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Task Force Report on the Ethical Responsibilities of Presidential Rhetoric

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CHAPTER 14

REPORT OF THE NATIONAL TASK FORCE

ON THE ETHICAL RESPONSIBILITIES

OF PRESIDENTIAL RHETORIC

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ON RHETORIC, ETHICS, AND THE PRESIDENCY

art of the implicit charge of this task force is to call the presidency to its ethical obligations, most particularly with respect to its rhetorical activities. And yet as any observer of the ongoing four-year cycles of presidential campaigning has come to see,

American political discourse is saturated with candidate rhetoric designed to display "character" and surrogate rhetoric designed to cast doubt on the character of rival candidates. Talk radio often excoriates the character of political opponents as a premise and primary subject of political conversation. We distract ourselves with indignation, yet have trouble finding a purchase for reflective ethical inquiry and mutually respectful policy debate. In some ways, it seems that we need a moratorium on ethics as the implicit theme of presidential and campaign discourse. And yet it is not so much that we need less focus on ethics as that we may need to refocus how we talk about ethics. The work of scholars in rhetoric has done much to encourage such a refocusing of ethical inquiry.

The rhetorical tradition has invoked ethics in three interrelated senses rhetoric and moral outcomes as the substance of persuasion; moral character as the basis of persuasion; and ethics as implied in the relation of public deliberation.

ETHICS AND THE ENDS OF RHETORIC

The tradition tells us that we should value speakers and audiences who seek ethical ends. Of course, what counts as an ethical end is often precisely the issue that divides speakers on various sides of a question, forming the subject matter of public address; rhetoric itself can provide no infallible rule to choose among policy alternatives, in most cases-such judgments are part of the larger relations of ethics and politics. Rhetorical scholars and the public are rightly interested in how persuaders depict the ethics of policy questions. Some rhetorical scholars have warned against the danger of turning everyday policy arguments into ethical arguments prematurely, since such tactics can backfire, creating polarization, rigidity, and self-righteousness; pushing aside pragmatic considerations and mutually beneficial compromises; and creating mutually antagonistic camps both accusing the other side of moral blindness. Turning a great public question into a moral confrontation can have the effect of silencing the very deliberation that the society needs to deal with the problem; failing to acknowledge the moral dimensions of a problem can prolong evasion and injustice.

Some rhetorical scholars have asked whether certain ends are so important that the president has a moral obligation to support them. Steven R. Goldzwig and George N. Dionisopoulos argue that John F. Kennedy was right to make a moral commitment to civil rights, a position shared by Garth Pauley; Thomas W. Benson has interrogated Franklin D. Roosevelt's silence on civil rights in two speeches delivered on the Gettysburg battlefield in the 1930s.¹

CHARACTER AS RHETORICAL PROOF

Ethics, and the perceived enactment of ethics in the performed character of the speaker, form part of the "proof" of any discourse, from the audience's point of view. This form of proof Aristotle called *ethos*.² To ethos (the depicted character of the speaker or implied author), contemporary rhetorical theory has added concerns with how texts represent not only their authors but also their *listeners* and *readers* (second persona; implied audience); and how the text represents *other human agents*.³

Listeners do and should assess the ethical character of a speaker as part of the speaker's general argument; the rhetorical text itself is a guide, though in the age of ghostwriting not always a reliable guide to presidential ethos.⁴ Assessments of presidential ethics properly include a consideration of how the president depicts not only himself or herself but also other human agents.

ETHICS OF COMMUNICATION IMPLIED BY RHETORIC ITSELF

The act of engaging in rhetoric, as speaker or listener, implies ethical obligations for both. Karl Wallace wrote that "communication carries its ethics within itself," by which he meant that "public address of any kind is inseparable from the values which permeate a free and democratic community."⁵ Wallace argued that in a democratic society, speakers have an implicit obligation to meet certain ethical standards—they should be well informed on the subjects they address and should acknowledge legitimate opposing views; they should be fair and accurate and should help their listeners to arrive at fair judgments by cultivating the "habit of justice"; they should reveal the sources of their motives, information, and opinion; they should make themselves publicly accountable and should prefer public to private motivations; they should "acknowledge and respect diversity of argument and opinion"; they should respect dissent.⁶

Employing Wallace's sense of the implicit ethical rules of democratic rhetoric, Christopher Lyle Johnstone argues that Ronald Reagan's 1984 campaign rhetoric was deficient in meeting "the procedural standards of intelligent public deliberation and judgment."⁷

He has bequeathed us a vision of the political process in which the values and forms of democratic decision-making have been replaced by activities and expectations geared more to entertainment than to wise judgment. This vision substitutes the campaign rally for the town meeting, patriotic homily for argument, spectacle for discussion and debate. It makes every public appearance by the candidate into a performance—staged, scripted, recorded, and then repackaged as press-coverage-by-soundbite and as campaign commercial. It replaces judgment with emotional satisfaction as the aim of public communicative encounters. It replaces the ideal of citizen-as-judge with that of citizen as spectator.⁸

Richard L. Johannesen has expressed similar but in some ways narrower doubts about the rhetoric of Ronald Reagan. In assessing the first two years of the Reagan presidency, Johannesen concludes that "President Reagan plays fast and loose with the facts and thus warrants ethical condemnation."⁹ Having briefly catalogued representative critical practices that focus rhetorical inquiry on the ethics of presidential discourse, we next turn to a discussion of what we believe rhetorical critics can and perhaps ought to be engaged in *now*, both in fashioning a critical stance toward presidential ethics and in developing critical practices.

WHAT CRITICS CAN AND SHOULD BE DOING NOW

A conundrum of idealism vs. pragmatism hovers over presidential ethics and effectiveness and the development of a critical stance. Nearly twenty years ago, Thomas B. Farrell reflected on "rhetorical resemblance," identifying a paradox between rhetoric as an ethical-political practice and as a poetic. Farrell contended that "Aristotle gave us a double standard for appreciating and engaging the mimetic status of rhetorical discourse."¹⁰ He continued by observing:

My suspicion is that Aristotle conceives the qualities of rhetorical discourse quite differently from an *ethical-political* stance (employed in the *Rhetoric*) and from an aesthetic stance (employed in the *Poetics*). As many observers have noted, for instance, Aristotle believed that acting (*praxis*) was superior to making or creating (*poesis*).... But at the same time, he construes poetic "truth" to be more universal and truer than historical truth (what men have actually done). And he places credible impossibilities on a higher aesthetic plane than incredible fact. He would value myth more than, say, news.¹¹ If Farrell's supposition is correct, Aristotle's choice to tie together rhetoric and poetic in an untanglable knot was deliberate. It was necessitated by the paradox of public discourse. Farrell concluded his argument by contending that "rhetoric is the only art responsible for the imitation and expression of public thought. And nothing is more tenuous than that."¹²

Aristotle's "double standard" for evaluating rhetorical discourse is mirrored in discussions of the ethical responsibilities of presidential discourse. On one hand, critics attend to presidential rhetoric from an ethical-political perspective—establishing normative standards by which presidents should abide but from which most leaders (save those who agree with our political predilections) inevitably fall short. On the other hand, scholars know that presidential discourse is governed by the practitioners who take a decidedly more aesthetic approach to the crafting of political discourse. Just as "beauty" is in the "eye of the beholder," "virtue" is often determined by the popular vote. Although none would argue that a popular message is always an ethical message, many contend that in politics one cannot accomplish anything unless one is in office—thus the achievement of ethical goals is dependent on rhetoric that is persuasive and, as such, aesthetically appealing.

Hence a battle rages between idealism and pragmatism. Do we establish lofty standards for presidential discourse, knowing full well that mortal presidents will fail to abide by them? Or do we acknowledge politics as an inherently strategic activity for which the only credible measure of excellence is winning?

The solution to this problem, suggested by Farrell via Aristotle, is not to attempt to unravel the paradox but instead to recognize the strength inherent in the paradoxical form. Presidential discourse is not least ethical when it is most aesthetically appealing. Ethics lies outside the realm of aesthetics. However, where discourse is concerned the ethics of a message is entwined—knotted—to its aesthetic appeal. Critics must provide normative standards acknowledging that these two realms—rhetoric and poetic—are melded in political discourse. All our recommendations for ethical communication will be disregarded unless we acknowledge that ethical speech also needs to be persuasive.

The conundrum of ethics versus effectiveness was addressed in an episode of *The West Wing*, NBC's pop culture site for negotiating the issue of presidential ethics. Fictive Democratic campaign strategist Bruno Gianelli is debating the merits of using soft money for political advertising with White House Deputy Communications Director Sam Seaborn. Seaborn, taking the ethical high road, argues that the president cannot oppose soft money in his campaign rhetoric and then use it for political gain. Seaborn opines, "There's such a thing as

leadership by example." Gianelli responds, "Yeah, it comes right before getting your ass kicked in an election." Gianelli argues for the importance of leveling the playing field—if conservatives are going to play rough and tumble with their campaign ads, then liberals have to do the same in order to continue to give voters a choice—"We're both right. We're both wrong. Let's have two parties." Communications Director Toby Ziegler weighs in with an Aristotelian solution: "Let's stick to the spirit of the law." Seaborn interrupts, "The spirit of the law means no soft money." Ziegler continues, "No, I'm saying let's do an issue ad—an actual issue ad. Let's do a bunch—health care, equal opportunity, school construction. Does anyone think that raising awareness of crumbling schools won't help us?" After outlining an issue ad strategy that both meets the ethical "spirit" of the campaign finance law and promises to be rhetorically and politically effective, campaign strategist Gianelli remarks, "This isn't bad. I like this. Why am I nervous?" Seaborn quips, "It's not amoral." Both characters chuckle.¹³

Implicit in the television narrative is at least one answer to the paradox between idealism and pragmatism in political discourse. If a president has faith in the soundness of his or her policy, in the clarity of his or her vision, then ethics need not be sublimated to strategy. Instead, all of rhetoric's aesthetic strength can be mustered to support its ethical-political purpose. Moreover, when this occurs both critical and public cynicism are apt to diminish. Attempts to mine and identify when this happens and when it decidedly does not, of course, have implications for how we go about the process of rhetorical criticism.

ENRICHING OUR CRITICAL STANCE AND CRITICAL PRACTICES

Certainly recent presidential rhetoric has presented one of the most intriguing challenges for criticism. The public spectacle of a Nixon or a Clinton clinging precariously, desperately to the bare bones of a legal defense has perhaps given us some reason to believe that no one is entirely above the law, that despite creaks and sputters, the system in some sense works. But the law is aimed, more or less, to enforce our minimum standards for behavior, and minimum standards leave a good bit unsaid. How could a legal code begin to express critically the larger ethical *disappointment* in a president using a merely legal rhetoric to wriggle away from legal responsibility—whether it is a Nixon covering up a cover-up or a Clinton clinging to the nuances of defining of "what 'is' is"—when the larger issue is a failure of moral vision and discipline? How

could critical discourse examine cases where a simple up or down evaluation is less interesting than a description of what is going on—for example, the apparent capitulation of the Carter energy messages? How are we to approach mixed cases, like the valiant hubris of LBJ's declaration of a "war on poverty," or tease out shadings of ethical difference between JFK's two televised messages on civil rights?

One of the most recent trends in ethics has been the "Virtue Ethics" movement spurred by philosophers like Alasdair MacIntyre and theologians like Stanley Hauerwas.¹⁴ Moving away from a rule-based approach to ethical judgment of ethical choices, virtue ethics seeks to frame ethical issues in terms of the character formed in community practices.

This movement has attracted a great deal of attention in philosophy, but rhetorical scholars had been moving in the direction of "character in community" for years. Wayne Booth's emphasis in his Modern Dogma and the Rhetoric of Assent envisioned "the self as a field of selves"-not an automatic individual making discrete rational choices and bound by unambiguous rules so much as "a social product in process of changing through interaction, sharing values with other selves."15 Thus his ethical imperative "must always be to perform as well as possible in the same primal symbolic dance which makes us able to dance at all"; that is, the enrichment of the common stock of reasons for elevating its practice of rhetoric.¹⁶ Booth went on to develop "an ethics of fiction" focused on the quality of relationship enacted in the inductive, deductive, and "coductive" processes of reading in The Company We Keep.17 While Booth has largely focused his system of rhetorical ethics on literature, James Boyd White has taken more specifically polemical material. White's When Words Lose Their Meaning focused on the constitutions and reconstitutions of language, character, and community and their processes of mutual influence; in later work like Acts of Hope he developed an ethically charged notion of authority in literature, law, and politics.18

This is to say that in the ethics of rhetoric, *character counts*. But in the richness of our scholarship, character counts across a variety of dimensions: the formulation of the character of the audience has been a concern as far back as Edwin Black's "The Second Persona."¹⁹ Concern about those excluded or effaced from audiences, and the import of that exclusion for those still included in discourses of power, was the focus of Philip Wander's introduction of "The Third Persona."²⁰

While efforts to develop rules, as part of a normative code of ethics for presidential discourse, are earnest and worthy enterprises, codes (even the ones we will introduce in this report) often come to suffer the fate of campaign finance laws; loopholes will be found, ethically indeterminate new ground will eventually be plowed (email and Internet campaigning, for example, seems to have become a whole new area of campaigning in the wake of Howard Dean's improbable early emergence as a frontrunner for the 2004 Democratic nomination). And in our pluralistic diversity, agreement on any particular code is likely to be a slow process, the results of which can easily be too general or innocuous or dated to matter. By what code can we capture the ethical content of, say, threatening music accompanying a message like "there's a Bear in the woods," or golden sunshine on a backdrop banner—"Mission Accomplished!"—that elides an occasion of congratulating sailors returning from combat to an unspoken visual claim of presidential accomplishment, without ever admitting to such a shift?

In a society bound in part by rules, we must continue to hone ethical codes. The further challenge posed by ethically interesting presidential discourse is to develop supplementary approaches, like those following from the work of scholars—from MacIntyre and Hauerwas to Booth and White, and on through Black and Wander—capable of more precision and nuance in describing ethical issues, virtues, and practices. The work of ethical codes needs to be supplemented by a descriptive ethic focused on character and community.

The purpose of such a critical ethic would be to formulate—in a publicly accessible, intersubjectively testable way—critical claims about the implied author of any "text" and the audience constituted as author and audience interact. It is to describe, with some degree of intersubjectively testable precision, what sort of relation, what sort of "discursive community" is enacted between the implied author and audience as the "text" unfolds.

To do this, we will need to learn to combine some familiar questions of close reading with new questions about the world as reconstituted by the discourse. For example we already have some ways of asking:

- (1) What are the text's constitutive *topoi*, and how are they built out of the text's characteristic terms of description and evaluation? How do they work to rank-order the possibilities for appeal to others, for intersections of motive?
- (2) How do these terms clarify and advance some possibilities (and occlude others) for sustaining, extending, and transforming the immediate community of discourse and the wider world in which it is to operate?
- (3) What modes of reasoning and proof are practiced as if they were valid, reliable, authoritative? What are the specific functions accorded

to deduction, anecdote, analogy, aphorism, appeal to authority? What is the relative force of each? Which transitions and shifts does the text treat as if they should pass without question, and which does it acknowledge the need to defend?

Such questions could enable ethical critics to begin to determine what one can and cannot say, what one can and cannot do, or even aspire to do, in the world constituted by the text. Questions could be asked, testable claims formulated about who we have to become in relation to the author, to the text in its dispositions of language and habits of persuasion, in order to belong and move appropriately and effectively in the sort of world the text establishes and enacts, and what it can mean to move that way. But such traditional questions need to be combined with new sorts of questions about presidential character and democratic community. For example:

- (1) How is the discourse inclusive and exclusive? What roles does it offer or preclude for the variety of potential members of the audience, and for other parties affected but not addressed by the text? On what principles is this inclusion and exclusion done, how explicitly, and how justly, especially as readers are given to see justice?
- (2) What relation exists between the discursive community constituted and enacted in the text and the culture that supplies materials from which the text is formed? How are the potential materials for discourse treated and preserved? What is discarded without explanation or afterthought, what may be pillaged, what comes with strings attached? Who may and may not interpret these materials? What parts of the past—especially discourses of the past—may be, in the words of Nixon press secretary Ron Ziegler, "rendered inoperative"?
- (3) How is the discursive community constituted in the text committed to maintaining and extending, or transforming, or demoting and destroying these cultural resources? How is that community committed to a recognition or admission or celebration of their past, or to denying it, or reshaping it? How does the act of "reading" commit the engaged reader to the promise of a particular future for its author, its audience, its materials, and any others who inhabit such communities?

What can this critical approach do that we need to do? We believe it can do at least three things:

- Assess the quality of accountability. One might, for example, assess JFK's speech on the Bay of Pigs disaster over against the subsequent practices of presidential apology and deniability.
- Elucidate the sources of comfort. For example, one might seek to elucidate the ways in which Reagan drew upon such sources in his response to the Challenger disaster.
- Examine claims about the nature and sources of evil. One might examine "the designs of evil men" and the messianism that brooks no possibility of self-judgment.

There is much work remaining for ethical critics of presidential discourse, describing who our presidents make themselves in their discourse and what kind of listeners they create—what kind of people they call us to be.

INSTITUTIONAL FORCES AND CONSTRAINTS: A BRIEF ENCOUNTER

We acknowledge that our critical work may not always proceed smoothly. There are major institutional forces and constraints that threaten to impede our efforts and those of engaged publics.

Challenging a candidate's ethical standards is one publicly accepted form of political discourse. Typically, public discourse and criticism center on what an opponent said and when, assumptions about self-interest, assessments of actions related to the public good, and communal judgments regarding the candidates' abilities to learn from past successes and failures. While these topoi are common, the 2004 presidential election campaign presented additional dilemmas. In dispute are at least three other issues: the realm for public debate, who gets to speak and who does not, and distracting public attention from critical claims.

The Realm for Public Debate

The 2004 presidential election continued a debate on where public debate resides. One clear example is the controversy occasioned by the initiatives of MoveOn.org. In 2003, MoveOn.org sponsored a television advertisement contest that was intended to attract and showcase "really creative ads that will engage and enlighten viewers and help them understand the truth about George Bush."²¹ The competition generated over 1,500 submissions with

over 110,000 people logging on to vote for their favorite ad from a group of finalists. People might never have known of the contest or the advertisements except that two ads comparing Bush to Hitler were posted on the site. The creator of both ads was George Soros, who claims that he was awakened in the middle of the night thinking about Bush's statement that "you're either with us or against us." Soros said the speech reminded him of Nazi slogans he read as a child in Hungary.

On January 4, 2004, chair of the Republican National Committee Ed Gillespie criticized the Hitler/Bush comparison saying that the tactics were "despicable" and that they were characteristic of "the left today." Fox News Channel began the media coverage of the story on January 5, followed by other media organizations. Concurrently, the advertisements were pulled from the MoveOn.org site. The debate raged on for a few more days, despite the fact that viewers were unable to see the advertisement that created the controversy. Essentially, the public debate ended before it began.

Who Gets to Speak and Who Does Not

Moveon.org represents another ethical issue related to who gets to speak and who does not. Two issues are illustrative of these claims. First, where should hostile speech reside in a mass-mediated society? Does the public only get to debate *reports about* the speech as opposed to exposure to the speech itself? Moveon.org pulled the ads before the eruption of media attention, yet it remained a story for several days and was even included on the RNC website.

A second issue concerns the winning advertisement of the competition. Moveon.org hoped to air the advertisement during the Super Bowl but was rejected by CBS on the grounds that the ad constituted "advocacy advertising," which is against CBS policy. The policy was established in the 1950s and is based upon a consumer entertainment model of television. Basically, people want to be entertained during programming like the Super Bowl. Divisive ads are not conducive to entertainment. Assuming for a moment that we accept the CBS policy on those grounds, where does the public debate take place? It appears that the "place" for debate is becoming more and more limited. While venues for expression are available on some media channels, it is more likely to take place on specialized Internet sites that cater to like-minded people.

This issue is critical and is certain to be the subject of contention during future presidential elections. In an effort to curb the influence of "soft money" on elections, new campaign-finance laws ban soft-money ads that use a candidate's name within thirty days of a primary and sixty days of a general election. The Supreme Court in McConnell v. Federal Election Commission upheld the statute in December, 2003.

On the negative side, free speech seems jeopardized. Not only is it becoming increasingly difficult to find a mass media outlet in which citizens can bring before the population issues they wish to be debated; they are now limited as to the timing of those messages. On the positive side, ads that claim to be issue ads will have to focus on the issues and not the people who represent those issues. Essentially, the only unrestricted free speech can come from people who run for office, thus ratcheting up the negative campaign style that many voters eschew.

Distracting Public Attention from Ethical Claims

In the film *Wag the Dog*, the fictitious tale is told of a campaign distracting the voters from certain issues by having them focus on the central issue of war. Although initially written as a novel regarding President George H. W. Bush, the story is typically interpreted as a parody of President Clinton. What fascinates the public, perhaps, is that it *could* be true that the public was duped by an invoked war.

In 2004, as in earlier campaigns, questions concerning what is real and what is staged in politics continued to emerge. Whether it was "Astroturf," creating the illusion that a grassroots campaign is unfolding when it is not, or the effect of tax breaks on the economy, the public will continue to try to be the arbiters of truth, and well-funded, often partisan institutional forces will seek to influence those judgments.

Significantly, voters cannot make informed decisions in a democracy unless they have *access* to information. Judging the credibility of information is critical to success in decision making. At a time when information is a commodity that both the government and the press are more than pleased to release for public consumption, the discovery and application of higher ethical standards of information use and dissemination is of primary importance.

THE RHETORIC OF WAR AND THE ETHICS OF PRESIDENTS AND PRESIDENCIES: SOME CONCERNS

Probably the most important ethical stakes impinging on presidential rhetoric have to do with the issues of war and peace. The human consequences of that discourse have inescapable moral dimensions. Rhetoricians have maintained a healthy caution about the rhetoric of war. They have noted the complex relationships between war and the presidency. They have also issued informative and telling moral judgments in their evaluations of presidential discourse over war.²² Certainly rhetoricians have weighed in heavily over Vietnam.²³ They have demonstrated how presidents and their administrative representatives have also attempted to purge "bitter memories" and transform our interpretations of that particular war.²⁴ Rhetoricians continue to weigh in on other U.S. military conflicts and crises.²⁵

The war in Iraq has brought home a bevy of ethical dilemmas, not least of which implicate the discourse of President George W. Bush and his administration. Many question the prudence as well as honesty of the president and his administration. Has the administration tried to link Saddam Hussein to Al Qaeda without sufficient grounds for the charge? In addition, President Bush's credibility has been impugned by his claim that Hussein had weapons of mass destruction, which was offered as a key rationale by the president for going to war with Iraq. No WMDs have been found.²⁶ Pentagon propaganda activities associated with this war also seem troubling. Who bears responsibility for the Pentagon's seeming willingness to "enhance" the truth about the Jessica Lynch story?²⁷ Who bears responsibility for the Pentagon's seeming willingness to "enhance" the truth about the Jessica Cannett news organizations such as the *Boston Globe* and the *Los Angeles Times* and Gannett news services, all of which uncovered duplicate letters purported to have been written by soldiers serving in Iraq?²⁸

Not only do we have efforts to "enhance" the truth; we also have reports of efforts to squelch important information about the Iraq war. For example, reporters found scant information about how many troops were leaving the front lines in Iraq and returning home after sustaining life-threatening injuries and/or other physical or mental incapacities. Another example is the attempt by the Bush Administration to "stonewall" investigation into potential intelligence lapses and procedural improprieties that may have led to 9/11.29 In addition, the Pentagon's dismay over photographs of flag-draped coffins of the returning fallen soldiers summons questions about truth telling and cover-ups, and whether such photos should be censored for the sake of the privacy of the families involved or merely to purge images said to "comfort the enemy." People in the United States and the international community have been horrified to learn that abuses of Iraqi prisoners at Abu Ghraib occurred at the hands of U.S. military personnel. Seymour Hersh, among others, has alleged that these abuses can be linked directly to the upper reaches of the command structure. New Bush Administration policies seem to have defined enemies in

the "war on terror" as "unlawful combatants" and therefore not fully subject to the protections of the Geneva Conventions.³⁰ These events and charges beg for investigation. They implicate the moral leadership of the United States and world opinion. They make a fundamental new look at the ethics of the presidency and presidential ethics even more urgent. In sum, the war in Iraq has provided a rather large tableau for unearthing and interrogating ethical issues: Was the government unethical in its advocacy on the need to go to war and in its manipulation of the news about the war and the postwar reconstruction? This question implicates both the ethics of the president and the ethics of the presidency.³¹

ON PRESIDENTIAL ETHICS AND THE ETHICS OF THE PRESIDENCY

We cannot assess with clarity how a president is doing the job, nor can we accurately interpret the quality of presidential leadership, unless we can trust the words spoken by or for the chief executive. The president is responsible for upholding and extending the public trust.³²

Role Model and the Public Trust

The president can be a role model who can make a difference in our national life by becoming a model of ethical behavior and by the practice of a public discourse that is both responsible and ethical. The president can encourage members of the administration to do likewise. Cynicism and lack of trust is engendered by the wanton, brazen violation of public trust over time; one way to restore it is to put guidelines in place and then follow them. There will be circumstances under which the president will not be able to be entirely truthful—and we, the public, will grant that. Certainly in times of war, when national security is at stake, or when divulging information that might threaten the life, liberty, or even property of others, then a modicum of prudent silence is in order. A "war on terror" can go on ad infinitum. If "war time" restraints and modes of propaganda also go on ad infinitum, questions as to the ultimate state of our ethics as a nation arise rather poignantly, especially as we become mired both nationally and internationally in perceived gaps between our democratic principles and practices.

The ethical questions and dilemmas posed by this brief rehearsal of current

concerns, however, should not be read merely as a complaint leveled against the Bush Administration's handling of the Iraq war and its aftermath although we might well offer such a critique in another venue. Rather, our discussion points to larger questions about our democracy and the nature of the ethics of U.S. presidents and the presidency in a post- 9/11, electronically mediated age.

Key Normative Values

What is clear at the present moment is that the president has a distinct and overriding advantage in advancing both foreign and domestic policy rhetoric. Presidents have more information and more expertise to draw upon than the American public has. Since this is the case, the president's ethical responsibilities in the public sphere are profound. Public dependence on and deference to the president in matters of war and peace, in particular, should engender a concomitantly grave presidential responsibility. The president needs both a personal and a public ethic and a set of values to draw upon, especially during crisis periods. Those ethics and values must be in conformity with the expectations of the citizenry-as diverse and disparate as those principles and normative standards might be. Thus, consensus must be built around the highest standards: respect for democratic values, human rights, the exercise of prudence, and ensuring that just policies will prevail seem minimum requirements for helping shape presidential decision making. Obviously the tension between moral idealism and realpolitik can and should be navigated. Principles and standards, while absolutely necessary, are certainly by no means altogether sufficient for effective governance. Political circumstances almost always call for an "idealistic pragmatism."

Fundamental normative values for informing and enacting presidential discursive acts include a demonstrated understanding, development, and exercise of prudence, courage, honesty, respect for human choice, forthrightness, a sense of humility as well as a vigilance for justice, equality, and human rights; a capacity for developing, pronouncing, and implementing short- and longterm political and social vision; and finally, when necessary, a sincere desire to search for words and policies that reflect a spirit of compromise, reconciliation, and healing in a nation too often divided and too readily prone to resort to violence and give in to hatred. Three of these values—prudence, honesty, and the spirit of compromise and conciliation—deserve further elaboration in this limited context.

Prudence

If one were to cast about for a key value or virtue necessary for this time and place, perhaps we might choose a renewed focus on the need for prudence. According to J. Patrick Dobel, in politics, "Prudent judgment identifies salient moral aspects of a political situation which a leader has a moral obligation to attend to in making a decision." Acting with prudence requires "disciplined reason and openness to experience" and "foresight and attention to the long term." Prudential modalities of statecraft that must be mastered include how to "deploy power," understanding "timing and momentum," and having a keen sense of "means and ends." Prudent political outcomes regarding the practice of statecraft would be measured by "the durability and legitimacy of [the] outcomes" and their "consequences for the community." Accordingly, as Dobel notes, "If leaders account for each aspect, they have lived up to part of their ethical responsibilities."³³

There is no necessary, nor even advisable, division between prudential statecraft and political wordcraft. Indeed, prudential political considerations also call for prudence in rhetorical appeals. The rhetoric practiced by the president, then, must display disciplined reason, openness to experience, the understanding that words are themselves an enactment and deployment of power, that timing and momentum are not inconsiderable aspects of the rhetorical appeal, and that appropriate ends and means are called for. Thus, if the American public is to be convinced to go to war with Iraq, we need some signs of prudent political statecraft and a matching rhetoric. A president ought not to claim that Saddam Hussein has weapons of mass destruction without presenting compelling evidence. A president ought not to engage in questionable or false public charges, such as Hussein's alleged solicitation and attempted procurement of nuclear weapons grade materials from Niger. If the United States is indeed in Iraq for selfless reasons, there will come a time when we will be able to determine this by assessing "the durability and legitimacy of the outcomes" and the "consequences" for the Iraqi people.

Honesty

To hold the public trust, a president must adopt and practice rhetorical integrity. At the core of such integrity, of course, is the duty to tell the truth. When the president deceives, he or she invites negative judgments on personal character and attacks the administration. The president also risks diminished public trust, unnecessary curtailment of public dialogue, and perceived manipulation of the mass media; this in turn intensifies growing cynicism of the citizenry, which leads to disaffection and disenfranchisement. A president must avoid, then, to the greatest extent possible, lies, distortions, and /or misrepresentations of the facts. To the degree possible and under the known constraints of our constitutional system, the president should strive to maintain consistency in word and deed, trying to fill in privately and publicly any and all gaps between public promises and public performance. Under most circumstances, if the president is to err in matters of public disclosure, those efforts should be to err on the side of full disclosure.

Compromise, Reconciliation, and Healing

The divisiveness and inveterate partisanship attending public political life today in the United States demands that we look deeper than at present to processes and products that have been arrived at through non-zero-sum activities. President Bush came into office without a popular mandate and embarked upon a controversial war and reconstruction effort. In addition, the nation now seems divided between Red and Blue states where values are fundamentally different.³⁴ Thus we ask those in power to explore compromise where possible, to reconcile where necessary, and to bind up and heal past political wounds so that we can move on to new and better and more capacious public policies and programs. The president has the task of shouldering this burden and taking up this cause. Thus prudence, honesty, compromise, reconciliation, and healing are valuable as virtues, and when exercised judiciously, serve as invaluable tools of presidential leadership.

ETHICAL STANDARDS FOR PRESIDENTIAL RHETORIC

Vietnam, Watergate, and the most recent Clinton scandals are progenitors of today's ethical dilemmas. The experience of each has made trust in public officials and in the governments and policies they represent questionable. Rhetoricians have played a key role in examining each of these national crises.³⁵ Under present rhetorical circumstances, a case can and should be made for a renewed focus on presidential ethics and the ethics of the presidency. We need specific criteria and normative standards for both politicians and public alike. It is the convergence of a variety of new circumstances and changes in both policy and perspective that have created what we perceive as a need for

special vigilance. While we have recommended personal virtues for presidential consideration and while virtue ethics have their place, we see the need for additional ethical guidelines. Indeed, in the post-9/11 rhetorical and political environment, we are entering new, uncharted territory. Presidential discourse issued on both foreign and domestic policy has even more pronounced and even more complex ethical implications. Foreign policy in the age of the war on terrorism has direct implications for freedoms and responsibilities on the domestic front. The Department of Defense now works in tandem with the new Department of Homeland Security. In addition, in a world marked by instantaneous electronic communication, where globalized information networks carry signals of war and peace, action and inaction, good and evil, it is especially incumbent on U.S. presidents to communicate clearly, effectively, and ethically. To do so, it is important to have in mind (and perhaps even more important, in place) a set of ethical guidelines equal to the complex challenges of national and international political cultures. Both presidents and citizenry alike must be able to draw upon a set of shared normative criteria that will ensure ethical rhetorical efforts and rhetorical accountability.

RECOMMENDATIONS

- 1. The president should adhere to the highest standards of integrity in public address.
- 2. To the greatest extent allowed by national security, the sensibilities of the president's party, and those of the American people, a president should not lie or distort the truth in public statements. Thus, the president should make every effort to excise from presidential discourse any claim of fact or piece of evidentiary material known to be false or misleading and should support claims with verifiable evidence, avoiding unverified, distorted, misleading, inexact, vague, or in any way otherwise untenable forms of rhetorical support. The same holds true for presidential surrogates speaking on behalf of the administration.
- 3. The president and his or her subordinates should not make derogatory public statements about other agencies or operatives or branches of government that are functioning as required by the Constitution, law, or legal precedent.
- 4. In debates of public policy, the president and subordinates should not misrepresent the opinions of others with whom they disagree. This would include any direct communications with the public in the form

of printed reading materials, public speeches, radio addresses, print and electronic political campaign advertisements, and the like. Since the practice of ethical rhetoric is meant to promote, protect, and defend the people's sovereign right to fair and accurate knowledge about their government and its operations, it is crucial to protect and defend the free flow of information in society. We view this as a serious ethical obligation to ensure a vibrant democracy. Thus, we further recommend:

- 5. The president should promote the free flow of information. The president should not seek to classify public documents for the purpose of deceiving the public nor attempt to cover up activities that might be perceived as unethical or embarrassing.
- 6. The president and surrogates should make every effort to engage in dialogue with the American people on substantive foreign and domestic policy issues. This means exploring and inaugurating ample opportunities for news conferences, town hall meetings, and open debates on important public policy issues.
- 7. The president must explain policies clearly and effectively and refrain from obfuscating, squelching, or otherwise banning from the press or the public the potentially negative or deleterious effects of policies and proposals. This norm also applies to presidential advisers and representatives in the administration charged with advancing the president's agenda.
- 8. To foster responsible public policy debate and implementation, the president ought to be willing to engage opponents openly and directly. In addition, the president should be willing to compromise, without undermining his or her principles, when both prudence and the public good demand it. Here compromise is viewed as a public act of healing and political efficacy.³⁶

The virtues, ethical norms, and the recommendations offered here are not only emblematic of those needed to develop and sustain presidential character but also components of presidential leadership that take on the order of moral necessity. Thus, to lead well and truly, the president must have these virtues as an individual, must set out to incorporate these normative criteria in public discourse, and must extend them to others (subordinates and public alike) through modeling behavior. We strongly believe in and appreciate the direct link between public discourse and public policy.³⁷ Submitting presidential public discourse to ethical analysis will improve candidates, presidents, policies, and

programs. Under the crucible of informed, normatively based criteria, public scrutiny of presidential rhetorical discourse can improve, and so can the quality of the citizenry (and their decision-making capacities) whose obligation is to hold their presidents accountable. This mutual check and balance, in turn, can pave the way for a better society. Having been measured by normative values and scrutinized under the microscope of substantive and relevant ethical criteria and standards, presidential performance has not only the potential, but the obligation, to live up to its promise.

NOTES

1. Steven R. Goldzwig and George N. Dionisopoulos, "John F. Kennedy's Civil Rights Discourse: The Evolution from 'Principled Bystander' to Public Advocate," *Communication Monographs* 56 (1989): 179–98; Garth E. Pauley, *The Modern Presidency and Civil Rights: Rhetoric on Race from Roosevelt to Nixon* (College Station: Texas A&M University Press, 2001); Thomas W. Benson, "FDR at Gettysburg: The New Deal and the Rhetoric of Presidential Leadership," in *The Presidency and Rhetorical Leadership*, ed. Leroy G. Dorsey (College Station: Texas A&M University Press, 2002), 145–83.

2. "[There is persuasion] through character whenever the speech is spoken in such a way as to make the speaker worthy of credence; . . . character is almost, so to speak, the controlling factor in persuasion." Aristotle, *On Rhetoric*, trans. George A. Kennedy (New York: Oxford University Press, 1991), 38.

3. See Wayne C. Booth, The Company We Keep: An Ethics of Fiction (Berkeley: University of California Press, 1988); Wayne C. Booth, The Rhetoric of Fiction, 2nd ed. (Chicago: University of Chicago Press, 1983); Thomas W. Benson, "Rhetoric as a Way of Being," in American Rhetoric: Context and Criticism, ed. Thomas W. Benson (Carbondale: Southern Illinois University Press, 1989), 293-322; Thomas W. Benson, Writing JFK: Presidential Rhetoric and the Press in the Bay of Pigs Crisis (College Station: Texas A&M University Press, 2004); Stephen Howard Browne, Angelina Grimke: Rhetoric, Identity, and the Radical Imagination (East Lansing: Michigan State University Press, 1999); Stephen H. Browne, Edmund Burke and the Discourse of Virtue (Tuscaloosa: University of Alabama Press, 1993); Stephen Howard Browne, Jefferson's Call for Nationhood: The First Inaugural Address (College Station: Texas A&M University Press, 2003); Edwin Black, "Gettysburg and Silence," Quarterly Journal of Speech 80 (1994): 21-36; Edwin Black, "The Second Persona." Quarterly Journal of Speech 16 (1970): 109-19; James Darsey, "The Legend of Eugene Debs: Prophetic Ethos as Radical Argument," Quarterly Journal of Speech 74 (1988): 434-53; Eugene Garver, "The Ethical Criticism of Reasoning," Philosophy and Rhetoric 31 (1998): 107-30; J. Michael Hogan and Glen Williams, "Republican Charisma and the American Revolution: The Textual Persona of Thomas Paine's Common Sense." Quarterly Journal of Speech 86 (2000): 1-17; Charles E. Morris III, "Pink Herring and the Fourth Persona: J. Edgar Hoover's Sex Crime Panic," Quarterly Journal of Speech (2002): 228-44; David L. Rarick, Mary B. Duncan, David G. Lee, and Laurinda W. Porter, "The Carter Persona: An Empirical Analysis of the

Rhetorical Visions of Campaign '76," *Quarterly Journal of Speech* 63 (1977): 258–73; Philip Wander, "The Third Persona: An Ideological Turn in Rhetorical Theory," *Central States Speech Journal* 35 (1984): 197–216; B. L. Ware and Wil A. Linkugel, "The Rhetorical Persona: Marcus Garvey as a Black Moses," *Communication Monographs* 49 (1982): 50–62.

4. There are a number of ethical dilemmas associated with presidential speechwriting. A president's team of ghostwriters can have significant influence. For example, Davis Houck's book on FDR's first Inaugural Address challenges notions of FDR's ethos and agency by claiming that Raymond Moley was the primary author. Peggy Noonan's account of her construction of Reagan's ethos in the Normandy speech unwillingly confesses to the break between the speaker's ethos and the speechwriter's phronesis (she maintains her admiration for Reagan). See Davis Houck, *FDR and Fear Itself: The First Inaugural Address* (College Station: Texas A & M University Press, 2002); Peggy Noonan, *What I Saw at the Revolution: A Political Life in the Reagan Era* (New York: Random House, 1990). For further discussion on the ethics of ghostwritten speeches see Ernest G. Bormann, "The Ethics of Ghostwritten Speeches," *Quarterly Journal of Speech* 47 (1961): 262–67; Lois J. Einhorn, "The Ghosts Unmasked: A Review of Literature on Speechwriting," *Communication Quarterly* 30 (1982): 41–47; Lois J. Einhorn, "The Ghosts Talk: Personal Interviews with Three Former Speechwriters," *Communication Quarterly* 36 (1988): 94–108.

Karl Wallace, "An Ethical Basis of Communication," Speech Teacher 4 (1955): 1–9.
Wallace, "An Ethical Basis," 6–9.

7. Christopher Lyle Johnstone, "Reagan, Rhetoric, and the Public Philosophy: Ethics and Politics in the 1984 Campaign," *Southern Communication Journal* 60 (1995): 93–108.

8. Johnstone, "Reagan," 103.

9. Richard L. Johannesen, *Ethics in Human Communication*, 5th ed. (Prospect Heights, Ill.: Waveland, 2002), 263.

10. Thomas B. Farrell, "Rhetorical Resemblance: Paradoxes of a Practical Art," Quarterly Journal of Speech 72 (1986): 1–19; quotation, 14.

11. Farrell, "Rhetorical Resemblance," 14.

12. Farrell, "Rhetorical Resemblance," 17 (italics in original).

13. "Gone Quiet," *The West Wing*, season 3, episode 227207 (NBC: airdate November 14, 2001), personal videotape.

14. See Aladair MacIntyre, *After Virtue* (Notre Dame, Ind.: University of Notre Dame Press, 1981); Alasdair MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame: University of Notre Dame Press, 1988); Stanley Hauerwas, *Vision and Virtue* (Notre Dame, Ind.: Fides Press, 1974); Stanley Hauerwas, *A Community of Character: Toward a Constructive Christian Social Ethic* (Notre Dame, Ind.: University of Notre Dame Press, 1981).

15. Wayne C. Booth, Modern Dogma and the Rhetoric of Assent (Chicago: University of Chicago Press, 1974), 126.

16. Booth, Modern Dogma, 137.

17. Booth, The Company We Keep.

18. James Boyd White, When Words Lose Their Meaning (Chicago: University of Chicago Press, 1984); James Boyd White, Acts of Hope (Chicago: University of Chicago Press, 1994).

19. Black, "The Second Persona."

20. Wander, "The Third Persona."

21. Cited at http://www.bushin30seconds.org/rules.html.

22. See, for example, Robert L. Ivie, "Presidential Motives for War," *Quarterly Journal* of Speech 51 (1974): 337–45; Robert L. Ivie, "Images of Savagery in American Justifications for War," *Communication Monographs* 47 (1980): 279–94.

23. See Robert P. Newman, "Under the Veneer: Nixon's Vietnam Speech of November 3, 1969," *Quarterly Journal of Speech 56* (1970): 168–78; Hermann G. Stelzner, "The Quest Story and Nixon's November 3, 1969 Address," *Quarterly Journal of Speech 57* (1971): 163–72; Forbes I. Hill, "Conventional Wisdom-Traditional Form: The President's Message of November 3, 1969," *Quarterly Journal of Speech 58* (1972): 373–86; Richard A. Cherwitz, "Lyndon Johnson and the 'Crisis' of Tonkin Gulf: A President's Justification of War," *Western Journal of Speech Communication* 42 (1978): 93–104; Richard A. Cherwitz, "Making Inconsistency: The Tonkin Gulf Crisis," *Communication Quarterly* 28 (1980): 27–37; Lee Sigelman and Lawrence Miller, "Understanding Presidential Rhetoric: The Vietnam Statements of Lyndon Johnson, *Communication Research 5* (1978): 25–56; Robert A. Vartabedian, "Nixon's Vietnam Rhetoric: A Case Study of Apologia as Generic Paradox, *Southern Speech Communication Journal* 50 (1984): 366–81.

24. See Kenneth S. Zagacki, "Rhetoric, Failure, and the Presidency: The Case of Vietnam," *Communication* Studies 43 (1992): 42–55; George N. Dionisopoulos and Steven R. Goldzwig, "The Meaning of Vietnam': Political Rhetoric as Revisionist Cultural History," *Quarterly Journal of Speech* 78 (1992): 61–79.

25. Rhetoricians have studied a number of other U.S. involvements in conflict and wars including Somalia, the Persian Gulf War, and Granada. See John R. Butler, "Somalia and the Imperial Savage: Continuities in the Rhetoric of War," *Western Journal of Communication*, 66 (2002): 1–24; Robert L. Ivie, "Tragic Fear and the Rhetorical Presidency: Combating Evil in the Persian Gulf," in *Beyond the Rhetorical Presidency*, ed. Martin J. Medhurst (College Station: Texas A&M University Press, 1996), 153–78; Kathleen M. German, "Invoking the Glorious War: Framing the Persian Gulf Conflict through Directive Language," *Southern Communication Journal* 60 (1995): 292–302; Ralph E. Dowling and Gabrielle Marraro, "Grenada and the Great Communicator: A Study in Democratic Ethics," *Western Journal of Speech Communication* 50 (1986): 350–67.

26. Dana Priest and Walter Pincus, "U.S. 'Almost All Wrong' on Weapons: Report on Iraq Contradicts Bush Administration Claims," *Washington Post*, October 7, 2004, A1, at www.washingtonpost.com/wp-dyn/articles/A12115–20040ct6.html.

27. Nancy Gibbs, "The Private Jessica Lynch," Time, November 17, 2003, 24-29, 31, 33.

28. Eugene Kane, "U.S. Troops Blindly Used as PR for War in Iraq," *Milwaukee Journal Sentinel*, October 16, 2003, B1.

29. Report by Daniel Zwerdling, Senior Reporter, National Public Radio, WUWM Radio, Milwaukee, WI, January 7, 2004; Arizona Republican Senator John McCain charges that the Bush Administration has "slow-walked and stonewalled" House and Senate inquiries into 9/11. See "9/11 Probe: Aiming High," *Time*, February 3, 2003, 16.

30. See John Barry, Michael Hirsh, and Michael Isikof, "The Roots of Torture," *Newsweek*, May 24, 2004, 28–34.

31. Following Stuart C. Gilman's helpful observation, in analyzing the ethics of the arguments for and against war (or any other issue of ethical import) and in trying to come to terms with questionable actions by the president, administration advisers, cabinet members, representatives, or any other surrogates, there must be concern for both presidential ethics (the ethics of the individual officeholder and his or her personal behavior) and the ethics of

the presidency (defined here for present purposes as words and actions formed and enacted by a particular presidential administration, including those institutional initiatives and actions which might be constitutive of oral, written, and/or visual communication that seeks to influence multiple audiences by issuing explanations and/or accusations and defenses undertaken by the president, his or her aides, speechwriters, cabinet personnel, agency heads and directors, or other surrogates involved in rhetorical efforts to enact, execute, enforce, or reinforce executive branch-led statements, orders, policies, procedures, programs, legislative initiatives, and the like). See Stuart C. Gilman, "Presidential Ethics and the Ethics of the Presidency," Annals of the American Academy of Political Science 537 (1995): 58–75.

32. In employing the term *public trust* we invoke the work of Max Weber. As elected officials in a democracy, government employees should be regarded as public servants. A breach of trust by a public official means that he or she has neglected or betrayed his or her public responsibilities. A helpful discussion of Weber's views can be found in Bryan R. Fry, *Mastering Public Administration* (Chatham, N.J.: Chatham House Publishers, 1989), esp. 31.

33. J. Patrick Dobel, "Political Prudence and the Ethics of Leadership," *Public Administration Review* 58 (1998): 74–81; quotations, 76, 80.

34. The 2000 election left us deeply divided. Al Gore won the popular vote; George W. Bush won the electoral college and the national election but only after a disputed vote process in Florida and a Supreme Court decision. During the 2004 election the nation seemed equally divided. As pollster John Zogby noted, the United States seemed to be "slowly cleaving into two separate nations culturally." John F. Dickerson and Karen Tumulty, "The Love Him, Hate Him President," *Time*, December 1, 2003, 28–36, 38–40; Sheryl Gay Stolberg, "The High Costs of Rising Incivility on Capitol Hill," *New York Times*, November 30, 2003, 10; Katherine M. Skiba, "U.S. States Remain Divided, Poll Shows," *Milwaukee Journal Sentinel*, January 7, 2004, 9A.

35. Studies on Vietnam are cited in footnotes 1 and 2. On Watergate, see Jackson Harrell, B. L. Ware, and Wil A. Linkugel, "Failure of Apology in American Politics: Nixon on Watergate," *Communication Monographs* 42 (1975): 245–61; Dennis S. Gouran, "The Watergate Cover-Up: Its Dynamics and Implications, " *Communication Monographs* 42 (1976): 176–86. On Clinton, see Michael R. Kramer and Kathryn M. Olson, "The Strategic Potential of Sequencing Apologia Stases: President Clinton's Self-Defense in the Monica Lewinsky Scandal," *Western Journal of Communication* 66 (2002): 347–68; Robert E. Denton Jr. and Rachel L. Holloway, eds., *Images, Scandal, and Communication Strategies of the Clinton Presidency* (Westport, Conn.: Praeger, 2003); Joseph R. Blaney and William L. Benoit, *The Clinton Scandals and the Politics of Image Restoration* (Westport, Conn.: Praeger, 2001).

36. These principles are drawn from our own work and that of others. Others responsible for informing our thinking here include direct adaptations of the work of Ed Perley and Dennis Gouran. Perley's guidelines include Numbers 1–4. Gouran's insight can be found in Number 5. See "Presidential Ethics—Seven Principles," at http://www.nfinity.com/~exile/ pres.htm; Gouran is cited in Johannesen, *Ethics in Human Communication*, 32–33. The original citation for this work can be found in Dennis Gouran, "Guidelines for the Analysis of Responsibility in Governmental Communication," in *Teaching about Doublespeak*, ed. Daniel Dietrich (Urbana, III.: National Council of Teachers of English, 1976), 20–31.

37. See Kurt Ritter and Martin J. Medhurst, eds., *Presidential Speechwriting: From the New Deal to the Reagan Revolution and Beyond* (College Station: Texas A&M University Press, 2003).