & Blair, J.A. 1994. *Logical self-defense*. New York: McGraw-Hill.

Johnstone, H.W. Jr. 1981. Towards an ethics of rhetoric. *Communication, 6,* 301-314.

Kauffeld, F.J. 1998a. The good case for practical propositions: Limits of the arguer's obligation to respond to objections. In F.H. van Eemeren, R. Grootendorst, J.A. Blair, & C.A. Willard (Eds.), *Proceedings of the Fourth International Conference of the International Society for the Study of Argumentation*, 439-444. Amsterdam: Sic Sat.

Kauffeld, F.J. 1998b. Presumptions and the distribution of argumentative burdens in acts of proposing and accusing. *Argumentation, 12*(2), 245-266.

Kauffeld, F.J. 1999. Arguments on the dialectical tier as structured by proposing and advising. In C. W. Tindale, H. V. Hansen & E. Sveda (Eds.), *Argumentation at the century's turn: Proceedings of the Third OSSA Conference*. St. Catharines, ON: OSSA.

Kauffeld, F.J. 2009a. Grice's analysis of utterance-meaning and Cicero's Catilinarian apostrophe. *Argumentation, 23*(2) 239–257.

Kauffeld, F.J. 2009b. What we are learning about the pragmatics of the arguers' obligations? In S. Jacobs (Ed.) *Concerning argument* (1–31). Washington DC: National Communication Association.

Kauffeld, F.J. 2012a. A pragmatic paradox inherent in expert reports addressed to lay citizens. In J. Goodwin (Ed.), *Between*

scientists & citizens: Proceedings of a conference at Iowa State University, June 1-2, 2012, 229-240. Ames, IA: Great Plains Society for the Study of Argumentation.

Kauffeld, F.J. 2012b. Strategies for strengthening presumptions and generating ethos by manifestly ensuring accountability. In F. Zenker (Ed.), *Argument cultures: Proceedings of the 8th international conference of the Ontario Society for the Study of Argumentation (OSSA)* (1-15). Windsor, ON.

Kauffeld, F.J. & Innocenti, B. 2018. A normative pragmatic theory of exhorting. *Argumentation, 32,* 463-483.

Kock, C. 2009. Choice is not true or false: The domain of rhetorical argumentation. *Argumentation, 23*(1), 61–80.

Leff, M. 2000. Rhetoric and dialectic in the twenty-first century. *Argumentation, 14,* 241-254.

L'Etang, J. L. 2004. The myth of the 'ethical guardian': An examination of its origins, potency and illusions. *Journal of Communication Management, 8*(1), 53-67.

Pielke, R. A. 2007. *The honest broker: Making sense of science in policy and politics*. Cambridge: Cambridge University Press.

Public Relations Society of America. (n.d.). About public relations. Retrieved from https://www.prsa.org/about/all-about-pr

Public Relations Society of America. (n.d.). Communicating public relations' value: Business value and public good are essence of PR today. Retrieved from http://www.prsa.org/Intelligence/BusinessCase/ Communicating_Public_Relations'_Value

Rybacki, K.C. & Rybacki, D.J. 2008. *Advocacy and opposition: An introduction to argumentation* (6th ed.). Boston, MA: Pearson.

Smith, A.N. 1972. The principle of advocacy. *Public Relations Quarterly, 17*(1), 9-11, 23-14.

Tindale, C.W. 2004. *Rhetorical argumentation: Principles of theory and practice*. Thousand Oaks, NJ: Sage Publications. *on Biology, 26*(1), 39–46.

Wilhere, G.F. 2012. Inadvertent advocacy. *Conservation Biology,* 26(1), 39–46.

ABOUT THE AUTHOR: Jean Goodwin is SAS Institute Distinguished Professor of Rhetoric & Technical Communication at North Carolina State University. Her research has contributed to the normative pragmatic approach to argumentation, demonstrating how arguers, even those who deeply disagree, can manage to regulate their own transactions, so that arguments deserve to be, and get, heard. Working within the rhetorical tradition, her case studies have focused on civic controversies, including most recently the roles scientists can play within them.