Even simple qualifiers such as "in most cases" or "on the whole" can diffuse objections to a claim. When analyzing an argument, find the claim and ask yourself what possible exceptions might exist. When writing your own claims, think about possible exceptions. You can make your argument stronger by acknowledging exceptions before your readers think of them.

Finally, the Toulmin method includes an element known as rebuttals. A **rebuttal** is a statement that shows that the writer has anticipated counterarguments and diffused them by showing their flaws. Entire arguments can take the form of rebuttals, especially if the counterargument is a commonly held opinion. For example, an entire argument could be a rebuttal of arguments for or against the death penalty.

It is not difficult to think of counterarguments to the case against grading, because grading is so entrenched in education all over the world. Most teachers, administrators, and students assume it serves a purpose. For example, hard-working students might want grades as a reassurance that they are making progress in learning. They might offer the following counterargument to Kohn's case against grades:

> *Claim:* Grades are an important part of education.
>
> > *Reason:* Grades help students know where they stand in the learning process and encourage them to progress.

In his argument, Kohn anticipated this counterargument and nullified it by showing that teachers' written and oral comments were more effective than grades in helping students learn.

We have now covered the six most basic elements in the Toulmin method: claims, reasons, evidence, warrants, qualifiers, and rebuttals. The diagram on page 48 gives you an overview of these elements and their relationships. The reading below gives you an opportunity to apply the terms to another argument on a controversial issue, the legalization of drugs.

Let's Be Blunt: It's Time to End the Drug War

ART CARDEN

This argument was originally published in *Forbes* magazine. The author is a regular columnist for *Forbes* and a professor of economics at Samford University in Birmingham, Alabama.

1   April 20 is the counter-culture "holiday" on which lots and lots of people come together to advocate marijuana legalization (or just get high). Should drugs—especially marijuana—be legal? The answer is "yes." Immediately. Without hesitation. Do not pass Go. Do not collect $200 seized in a civil asset forfeiture. The war on drugs has been a dismal failure. It's high time to end prohibition. Even if you aren't willing to go whole-hog and legalize all drugs, at the very least we should legalize marijuana.

2   For the sake of the argument, let's go ahead and assume that everything you've heard about the dangers of drugs is completely true. That probably means that using drugs is a terrible idea. It doesn't mean, however, that the drug war is a good idea.

3   Prohibition is a textbook example of a policy with negative unintended consequences. Literally: it's an example in the textbook I use in my introductory economics classes (Cowen and Tabarrok, *Modern Principles of Economics* if you're curious) and in the most popular introductory economics textbook in the world (by N. Gregory Mankiw). The demand curve for drugs is extremely inelastic, meaning that people don't change their drug consumption very much in response to changes in prices. Therefore, vigorous enforcement means higher prices and higher revenues for drug dealers. In fact, I'll defer to Cowen and Tabarrok—page 60 of the first edition, if you're still curious—for a discussion of the basic economic logic:

> The more effective prohibition is at raising costs, the greater are drug industry revenues. So, more effective prohibition means that drug sellers have more money to buy guns, pay bribes, fund the dealers, and even research and develop new technologies in drug delivery (like crack cocaine). It's hard to beat an enemy that gets stronger the more you strike against him or her.

4   People associate the drug trade with crime and violence; indeed, the newspapers occasionally feature stories about drug kingpins doing horrifying things to underlings and competitors. These aren't caused by the drugs themselves but from the fact that they are illegal (which means the market is underground) and addictive (which means demanders aren't very price sensitive).

5   Those same newspapers will also occasionally feature articles about how this or that major dealer has been taken down or about how this or that quantity of drugs was taken off the streets. Apparently we're to take from this the idea that we're going to "win" the war on drugs. Apparently. It's alleged that this is only a step toward getting "Mister Big," but even if the government gets "Mister Big," it's not going to matter. Apple didn't disappear after Steve Jobs died. Getting "Mr. Big" won't win the drug war. As I pointed out almost a year ago, economist and drug policy expert Jeffrey Miron estimates that we would have a lot less violence without a war on drugs.

6   At the recent Association of Private Enterprise Education conference, David Henderson from the Naval Postgraduate School pointed out the myriad ways in which government promises to make us safer in fact imperil our safety and security. The drug war is an obvious example: in the name of making us safer and protecting us from drugs, we are actually put in greater danger. Without meaning to, the drug warriors have turned American cities into war zones and eroded the very freedoms we hold dear.

7   Freedom of contract has been abridged in the name of keeping us "safe" from drugs. Private property is less secure because it can be seized if it is implicated in a drug crime (this also flushes the doctrine of "innocent until proven guilty" out the window). The drug war has been used as a pretext for clamping down on immigration. Not surprisingly, the drug war has turned some of our neighborhoods into war zones. We are warehousing productive young people in prisons at an alarming rate all in the name of a war that cannot be won.

8   Albert Einstein is reported to have said that the definition of insanity is doing the same thing over and over again and expecting different results. By this definition, the drug war is insane. We are no safer, and we are certainly less free because of concerted efforts to wage war on drugs. It's time to stop the insanity and end prohibition.

QUESTIONS FOR DISCUSSION

1. As pointed out in Chapter 2, "Reading Arguments," you should begin reading with some knowledge of rhetorical context. The author is a professor of economics, and the article was published in *Forbes,* a business magazine. How does the rhetorical context help to explain the focus of Carden's argument?

2. Carden's claim is obvious: It appears in the title. What do you know about the range of opinions on this issue? What are some of the most common arguments made for continuing to keep marijuana and other street drugs illegal? Do you see places in the argument where Carden acknowledges any of the opposing views? If so, where?

A STEP-BY-STEP DEMONSTRATION OF THE TOULMIN METHOD

When evaluating the logic of an argument, follow the steps outlined below to ensure that you have considered the most important elements. The Toulmin method requires you to analyze the claim, the reasons offered to support the claim, and the evidence offered to support the reasons, along with the warrants that make the reasons and evidence relevant to the claim. Finally, you will look to see if the argument attempts to rebut any counterarguments.

Analyzing the Claim

Logical analysis begins with identifying the *claim,* the thesis or central contention, along with any specific qualifications or exceptions.

Identify the Claim

First, ask yourself, "What statement is the author defending?" In Carden's argument for legalizing drugs, he makes his claim clear in the first paragraph. He asks, "Should drugs—especially marijuana—be legal? The answer is yes." Note that although he says "especially marijuana," he is not arguing for the legalization of marijuana only.

Look for Qualifiers and Exceptions

Next, ask, "How is the claim qualified?" Is it absolute, or does it include words or phrases such as "on the whole," "usually," or "in most cases" to indicate that

context of the topic itself: What might have brought this topic to the author's attention? Has it been in the news? Consider what other people are saying on the issue, and why. Arguments do not exist in a vacuum; they are part of ongoing conversations situated in time and place.

Finally, if you disagree with the argument or find the reasoning weak, ask yourself what counterarguments you might offer that would be more valid and convincing to readers. Be sure that you can support any counterarguments with evidence.

The reading that follows shows how one writer critiqued the argument of a major figure in debates about the social and psychological effects of digital media. We have annotated it to show how the critic, Tom Stafford, asked some of the questions described above in his critique.

Stafford's article is a book review, a common genre for critiques of nonfiction books that argue a position on a debatable topic. The book being reviewed is by Sherry Turkle, a professor at the Massachusetts Institute of Technology, who argues that even though technology is connecting us on one level, it is actually getting in the way of our ability to form close human relationships. Stafford, the author of the review, is a lecturer in psychology and cognitive science at the University of Sheffield, in England. The review appeared on his blog *idiolect* (http://idiolect.org.uk/notes/).

Stafford writes his critique in first person and in a humorous and informal style, beginning with this cautionary note to his readers. This style is appropriate for the medium in which the review appeared, a personal blog.

Stafford is reacting here rather than critiquing; however, he quickly moves into thinking critically about Turkle's evidence.

Why Sherry Turkle Is So Wrong

TOM STAFFORD

1 (Attention conservation notice: a rambling 1800 word book review in which I am rude about Sherry Turkle and psychoanalysis, and I tell you how to think properly about the psychology of technology)

2 This book annoyed me so much I wasn't sure at page 12 if I could manage the other 293. In the end I read the introduction and the conclusion, skimming the rest. Turkle's argument is interesting and important[;] I just couldn't face the supposed evidence she announced she was going to bring out in the body of the book.

3 Psychoanalysts are conspiracy theorists of the soul, and nowhere is that clearer than in Turkle's reasoning about technology. Page after page of anecdotes are used to introduce the idea that communications technologies such as email, [F]acebook and Twitter offer an illusion of intimacy, but in fact drive us into a new solitude. This might be true, it's an important idea to entertain, but pause for a moment to think how you would establish if it really was the case or not.

This is the claim, or main point of the critique. Stafford qualifies his claim by saying that the argument could be worth making but is flawed because of weak evidence.

Stafford considers context for Turkle's argument here; psychoanalysis is one of Turkle's research interests.

Anecdotes, which are often hearsay or personal observations, may not be truly representative. Anecdotal evidence is less convincing than scientific studies.

Stafford summarizes Turkle's claim.

Stafford shows the need to think critically about Turkle's argument.