
MAINTAINING INTEGRITY II:
FURTHER THOUGHTS ON ETHICS AND ORIGINAL LITERATURE

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I have previously argued (Endres, 1987) that allowing original literature in forensics oral interpretation is a bad thing. While I remain true to that sentiment, my focus of blame is shifting from the act itself to the state of the activity, i.e. it seems that lack of policy is the primary culprit which allows the use of original literature to impugn forensics integrity. The primary focus of this essay is on the ethical concerns surrounding the use of original literature, and how the introduction of policy may help preclude unethical behavior. This analysis will first recap arguments from my previous essay, then address ethics from both a pragmatic and philosophical stance, and conclude with justification for policy development.

PREVIOUS ARGUMENTS

In addition to ethical concerns, initial indictments were made against original literature on the grounds that it contradicted the essence of interpretation and that it had a negative impact on the forensics environment. The former charge maintained that "(t)he integrity of the process of interpretation is undermined when a student attempts to shortcut the pedagogical experience (Endres, 1987, p. 4)". Students deprive themselves of the opportunity to truly analyze and understand literature when they write their own selections (or have someone else write their selections for them). They learn little to nothing about the intrinsic (e.g. plot-line, personae, mood, rhythm) and extrinsic (e.g. historical-biographical information, culture, the writer's life) factors of the literary world, and fail to develop what Long and Hopkins (1982) call "literary competence," or improvement in their ability to read new texts.

The second argument made against original literature pointed out that it was "an inappropriate genre to bring into the forensics environment (Endres, 1987, p. 5)". Those students who produce original works for the sake of competition are confusing the writer/interpreter dichotomy, and are possibly engaging in unethical behavior. Those students actually trying to produce literary works worthy of public distribution have brought their materials to an inappropriate testing ground. Their judging pool may not have the expertise,

and certainly not the time or motivation, to provide literary scrutiny. Related issues discussed include the notion of literary merit and quality, and the stress such behavior places on the competitor-judge relationship.

ETHICAL CONCERNS

While the arguments above are worthy concerns (and continue to predispose this author against the use of original material), the ethical issues that are raised seem of paramount importance. These are issues that we, as forensics educators, have a responsibility to confront and resolve. The ethical concerns can be addressed on both pragmatic (behavioral) and philosophical grounds.

Pragmatic ethics: Perhaps the most blatant breach of behavioral ethics comes from the use of pseudonyms (a tactic seemingly used in a majority of original literature cases). While authors may have a variety of reasons for using a pen-name, the primary motivation for the forensics competitor is to hide the fact of their authorship from the judge. As Johannesen (1983) states, "Most people probably would agree that intentional ambiguity is unethical in situations where accurate instruction or efficient transmission of precise information is the acknowledged purpose (P. 106)". Such transmission is a purpose of forensics, as identified in the Ethics of Forensics handout developed at the 1974 National Developmental Conference, which states, "it is the duty of each student to participate honestly, fairly, and in such a way as to avoid communication behaviors that are deceptive, misleading, or dishonest". The ethical problem faced here is the flip-side to the controversy on ghostwriting. Many view it as unethical for a speech maker to present a speech that was ghostwritten for them as if it were their original material. In the case of original literature, it becomes unethical for a student to present their own works as if they were written by somebody else. An interesting point to consider is Johannesen's (1983) criteria of the audience's "degree of awareness:"

(I) If the audience is fully aware that ghostwriting is a normal circumstance, such as for presidents and senators, then no ethical condemnation may be warranted (p. 123).

In the case of forensics, the use of original material is not considered a normal circumstance. The judge and audience assume that the literary work is "legitimate" and are not aware of the deception. This is what makes it unethical.

Of greater concern than the name student's attach to their original work is the motivation behind their use of the piece. The competitor who writes a selection for the sake of competition is engaging in unethical forensics behavior because they are placing success ahead of education. "Their goal is not to produce "literature" per se, but to produce a winning piece. They have bypassed the intellectual endeavor for the sake of the end result (Endres, 1987, p. 11)". This issue is particularly important when you consider the manner in which such original work is written and rewritten. Initially, it seems that the student

author writes to the norms of the circuit (i.e. what is popular at the time). Again, this is a pedagogical shortcut. And what happens after the student receives feedback from judges? Since they wrote the original selection, what's to stop them from rewriting a selection to accommodate judge's commentary?

Some may view this as merely adapting to the audience (as one would do in public address), but the behavior falls outside the expectations of oral interp. Selections of literature are viewed as relatively stable pieces of text. To freely alter story lines, characters, and even endings, to suit the audience/judge seems inappropriate. One judge labeled this the "Clue" approach to interpretation (making reference to the movie with three different endings). This is surely an unfair advantage over the students who have followed the interpretation guidelines, selected literary work and are creating a presentation within the constraints and expectations of the forensics community.

Philosophical ethics: Currently, the lack of policy regarding use of original literature leads to many ethical concerns of philosophical nature. A key issue is raised by DeBoer (1987), who makes a case for original material on the grounds that "the majority of published tournament rules...do not disallow it (p. 12)". Ethically, there are problems with such a perspective. Most tournaments do not explicitly list rules against murder and mayhem, yet that is no excuse to engage in such behavior.

DeBoer (1987) also argues foject are necessity and diversity. Potential judges have certain information which they need to know in order to function effectively in their role. Judges also need to understand that the beauty of individual events lies in the diversity of talents, materials, and styles which are represented in our individual events contests.

It is important to realize that it is our responsibility as forensic educators to aid in the training of those who will be judging our students. And workshops for training judges anrstar:ding. The behavior itself is deceptive and contradicts community norms; can it be viewed as ethical?

Interestingly enough, the student using original material may not be the only one in the round engaging in unethical behavior. The constraints of the activity may also lead the judge into an ethical dilemma.. As Green and Ford (1987) discovered in their survey of judges, there is "a slight tendency toward condemning the use of original material (p. 8)". If a judge has this predisposition and discovers that the student is using original works, it may bias their perception of the presentation. "Our immediate 'gut-level' ethical judgements may cause us to distort the intended meaning (Johannesen, 1983, p. 125)". A judge who allows this to happen is being unethical themselves.

POLICY

So what do we do? The worst action would be inaction. To allow things to continue as they are will only allow the problem to increase and further delimit the integrity of forensics competition. From this treatise, one may as-

sume I'd like to see hard and fast rules abolishing the use of original literature. Quite the contrary. While I remain on the "con" side of the issue, I think abolishment would be rash and untimely, and realistically, I think the behavior would continue anyway. The best answer seems to be that, if students are going to use original literature, it must be governed by official forensics policy.

The first step is to define just what we mean by "original literature." While both the American Forensics Association and the National Forensics Association have deemed the use of original literature as acceptable, neither organization has offered a concrete definition. Green and Ford (1987) offer the following description: "(A)ny work of prose, poetry, or dramatic literature written by a student competitor specifically for use in competition (P. 1)". For the sake of argument, I propose that, for a selection to be defined as original literature, one or more of the following conditions must be present:

- 1) material is written by the competitor,
- 2) material is written by someone other than the competitor for the primary purpose of forensics competition, or
- 3) material has not undergone traditional literary scrutiny (i.e. has not been published or received public recognition and acclaim).

Is a student who writes their own poetry doing original literature? Obviously. What of the student whose coach has written poetry for them? Again, this constitutes original literature. The question grays when you consider scenarios such as the competitor who interprets a short story written by a roommate for a creative writing class. Given the definition above, it would still be considered original literature because the piece has not been reviewed by the literary community (editors, publishers, critics) before its forensics exposure. What of the competitor who interprets a prose piece, written by a sibling, that has appeared in a short story anthology? This would not be considered original literature in competition because it was not written by the competitor, or for forensics, and it has undergone literary review.

Of course, more gray areas exist (e.g. viability of student publications, competitors who publish materials). These questions need to be addressed at the individual case level. At least with a definition as a starting point, both coach and student alike will understand the guidelines and boundaries surrounding the use of original material.

Incorporating specific policy will not eliminate all the pitfalls of using original material, but it will help in providing an ethical framework. If the norms of the community indicate that original material is acceptable, perhaps even encouraged, than perceptions regarding the use of original material will change. The use of pseudonyms would become standard operating procedure, rather than a technique of deception. If the audience awareness (a la ghostwriting) is such that original material is viewed as a normal circumstance, the morality of the behavior becomes less questionable. Judges don't have to

worry about unethical bias stemming from concerns that students are breaking the rules (though they still don't have to like it).

The responsibility for developing such policy and ethical guidelines is in our hands. DeBoer states that, as forensics strives to develop the "total person" of the student competitor, "hopefully, students will develop their own ethical and professional values regarding professional activity (P. 3)". Perhaps, but such development can not occur in a void, or without precedent and modeling from the coaches.

As Green and Ford (1987) noted from their survey results: "(R)egardless of disposition toward its (original literature) use, strong feeling was noted that the national Forensic governing bodies should establish formal policies, if not already established (P. 8)". As Nicolai (1987) notes, such policy has not been well established. Phi Ro Pi, Pi Kappa Delta and Delta Sigma Rho-Tau Kappa Alpha have no mention of original literature in their rules. As mentioned, both AFA and NFA say its use is acceptable, but as Nicolai (1987) notes, this information is not widely known among the rank and file membership. Given the influence that NFA and AFA have on forensics as a whole, Nicolai states:

Based on this notion, it seems essential that each of the national organizations re-assess their positions and generate a more obvious policy concerning this issue. Perhaps even more important is the desirability of a single policy which is supported by each of the national forensics organizations (P. 4).

Obviously, the conference at which this paper is being presented is the ideal context in which to generate such policy. My suspicion is that any such policy would continue to allow the use of original material, explicitly sanctioning it rather than merely offering lip service support. While this will not solve the problems of my previous arguments (i.e. essence of interpretation and forensics environment), it should help resolve the ethical questions addressed in this essay.

As we strive to develop policy, it may benefit us to examine Johannesen's (1983) criteria for enhancing the quality of judgement in communication ethics:

(1) by specifying exactly what ethical criteria, standards, or perspectives we are applying, (2) by justifying the reasonableness and relevancy of these standards, and (3) by indicating in what respects the communication evaluated succeeds or fails in measuring up to the standards (p. 9).

To conclude, I believe that the use of original material in oral interpretation is wrought with many problems. In order to address at least some of the ethical questions that surround this controversy, explicit policy must be developed.

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