

**TEACHING WHAT MATTERS: A RHETORICAL ANALYSIS OF ARGUMENTS ON  
LIBERAL ARTS EDUCATION AT THE UNIVERSITY OF TEXAS-AUSTIN**

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This dissertation conducts rhetorical criticism of the public controversy prompted by higher education reforms proposed by Texas Governor Rick Perry in his 2008 “Seven Breakthrough Solutions” packet and summit. The analysis begins by exploring *topoi*, or commonplace arguments, raised during the argumentation between Perry and his interlocutors (led by University of Texas-Austin Dean Randy Diehl). Drawing from the rhetorical tradition, the study deploys a theory of hierarchical *topos*, where *topoi* within a text are interpreted vertically, as they relate to one another in terms of priority. Next, horizontal juxtaposition of competing *topoi* from the “Seven Breakthrough Solutions” and Diehl’s response reveal how interlocutors engaged one another’s claims. This process of uncovering the interactions between *topoi* is followed by an investigation of how arguments from the Texas controversy were later picked up by other stakeholders, most notably Florida State University and Florida Gulf Coast University. The study’s key findings relate to assessments of the relative strength of arguments offered by both sides in the controversy, as well as identification of central points of agreement and disagreement. The dissertation concludes by reflecting on how otherwise disparate interlocutors

agreed upon the educational value of training in argumentation and critical analysis, considering possible implications of this concurrence for future controversies over liberal arts education in U.S. institutions of higher learning.

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## 1.0 LEARNING FROM CONTROVERSY

Politically, higher education is increasingly being influenced by larger economic, military, and ideological forces that consistently attempt to narrow its purview as a democratic public sphere. Public intellectuals are now replaced by privatized intellectuals often working in secrecy and engaged in research that serves either the warfare state, the corporate state, or both. Intellectuals are no longer placed in a vibrant relationship to public life but now labor under the influence of managerial modes of governance and market values that mimic the logic of Wall Street. Consequently, higher education appears to be increasingly decoupling itself from its historical legacy as a crucial public sphere, responsible for both educating students for the workplace and providing them with the modes of critical discourse, interpretation, judgment, imagination, and experiences that deepen and expand democracy. — Henry Giroux<sup>1</sup>

Most of the rewards in [academia] go to writing narrowly focused academic research articles that few read, the vast majority of which would never, and I want to stress never, be supported by the market...And the whole corrupt enterprise survives parasitically only by siphoning vast amounts of tuition and cross subsidization unbeknownst to parents, students and taxpayers. — Jeff Sandefer<sup>2</sup>

What is the purpose of higher education? Who decides what should be taught in colleges and universities? Teleological inquiries into higher education are rarely apothegmatic, instead they frequently arouse arguments and controversies concerning the goals and roles of academia. Within these moments of intellectual contestation, stakeholders act, both individually and collectively, to either defend or reform structures of higher education. While many of these

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<sup>1</sup> Henry Giroux, "Academic Unfreedom in America: Rethinking the University as a Democratic Public Sphere," *Works and Days* 26 & 27, no. 51/52, 53/54 (2008-9): 46.

<sup>2</sup> Ralph K.M. Haurwitz, "Ex-Oilman's Drive for Market-Based Education Has Influenced Governor, Prompted a Backlash," *Austin American-Statesman*, May 9 2011, accessed August 5, 2015, <http://www.statesman.com/news/news/local/ex-oilmans-drive-for-market-based-education-has-in/nRZr4/>.

deliberations are housed within university walls, the importance of these controversies expands beyond academe. Such significance was noted by Harvard President Drew Faust, who in 2010 identified higher education as “a paramount player in a global system increasingly driven by knowledge, information and ideas.”<sup>3</sup> This dissertation focuses on such moments of high-stakes deliberation.

Controversies regarding higher education are not new. The vast body of work on pedagogical *praxis* indicates the perennial nature of controversies regarding the trajectory and teleological foci of higher education. In ancient Athens, Isocrates and Plato publicly deliberated on the correct purpose and quality of education. Later, their lines of argument were picked up by Romans such as Cicero and Quintilian. Similar lines of argument appear again in the Middle Ages, amongst Europeans such as Giambattista Vico.<sup>4</sup> As Western institutions of higher education gained stature and education standards were solidified, academia also continued to adapt to the expectations and needs of society. While a common historic lineage was maintained, each new controversy pressed stakeholders to reconsider argumentative claims and reconsider the purposes behind higher education. The structure of these controversies is determined, in part, by the nature of the arguments deployed by stakeholders during each moment of intellectual contestation and, as result, study of these arguments can shed light on the fundamental arc of history.

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<sup>3</sup> Drew Gilpin Faust, “The Role of the University in a Changing World” (paper presented at the Royal Irish Academy, Dublin, Ireland, June 30, 2010), accessed January 5 2016, <http://www.harvard.edu/president/speech/2010/role-university-changing-world>.

<sup>4</sup> Giambattista Vico, *On Humanistic Education (Six Inaugural Orations, 1699-1707)*, trans. Arthur W. Shippee (Ithaca, NY: Cornell University Press, 1993); Marcus Tullius Cicero, *De Inventione*, trans. H. M. Hubbell, Loeb Classical Library 368 (Cambridge, MA: Harvard University Press, 1968); Quintilian, *The Orator's Education (Institutio Oratoria)*, Vol. I: Books 1-2, trans. Donald A. Russell, Loeb Classical Library 124 (Cambridge, MA: Harvard University Press, 1969).

In recent history, intellectual contestations have once again reinvigorated arguments regarding the role, *telos*, and structure of higher education. In this dissertation, I focus on one such controversy that emerged in 2008 as academics, politicians, and the American public deliberated over the need to reform liberal arts education. In this argumentative exchange, reform efforts were organized and presented by the Texas Public Policy Foundation (TPPF) and Texas Governor Rick Perry. The TPPF's reform initiative was encapsulated in the "Seven Breakthrough Solutions," a series of proposals that sought to lower tuition, streamline education, and strengthen oversight of faculty.<sup>5</sup> Announcement of the Seven Breakthrough Solutions (henceforward referred to as the "Solutions") sparked immediate controversy as faculty and administrations of the Texas university systems debated and, at times, rejected the Solutions. Their deliberations quickly attracted local and national attention, creating an ever-increasing pool of stakeholders. Supporters of the Solutions argued the unavoidable need for reform while critics of the Solutions argued that the proposals were primarily geared toward eliminating liberal arts education in favor of a market-driven curriculum.

The Solutions merit extended study because while debates over the roles and utility of higher education are common, it was the salience of arguments from Perry and the TPPF, leveraged by the economic hardships of his constituents, which made their attacks against liberal arts education escalate beyond the borders of Texas.<sup>6</sup> This dissertation explores one of the deliberations around which stakeholders coalesced — the argumentative exchange between proponents of the Solutions and the resulting defenses for liberal arts education presented by the

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<sup>5</sup> These solutions were drafted by the TPPF, but were holistically incorporated into Gov. Perry's platform regarding higher education.

<sup>6</sup> Luke Winslow shows that the Solutions' attempt to "reinvent public colleges and universities" made the Texas controversy salient to national audiences. Luke Winslow, "The Undeserving Professor: Neoliberalism and the Reinvention of Higher Education," *Rhetoric & Public Affairs* 18, no. 2 (Summer 2015): 203.

University of Texas at Austin. As later chapters will show, this exchange epitomizes the body of arguments made in other contemporary debates regarding higher education. As such, study of the Solutions opens space for an examination of how arguments regarding higher education, particularly the utility of the liberal arts, have played out in moments of controversy.<sup>7</sup>

This dissertation examines the arguments found in this quintessential moment of intellectual contestation, utilizing rhetorical criticism as a form of explanation and uncovering how common arguments might be better understood and engaged in future moments of similar controversy.<sup>8</sup> It is beyond the scope of this project to conduct a comprehensive analysis of higher education controversies, either contemporary or historical. Instead, I focus on one instance of recent controversy in higher education as a means of addressing other ongoing and future controversies which threaten liberal arts education. In this chapter, I establish the groundwork for the project by first explaining how my work is anchored in the study of argumentation. Following this, I provide a brief background of how liberal arts education has been framed in previous and contemporary controversies. Finally, I detail my research approach and chapter outline.

## 1.1 COMPONENTS OF CONTROVERSY

Modern academic institutions encounter small arguments every day. Many of these arguments are resolved in-house by drawing together students, faculty, and administrators in college forums

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<sup>7</sup> The exchange between Gov. Perry and UT-Austin is referred to as the “Perry-UT controversy” throughout this dissertation.

<sup>8</sup> This approach reaches beyond what Wayne Brockriede refers to as “criticism by classification,” using “a category system slavishly, determined to force a concrete rhetorical experience into the confines of a closed system,” and extending into the realm of “criticism by explanation” by “[inviting] confrontation that may begin or continue a process enhancing an understanding of a rhetorical experience or of rhetoric.” Wayne Brockriede, “Rhetorical Criticism as Argument,” *Quarterly Journal of Speech* 60, no. 2 (1974): 165-174.

such as discussion groups, school newspapers, investigative committees, and college-wide programming to find resolutions. However, some arguments — controversies — are larger than a singular institution. These controversies may emerge in a single college classroom and quickly grow, developing into moments of *krisis* that prompt public deliberation about the appropriateness and value of contemporary higher education.<sup>9</sup> For example, a recent controversy regarding higher education that has prompted national conversation focuses on the desirability of fraternities and sororities (Greek Life) on college campuses. Though individual fraternity and sororities have committed actions that have prompted criticism, these deliberations have spurred a larger, national conversation on the desirability of Greek Life across the United States. The process of limited, contextualized arguments growing to encompass previously-uninvolved stakeholders is central to the development of a public controversy.

In this study, I understand controversy as it is explained by G. Thomas Goodnight; a controversy is a moment of “complex situated argument” signified by intellectual contestation, featuring multiple points of disagreement.<sup>10</sup> As Kathryn Olson and Goodnight explain, “social controversy is an extended rhetorical engagement that critiques, resituates, and develops communication practices bridging the public and personal spheres.”<sup>11</sup> Put otherwise, controversy is distinguishable from pedestrian disagreement because the former connotes an ongoing deliberation, which draws into question not only particular instances of action, but entire systems

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<sup>9</sup> *Krisis* (κρίσις) represents a moment of decision or judgment which has the potential to effect social change. This term is neutral in its assessment of a situation and is terminologically distinct from the similar “crisis” which connotes a negative event having occurred.

<sup>10</sup> Thomas Goodnight, “Complex Cases and Legitimation Inference: Extending the Toulmin Model to Deliberative Argument in Controversy,” in *Arguing on the Toulmin Model: New Essays in Argument Analysis and Evaluation*, ed. David Hitchcock and Bart Verheij (Berlin: Springer, 2006): 39-48.

<sup>11</sup> Kathryn M. Olson and Thomas Goodnight, “Entanglements of Consumption, Cruelty, Privacy, and Fashion: The Social Controversy over Fur,” *The Quarterly Journal of Speech* 80, no. 3 (1994): 249.

of communication and social practice. Based on these definitions, the Texas exchange was a controversy because it extended beyond its original focus on the Solutions, developing into a national conversation on the fundamental roles and structures of contemporary academia.

The components of a controversy are partially contingent on the particular nuances of the exigency. While the nuances of each controversy differ, all controversies feature an exchange of arguments during a moment of *krisis*.<sup>12</sup> For example, the *krisis* that prompted the Solutions controversy pivoted on the question of maintaining funding and accountability for Texas universities. These concerns were prompted by the 2008 economic recession that forced governments to account for their spending.<sup>13</sup> As a moment of decision, this *krisis* asked stakeholders to consider if and how Texas should maintain funding for its systems of higher education.

While each *krisis* and corresponding controversy carries its own particular nuances that warrant analysis, there are some parts of each intellectual contestation that remain essential. In the next section, I will address these foundational aspects of controversy by exploring the role of argumentation within controversy. This explanation will then serve as a framework for my analysis of argumentation and *krisis* in later chapters.

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<sup>12</sup> Situationally-contingent aspects of controversies include how interlocutors communicate, the arguments these interlocutors present, and the potential for conflict resolution.

<sup>13</sup> The economic recession was officially recognized by President Obama on December 6, 2008. Presidential Addresses and Remarks No. 44, WCPD 1492 (December 6, 2008). In response to a tightened market and public demand for reform, politicians in Texas worked to situate themselves as responsible brokers, navigating treacherous waters as they balanced allegiances between the financial world, the growing Occupy movement, and other stakeholders that looked to the government to simultaneously atone for and resolve the wavering national economy. In an effort to redirect public distrust and capitalize on a gradually stabilizing marketplace, key political figures began identifying scapegoats for the recession, blaming some entities for current woes and others for longstanding hindrance against economic growth. One such attack took the form of the Solutions, arguing that higher education had become a threat to economic growth and that streamlined educational reform could simultaneously increase economic productivity and decrease undergraduate costs. These arguments were particularly salient to Texans who were eager to assign blame and move past the economic hardships facing Americans at the time.

### 1.1.1 Argument and Crisis

There are no universal approaches to or definitions of argument. Daniel O’Keefe identifies the definitional obscurity of “argument,” demonstrating the multi-faceted nature of the term and its use. His resolution to this definitional ambiguity is to bifurcate the term into two concepts, “argument<sub>1</sub>” and “argument<sub>2</sub>.” O’Keefe states,

... [argument] refers to a kind of utterance or a sort of communicative act. This sense of the term I’ll call “argument<sub>1</sub>.” It is the sense contained in sentences such as “he made an argument.” On the other hand, “argument” sometimes refers to a particular kind of interaction. This sense, “argument<sub>2</sub>,” appears in sentences such as “they had an argument.”<sup>14</sup>

O’Keefe’s understanding of argument as both an utterance and a contextualized communicative exchange enables analysis which incorporates both understandings of the term.

There is no shortage of theories to explain how arguments<sub>1</sub> are formed and utilized. Nicholas Rescher articulates argument as a pragmatic model of reasoning which seeks to uncover truths through reasoned exchange.<sup>15</sup> This approach differs from other thinkers who approach argument as a process in which individuals shift between imperfect ideas and theories. Wayne Brockriede upholds this approach, stating “by ‘argument’ I mean the process whereby a person reasons his way from one idea to the choice of another idea.”<sup>16</sup> As this juxtaposition

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<sup>14</sup> Daniel J. O’Keefe, “Two Concepts of Argument,” *The Journal of the American Forensics Association*, 13, no. 3 (Winter 1977): 121.

<sup>15</sup> Nicholas Rescher, *Dialectics: A Controversy-Oriented Approach to the Theory of Knowledge* (Albany, NY: State University of New York, 1977).

<sup>16</sup> Brockriede, “Rhetorical Criticism as Argument,” 166. In a separate article, Brockriede expands upon this understanding of argument as non-epistemological, stating it as “a process whereby people reason their way from one set of problematic ideas to the choice of another” Wayne Brockriede, “Where Is Argument?” (paper presented at

shows, a theory of argument must cope with the question of truth as an *a priori* burden. Put otherwise, an argument theorist must first establish if and how epistemological claims implicate approaches to argumentation. If truth is considered both knowable and known, then the nature of argument becomes one of binary opposition between truth and falsehood. Alternatively, an approach akin to Brockriede's acknowledges the subjectivity between, and potential for compromise among, stakeholders. The former of these options does not promote compromise because when a position is believed to be fundamentally true it is pointless to entertain alternative propositions. The latter option readily acknowledges deliberation-based shifts in perspective and is far more useful for students, educators, and everyday citizens as they attempt to reach collective understanding and compromise when facing a moment of controversy.

In addition to questions of epistemology, argumentation requires attention toward the conduct and presumptions of interlocutors. Oftentimes, the language used to construct a claim is itself indicative of the arguments being made. Put otherwise, the academic practice of defining and situating arguments is itself an argumentative act. This process is explained by Chaïm Perelman and Lucie Olbrechts-Tyteca who refer to the defining of terms and conditions for an exchange as an "instrument of quasi-logical argumentation."<sup>17</sup> For example, arguments on the desirability of liberal arts education first require stakeholders to define what they mean by the "liberal arts." These definitions, even when they are intended to be neutral, often carry argumentative claims within their structure and focus. These claims about argumentative practices (definitions, decorum, etc.) complicate analysis of arguments by incorporating "the

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the annual meeting of the Speech Communication Association, Chicago Illinois, December 1974), <http://files.eric.ed.gov/fulltext/ED102638.pdf> (accessed June 18 2015).

<sup>17</sup> Chaïm Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation* (Notre Dame: University of Notre Dame Press, 1969): 444.



indirect introduction of a dissociative definition” which produces additional structures for studying communication in accordance to the preference of particular interlocutors.<sup>18</sup>

This dissertation accepts argument as situationally-contingent and dynamic, both theoretically and practically. David Zarefsky upholds this approach to argument by situating it as the construction of a perspective that is intended to persuade.<sup>19</sup> Zarefsky’s approach to argumentation as a multi-faceted and situationally-contingent field of study is supported by his claim that attempts to narrowly define argumentation detract from the study of practical argumentation.<sup>20</sup> This broad interpretation of argument opens space for study, allowing for investigations that explore the boundaries of argument by adopting new models and modes of inquiry.

Zarefsky’s open model of argumentative inquiry allows for situationally-contingent approaches to rhetorical criticism, but stops short of distinguishing between argument as utterance and argument as exchange. To make this sometimes critical distinction between utterance and exchange, we must refer to O’Keefe’s argument<sub>2</sub>, the act of having an argument. Argument<sub>2</sub> is implicated by dissociative definition wherein the standards and practices of argument construction are themselves argumentative. In argument<sub>2</sub>, an exchange of ideas requires interlocutors to grapple with multiple points of potential disagreement. Goodnight interprets this process of argument<sub>2</sub> as “a form of argumentation through which citizens test and create social

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<sup>18</sup> Perelman and Olbrechts-Tyteca, *The New Rhetoric*, 445.

<sup>19</sup> Additional insight into to how argument is defined and interpreted are available in Robert Rowland’s “On Defining Argument,” *Philosophy & Rhetoric* 20, no. 3 (1987): 140-159. See also David Zarefsky, “Product, Process, or Point of View?,” in *Rhetorical Perspectives on Argumentation: Selected Essays by David Zarefsky* (Switzerland: Springer International Publishing, 2014): 61-70.

<sup>20</sup> Zarefsky, “Product, Process, or Point of View?,” 61-70.

knowledge in order to uncover, assess, and resolve shared problems.”<sup>21</sup> This definition captures the process of public controversies regarding higher education by addressing the dynamic set of arguments than can arise during ongoing, unscripted moments of intellectual exchange.

By understanding argumentation as multifaceted and situationally-contingent, I support the position that rhetorical criticism must be situated within the particular contexts of the events being analyzed. As a result, my research incorporates Brockriede’s theory of *criticism as explanation*, a form of analysis that involves “judgment primarily trying to account for how an aspect of the rhetorical experience worked by relating it to something more general than itself.”<sup>22</sup> In doing so, my analysis examines the successes and failings of various lines of argument found in the Solutions controversy. This application of *criticism as explanation* facilitates a form of argumentative analysis that “may begin or continue a process enhancing an understanding of a rhetorical experience or of rhetoric.”<sup>23</sup> Put otherwise, *criticism as explanation* illuminates not only arguments within particular controversies, but also the utility, persuasiveness, and prevalence of common lines of argument, *topoi*, regarding higher education. The alternative, which Brockriede terms *criticism as description*, occurs when an author provides a detailed account of particular events, but fails to provide context or justification for the research at hand.<sup>24</sup> *Criticism through explanation* opens space for the study of controversy to function by making an argument that offers advice to defenders of academia and its support of the liberal arts.

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<sup>21</sup> Thomas Goodnight, “The Personal, Technical, and Public Spheres of Argument: A Speculative Inquiry into the Art of Public Deliberation,” *Argument and Advocacy* 48, no. 4 (Spring 2012): 198.

<sup>22</sup> Brockriede, “Rhetorical Criticism as Argument,” 170.

<sup>23</sup> Brockriede, “Rhetorical Criticism as Argument,” 174.

<sup>24</sup> Brockriede, “Rhetorical Criticism as Argument,” 169.

While *criticism through explanation* is a universally applicable means of analysis, it is most useful when applied to large argumentative exchanges. The cognitive energy required for explanation-based criticism means that only those exchanges likely to elicit extended argument warrant attention. But herein lies a problem. For those involved, any argument can seem vitally important. How then does the outside analyst determine which argumentative exchanges warrant criticism through explanation? In this research I utilize the presence of *krisis* as the critical indicator of the importance of an argumentative exchange.

*Krisis* encapsulates the potential for oppositional arguments to effect social change, launching unforeseeable changes based upon the results of a particular intellectual contestation. Investigating how and why these moments of *krisis* and their corresponding arguments play out stands to generate insight not only into particular instances of intellectual contestation, but also into foundational justifications of theory and discourse. Decisions garnered during moments of *krisis* are typically anticipated to prove impactful beyond the particular moment, meaning that practical and theoretical concerns play a role in the decision-making calculations of this nature. In other words, *krisis* requires stakeholders to consider how their decisions will play out over an extended period, requiring them to look beyond immediate concerns by considering the ethical, moral, and philosophical ramifications of their actions. More than blips on the radar, these decisions and actions are likely to facilitate changes that are impactful in unforeseeable manners.

While moments of *krisis* can facilitate decision and change, these shifts are necessarily limited by the axiomatic principles upheld by a controversy's interlocutors. Because it is unlikely that an individual moment of controversy will holistically revolutionize foundational belief structures, it is necessary to consider how groups and individuals might shift their position while still upholding various axioms. Put differently, successful argumentation requires the

presentation of beliefs, policies, and proposals that would otherwise appear oppositional to an audience's pre-existing axioms. Despite the importance of this process, the individual nature of axioms makes universal cataloging of these beliefs impossible. The complexity of this aspect of argumentation is captured by renowned pragmatist William James, who states, "each of us dichotomizes the Kosmos in a different place."<sup>25</sup> As later chapters of this dissertation show, uncovering of axiomatic principles within a controversy can shift focus from oppositional claims to those beliefs and opinions that might prove complementary among otherwise-hostile stakeholders. In relation to the Solutions controversy, attention toward axioms can help to move past adversarial arguments on faculty accountability by increasing focus on what, if any, points of *stasis* exist between proponents and opponents of systemic reform.

While it is infeasible to fully catalogue how each interlocutor in a vast controversy dichotomizes various core beliefs (good and bad, right and wrong, etc.), an understanding of what *topoi* are successful enough to be re-deployed in later moments of controversy provides insight into the types of argument that can gain traction by persuading audiences from seemingly different belief systems. By tracking *topoi* within an argument<sup>2</sup>, this dissertation uncovers not only the individual claims made by authors, but also the foundational beliefs held by interlocutors.<sup>26</sup> As a result, my research investigates if *topoi* are necessarily oppositional, as they

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<sup>25</sup> William James, *The Principles of Psychology*, vol. 1 (New York, NY: Henry Holt and Company, 1890), 290. John Peters builds upon this position by arguing that human communication is an endless attempt to merge understandings of how and why others have constructed their own dichotomies. John Durham Peters, *Speaking into the Air: A History of the Idea of Communication* (Chicago, IL: University of Chicago Press, 1999).

<sup>26</sup> Inquiry of foundational beliefs is conducted in later chapters of this dissertation. Early chapters do not attempt to engage in an analysis of unspoken, foundational beliefs, instead offering a close read of various texts in the Texas controversy.

typically appear, or if there exists space for compromise and increased understanding between otherwise-divergent interests.<sup>27</sup>

Distinguishing between mutually exclusive claims and complementary ideals within a controversy is accomplished through an examination of *stasis*. This focus on *stasis* promotes practical understandings of controversy by alleviating the appearance of binary opposition between interlocutors. This type of argumentative analysis is extremely *kairotic* given James Berlin's observation that binary opposition between beliefs and ideals in modern society has become extremely prevalent. Berlin's work shows typical disagreements between oppositional stakeholders to be increasingly extreme, creating a misplaced sense of constant opposition between two easily-defined entities.<sup>28</sup>

By examining the arguments made by interlocutors in a controversy, it becomes possible to better understand the foundational beliefs and claims of each position. Exploring these claims not only illuminates arguments in controversy, but also separates points of commonality from actual points of disagreement. This process is useful, but oftentimes difficult due to the sheer number of arguments and positions being presented in public deliberations. In order to address the growing divisiveness of arguments within controversies surrounding academia, analysis can focus on how commonplace arguments, *topoi*, are deployed within and beyond particular

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<sup>27</sup> This determination is conducted by identifying moments of *stasis* in controversy. In the event of *stasis*, interlocutors have agreed upon the starting point or core principles of their contestation. These points can be considered axiomatic, considered true and accurate by all interested parties. For example, the position that students should determine their own majors would be a point of *stasis* in the Solutions controversy. Additionally, the contextualizing of argument within its surrounding controversy allows focus on how and why the argument became necessary and, based on earlier utterances, how the argument was understood by audiences. See Perelman and Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation*, 124.

<sup>28</sup> James A. Berlin, "Revisionary Histories of Rhetoric: Politics, Power, and Plurality," in *Writing Histories of Rhetoric*, ed. Victor J. Vitanza (Carbondale, IL: Southern Illinois University Press, 1994), 112-127. This point is further supported by Deborah Tannen's examination of binary opposition in modern politics where she demonstrates that while focusing exclusively on points of opposition is simple, it cannot possibly account for critical nuances between groups and ideas. Deborah Tannen, *The Argument Culture: Moving from Debate to Dialogue* (New York, NY: Random House, 1998), 10-25.

instances of intellectual contestation. This form of analysis requires looking beyond individual claims, instead considering how these claims correlate to larger sets of arguments that function as the foundation for particularized arguments.

### *1.1.2 Toward A Contemporary Understanding of Topos*

The theory of *topos* (τόπος) was developed by Athenian thinkers including Protagoras, Gorgias, and Isocrates and connoted the general topics (common places) for communication — shortcuts through which enthymematic claims could be made.<sup>29</sup> The relationship between *topoi* and enthymemes is cyclical in nature, the latter being a particular example in which a *topos* is deployed.

Aristotle built upon his predecessors by situating *topos* as “primarily a strategy for argument not infrequently justified or explained by a principle.”<sup>30</sup> Later, in his *Rhetoric*, Aristotle explains, “I call the same thing element and *topos*; for an element or a *topos* is a heading under which many enthymemes fall.”<sup>31</sup> Despite these contributions, Aristotle offered no formal definition of *topos*. This undefined deployment of *topos* was emulated by most subsequent authors, resulting in a muddled understanding of the term throughout the histories of

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<sup>29</sup> The creation of these *topoi* falls within the realm of invention (*inventio*) and constitutes a central means of creating and uncovering arguments. An Aristotelian concept, *topos*' role as an aspect of *inventio* has been upheld into modern times. Marcus Tullius Cicero, *Cicero's Brutus or History of Famous Orators; Also His Orator, or Accomplished Speaker*, trans. E. Jones (Project Gutenberg, 2006), <http://www.gutenberg.org/cache/epub/9776/pg9776-images.html> (accessed March 5, 2015).

<sup>30</sup> Boethius, *De Topicis Differentiis*, trans. Eleonore Stump (Ithaca, NY: Cornell University Press, 2004), 170.

<sup>31</sup> Aristotle, *Rhetoric* 1403a18–19

rhetoric.<sup>32</sup> At first glance, this uncertainty appears an impediment to examining *topos*, but modern scholarship has shown the opposite to be true — the openness of *topos* theory presents opportunity for creative adaptation and invention.

Aristotelian *topos* theory sought to catalogue *topoi* based on how arguments are constructed. For Aristotle, a *topos* “functions as a sort of name of the strategy” being employed.<sup>33</sup> Under this model, “names are in a typical ‘from’ form that indicates the main concept on which the strategy plays, and which acts as the basis of the inferential process.”<sup>34</sup> However, the rigidity of this model has been modified over time to accommodate increasingly-nuanced theories of argumentation. As a result, *topos* theory is typically defined and formulated in accordance to the needs of each particular theorist.<sup>35</sup>

Quintilian started the trend of modifying *topos* theory by opening space for increased nuance, differentiating between two forms of argument that had been previously conflated by Athenian thinkers.<sup>36</sup> In Book 5 of *Institutio Oratoria*, he delineates between “places of argument” (*topoi*) and “set pieces” for argument (*loci*).<sup>37</sup> Quintilian’s use of *topos* focuses on

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<sup>32</sup> Paul Slomkowski, *Aristotle's Topics* (Leiden: Brill, 1997); John Arthos, “Locating the Instability of the Topic Places: Rhetoric, Phronesis, and Neurobiology,” *Communication Quarterly* 48, no. 3 (2000): 272-92.

<sup>33</sup> Sara Rubinelli, *Ars Topica: The Classical Technique of Constructing Arguments from Aristotle to Cicero* (Berlin: Springer, 2009), 16.

<sup>34</sup> Examples of this model are plentiful in Aristotle’s *Topics* and include “From the greater and the less degree,” “From the corruption, losses, generations, acquisitions and contraries of things,” and “From inflexions and coordinates” Aristotle, *Topics*, trans. E. S. Forster, Loeb Classical Library (Cambridge, MA: Harvard University Press, 1960); Rubinelli, *Ars Topica*, 15, 16.

<sup>35</sup> Barbara Warrnick has shown that this continual reorientation of *topos* is necessary, in part, due to social changes which effect the situations and contexts in which *topoi* are deployed. Barbara Warrnick, “Two Systems of Invention: The Topics in the Rhetoric and the New Rhetoric,” in *Rereading Aristotle's Rhetoric*, ed. A. G. Gross and A. E. Walzer (Carbondale, IL: Southern Illinois University Press, 2000): 107-29. For instance, whereas Aristotle’s topics were primarily focused on verbal, judicial communication, contemporary topics such as those in Perelman and Olbrechts-Tyteca’s *The New Rhetoric* address forms of communication that are primarily written.

<sup>36</sup> Though he is faithful to the theoretical foundations of the Greek *topos*, Quintilian uses the Latin term, *locus* when discussing commonplaces in argumentation.

<sup>37</sup> Quintilian, *Institutio Oratoria, Volume II: Books 3-5*. trans. Donald A. Russell, Loeb Classical Library 125 (Cambridge, MA: Harvard University Press, 2002), 5.10.20-21.

how arguments are structured (through comparison, personal traits such as gender and age, etc.) whereas his use of *locus* is akin to pre-made arguments — common arguments regarding well-known issues (adultery, theft, etc.).

Later theorists, including those in contemporary rhetoric, have forgone Quintilian's terminological delineation, though his critique of generic *topos* theory has remained popular.<sup>38</sup> Quintilian believed that asking students to learn generic places of argument without understanding how the theory might prove useful in particular circumstances was non-productive.<sup>39</sup> For this reason, the *idia*, special topics, have gained significant popularity over time, becoming the primary means through which *topoi* are analyzed.<sup>40</sup> This is evident in Giambattista Vico's work where he situates *topoi* as "the function of making minds inventive" through analysis of texts which may later, and only then, be analyzed and criticized.<sup>41</sup> In this Vichian approach, uncovering of *topoi* is an essential prerequisite to analysis of particular, situated arguments. In more modern writing, this approach has been adopted by scholars using *topoi* to systematize existing arguments in order to increase understanding and to better formulate responses rather than as generic placeholders for common arguments.<sup>42</sup> For

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<sup>38</sup> Quintilian's critique of *topos* is best understood through Aristotle's distinction between *koinoi* (general *topoi*) and *idia* (*topoi* relevant to specific topics). Quintilian believed *koinoi* to be too generic for practical utility, whereas *idia* held promise as a useful means of argument. This distinction is provided by Joseph Zoppetti in his "The Value of *topoi*," *Argumentation* 20 (2006): 15-28.

<sup>39</sup> Quintilian, *Institutio Oratoria, Volume II: Books 3-5*. trans. Donald A. Russell, Loeb Classical Library 125 (Cambridge, MA: Harvard University Press, 2002), 5.10.101-2.

<sup>40</sup> Warnick, "Two Systems of Invention," 107-29.

<sup>41</sup> Giambattista Vico, *The New Science*, trans. Thomas Goddard Bergin and Max Harold Fisch (Ithaca and London: Cornell University Press, 1984), 167.

<sup>42</sup> Rubinelli, *Ars Topica*, 15.



contemporary theorists, *topos*, like rhetoric, is a flexible tool that can be situated within the needs of a particular context in order to best facilitate communication.<sup>43</sup>

Despite its utility, Zompetti observes, “[*topos*] has been largely abandoned as a useful, contemporary way of looking at argument.”<sup>44</sup> In 1979, David Vancil went so far as to claim the theory of *topos* had vanished from argument theory, stating his astonishment that “such an important place in rhetoric for more than two thousand years, could suddenly be abandoned.”<sup>45</sup> Karl Wallace justifies this lapse in scholarship by explaining *topoi* to be socially contingent, resulting in a longstanding, historically founded idea that the study of *topoi* is untenable because each society retains and deploys different lines of argument.<sup>46</sup>

Wallace’s construction of *topoi* as ever-changing was not a dismissal of their use, but rather a means of showing the need for additional intellectual effort in the development of contemporary *topos* theory.<sup>47</sup> Answering this call, there has been a recent effort to revive *topos* as an argumentative tool by situating its use within particular contexts.<sup>48</sup> This dissertation builds upon this effort by constructing a new form of *topos* theory, studying the lines of argument in the Solutions controversy to demonstrate the use and application of argumentative analysis within contemporary contexts.

Deployment of situationally-contingent *topos* analysis can be tenuous if rigid adherence to pre-existing labels and classifications is maintained. Instead, most contemporary theories do

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<sup>43</sup> Zompetti, “The Value of *topoi*,” 25.

<sup>44</sup> Zompetti, “The Value of *topoi*,” 15.

<sup>45</sup> David L. Vancil, “Historical Barriers to a Modern System of *Topoi*,” *The Western Journal of Speech Communication* 43 (1979): 25.

<sup>46</sup> Karl R. Wallace, “*topoi* and the Problem of Invention,” *Quarterly Journal of Speech* 58, no. 4 (1972): 385-95.

<sup>47</sup> Wallace, “*topoi* and the Problem of Invention,” 385-95.

<sup>48</sup> Zompetti, “The Value of *topoi*,” 20-4.

not directly uphold the Classical idea of *topos* as an inelastic means of categorizing claims. Contemporary theory states, “that *topos* refers to a dynamic and pragmatic concept” that welcomes experimentation.<sup>49</sup> For example, in his study of neurobiology, John Arthos explains:

I propose topical performance as an extension and clarification of the ancient *topoi*. The concept of topical performance weds the seminal insight of topical invention with the rhetorical-hermeneutic idea of praxis as an ongoing, holistic process of reasoned action. The effort is to continue the movement away from the *topoi*-concept as preformed categories or templates, and toward a conception of the *topoi* as an adaptive, assimilative process that is ongoing and unfinished.<sup>50</sup>

Since Arthos’ successful deployment of *topoi* in modern contexts, other scholars have demonstrated that his approach is useful for rhetorical analyses. Following Arthos, this dissertation project focuses on *topos* as contextualized commonplace areas of argument used by multiple sides of a controversy. Levene explains:

In post-Aristotelian theory the term *topos* (or its Latin term *locos*) is, moreover, sometimes attached to quite a different idea: the ‘ready-made arguments’ which certain rhetoricians provided to be used on either side of particular disputes. So, for example, if a case turns on evidence given under torture, it was possible to read theorists who would provide specific arguments for and against the validity of torture, arguments that could be recycled whenever the issue emerged.<sup>51</sup>

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<sup>49</sup> Rubinelli, *Ars Topica*, 13, 15.

<sup>50</sup> John Arthos, “Locating the Instability of the Topic Places: Rhetoric, Phronesis, and Neurobiology,” *Communication Quarterly* 48, no. 3 (2000): 274.

<sup>51</sup> David S. Levene, introduction to *Ars Topoica: The Classical Technique of Constructing Arguments from Aristotle to Cicero* by Sara Rubinelli (New York, NY: Springer, 2009), xiv.

Levene demonstrates the capacity to deploy *topos* theory to contemporary controversies by focusing on the *idia* offered by interlocutors within a particular controversy. Akin to Levene's example of arguments regarding torture, my dissertation utilizes *topos* to examine those claims most commonly made in comparable circumstances, linking them together and unifying them under a common banner.<sup>52</sup> Levene's example of torture is demonstrative of how contemporary argumentative theory can utilize *topos* by uncovering how arguments made on either side of a dispute relate to axiomatic principles held true by each party.<sup>53</sup> Additionally, rather than attending to each particular instance of controversy as it develops, this approach to *topos* allows scholars to uncover and analyze those arguments that are likely to reappear during future moments of *krisis* and to employ new, stronger *topoi* in these moments.<sup>54</sup>

Through the potential uncovering of new possible arguments, analysis of *topoi* in contemporary controversies regarding academia and the liberal arts offers more than a method of categorization. By examining the existing lines of argument within controversies on higher education, I work to determine what, if any, *topoi* have not yet been successfully deployed by stakeholders. In addition, this dissertation explores the possibility that some *topoi* have proven

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<sup>52</sup> Wallace refers to this process as “an orderly way of searching for meaningful utterances” Wallace, “*topoi* and the Problem of Invention,” 395.

<sup>53</sup> Vico's approach to *topoi* as axiomatic offers guidance to this approach, instructing thinkers to consider what aspects of a claim might have arisen as a result of ignorance and narrow-mindedness. See David L. Marshall, *Vico and the Transformation of Early Modern Europe* (Cambridge: Cambridge University Press, 2010). Vichian *topos* operates through ingenuity (*ingegno*), comprising an aspect of memory which makes individuals relate to things by “[giving] them a new turn or putting them into proper arrangement and relationship.” Vico, *The New Science*, §819.

<sup>54</sup> Vico's work on *topoi* is informative in this regard. He understands the inventive nature of *topos* to “serve as architectonic patterns of thought and modes of verbal apprehension which prompt invention by providing a system of inferential connections which in effect create original thought and psychological order in the realm of humane knowledge.” V. M. Bevilacqua, “Vico, Rhetorical Humanism, and the Study Methods of *Our Time*,” *Quarterly Journal of Speech* 58, no. 1 (February 1972): 81. This inventive approach towards *topos* developed as a response to Cartesian criticism which sought to bring disagreements “down to size” while *topos* promotes the discovery of new arguments. Eelco Runia, *Moved by the Past: Discontinuity and Historical Mutation* (New York, NY: Columbia University Press, 2014), 150.

ineffective, requiring the development of new arguments.<sup>55</sup> The inventive potential of my research requires a pragmatic approach to *topoi* as a repository for possibility. In other words, examining *topoi* helps to highlight the argumentative successes, failings, and deficiencies that have occurred in previous moments of controversy. These discoveries can then help to develop new and stronger arguments.

My belief that studying *topoi* can result in argumentative invention is supported by Quintilian's own assessment of *topos* where he describes this form of analysis as innovative, granting insight into stronger arguments.<sup>56</sup> Through an understanding of existing *topoi*, it becomes possible to discover unutilized lines of argument that can, in theory, provide stronger claims and possibly even bridge unnecessary divides between interlocutors. This potential for *topos* to function as a form of invention is furthered by Rescher's work on possibilism, showing that "virtually every step in the history of human innovation and invention has come about in the wake of someone asking about imaginary possibilities, speculating about what would happen and reflection on yet-unrealized and perhaps unrealizable possibilities."<sup>57</sup> By uncovering what lines

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<sup>55</sup> Theoretical focus on unpersuasive *topoi* is a small part of this dissertation. Future analysis will be necessary to construct a contemporary theory that addresses the risk of these non-productive *topoi*.

<sup>56</sup> In addition, Rubinelli shows that studying *topoi* can reveal "the tendency that men have of hiding their real opinions about good and bad things in order to show that they have noble feelings of high morality" by exposing inconsistencies between multiple lines of argument. Sara Rubinelli, "The Ancient Argumentative Game: τόποι and *loci* in Action," *Argumentation* 20 (2006): 264. This possibility further amplifies the potential for the study of *topoi* to reveal new lines of argument by exposing the previously-unrealized bases of critic's positions. Quintilian, *Institutio Oratoria, Volume II: Books 3-5*. trans. Donald A. Russell, Loeb Classical Library 125 (Cambridge, MA: Harvard University Press, 2002), 5.10.105.

<sup>57</sup> Nicholas Rescher, *Imagining Irrreality: A Study of Unreal Possibilities* (Chicago: Open Courts, 2003), 6. This exploration operates through the development of de dicto possibilities, which "only require a possibility operator that allies to (complete) propositions." Rescher, *Imagining Irrreality*, 93. Unlike de re possibility, which is existential in nature, de dicto possibility is a "propositional possibility that concerns states of affairs." Rescher, *Imagining Irrreality*, 56. Alvin Plantinga further explains this distinction, showing that de re possibility asks us to imagine illogical and absurd possibilities — "could Socrates have been an alligator?" — rather than practical inquiries into unrealized possibilities concerning real systems and individuals. Alvin Plantinga, *The Nature of Necessity* (Oxford: Oxford University Press, 1974), 101. This critical distinction is what separates my dissertation project from the realm of lofty utopianism. Rescher explains that "possible states of affairs are one thing and possible things are another — the possibility of some cats being next door poses a (generic) prospect rather different

of argument exist within the Solutions controversy, I begin the process of exploring unrealized argumentative possibilities by first establishing what *topoi* are already prevalent in deliberations on higher education in America.

The imaginative exploration of arguments within moments of controversy does more than open alternative understandings of how arguments have operated — it promotes the development of unrealized possibilities in future moments of controversy. Chapter six of this dissertation substantiates Rescher’s theory by tapping into one such moment of discovery. More than a flash in the pan, discoveries made in this dissertation help to uncover possible solutions to ongoing and future moments of controversy regarding higher education by carefully examining and integrating the seemingly-oppositional claims offered by stakeholders.

The potential for a possibilist approach to rhetorical theory has been demonstrated by multiple scholars. As Ballif explains, the capacity to coherently think about unrealized possibility “is the condition of its possibility.”<sup>58</sup> Put differently: our collective capacity to imagine unrealized possibilities makes these alternatives possible. The utility of possibilism is demonstrated through investigating how *topos* exposes trends and patterns in argument, potentially revealing unrealized possibilities contained within arguments defending academia and the liberal arts. For this study, the challenge is to successfully execute an argumentative analysis of the Solutions controversy which reveals these possibilities. However, engaging possibilist understandings of controversy first requires a historical contextualization of the issues being addressed.<sup>59</sup> In the following section, I explore the historical and contemporary approaches

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from that of a (particular) cat that is supposedly there...to indicate a possible state of affairs we must — and need merely — construct an appropriate narrative, a story.” Rescher, *Imagining Irreality*, 46.

<sup>58</sup> Michelle Ballif, “Writing the Event: The Impossible Possibility for Historiography,” *Rhetoric Society Quarterly* 44, no. 3 (2014): 250.

<sup>59</sup> Rescher, *Imagining Irreality*.

to undergraduate liberal arts education that were subsequently referenced and cited by multiple interlocutors in the Solutions controversy.

## 1.2 CONCEPTIONS OF LIBERAL ARTS EDUCATION

Arguments made by proponents and opponents to reform during the Solutions controversy each situated their position as supporting of liberal arts education. However, neither group offered a clear context or detailed definition of how they conceptualized the liberal arts. As a result, it falls to critics and theorists to develop a historicized understanding of the term before examining how it was used during a particular moment of controversy.

The Solutions controversy's focus toward the liberal arts invites exchange on the merit of *artes liberales* — an approach to broad-based, humanistic education.<sup>60</sup> Multiple books are dedicated to defining and interpreting the liberal arts tradition, yet few authors agree about the definition or necessary components of contemporary higher education. Robert Proctor fears that any definitions of the liberal arts, most particularly polychromatic definitions, are impossible to construct because the term is always in flux.<sup>61</sup> Definitions and interpretations of the liberal arts have been conflated with definitions of the humanities, humanity, and civilization. This terminological confusion is further accentuated by texts that use terms such as academia,

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<sup>60</sup> Cicero makes reference to liberal arts education as a critical aspect of any student's development, regardless of their specialization. This position is articulated extensively in his *De Oratore*, but is also visible in his earlier works including *De Inventione*. Marcus Tullius Cicero, *On the Orator*, trans. E. W. Sutton and H. Rackham, Loeb Classical Library 348 (Cambridge: Harvard University Press, 1942); Marcus Tullius Cicero, *De Inventione*, trans. H. M. Hubbell, Loeb Classical Library 386 (Cambridge, MA: Harvard University Press, 1968).

<sup>61</sup> Robert E. Proctor, *Education's Great Amnesia* (Bloomington and Indianapolis, IN: Indiana University Press, 1988).

rhetoric, the humanities, and the liberal arts interchangeably, ignoring the specific and nuanced understandings of each term.<sup>62</sup>

In his history of the liberal arts, Bruce Kimball demonstrates that nearly all modern understandings of the liberal arts appeal toward the Athenian tradition of humanistic education — of providing students with the necessary skills through which they may live as free and capable individuals.<sup>63</sup> The liberal arts were originally intended to provide a holistic education, turning students into polymaths rather than specialists in a particular field.<sup>64</sup> It is from this focus on holistic education that modern academia draws its roots. Consequently, I examine claims on liberal arts education within the Solutions controversy based upon these historical interpretations of the term.

I adopt a historical understanding of liberal arts education based upon its resilient presence in academia. In fact, only recently has the shift toward specialized education caused educators and students alike to privilege the compartmentalization of knowledge, at times perpetuating the notion that society does not need the majority of information available to it.<sup>65</sup> Today, rather than emphasizing education across a broad base of subjects, portions of the liberal arts — such as the humanities and the hard sciences — are seen as opposing forces that trade off funding and focus. Prior moments in the history of the liberal arts have incorporated the humanities along with science, technology, engineering and mathematics (STEM) fields, offering a diverse and eclectic education for students seeking to learn a vast swath of information

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<sup>62</sup> Bruce A. Kimball, *Orators & Philosophers: A History of the Idea of Liberal Education*, Expanded ed. (New York: College Board Publications, 1995); R. S. Crane, *The Idea of the Humanities and Other Essays Critical and Historical*, vol. 1 (Chicago and London: The University of Chicago Press, 1967).

<sup>63</sup> Kimball, *Orators & Philosophers*, 12-37.

<sup>64</sup> This goal is demonstrated by the Latin root, *liber*, translating to “free person.”

<sup>65</sup> William V. Spanos, *The End of Education: Towards Posthumanism*, ed. Henry Giroux and Roger Simon, Vol. 1 (Minneapolis: University of Minnesota Press, 1993).

on diverse subjects. The recent compartmentalization of the liberal arts, separating the humanities and STEM fields, has produced a false dichotomy that ignores the intertwined histories of the humanities and scientific inquiry, both of which depend on one another to survive.<sup>66</sup> The effects of this division are evident in the Solutions controversy, as laid out in later chapters of this dissertation.<sup>67</sup>

As seen in the Solutions controversy, universities across America are facing a moment of *krisis* regarding liberal arts education. For liberal arts education to survive into the future, advocates must develop means of halting current encroachments against and reinforcing the justifications for the forms of holistic, humanistic education found throughout the histories of academia. However, it is not necessary to construct a narrative where the Solutions controversy is an unprecedented, unpredictable moment of interrogating liberal arts education. Studying the histories of higher education reveals similar moments of *krisis* and intellectual contestation. For instance, in 1982 future U.S. Secretary of Education William Bennett argued that the Vietnam War era (1955-75) produced the “shattering of the humanities” in Western liberal arts education.<sup>68</sup> Earlier Thomas Huxley argued that the rise of modern literature would diminish

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<sup>66</sup> Spanos, *The End of Education*.

<sup>67</sup> As I will show, even some defenders of the liberal arts have mistakenly perpetuated the false dichotomy between the liberal arts and STEM fields by arguing that some forms of research (those in the humanities) are less useful than others. This trend was recently demonstrated in a Forbes article by John Ebersole declaring that “[it is] a combination of STEM programs and the liberal arts that will meet the future needs of our nation and the world at large.” John Ebersole, “Stem Vs. The Liberal Arts?,” *Forbes*, October 18, 2013, <http://www.forbes.com/sites/johnebersole/2013/10/18/stem-vs-the-liberal-arts/> (accessed March 9, 2015). Unfortunately, the most common reason for rhetorically separating the STEM fields from a liberal arts education is to devalue the humanities. Frequently, this animosity is represented not as a nuanced argument, but through dramatic oversimplification, such as professors Paul Gross and Norman Levitt’s argument that liberal arts scholars fundamentally dislike science. Paul R. Gross and Norman Levitt, *Higher Superstition* (Baltimore, MD: John Hopkins University Press, 1994).

<sup>68</sup> William J. Bennett, “The Shattered Humanities” (paper presented at the 72nd Annual Convention of the National Council of Teachers of English, Washington, DC, November 20, 1982).



attention towards other aspects of liberal arts education.<sup>69</sup> Even in ancient Athens, Plato warned that broadening education to include the full *polis* would debase learning.<sup>70</sup> What each of these examples reveals is that a moment of *krisis* does not translate to the inevitable demise of liberal arts education. Instead, these moments should be viewed as an opening for new ideas and innovations that can strengthen the rationales and structures of liberal arts education.

In each previous moment of controversy, liberal arts advocates have come forward by offering reasoned defenses for humanistic education. For example, during one such moment of *krisis*, Matthew Arnold iterated the (potentially) bright future of humanistic education:

I cannot really think that humane letters are in much actual danger of being thrust out from their leading place in education, in spite of the array of authorities against them at this moment. So long as human nature is what it is, their attractions will remain irresistible. As with Greek, so with letters generally: they will some day come, we may hope, to be studied more rationally, but they will not lose their place. What will happen will rather be that there will be crowded into education other matters besides, far too many; there will be, perhaps, a period of unsettlement and confusion and false tendency; but letters will not in the end lose their leading place. If they lose it for a time, they will get it back again. We shall be brought back to them by our wants and aspirations.<sup>71</sup>

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<sup>69</sup> Thomas H. Huxley, "Science and Culture," in *Essays, English and American, with Introductions Notes and Illustrations*, ed. Charles W. Eliot (New York, NY: P. F. Collier & Son, 1910), 209-226.

<sup>70</sup> Plato, *Phaedrus*, trans. Harold North Fowler, Loeb Classical Library 36 (Cambridge, MA: Harvard University Press, 1914).

<sup>71</sup> Matthew Arnold, "Literature and Science," *The Manhattan: an Illustrated Monthly Magazine* (April 1884): 111.

Arnold's testimony serves two purposes. First, it reminds audiences that the liberal arts are central to a well-focused education. Second, it reminds liberal arts advocates that a moment of intellectual contestation does not spell the demise of humanistic education. Instead, it merely provides opportunity for advocates to reconceive of their arguments and to re-center discussion on the utility of the liberal arts. More of this second purpose will be discussed in later chapters. For now, this section has developed a brief exploration of the historic definitions and structures of liberal arts education. Additionally, this section has previewed later parts of this dissertation where I show that controversy does more than question the existence of liberal arts education: it helps to restructure and reconfigure academia in accordance to the needs of a given society.<sup>72</sup>

### 1.3 CHAPTER PREVIEW

By exploring a particular moment of controversy regarding liberal arts education in America, this dissertation develops a deeper understanding of the current status of academia. In addition, I show how supporters of the liberal arts can improve upon existing structures of higher education while also appeasing critics of contemporary academia. In its opening chapters, my project uncovers and analyzes *topoi* within the Solutions controversy. In doing so, I construct a new form of *topos* theory to better analyze the various lines of argument offered by stakeholders within and beyond Texas. The opening chapters of my dissertation each examine an aspect of the Solutions controversy, identifying and analyzing the *topoi* deployed by proponents and opponents of the Solutions. Structurally, I dedicate one chapter each to the textual analysis of

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<sup>72</sup> Spanos, *The End of Education*, 1; Danny Heitman, "How Can Obama Save Our Economy and Our Democracy? Humanities Education," *The Christian Science Monitor*, February 18, 2011, <http://www.csmonitor.com/Commentary/Opinion/2011/0218/How-can-Obama-save-our-economy-and-our-democracy-Humanities-education> (accessed July 1, 2015).

*topoi* within arguments<sub>1</sub> from the Solutions and the University of Texas-Austin's Response respectively. These chapters employ what Michael Leff and Andrew Sachs label "close reading," a mode of rhetorical criticism that examines explicit claims made within a text without becoming distracted by "larger discursive formations."<sup>73</sup>

Following analysis of arguments<sub>1</sub> within the Solutions and Response texts, I examine how the relevant *topoi* interacted in the years following the original oppositional arguments within Texas. Then, I explore the impact of my analysis by offering insight into the successes and failings of stakeholders in the Solutions controversy. I conclude by looking past limitations found in the Solutions controversy, examining potential models of education that can work to resolve controversies regarding higher education by promoting an argument-laden form of liberal arts education. These later chapters supplement this close reading of texts from the Texas controversy by engaging the moral, political, and value-based concerns of the controversy.<sup>74</sup>

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<sup>73</sup> Michael Leff and Andrew Sachs, "Words the Most Like Things: Iconicity and the Rhetorical Text," *Western Journal of Speech Communication* 54 (Summer 1990): 254. This method of close reading requires critics to temporarily close original texts off from their surrounding contexts so arguments<sub>1</sub> may be more clearly understood and analyzed. As part of this process, critics must determine what constitutes a text and how it might be distinguished from its surrounding context. Michael Calvin McGee explains this process: "The question of what constitutes 'the text' is unproblematic – the discourse as it is delivered to its audience/readers is considered 'finished,' while, clearly and obviously the object (target) of rhetorical analysis...and close textual analysis will not stray far from the terms and resources of the target discourse's world." Michael Calvin McGee, "Text, Context, and the Fragmentation of Contemporary Culture," *Western Journal of Speech Communication* 54 (Summer 1990): 279. Leff and Sachs concede that close reading of a text does not produce an analysis divorced from outside influence, but rather prioritizes focus toward explicit claims within a text. The authors explain "meaning, of course, is ideological, and while ideology of the speech participates in a context of larger discursive formations and material conditions, it is also something represented within the tissue of connectives that the text constructs. Leff and Sachs, "Words the Most Like Things," 269.

<sup>74</sup> This process, offering a close reading of texts and only later examining the external contexts of their authorship, taps into the benefits of a close textual analysis without falling prey to the deficits of this methodology. J. Robert Cox explains that close reading of texts run the risk of "self-deception by interpreters" where a critic wrongfully believes in the capacity to identify a "self-contained text." J. Robert Cox, "On 'interpreting' Public Discourse in Post-Modernity," *Western Journal of Speech Communication* 54 (Summer 1990): 321. Cox goes on to demonstrate that isolating a "self-contained text" is itself a discourse act that attempts to formulate an objective analysis. Cox, "On 'Interpreting,'" 321. Later chapters of this dissertation resolve this concern by building on the close reading of various texts, embracing Cox's notion that "the task of critics in post-modernity may be nothing less than to theorize the possibility of public discourse itself, and to articulate the necessary transformations of the public sphere that allow for this possibility." Cox, "On 'Interpreting,'" 327.

What follows is a brief outline of each chapter and its contribution to the larger dissertation project.

### *Chapter 2: The Seven Breakthrough Solutions*

This chapter begins with an analysis of the *topoi* within the Solutions and its supporting documents. To conduct this analysis, I begin by developing a theory of *hierarchical topos* which I then deploy throughout the dissertation. Utilizing this theory, I examine *topoi* within the Solutions, uncovering how various lines of argument were utilized and deployed. Documents analyzed in this chapter include the official justifications for the Solutions as well as internal memos, emails, and drafts provided by the TPPF and Rick Perry's public relations office.

### *Chapter 3: University of Texas-Austin's Response*

This chapter examines the arguments made by the University of Texas-Austin in response to the Solutions. Chapter three is organized similarly to chapter two, beginning with a contextualizing of events leading up to UT-Austin's primary responses to Perry's reform agenda. The central text analyzed in this chapter is University of Texas-Austin Dean Randy L. Diehl's "Maintaining Excellence and Efficiency at The University of Texas at Austin: A Response to the Seven 'Breakthrough Solutions' and Other Proposals."<sup>75</sup> Upon identifying and analyzing Diehl's *topoi*, I conclude the chapter by examining how his lines of argument sought to resolve the Texas controversy. This paves the way for chapter four, focusing on how *topoi* from preceding chapters were utilized in the years following the original Texas controversy.

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<sup>75</sup> Randy L. Diehl, *Maintaining Excellence and Efficiency at The University of Texas at Austin: A Response to the Seven 'Breakthrough Solutions' and Other Proposals* (Austin, TX: University of Texas at Austin, 2011), [http://www.as.utexas.edu/bov/resources/08.ut\\_maintaining\\_excellence\\_and\\_efficiency.pdf](http://www.as.utexas.edu/bov/resources/08.ut_maintaining_excellence_and_efficiency.pdf) (accessed March 8, 2015).

#### *Chapter 4: Contested Topoi*

This chapter examines how *topoi* offered by proponents and opponents of the Solutions interacted following the original exchange of arguments<sub>1</sub> in Texas. I continue the analysis offered in preceding chapters by examining *topoi* following Diehl's response, analyzing how external interlocutors picked up and redeployed *topoi* found within the Solutions controversy. Whereas chapters two and three examine the arguments<sub>1</sub> offered by critics and defenders respectively, this chapter analyzes the argument<sub>2</sub> between stakeholders. Put differently, this chapter examines *topoi* in conversation, focusing on responses and counter-*topoi* offered following the initial exchange of arguments between stakeholders.

#### *Chapter 5: Learning from Controversy*

This chapter explores lessons learned from examining the Texas controversy. By examining the *topoi* within the Solutions and Response, I investigate the successes and shortcomings of Diehl's Response. This analysis is supported by close reading of the Solutions and Response texts and their relationship to canonical truth, epistemology, and neoliberal forms of higher education. Following this analysis, I establish the need for new lines of argument and reforms within academia in order for stakeholders to successfully defend and develop liberal arts education.

#### *Chapter 6: Argument Across the Curriculum*

In my final chapter, I examine one potential point of *stasis* in the Texas controversy: support for curricula that prioritize argument and deliberation skillsets. This analysis draws from

claims made within the Solutions and Response and demonstrates that otherwise-oppositional stakeholders in the Solutions controversy were amicable to deliberation-based initiatives.

Following this analysis, I examine the ways that academics could incorporate argument and deliberation across the undergraduate curriculum while not alienating stakeholders on either side of the Texas controversy.

## 2.0 THE SEVEN BREAKTHROUGH SOLUTIONS

The Solutions were revealed to the regents of the Texas University Systems on May 21, 2008 at Governor Perry's Higher Education Summit. The purpose of this summit, as stated in the event invitation, was to "focus on 'myths, truths, and breakthrough solutions' for higher education."<sup>1</sup> Initial reactions to the summit invitation were mixed with supporters and critics alike regarding the reforms as highly controversial.<sup>2</sup> However, one of the key questions considered by this dissertation is what made the Solutions and the subsequent exchange between its proponents and opponents, mostly notably those at the University of Texas at Austin, controversial enough to prompt national attention? Exploration of this question can help shed light on what caused the exchange to become a lightning rod for similar controversies regarding the liberal arts in higher education.

The Solutions were penned by Jeff Sandefer of the Texas Public Policy Foundation, an organization labeled as a non-profit, non-partisan research institute that employs predominately conservative experts in multiple policy and research areas.<sup>3</sup> Sandefer, a personal friend of Rick

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<sup>1</sup> Rick Perry, faxed message to Morris Edwin Foster (unpublished manuscript in the author's possession, March 4, 2008), Portable Document Format file.

<sup>2</sup> Emails between regents, administrators, and faculty across the Texas of Universities systems, both preceding and following the summit, reflect this escalation of tensions. For example, see Jim Studer to David Prior, Pedro Reyes, and Dawn Jones, "RE: Governor's Invitation – May 21 Special Conference for Regents," April 4, 2008, in *UT\_Skepticism* (Austin: Texas Tribune, 2008), accessed January 21, 2015, [http://static.texastribune.org/media/documents/UT\\_Skepticism.pdf](http://static.texastribune.org/media/documents/UT_Skepticism.pdf); David Prior to Jim Studer, Pedro Reyes, and Dawn Jones, "FW: Teaching Bonuses," June 16, 2008, in *UT\_Skepticism* (Austin: Texas Tribune, 2008), accessed January 21, 2015, [http://static.texastribune.org/media/documents/UT\\_Skepticism.pdf](http://static.texastribune.org/media/documents/UT_Skepticism.pdf).

<sup>3</sup> Since 1989, the Foundation has sought to "promote and defend liberty, personal responsibility, and free enterprise in Texas and the nation by educating and affecting policymakers and the Texas public policy debate with

Perry and regent of the UT system of higher education, served on the board of the Texas Public Policy Foundation at the time of the summit.<sup>4</sup> The relationship between Sandefer and Perry assisted in the promotion of the Solutions and was further facilitated through Barry McBee, Vice chancellor for governmental relations for the University of Texas System, who served as Chief of Staff for Rick Perry's Governor's office.<sup>5</sup> The Solutions soon became known as "Rick Perry's Seven Breakthrough Solutions," a title likely earned by Perry's endorsement of the Solutions and the use of language in the Solutions packet that insinuated the Governor's contribution.<sup>6</sup> For example, despite Perry having an unknown degree of input during the development of the

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academically sound research and outreach." "Mission," Texas Public Policy Foundation, last modified May 21, 2015, <http://www.texaspolicy.com/about/mission> (accessed August 30, 2015).

<sup>4</sup> Sandefer's relationship with Perry dates back to 1999 when Perry was serving as lieutenant governor of Texas and assembled the Special Commission on 21<sup>st</sup> Century Colleges and Universities that sought to redirect higher education in the state. Sandefer was a member of this committee and used the opportunity to build a lasting professional relationship with Perry. Reeve Hamilton, "Who's Behind Proposed Reforms to Texas Higher Ed?," *The Texas Tribune*, March 16, 2011, <https://www.texastribune.org/2011/03/16/whos-behind-proposed-reforms-to-texas-higher-ed/> (accessed January 7, 2015). As the author of the Solutions, Sandefer was present at the 2008 summit and is referenced as the moderator for discussion throughout the event. Barry McBee, May 21st 2008.

<sup>5</sup> McBee himself noted the level of cooperation between Perry and the Texas Public Policy Foundation, pointing out that while official summit invitations carried letterhead of Gov. Perry's office, they were faxed from the office of Jeff Sandefer on April 1, 2008. Marsha Ellis, Associate Vice Chancellor of the Community College Partnerships Office of Academic Affairs for the University of Texas System, suspected that there was a direct relationship between Perry's office and the TPPF, stating in an email a month prior to the summit that "Perhaps another area to investigate is where the funding for the TPPF student originated. Also political contributions to Gov and other elected officials." Marsha Ellis to David Prior, Pedro Reyes, Jim Studer, and Jones Dawn, "RE: Texas Public Policy Foundation," August 12, 2008, in *UT\_Skepticism* (Austin: Texas Tribune, 2008), accessed January 19, 2015, [http://static.texastribune.org/media/documents/UT\\_Skepticism.pdf](http://static.texastribune.org/media/documents/UT_Skepticism.pdf).

<sup>6</sup> The solutions were revealed during the "Texas Public Policy Foundation Higher Education Summit," though the summit later became known as the Governor's Summit. The original invitation to the "special conference for regents of our state university systems," written by Rick Perry, began with the statement "I hope you will join me May 21, 2008, in Austin." Rick Perry, faxed message to Morris Edwin Foster (unpublished manuscript in the author's possession, March 4, 2008), Portable Document Format file. Perry's attendance at the summit was relatively short. Following lunch, he appeared briefly, telling regents that the ideas discussed "were not 'one size fits all' solutions and he said the proposals could be modified by different institutions" Carol A. Felkel, *Governor Perry's Higher Education Summit: The Minutes of the Boards of Regents of Texas State University System, Texas Tech University System, the Texas a&M University System, the University of Texas System, University of Houston System, University of North Texas System* (Austin: University of Texas System, 2008), 4, accessed May 5, 2015, <https://www.depts.ttu.edu/irim/Reports/StateReports/SYSTEM/Minutes/BoardMinutes080521.pdf>.



Solutions, the second page of the original Solutions packet referred to the event as the “Governor’s Higher Education Summit.”<sup>7</sup>

While there are many ongoing arguments regarding the liberal arts, the Solutions controversy occurred at a particularly contentious moment in recent history and encapsulates the continuing debate over the roles of higher education in society. Mounting social pressures for academic reform were both the impetus for the Solutions and the accelerant that shifted the exchange into the realm of social controversy. These pressures formed over the preceding decade as a sharp decline in government funding for higher education wreaked havoc on academic institutions.<sup>8</sup> As a result of decreased funding, universities were required to lower their costs while simultaneously increasing tuition.<sup>9</sup> Paul Burka reports that the trend was most evident in Texas, where tuition policy was deregulated in 2003, sparking an immediate 38% tuition increase at the University of Texas and capturing the attention of both state and national politicians.<sup>10</sup>

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<sup>7</sup> Texas Public Policy Foundation, *Higher Education Summit* (Austin, TX: Texas Public Policy Foundation, 2008), accessed February 9 2015, <http://www.texaspolicy.com/sites/default/files/documents/2008-05-21-HigherEdSummit2.pdf>.

<sup>8</sup> Michael Mitchell, Vincent Palacios, and Michael Leachman, *States Are Still Funding Higher Education Below Pre-Recession Levels* (Washington, DC: Center for Budget and Policy Priorities, May 2014), accessed March 8 2015, <http://www.cbpp.org/cms/?fa=view&id=4135>.

<sup>9</sup> The U.S. Government Accountability Office (GAO) reported in 1996 that tuition costs at public universities have dramatically outpaced household income since 1980. Carlotta C. Joyner, *Tuition Increases Faster Than Household and Public College Costs* (HEHS-96-154) (Washington, DC, Government Accountability Office, 1996), accessed June 6, 2015, <http://www.gao.gov/products/GAO/HEHS-96-154>. However, only recently has this inverse correlation between income and tuition costs reached a breaking point, spurring national debate over the desirability of increasingly expensive liberal arts education. Steve Odland, “College Costs out of Control,” *Forbes*, March 24, 2012, accessed October 30, 2015, <http://www.forbes.com/sites/steveodland/2012/03/24/college-costs-are-soaring/>.

<sup>10</sup> Paul Burka, “Storming the Ivory Tower,” *Texas Monthly*, October 2012, accessed October 18 2015, <http://www.texasmonthly.com/articles/storming-the-ivory-tower/>. Following Edwin Black’s theory that rhetoric is necessarily the symptom of an exigency, the development of this financial crisis would qualify as the cause of Perry’s initial line of argument. Edwin Black, “The Second Persona,” *Quarterly Journal of Speech* 56, no. 2 (April 1970): 109-19.

As the UT system came under ridicule for its financial decisions, there were multiple moments where the controversy could have deescalated — universities could have lowered prices, politicians could have redirected their attention, or the media could have latched onto other stories. Instead, the controversy grew, culminating into the kind of “complex situated argument” that “critiques, resituates, and develops communication practices” by extending beyond specific questions of policy and moving to a plane that challenged fundamental precepts in higher education.<sup>11</sup> This controversy spurred a moment of *krisis*, discussed in chapter one as a moment of decision or judgement that has the potential to effect social change, where the future of higher education was open for debate and, in this moment, the Solutions gained prominence.

The Higher Education Summit was attended by the boards of regents from the Texas systems of higher education, all of whom were personally invited through Governor Perry’s office.<sup>12</sup> Regents’ responses to the summit were mixed. Some stakeholders were excited by the summit — presented as a “call for accountability” — while others preemptively labeled it as “not

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<sup>11</sup> Thomas Goodnight, “Complex Cases and Legitimation Inference: Extending the Toulmin Model to Deliberative Argument in Controversy,” in *Arguing on the Toulmin Model: New Essays in Argument Analysis and Evaluation*, ed. David Hitchcock and Bart Verheij (Berlin: Springer, 2006); Kathryn M. Olson and Thomas Goodnight, “Entanglements of Consumption, Cruelty, Privacy, and Fashion: The Social Controversy over Fur,” *The Quarterly Journal of Speech* 80, no. 3 (1994): 249-76.

<sup>12</sup> Also in attendance was a collection of experts on higher education. Carol Felkel, author of the collective minutes from the Board of Regents, lists representations from the American Council of Trustees and Alumni, Spellings Commission, Princeton Review, and Higher Ed Holdings. LLC. Felkel, *Governor Perry's Higher Education Summit*. In an email, Barry McBee, Vice chancellor for governmental relations for the University of Texas System, describes the list of attendees as follows: “Among the vocal experts in attendance were Betty Capaldi, the Provost at Arizona State University; Rick Dunning of the University of Oklahoma Board of Regents; Fred Fransen, the Executive Director of the Center for Excellence in Higher Education; John Katzman, founder and Executive Chairman of the Princeton Review; Jack Massimino, CEO of the for-profit Corinthian Colleges; Neal McCluskey of the Cato Institute; Charles Miller; Anne Neal, President of the American Council of Trustees and Alumni; Rick O'Donnell, President of the Acton Foundation for Entrepreneurial Excellence and former Executive Director of the Colorado Department of Higher Education; and Richard Vedder. The only non-regent university representatives were Chancellors Hance and McKinney and Guy Diedrich, the Vice Chancellor for Technology Commercialization at A&M. Bob Shepard and Whit Riter of the Coordinating Board were also in attendance” Barry McBee to Kenneth Shine, David Prior, Randy Safady, Anthony de Bruyn, Marsha Kelman, Geri Malandra, and Fredrick Francie, “Notes from Regents Conference,” May 21, 2008, in *McBees\_Notes* (Austin: Texas Tribune, 2008), accessed January 21, 2015, [http://static.texastribune.org/media/documents/McBees\\_Notes.pdf](http://static.texastribune.org/media/documents/McBees_Notes.pdf).

a good event,” a sentiment voiced by James Struder, Associate Vice Chancellor of Student Affairs for the University of Texas System.<sup>13</sup> David Prior, Executive Vice President for Academic Affairs for the University of Texas System, followed suit by labeling the event as “ominous.”<sup>14</sup> Despite these concerns, quorum among the regents was met and the Solutions were presented over the course of a single day.

Each of the Solutions sought to address different weaknesses in Texas’ system of higher education. Both in the draft and final versions, each proposal was presented in single sentences followed by two to four pages clarifying the goal, feasibility, and defenses of the particular solution. The Solutions, listed in the order they were presented, are:

1. Measure teaching efficiency and effectiveness and publicly recognize extraordinary teachers
2. Recognize and reward extraordinary teachers
3. Split research and teaching budgets to encourage excellence
4. Require evidence of teaching skill for tenure
5. Use “results-based” contracts with students to measure quality
6. Put state funding directly in the hands of students

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<sup>13</sup> Later in the same email, Struder indicates concern that David Horowitz, an outspoken critic of higher education and contemporary academia, might be one of the experts attending the Summit. Jim Studer to David Prior, Pedro Reyes, and Dawn Jones, “RE: Governor’s Invitation – May 21 Special Conference for Regents,” April 4, 2008, in *UT\_Skepticism* (Austin: Texas Tribune, 2008), accessed January 21, 2015, [http://static.texastribune.org/media/documents/UT\\_Skepticism.pdf](http://static.texastribune.org/media/documents/UT_Skepticism.pdf)

<sup>14</sup> David Prior to Pedro Reyes, Jim Studer, and Dawn Jones, “FW: Governor’s Invitation – May 21 Special Conference for Regents,” April 4, 2008, in *UT\_Skepticism* (Austin: Texas Tribune, 2008), accessed January 21, 2015, [http://static.texastribune.org/media/documents/UT\\_Skepticism.pdf](http://static.texastribune.org/media/documents/UT_Skepticism.pdf). Prior mentioned in the same email that the invitation bore a striking resemblance to comments made in *Imposters in the Temple*, Martin Anderson’s text attacking higher education in America. Martin Anderson, *Imposters in the Temple: A Blueprint for Improving Higher Education in America* (Stanford, CA: Hoover Institution Press, 1996). Anderson’s work was later mentioned in the final draft of the Solutions as evidence of Academia’s need to improve teaching effectiveness. Texas Public Policy Foundation, *Higher Education Summit* (Austin, TX: Texas Public Policy Foundation, 2008), accessed February 9 2015, <http://www.texaspolicy.com/sites/default/files/documents/2008-05-21-HigherEdSummit2.pdf>.

## 7. Create results-based accrediting alternatives

Epitomizing the Solutions was the guiding belief that higher education in Texas had enjoyed an extended period of unaccountable lavishness and that the UT system required greater public and political oversight. Perry's invitation to the Higher Education Summit conveyed the immediate need for action, telling regents that they would "meet with some of the most knowledgeable higher education experts in the country" and that their proposals, the Solutions, offered a means toward accountability in higher education.<sup>15</sup>

Upon first inspection of the Solutions, readers might be tempted to identify each Solution as its own line of argument. However, this classification scheme carries two analytic limitations. First, it offers no insights into the underlying claims and assumptions used to substantiate the Solutions. Labeling each Solution as its own line of argument obscures the *topoi* woven throughout a larger text.<sup>16</sup> Second, identifying each Solution as a *topos* does little to prepare stakeholders for future moments of controversy that are likely to include similar enthymematic claims against liberal arts education. A more promising deployment of *topos* theory entails viewing arguments<sub>1</sub> as a unit, identifying underlying claims that operate outside of the organizational schematic of claims presented.

In this chapter, I examine the *topoi* used to support the Solutions. This analysis includes review of supporting documents offered to the Texas regents during the Higher Education Summit as well as documents later released to the general public. By providing a breakdown and analysis of these *topoi*, I work to uncover underlying arguments<sub>1</sub> strategically situated to support

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<sup>15</sup> Rick Perry, faxed message to Morris Edwin Foster (unpublished manuscript in the author's possession, March 4, 2008), Portable Document Format file.

<sup>16</sup> Along these same lines, classifying each Solution as a *topos* ignores how lines of argument can be deployed in multiple controversies, taking on different attributes while still producing the same claims.

higher education reform. While this chapter focus exclusively on the arguments<sub>1</sub> within the Solutions packet, later chapters will open space for analysis on the interplay between multiple interlocutors by exploring the argument<sub>2</sub> as it played out over the course of the controversy.

As this chapter shows, the Solutions were organized through a series of headers that were strategically constructed to promote the Solutions. However, rather than view each Solution and its corresponding section in the packet as its own realm of argument, my analysis goes deeper by deploying *topos* theory as a means of uncovering foundational claims. This cataloging of *topoi* is necessary to engage and uncover the arguments found in the larger controversy over higher education. As Vico explains, *topoi* have “the function of making minds inventive,” by bolstering the possibility for new arguments developed through the unmediated consideration of claims.<sup>17</sup>

In supporting Vico’s conception of *topos* theory as a form of invention, this chapter approaches rhetorical criticism through Brockriede’s perspective that “descriptive analysis could function as a significant argument if the critic were to draw conclusions from the data and argue their merit, or if he were to present the data enthymematically so the consumer of the criticism would be able to find an unstated but implied claim and/or an unstated but implied rationale for it.”<sup>18</sup> In later chapters, my analysis moves beyond Brockriede’s classification scheme by bridging descriptive analyses in chapters two and three with a form of criticism by explanation and assessing the merits of various *topoi*.<sup>19</sup>

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<sup>17</sup> Giambattista Vico, *The New Science*, trans. Thomas Goddard Bergin and Max Harold Fisch (Ithaca and London: Cornell University Press, 1984), 167.

<sup>18</sup> Wayne Brockriede, “Rhetorical Criticism as Argument,” *Quarterly Journal of Speech* 60, no. 2 (April 1974): 5.

<sup>19</sup> Later analysis that situates *topoi* within contexts outside of the original argument<sub>2</sub> fulfill Brockriede’s condition of criticism by explanation requiring “a comparison between the experience under scrutiny and a more general concept or category system.” Brockriede, “Rhetorical Criticism as Argument,” 170.

As shown in chapter one, the use of *topos* theory to uncover implied claims dates back to Aristotle's situating of *topos* as "a heading under which many enthymemes fall."<sup>20</sup> Brockriede shows that this uncovering of enthymeme is a useful step that can later develop into a form of criticism as explanation. His optimal form of criticism, Brockriede says, is made possible by a critic "[looking] at what he is analyzing and [choosing] the perspectives and ideas that best help him understand the object of his criticism."<sup>21</sup> The analysis offered in chapters two and three of this dissertation engage in the practice of increasing understanding of the objects being criticized, opening space for later explanation in later chapters. In order to tap into the full utility of *topos* theory, the following analysis of *topoi* within the Solutions packet focuses on description, leaving space in later chapters for normative assessment and the possible discovery of new, more favorable *topoi* in defense of liberal arts education.

In this chapter, analysis of *topoi* yields understanding of how and why supporters of the Solutions sought to fundamentally alter higher education. The following analysis is based on the arguments in the original packet of information distributed to regents during the Higher Education Summit. This packet contains both original text from the Texas Public Policy Foundation and selected publications from various authors, each used to substantiate the Solutions. I begin with a central claim found throughout the Solutions packet: that education is best understood as a business enterprise.

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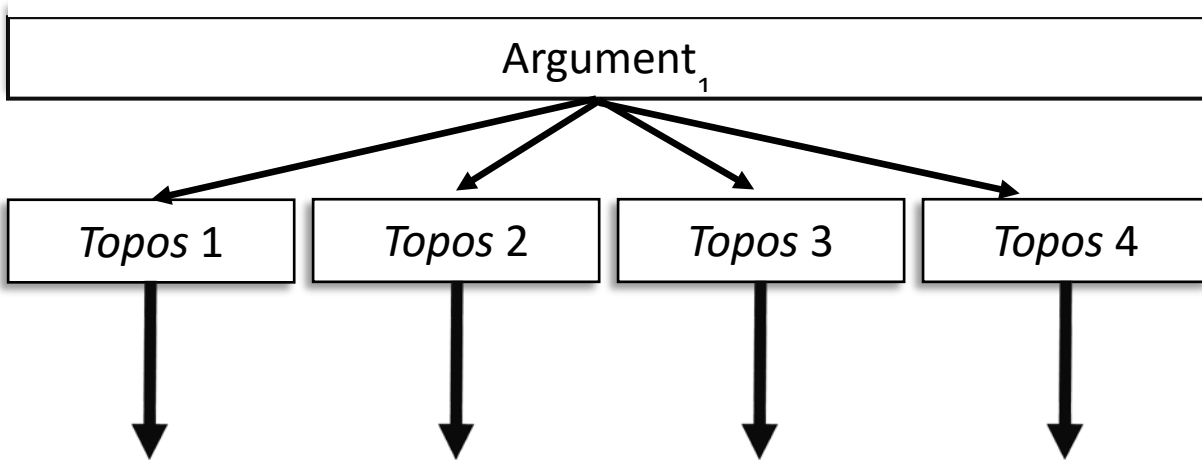
<sup>20</sup> Aristotle, *Rhetoric* 1403a18–19

<sup>21</sup> Brockriede, "Rhetorical Criticism as Argument," 171.

## 2.1 EDUCATION IS A BUSINESS

The Solutions packet presents higher education as an enterprise which can (and should) utilize business models of governance and, like a business, must be held accountable to its constituents. Study of the Solutions packet and supplemental texts including email and interviews demonstrate that this is a primary line of argument for proponents of the Solutions. However, existing theories do not readily support classifying *topoi* based upon their importance to the central claims in an argument<sub>1</sub>. An example of this lack is evident in Aristotelian *topos* theory wherein all *topoi* are viewed as equal to one another, each operating concurrently to support an argument<sub>1</sub> (see Fig. 1).

*Figure 1 Aristotelian topos theory*

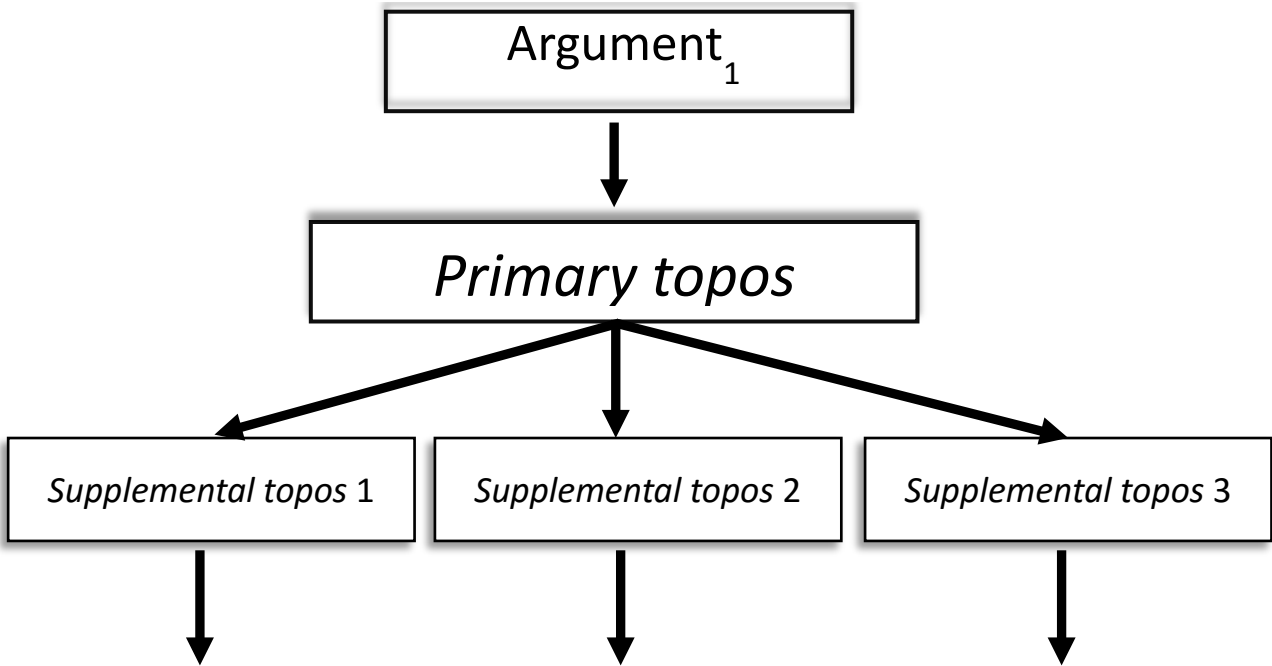


To fill this gap, I have developed a theory of *hierarchical topos* that facilitates a greater understanding of argument by building upon Aristotelian *topos* theory. *Hierarchical topos* theory functions similarly to other forms of *topos* analysis by beginning with the cataloging of *topoi* within a particular argument<sub>1</sub>. Where *hierarchical topos* theory differs from previous modes of analysis is in its second stage where an argument's *topoi* are examined in relation to one

another, exploring if and how each *topos* is contingent upon or an imperative pre-requisite to its cohort. Through this analysis, critics might discover that some *topoi* are contingent upon others.

In such a situation, a critic can then identify one or more *primary topoi* that are central, necessary lines of arguments that must be upheld for the remaining *topoi*, the *supplemental topoi*, to be substantiated (see Fig. 2).<sup>22</sup>

Figure 2 Hierarchical *topos* theory



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<sup>22</sup> Previous modification of Aristotle's *topos* theory is seen in Cicero's *De Inventione* and Quintilian's *Institutiones Oratoriae*, each working to develop *topoi* that are readily applied to variable contexts. Marcus Tullius Cicero, *De Inventione*, trans. H. M. Hubbell, Loeb Classical Library 368 (Cambridge, MA: Harvard University Press, 1968); Quintilian, *The Orator's Education* (*Institutio Oratoria*), Vol. I: Books 1-2, trans. Donald A. Russell, Loeb Classical Library 124 (Cambridge, MA: Harvard University Press, 1969). In his analysis of argumentative invention, Michael Leff explains Quintilian's approach to *topoi* as pedagogic, stating "The topics, [Quintilian] implies, have limited value in and of themselves. Their authentic function is to help promote the argumentative skills of the student, foster the development of natural talents and to sharpen insight into cases that arise in the public arena." Michael C. Leff, "The Topics of Argumentative Invention in Latin Rhetorical Theory from Cicero to Boethius," *Rhetorica: A Journal of the History of Rhetoric* 1, no. 1 (Spring 1983): 33. The last of these points, preparation for intellectual contestation in public arenas, demonstrates attention toward the development of stronger arguments that can be readily deployed without requiring significant time to formulate counter-arguments. My development of hierarchical *topos* theory furthers this goal by isolating the primary lines of argument stakeholders should anticipate and situating supplemental lines of argument as a secondary concern.



The windfall of *hierarchical topos* theory is its ability to focus attention on the limited number of *primary topoi* within a given argument<sub>1</sub>, allowing stakeholders to heighten attention toward those lines of argument that not only support themselves, but are also necessary to maintain an argument<sub>1</sub>'s *supplemental topoi*. Successful identification of these primary *topoi* not only creates a greater understanding of an argument<sub>1</sub>, but also provides stakeholders with the knowledge of what lines of argument to refute, knowing that doing so might in turn delegitimize multiple *topoi* (*primary* and *supplemental*) in one move. To better understand the utility of *hierarchical topos* theory, we can turn to analysis of the Solutions' *primary topos* of education being a business, a critical line of argument through which *supplemental topoi* are situated and developed. This section begins by identifying the arguments made to substantiate the business-oriented nature of academia. Next, this section analyzes how the Solutions packet interpolates the groups and individuals that represent the constituents of higher education.

The Solutions packet rhetorically situates academia as “in the business of teaching students” among other functions such as “research, running bookstores and dormitories, maintain[ing] complex physical plants, and [administrating] hospitals and clinics.”<sup>23</sup> This multifaceted set of interests makes academia a unique and complex enterprise.<sup>24</sup> In an article from The Cost Project that was included in the Solutions packet, author Jane Wellman states, “The fact is that all public and private institutions spend more to educate students than they receive in tuition revenues, so a conventional business model does not apply to higher education,” yet Wellman goes on to reinforce that, while academia cannot be understood through traditional models, it is

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<sup>23</sup> Texas Public Policy Foundation, *Higher Education Summit*, 23.

<sup>24</sup> This position is supported by historic understandings of higher education. For example, in his history of liberal arts education, R.S. Crane shows that learning, teaching, and philosophizing have historically been categorized differently from spheres of human interaction, requiring focused and specialized analysis such as that seen in the Solutions packet Crane, *The Idea of the Humanities and Other Essays Critical and Historical*, 1.

necessarily a business which can and should be assessed through business metrics by business leaders.<sup>25</sup> This dissociative definition of academia as a business supports the Solutions' claim that business leaders should play a role in higher education, showing that the uniqueness of academia does not preclude the utility of business insights. This line of argument situates business professionals as the experts capable of understanding the nuances of this unique sector of the economy. Wellman explains:

[F]or a board [of trustees] to help steer a college or university in the direction of quality and value, trustees will need to untangle the language of price and costs so they can focus on how the institution uses its resources to achieve core functions. Research about costs and prices also will help explain these relationships...<sup>26</sup>

By focusing on quantitative metrics and fiscal calculations, Wellman's call for research situates business professionals as capable arbiters that can uncover how and why higher education has become prohibitively expensive for Texas citizens. The need for this analysis is supported by Wellman's claim that parents and students need to better understand the correlation between expected amenities and overall cost of enrollment.<sup>27</sup>

While Wellman's article works to uncover the business-based foundations of higher education, the larger Solutions packet expands this focus by promoting standardized business practices in higher education. This line of argument is constructed by a section of the packet

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<sup>25</sup> Jane V. Wellman, *Strengthening Board Capacity for Overseeing College Costs* (Washington, DC: Association of Governing Boards of Universities and Colleges, 2006), accessed April 8, 2015, [http://immagic.com/eLibrary/ARCHIVES/GENERAL/AGBUC\\_US/A061121W.pdf](http://immagic.com/eLibrary/ARCHIVES/GENERAL/AGBUC_US/A061121W.pdf).

<sup>26</sup> Wellman, *Strengthening Board Capacity*, 5.

<sup>27</sup> Wellman reinforces this need, stating, "[parents and students] see rising tuition as a sign of misplaced institutional priorities and a willingness to spend money rather than keep prices down. Yet at the same time, students and parents expect colleges to have state-of-the-art dormitories, Wi-Fi access, and fitness centers that rival those in exclusive spas. Wellman, *Strengthening Board Capacity*, 3.

authored by the Texas Public Policy Foundation that identifies colleges with financial crises as those that do not fully embrace standard business practices. For example, when addressing the point that many universities are increasing student costs at levels that outpace inflation rates, the Solutions packet praises community colleges because they “are more likely to operate on a business model: conducting market research to determine consumer demand, and dropping programs that don’t prove to be efficient or effective.”<sup>28</sup> In an interview with Paul Burka, Jeff Sandefer, the architect of the Solutions, expressed his belief that “the natural evolution of a university is that it should be run like a business” and promoted his desire to “create a new results-driven business model.”<sup>29</sup> Arguments made in the Solutions packet, combined with Sandefer’s later statements, the Solutions’ emphasis on business-based approaches toward education.

The Solutions packet asks leaders of academic departments to emulate business leaders by standing up to faculty who would oppose the abolition of tenure: “Strong department leadership would be willing to take such risks, as is typical of strong leadership in the business world.”<sup>30</sup> By appealing to regents, administrators, and department leadership to promote business models, the Solutions successfully isolate faculty members as the predominant opponents of business norms and standards in education.<sup>31</sup> This maneuver works in accordance with Kenneth

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<sup>28</sup> This section of the Solutions packet continues by presenting community colleges as fiscally responsible and “more likely to make fuller use of their teaching and physical capacities: offering courses when students need them, not when faculty want to teach them; and offering courses and services at nights and on weekends, in order to appeal to non-traditional students.” Texas Public Policy Foundation, *Higher Education Summit*, 11.

<sup>29</sup> Burka, “Storming the Ivory Tower.”

<sup>30</sup> Texas Public Policy Foundation, *Higher Education Summit*, 32.

<sup>31</sup> Note that some academics, department heads, are exempted from the Solutions’ scorn. This selection of “good academics” can be signified through Burke’s redemptive identification where an otherwise guilty party can receive “symbolic rebirth by transferring guilt for one’s own ‘pollution’ onto some external ‘vessel’ . . . that, through symbolic sacrifice, purges that guilt.” Phebe Shih Chao, “Tattoo and Piercing: Reflections on Mortification,” in *Rhetorics of Display*, ed. Lawrence J. Prelli (Columbia, SC: University of South Carolina Press, 2006), 329.

Burke's "scapegoating mechanism," selecting a vessel which may be ritualistically sacrificed in an effort to purify and redeem.<sup>32</sup> Successful deployment of the scapegoating mechanism requires the vilified party (academics) to be "a concentration of power" that must be overcome by a coalition that is willing to take action.<sup>33</sup> The Solutions create this coalition by asking Texans to take action and demand reform throughout state systems of higher education.

The scapegoating mechanism is a bold and successful maneuver in the Solutions. By isolating academics as the pariahs of higher education, the Solutions successfully construct a narrative of atonement, asking reasonable people within academia to acknowledge the failings of their system and cast out those that would refuse cleansing.<sup>34</sup> Michael Leff maps a similar performance of scapegoating onto the *Caitlinarian Orations* where Cicero presents his scapegoat, Lucius Sergius Catiline, in hyperbole, stating:

When, O Catiline, do you mean to cease abusing our patience? How long is that madness of yours still to mock us? When is there to be an end of that unbridled audacity of yours, swaggering about as it does now? Do not the nightly guards placed on the Palatine Hill — do not the watches posted throughout the city — does not the alarm of the people, and the union of all good men — does not the precaution taken of assembling the senate in this most defensible place — do not

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<sup>32</sup> Burke offers a dialectical structure of scapegoating: "All told, note what we have here: (1) an original state of merger, in that the iniquities are shared by both the iniquitous and their chosen vessel; (2) a principle of division, in that the elements shared in common are being ritualistically alienated; (3) a new principle of merger, this time in the unification of those whose purified identity is defined in dialectical opposition to the sacrificial offering." Kenneth Burke, *A Grammar of Motives* (Berkeley, CA: University of California Press, 1969), 406.

<sup>33</sup> Burke, *A Grammar of Motives*, 407.

<sup>34</sup> An alternative read of the Solutions' scapegoating tactic is found in the Isocratic maneuver of affirmative interpolation. Here, an audience (regents) are interpolated as reasonable individuals that would be unlikely to support theories and actions that are presented as obviously undesirable. This form of interpolation can be successful, but is a risky maneuver as it asks audiences to faithfully affirm a position through fear of appearing foolish rather than basing decisions upon individual assessment.

the looks and countenances of this venerable body here present, have any effect upon you? Do you not feel that your plans are detected? Do you not see that your conspiracy is already arrested and rendered powerless by the knowledge which every one here possesses of it? What is there that you did last night, what the night before — where is it that you were — who was there that you summoned to meet you — what design was there which was adopted by you, with which you think that any one of us is unacquainted?<sup>35</sup>

By presenting Catiline as a remorseless villain who had recently failed in his conspiracy to overthrow the Roman government, Cicero engages in a level of scapegoating that Leff classifies as “exaggeration of conspiratorial intent on the grounds that it is an appropriate rhetorical response to a situation where concrete evidence is lacking.”<sup>36</sup> Though the Roman senate was aware of Catiline’s failed coup, the particular details of his intent and actions remained shrouded at the time of Cicero’s oration. As a result, Cicero was able to extrapolate upon and hyperbolize what limited knowledge he retained in an effort to demonize his opposition.

The presentation of a scapegoat through strategic hyperbole facilitates a paradigmatic shift akin to the one attempted in the Solutions. Knowing that those groups interpolated as having the power and authority to enact business models of education have failed to do so under their own volition, the Solutions rhetorically escalate the need for action by presenting the current system of higher education as contrived and patronizing:

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<sup>35</sup> Marcus Tullius Cicero, *In Catilinam*, trans. C. Macdonald, Loeb Classical Library 324 (Cambridge, MA: Harvard University Press, 1976), 1.1.

<sup>36</sup> Michael C. Leff, “Redemptive Identification: Cicero’s Catilinarian Orations,” in *Explorations in Rhetorical Criticism*, ed. G.P. Mohrmann et al. (University Park, PA: Penn State University Press, 1973), 333.

It would be easy — and many universities would encourage us — to blame the collapse of the humanities on the commercial crassness of students and business. But is it too much to ask that college graduates learn to read, write, think critically and pick up useful practical skills? Harry Lewis, longtime Dean of Harvard College, believes that the real blame for the collapse of the humanities rests squarely on the shoulders of academia: ‘These students are not soulless, but their university is.’... [A]s tenured faculty have abandoned teaching for academic research, they have left an ill-prepared part-time faculty of adjuncts and graduate students to teach a curriculum that is not only devoid of meaning, but often openly hostile to American values and the tenets of Western Civilization.<sup>37</sup>

By situating academics as uncaring and “soulless” perpetrators of hostility toward Western values, the Solutions calls audiences to action, indicating that current systems of governance are fundamentally insufficient. Having established the unjust nature of existing systems in academia, the Solutions packet situates readers (at the time, regents attending the Higher Education Summit) as beholden to interests both within and outside of their individual institutions. To help substantiate its call for the deployment of business models and tactics in academia, the Solutions packet reminds regents that they are ultimately accountable to their customers and constituents. Speaking via a pre-recorded video to the Governor’s Higher Education Summit, “[Perry] asked Regents to consider who the customer is and he answered, saying the customers are primarily Texas students and parents. He said the secondary customers are employers and taxpayers.”<sup>38</sup>

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<sup>37</sup> Texas Public Policy Foundation, *Higher Education Summit*, 123.

<sup>38</sup> Later in her minutes of the summit, Carol Felkel, Assistant Secretary to the Board of Regents for the University of Texas System states, “Mr. Sandefer summarized the fundamental questions for the day,” the first being “Who is the customer?” Felkel, *Governor Perry's Higher Education Summit*, 4.

Terms such as “customer” and “constituent” are used interchangeably in the Solutions packet. In a section of the packet which was co-authored by the American Council for Trustees & Alumni and the TPPF, regents are informed of their accountability to “a number of constituency groups:

- Students and their parents
- Faculty
- Alumni and donors
- Taxpayers and future generations of Texans.”<sup>39</sup>

The first three of these groups are individuals directly involved in higher education either through their attendance, employment, or monetary contributions. The fourth and final group is far broader, constituting all current and future taxpayers in Texas. With such a broad spectrum of constituents in mind, the Solutions work to provide affordable degrees that are palatable to taxpayers while simultaneously maintaining educational standards expected from students, parents, faculty, and alumni and donors.

As Perry indicated in his pre-recorded opening remarks to the Higher Education Summit, students and parents are academia’s primary customers.<sup>40</sup> This move, the labeling of students as customers entitled to services rendered by employees, rhetorically situates college enrollment as a monetary interaction where admission and access to resources is purchased. In promoting an exchange-based approach to education, the Solutions packet is careful not to conflate access to resources with an expectation for high grades or guaranteed graduation. This is a critical distinction that makes the Solutions far more appealing and feasible to constituents by avoiding the perception that a student’s enrollment guarantees them success. In making this distinction, the Solutions avoid the type of miscommunication responsible for a recent and extensive series

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<sup>39</sup> Texas Public Policy Foundation, *Higher Education Summit*, 59.

<sup>40</sup> Felkel, *Governor Perry's Higher Education Summit*, 3,4.

of court cases where students have sued their alma mater, expressing discontent that their tuition costs did not guarantee them a degree and subsequent job opportunities.<sup>41</sup>

By situating access to education as the only product being purchased by students and their parents, the Solutions place high expectations on students while simultaneously promoting an increase in the quality of products (teaching, resources, etc.) being offered by colleges and universities.<sup>42</sup> Additionally, the Solutions packet offers statistical evidence demonstrating that higher education's customers (students) are primarily concerned with receiving a degree "to enhance their career."<sup>43</sup> Citing evidence from Derek Bok, former president of Harvard University, the Solutions packet shows that "Since 1970, the percentage of freshmen who rate 'being very well off financially' as an 'essential' or 'very important goal' has risen from 36.2 to 73.6 percent, while the percentage who attach similar importance to 'acquiring a meaningful philosophy of life' has fallen from 79 to 39.6 percent."<sup>44</sup> Based on these data, the Solutions packet makes a strong argument that academia should provide a resolute focus on cultivating employment skillsets. This argument is further supported by the packet's focus on the needs of other, less immediate constituents of academia: the citizenry of Texas.

In addition to orienting education toward the needs of direct customers (students and parents), the Solutions packet asks readers to consider that academia be accountable to larger

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<sup>41</sup> Chris Glorioso, "Law School Grads Sue over Not Getting Jobs," *NBC*, August 15, 2011, accessed June 8, 2015, <http://www.nbcnewyork.com/news/local/127640498.html>; Jason Kessler, "Alumna Sues College Because She Hasn't Found a Job," *CNN.com*, August 3, 2009, accessed November 2, 2015, <http://www.cnn.com/2009/US/08/03/new.york.jobless.graduate/>; Ben Wolfgang, "Unemployed Lawyers Sue Schools over Promises of Jobs," *The Washington Times*, June 17, 2012, accessed November 9, 2015, <http://www.washingtontimes.com/news/2012/jun/17/unemployed-lawyers-sue-schools-over-promises-of-jo/>.

<sup>42</sup> This model of payment also reflects the stronger histories of academia demonstrated by Isocrates who charged tuition, but conditioned learning outcomes on student's individual practice and merit. Edward J. Powers, "Class Size and Pedagogy in Isocrates' School," *History of Education Society* 6, no. 4 (Winter 1966): 22-32.

<sup>43</sup> Texas Public Policy Foundation, *Higher Education Summit*, 122.

<sup>44</sup> Derek Bok, *Our Underachieving Colleges* (New Jersey: Princeton University Press, 2006), 26.



groups including businesses and taxpayers. By including all taxpayers as constituents, the Solutions packet further interpolates higher education by rhetorically situating it as a sector of business that is subject to public scrutiny and analysis, much like government offices and employees. Furthermore, this move toward taxpayer constituency opens space for understanding higher education as an investment that will be repaid through social and economic benefits. The undercurrent of this message, that taxpayer investment demands quantifiable returns for the general population, dramatically heightens the need for accountability standards in academia. It also problematizes relativist fields such as philosophy that are difficult to systematically quantify and are less likely to offer immediate financial benefits.<sup>45</sup>

Focus on higher education's funding and subsequent accountability to all Texans is primarily geared toward individual taxpayers, but also includes the needs and interests of business owners who contribute to college and university funding through state taxes. This focus on taxpayer and business interests in education is well-grounded in the histories of academia. Everett Martin illustrates this position, arguing education should dwell within, rather than outside of, immediate social concerns:

There are those who write and speak of education as if the mind and its ideas existed in a world apart from the world of things...But as mental life is possible only in response to some environment, such pursuit of learning merely substitutes an artificial and sequestered environment for the actual one. If the meanings and values disclosed in this artificial environment remain permanently different from

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<sup>45</sup> The need for this increase in quantifiable accountability is substantiated in the Solutions packet by the claim that in recent years "Universities once dedicated to the pursuit of truth soon slipped into a relativist abyss." Texas Public Policy Foundation, *Higher Education Summit*, 124.

those which might be realized in the world of our daily tasks and relationships, such education is merely an elaborate escape from reality.<sup>46</sup>

As Martin shows, the belief that educational institutions should reform themselves to meet societal needs is not new. Instead, Martin argues for intellectual inquiry that can be later applied to externalities such as employment.

Attention toward the interests of businesses and society as a whole (taxpayer interests) is frequently mentioned in the Solutions packet. Consider the statement: “If the business and community leaders of the state of Texas want to improve the quality of teaching in our colleges and universities, they should make more use of student evaluations.”<sup>47</sup> In another example, Thomas Garrett and William Poole’s article, contained in the Solutions Packet, develops the appeal toward business models of education by referencing “alumni or businesses that frequently hire a university’s graduates” as the clients of the university.<sup>48</sup>

As the above examples show, appeals toward business models of education (the Solutions’ *primary topos*) are advanced through multiple lines of argument, providing the reader with a nuanced understanding of how business professionals can redeem the failing systems of higher education in Texas. Upon reviewing these claims, enthymematic entailments within this *primary topos* are:

- The need to promote business models of accountability in higher education;

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<sup>46</sup> Everett Dean Martin, *The Meaning of a Liberal Education* (New York: W. W. Norton & Company Inc., 1926), 160.

<sup>47</sup> Student evaluations will be discussed later in this chapter. Texas Public Policy Foundation, *Higher Education Summit*, 99.

<sup>48</sup> Thomas A. Garrett, and William Poole, “Stop Paying More for Less: Ways to Boost Productivity in Higher Education,” *The Regional Economist* (January 2006): 4-9, accessed April 8, 2015, <https://www.stlouisfed.org/publications/regional-economist/january-2006/stop-paying-more-for-less-ways-to-boost-productivity-in-higher-education>.

- The need to recognize academia's accountability to its various constituents;
- The need to lower costs while simultaneously maintaining, if not improving upon, the value of higher education in Texas.

Through the positioning of academia as a business enterprise, the Solutions successfully establish a requisite proposition through which *supplemental topoi* are developed. Each of these *topoi* operate under the pre-conception that academia is best understood through standard business metrics and that the application of business models can readily alleviate crises while also maintaining standards of excellence at colleges and universities.

Arguments supporting the Solutions' *primary topos*, education is a business, serve two purposes. The first purpose is expected — the *topos* is used to substantiate the Solutions. The second purpose of the *topos* is less direct; the *topos* is designed to cause audiences to ask why the Solutions have not already been enacted. This second purpose comes into play after the audience member has accepted that academia should operate as a business. Having accepted this argument, the audience member asks what is preventing the Solutions and similar business-friendly initiatives from being adopted? This line of reasoning allows the Solutions to construct a rhetorical scapegoat. The *topos* implies that someone within academia is preventing the universities from operating efficiently and effectively. Following this line of reasoning, finding and reforming individuals who are acting as a barrier to efficacy will result in improved outcomes. The Solutions packet provides a pathway for this process through a *supplemental topos* of increased oversight of faculty members.

## 2.2 FACULTY REFUSE TO HOLD THEMSELVES ACCOUNTABLE

As part of its appeal toward education reform, the Solutions packet argues that ongoing financial and quality-based crises in academia are due, in large part, to lack of oversight regarding faculty teaching, research, and general productivity. In short, the Solutions argue that increased oversight from regents, administrators, and constituents is necessary to ensure improved higher education. This need for oversight is so central to the Solutions that it is mentioned in Perry's original invitation to the Higher Education Summit:

As you know, with deregulation of tuition in Texas, increasing costs of higher education and graduation rates that have come under scrutiny, parents, students — indeed all taxpayers — have begun to demand more accountability in our higher education institutions. This call for accountability is not unique to Texas; it affects colleges and universities all across America.<sup>49</sup>

Focus on accountability is evident throughout the Solutions packet and, at its heart, is made necessary by a lack of self-regulation in academia. As evidence for the need of increased oversight, the Solutions packet points to limited student success as evidence of failure in faculty teaching. For example, the Solutions packet includes a report from the American Council of Trustees and Alumni which cites the Spelling Commission stating, “many students who do earn degrees have not actually mastered the reading, writing, and thinking skills we expect of college graduates.”<sup>50</sup> This lack of learning is attributed to “compelling evidence that tenured professors

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<sup>49</sup> Rick Perry, faxed message to Morris Edwin Foster (unpublished manuscript in the author's possession, March 4, 2008), Portable Document Format file.

<sup>50</sup> *The Spelling Commission and You: What Higher Education Trustees Can Do in Light of the Department of Education's Recent Report* (Washington, DC: American Council of Trustees and Alumni, 2007), 2, accessed October 8, 2015, [https://www.goacta.org/images/download/spellings\\_commission\\_and\\_you\\_trustees.pdf](https://www.goacta.org/images/download/spellings_commission_and_you_trustees.pdf). This claim is repeated in an article by Derek Bok, also included in the Solutions packet, stating “Despite many more courses in the catalog and books in the library, it is not clear that undergraduates today are learning more or becoming more

at large research universities no longer care about teaching undergraduates to read, write or think critically.”<sup>51</sup> In short, the Solutions packet suggests that we can conclude that academics have cheated the system and, as a result, academia requires an extensive overhaul to begin producing positive results.

The crisis of unaccountable academics is a central theme to the Solutions. Luke Winslow shows that the Texas Public Policy foundation successfully represented professional academics as “undeserving” of their positions, having abused their intellectual freedom over the past decades.<sup>52</sup> Winslow explains:

...the TPPF critique deploys symbolic representations that separate and stratify faculty in the same way poverty discourses separate the poor into Deserving and Undeserving categories. By constructing an image of what I call the Undeserving Professor, the TPPF critique reconciles the educational funding paradox by advocating for a reinvented version of higher education where faculty initially become cheaper, flexible, and contingent, and then more easily surveilled, disciplined, and disposable.<sup>53</sup>

Winslow’s analysis breaks down the Solutions’ application of business and market systems by situating them as a reasonable standard through which academia’s labor can be viewed. The Solutions propose ostracizing undeserving academics by making their jobs competitive, eliminating the unnecessary security bestowed through systems of tenure.

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proficient in writing, speaking, and critical thinking than their parents and grandparents were when they were students 25 or 50 years ago” Derek Bok, “The Critical Role of Trustees in Enhancing Student Learning,” *The Chronicle Review* 52, no. 17 (December 2005): 12.

<sup>51</sup> Texas Public Policy Foundation, *Higher Education Summit*, 121.

<sup>52</sup> Luke Winslow, “The Undeserving Professor: Neoliberalism and the Reinvention of Higher Education,” *Rhetoric & Public Affairs* 18, no. 2 (Summer 2015): 201-46.

<sup>53</sup> Winslow, “The Underserving Professor,” 203.

As part of its investigation on tenure, The Solutions packet explores how current systems sometimes reward undeserving professors. For example, the Solutions state:

There is compelling evidence that tenured professors at large research universities no longer care about teaching undergraduates to read, write or think critically.

And many of the smaller colleges that specialize in delivering a traditional liberal arts education are struggling to survive.<sup>54</sup>

This position, that tenure is unduly awarded to academics who are either incapable or unwilling to teach their students, reinforces claims made elsewhere in the Solutions that faculty who deserve the most recognition are often those ostracized from the tenure process.<sup>55</sup> Non-tenured educators are presented as often “*more* highly rated than tenure tract faculty,” furthering the position that tenured faculty are dramatically hurting learning outcomes among undergraduates.<sup>56</sup> In addition to faculty negligence resulting in decreased learning outcomes, the Solutions packet highlights unaccountable faculty members as the primary cause for a declining standard of liberal arts education among undergraduates. Making a strong case for dramatic changes in faculty oversight, the Solutions packet argues:

It would be easy — and many universities would encourage us — to blame the collapse of the humanities on the commercial crassness of students and business.

But is it too much to ask that college graduates learn to read, write, think critically

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<sup>54</sup> Texas Public Policy Foundation, *Higher Education Summit*, 121

<sup>55</sup> This tactic also furthers the Burkean scapegoating, discussed previously in this chapter, by informing un-tenured and adjunct educators that tenured faculty have abused systems of power within academia.

<sup>56</sup> This position is further substantiated through the Solutions’ argument that benefactors of tenure are proactively hiding their inadequacies. The Solutions construct a narrative of conspiracy, showing, “[t]he administration of the university refuses to release student teaching evaluations, so no direct comparison of the teaching abilities of tenured professors and non-tenured faculty are possible.” Texas Public Policy Foundation, *Higher Education Summit*, 84. This statement simultaneously alleviates any call for data on tenured professors’ inadequacies and simultaneously claims that a lack of evidence is itself proof of corruption.

*and* pick up useful practical skills?... In many ways, our universities, by misapplying the tenets of scientific inquiry to the human condition, have abandoned the very idea of a central set of truths that can be passed from one generation to another.<sup>57</sup>

The Solution packet’s approach to truth as both knowable and transferable builds upon models of pedagogy wherein epistemology is an *a priori* consideration for educators and students alike. Bruce Kimball shows that this model of education is not a flash in the pan, but instead a long-standing school of thought in academic circles.<sup>58</sup> An early example of this line of thought is found in Plato’s *Cratylus* where the author establishes truth as both concrete and knowable.<sup>59</sup> This position is furthered by Plato’s analogy of the sun in *The Republic*.<sup>60</sup> Here, the author likens truth to sight, remarking “the soul is like the eye: when resting upon that on which truth and being shine, the soul perceives and understands and is radiant with intelligence.”<sup>61</sup> Readers might note a striking similarity between Plato’s statement: “that which imparts truth to the known and the power of knowing to the knower is what I would have you term the idea of good, and this you will deem to be the cause of science” and the Solutions’ idea of “a central set of truths that can be passed from one generation to another.”<sup>62</sup> In both quotes, we find reference to fundamental principles of governance (truth) and the belief that these principles can be cataloged

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<sup>57</sup> Texas Public Policy Foundation, *Higher Education Summit*, 123.

<sup>58</sup> Bruce A. Kimball, *Orators & Philosophers: A History of the Idea of Liberal Education*, Expanded ed. (New York: College Board Publications, 1995), 12-37.

<sup>59</sup> Plato continues this line of inquiry in multiple texts including *Theaetetus* where Socrates examines knowledge and (mis)judgement. See Plato, *Cratylus*, trans. Harold North Fowler, Loeb Classical Library 167 (Cambridge, MA: Harvard University Press, 1926); Plato, *Theaetetus*, trans. Harold North Fowler, Loeb Classical Library 123 (Cambridge, MA: Harvard University Press, 1921).

<sup>60</sup> “Plato, *Republic, Volume I: Books 1-5*, trans. Christopher Emlyn-Jones, and William Predd, Loeb Classical Library 237 (Cambridge, MA: Harvard University Press, 2013).

<sup>61</sup> Plato, *Republic*, 508d.

<sup>62</sup> Plato, *Republic*, 509; Texas Public Policy Foundation, *Higher Education Summit*, 123.

and studied (in Plato's example, science). While the Solutions does not directly endorse Platonic epistemology, these parallels illustrate the ways in which the Solutions drew from historic frames, demonstrating that the reform proposals were not divergent from norms within the histories of academia. While the Solutions intertwine with Plato on occasion, they more fully endorse the general belief that higher education should incorporate a focus toward canonical truths; ideas and positions that are considered accurate and foundational to all other aspects of education.<sup>63</sup>

The Solutions packet successfully establishes truth as oppositional to ongoing systems of academia, rhetorically situating academics as disinterested in honest, objective analysis. The packet continues this line of argument in a section entitled *Let's Not Forget the Liberal Arts: The Collapse of Undergraduate Teaching*, where it is shown that liberal arts education requires highly-skilled professional educators who are capable of conveying ethical and moral lessons to students. However, instead of meeting these goals, "Academia today embraces the philosophy of relativism. The idea that all points of view are equally valid. They make only one notable exception — in denouncing Western Civilization and American values."<sup>64</sup> In this way, academia has failed its constituents by attacking the very society that ensures the continued employment of its faculty.

The failings of undergraduate students, both vocationally and ethically, are presented as a symptom of low standards of education that are facilitated and exacerbated by unaccountable

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<sup>63</sup> This dissertation makes multiple references to the interplay between the Solutions and various aspects of Plato's works. These connections, when present, are explored cursorily. Additional, future study of these connections is needed to determine the strength and importance of apparent connections between Plato's theories and the Solutions.

<sup>64</sup> Texas Public Policy Foundation, *Higher Education Summit*, 128.



faculty members.<sup>65</sup> As part of this claim, the Solutions packet argues that undergraduate education should be the primary focus of most academics.<sup>66</sup> However, as the Solutions packet shows, many academics have diminished their focus on classroom instruction. A U.S. Department of Education issue paper, the full text of which was included in the Solutions packet, argues that “faculty teaching requirements have diminished over time,” resulting in larger classes, increased institutional cost of employing faculty, and the perceived lowering of teaching as a priority.<sup>67</sup> The Solutions packet argues that reduced teaching has facilitated a trite focus on vanity publication, extended holidays, and the indoctrination of graduate students. It is argued that these non-teaching tasks trade off with undergraduate education, the core of an academic’s professional life and responsibilities.<sup>68</sup>

To further substantiate the position that educators have deprioritized undergraduate instruction, the Solutions packet cites Charles Sykes as a “journalist and higher education critic” who traces the recent history of dwindling undergraduate education.<sup>69</sup> Sykes traces the crisis

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<sup>65</sup> The rhetoric of accountability demonstrates the supplemental nature of this *topos*. Accountability is presented as a necessary shift from current, nonprofessional models of education where standard metrics and oversight do not exist. This appeal toward business-based standards furthers dependence upon the *primary topos* of academia being a business sector.

<sup>66</sup> John Merrow, *Grade Inflation: Its Not Just an Issue for the Ivy League* (Washington, DC: The Carnegie Foundation for the Advancement of Teaching, 2004), accessed May 5, 2015, <http://files.eric.ed.gov/fulltext/ED498995.pdf>.

<sup>67</sup> The Department of Education report goes on to list multiple reasons for course releases including “advising students and student organizations; planning curriculum projects, such as new courses or new programs; conducting research; and taking on administrative duties...” Robert C. Dickeson, *Frequently Asked Questions About College Costs*, special report prepared at the request of the Department of Education, 2006, 7, accessed April 4, 2015, <https://www2.ed.gov/about/bdscomm/list/hiedfuture/reports/dickeson2.pdf>. The report does not indicate who would be responsible for these duties if teaching releases were reduced. Dickenson, *Frequently Asked Questions*, 6.

<sup>68</sup> The Solutions packet goes on to show that many faculty have grown to loathe undergraduate education. This claim is supported by a nuanced investigation of the implicit message conveyed by faculty receiving “release time” from teaching. For Perry, “the use of released time results in...identification of teaching as a lower institutional priority, something to be ‘released from.’” Texas Public Policy Foundation, *Higher Education Summit*, 17.

<sup>69</sup> Texas Public Policy Foundation, *Higher Education Summit*, 125.

back to the 19<sup>th</sup> century, arguing that “Good teaching was seen as evidence that a tenure track candidate isn't serious enough about publishing, so good teachers by definition were blocked from tenure appointments.”<sup>70</sup> From this quote, the Solutions packet intimates that not only should academics not determine tenure for their peers, but the entire system of tenure should be rethought.

Appeals to history are a powerful backdrop for the Solutions’ *topos* of accountability. While the Solutions limits its historical account to American systems of higher education, historically-minded scholars can date the Solutions’ ideals back to medieval scholasticism. Under scholastic precepts, medieval scholars were instructed to directly bestow core tenets and knowledge unto their pupils, passing on information in a manner that prioritized comprehension at the expense of critical inquiry.<sup>71</sup> So too, the Solutions call upon academics to relay knowledge that maintains a rigid focus toward systematic study of foundational truths. This expectation encourages the development of curricula that emphasizes rote learning rather than exploration of alternative viewpoints or criticism.<sup>72</sup>

As a means of returning to models of education prior to the bastardized norms of tenure coming out of the 19<sup>th</sup> century, the Solutions calls for a rethinking of how tenure is assessed. The Solutions argues that a systemically deemphasized focus on teaching is evidence that the tenure

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<sup>70</sup> Texas Public Policy Foundation, *Higher Education Summit*, 125.

<sup>71</sup> Taylor speaks to this system extensively, showing that the religious nature of medieval scholasticism (most scholars being monks) made critical inquiry an act that was pre-conditioned upon fundamental ideals (religious tenets and dogmas). Henry Osborn Taylor, *The Medieval Mind*, 4<sup>th</sup> American Edition ed., Vol. 2 (London: MacMillan and Co., Limited, 1927). In so doing, Taylor references Thomas Aquinas’ work that shows argument to be a practice reserved for disproving wrongdoers: “Thus through Scriptural authorities we dispute against heretics, and adduce one article against those who deny another.” Thomas Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province (Brewster, MA: Christian Classics, 1981) 1.1-8.

<sup>72</sup> This is not to say that argument and deliberation were absent from medieval academies, but rather that these practices were carried out within rigid systems that codified foundational truths established by religious authorities. The process of disputation discussed in *Dissoi Logoi* where any position might be upheld for the sake of argument was not encouraged.

system is undesirable in the majority of cases because it makes it difficult to fire expensive faculty that offer little to undergraduate students.<sup>73</sup> It is argued that current systems of promotion sustain a toxic environment within academic departments where excellence in teaching is viewed as a sign that someone does not deserve tenure. This toxicity perpetuates the belief that tenure is primarily reserved for researchers. Multiple anecdotal sources are cited to substantiate this claim, drawing from the experiences of educators at Columbia University, Brown University, and Harvard College to show that tenure is a problematic system that often relegates the best educators to low-paying jobs while rewarding absenteeism in the classroom.<sup>74</sup>

According to the Solutions packet, removing tenure decisions from the hands of academics would reduce costs by lowering the number of tenure positions awarded. It would also increase instructor quality by only offering tenure to top-tier educators. However, the need for a stronger focus on teaching is not the only curriculum-based issue discussed in the Solutions. In addition to problems regarding faculty focus on undergraduate education, the Solutions packet shows that class offerings typically reflect a patchwork of non-cohesive topics consisting of faculty's pet projects, not the topics needed by undergraduates to succeed.<sup>75</sup> Unfortunately, as the Solutions packet argues, little progress has been made to hold faculty accountable for their work hours and classroom instruction. This is due, in large part, to the longstanding freedoms granted to faculty regarding their own work. The Association of Governing Boards of

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<sup>73</sup> Arguments against tenure are contingent upon the *primary topos* of education being a business. While floating the prospect of eliminating tenure, the Solutions admit "the abolition of tenure would be met with opposition from faculty and would even face legal challenges," but follows up on this point by calling for business sensibilities, claiming, "[s]trong department leadership would be willing to take such risks, as is typical of strong leadership in the business world." Texas Public Policy Foundation, *Higher Education Summit*, 32.

<sup>74</sup> Texas Public Policy Foundation, *Higher Education Summit*, 126.

<sup>75</sup> Of particular note is the direct condemnation of University of Texas professor Joshua Gunn. Perry condemns Gunn's classes and his use of queer theory, stating "It simply has little to do with anything we would associate with the traditional liberal arts." Texas Public Policy Foundation, *Higher Education Summit*, 129.

Universities and Colleges has weighed in on this issue, showing that the Solutions and their supporters face an uphill battle. In their assessment of cost in higher education, the Association states, “the topic of ‘productivity’ is seen as anti-faculty and hostile to core academics values. But to address national and institutional concerns about access, quality, and cost, such conversations are needed.”<sup>76</sup> There is substantial evidence supporting the claim that proposals working to alter standards of professionalism, oversight, and accountability in education are viewed with hostility by most academics.<sup>77</sup>

As part of an attempt to determine if non-tenured teachers are equally qualified to teach undergraduates as their tenured counterparts, the Solutions packet argues that a comparison of student evaluations would provide fruitful evidence of teaching excellence. However, this section of the packet reveals that “The administration of the university refuses to release student teaching evaluations, so no direct comparison of the teaching abilities of tenured professors and non-tenured faculty are possible.”<sup>78</sup> This rhetoric of refusal from faculty and their allies is a powerful tool utilized by the Solutions packet, demonstrating that a good-faith effort toward accountability has been proactively scuttled by unaccountable actors in academia.

Presented as a call for accountability, the Solutions packet feeds into the trope of liberal elitism in academia by situating faculty as a group that sees themselves as above reproach.<sup>79</sup> This

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<sup>76</sup> This report was included in Perry’s Solutions packet which was distributed to regents during the Governor’s Summit. Wellman, *Strengthening Board Capacity*, 5.

<sup>77</sup> For examples of this hostility see Steven Best, Peter McLaren, and Anthony J. Nocella II, eds., *Academic Repression: Reflections from the Academic Industrial Complex* (Oakland, CA: AK Press, 2010).

<sup>78</sup> Texas Public Policy Foundation, *Higher Education Summit*, 84.

<sup>79</sup> Martin Anderson and his work *Imposters in the Temple: A Blueprint for Improving Higher Education in America* is frequently cited in the Solutions packet. He views this type of liberal academic elitism as a form of “snobbery” and a perversion of meritocracy. See Martin Anderson, *Imposters in the Temple: A Blueprint for Improving Higher Education in America* (Stanford, CA: Hoover Institution Press) 124-5; Ben Shapiro, interview by Jamie Glazov, May 13, 2004, accessed November 8, 2015, <http://archive.frontpagemag.com/readArticle.aspx?ARTID=13097>.

rhetorical maneuver taps into longstanding skepticism toward academics as cloistered, Ivory Tower intellectuals. Furthermore, in attacking elitism in academia the Solutions packet grants authority to those groups that are otherwise excluded from the inner workings of a closed system of education. The *topos* of accountability in the Solutions orients students, politicians, and economists as legitimate overseers for faculty who are either incapable or unwilling to honestly assess their work and that of their peers.

The presentation of students as both possible promoters of accountability and current victims of unaccountability is substantiated through the business paradigm promoted in the Solutions' *primary topos* of education being a business. The Solutions packet argues that, under the current system, no oversight other than that provided by other (unaccountable) academics is currently available. As a remedy to this lack of oversight, the Solutions packet signals for existing administrators to act by arguing that they have the power and authority to address numerous shortcomings of the higher education enterprise:

As college affordability has eroded, public-policy makers increasingly are calling for higher education institutions to take action to improve 'accountability' for performance — in particular, to slow the rate of tuition increases by containing costs and improving productivity. By way of recent example, the Secretary of Education's Commission on the Future of Higher Education places institutional responsibility for cost containment at the center of its recommendations for heightened accountability for higher education. It calls for better data, greater transparency, and better consumer information about college costs and prices. Most important, it urges governing boards to engage this agenda.<sup>80</sup>

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<sup>80</sup> Wellman, *Strengthening Board Capacity*, 3-4.

The Solutions build upon these abstract calls for action by providing detailed remedies to ongoing problems. As part of a remedy for ongoing unaccountability, the Solutions packet supports publicizing student evaluations and tying those evaluations to faculty hiring and retention. Knowing that this proposal is wildly unpopular to faculty, the Solutions packet preempts controversy by responding to the most common criticisms of student evaluations. As part of this strategy, the Solutions packet argues that, as adults, students are capable of assessing if and when they have learned things. This argument is supported in the following statement from the Solutions:

We allow eighteen-year-olds to vote and go to war. We believe young adults are capable of making complex purchasing decisions about automobiles and insurance. It simply makes no sense to assert that college students are not capable of judging the amount of learning that's being delivered in the classroom.<sup>81</sup>

This claim regarding students' cognitive ability to assess education promotes an individualized form of agency wherein students are believed capable of honestly assessing their own experiences in academia. Furthermore, this system argues that adults are capable of making legitimate decisions, regardless of context. The Solutions' defense of individual autonomy reinforces its previous call for general oversight from business leaders, students, parents, and taxpayers by arguing that everyone should have a say in the governance of academia. If it holds true that "It simply makes no sense to assert that college students are not capable of judging the amount of learning that's being delivered in the classroom" then it stands to reason that the general population is also capable of deciding what kinds of information are necessary for a

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<sup>81</sup> Texas Public Policy Foundation, *Higher Education Summit*, 98.

college graduate to succeed.<sup>82</sup> These arguments, that the *demos* should determine the trajectory of higher education and that students are capable of judging if they have learned anything in the classroom, are mutually-reinforcing claims that work to substantiate the position that individuals are inherently capable of directing their own education. Simultaneously, the Solutions indicate that academics are, perhaps, the only group in society that are not themselves capable of determining what constitutes meaningful education.

The Solutions' appeal toward individual assessment of higher education is an impactful proposition that dramatically shifts power toward students and other non-expert stakeholders. By juxtaposing learning, purchasing decisions, and putting one's self in physical danger, the Solutions packet places an extraordinary amount of faith in individual students, many of whom are barely past the cusp of adulthood, while simultaneously absolving faculty of the same capacity for neutral observation and objective decision making.<sup>83</sup> This maneuver is deployed by reminding readers that, as paid employees, faculty have no incentive to self-report on their failings in the classroom. As a section of the Solutions packet devoted to increased transparency and accountability puts it, "such a system should answer to the people who are paying the bills, instead of those cashing payroll checks."<sup>84</sup>

The Solutions packet continues its defense of student evaluations by responding to criticisms that such metrics are susceptible to biases and retribution from students receiving poor

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<sup>82</sup> Texas Public Policy Foundation, *Higher Education Summit*, 134.

<sup>83</sup> The Solutions packet discourages use of faculty peer evaluations, arguing that "the only substitute for customer (student) feedback is to allow the faculty to rate itself, an alternative with serious conflict of interest problems." Texas Public Policy Foundation, *Higher Education Summit*, 89. This sentiment is later reinforced in a section of the packet geared toward refuting common objections to student evaluations: "Most tenured faculty have neither the training or the interest in measuring teacher effectiveness. This is the equivalent of letting the fox guard the henhouse." Texas Public Policy Foundation, *Higher Education Summit*, 98.

<sup>84</sup> Texas Public Policy Foundation, *Higher Education Summit*, 85.

grades. In defense of student assessments, the Solutions packet indicates that “there have been scores of research reports on this subject,” to show that biases are minimal.<sup>85</sup> The packet continues by arguing that any negative impact from student evaluations is justified through the comparably massive benefits obtained by holding faculty accountable.

While student success is the primary focus and rationale for increased accountability in academia, other constituents are implicated in the Solutions’ quest for reform and transparency in higher education. For example, in an effort to resolve non-standard course offerings, the Solutions packet proposes increased oversight from administrators and accountability to all constituents. Under this level of oversight, not only the general affairs of universities, but also the daily operating procedures of individual classrooms would be reviewed and analyzed by administrators and outside stakeholders. However, the Solutions packet is very clear in stating that current academic administrators, including deans and department chairs, are also to blame for a lack of transparency in academia. According to the Solutions packet, administrators have been ignoring their constituents because “higher education leaders are uninterested in controlling their costs and the prices they charge.”<sup>86</sup> Based on these claims, the Solutions packet argues that action from trustees and regents is necessary to increase accountability and transparency at colleges and universities.

In promoting action from trustees and regents, the Solutions packet argues that these shifts toward accountability do not require authorization from faculty or other entrenched entities. Citing legal code and precedent for each of the state systems of higher education in Texas, the Solutions packet makes the explicit claim that regents can act unilaterally, amending

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<sup>85</sup> Texas Public Policy Foundation, *Higher Education Summit*, 98.

<sup>86</sup> Wellman, *Strengthening Board Capacity*, 4.



university policy without fear of reproach. For example, by citing multiple court cases regarding the University of Texas System, the Solutions packet argues, “**Rules adopted by a university system’s regents in the exercise of the board’s delegated authority have the force and effect of law**” [bolding from original text].<sup>87</sup> This call for action from Texas regents can be understood through Arthos’ theory of topical performance where rhetorical invention merges with *praxis* through a proactive adoption of new ideas and theories.<sup>88</sup> Put otherwise, the Solutions propose a transcendence of theory-laden deliberation by demonstrating the potential for actualized change through enactment of reform policies. Under this model of enactment, lengthy debates over the Solutions are avoided by utilizing pre-existing legal frameworks that allow desirable policies (the Solutions) to move forward without needless, potentially harmful delay.

In addition to the agency granted to regents through the Solutions’ topical performance, the Solutions packet makes frequent reference to the needs of business leaders and their potential role in academia. While never explicitly saying that academia should focus on the needs of business when considering the type of education to offer students, there is a strong undercurrent of business-oriented interests provided in the Solutions packet. An example of this trend is found in the calls for reform which are focused toward businesses as the primary audience: “If community and business leaders in Texas want to prepare our next generation for more productive and meaningful lives, we need to improve the quality of teaching in our colleges and universities.”<sup>89</sup>

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<sup>87</sup> Texas Public Policy Foundation, *Higher Education Summit*, 60.

<sup>88</sup> John Arthos, “Locating the Instability of the Topic Places: Rhetoric, Phronesis, and Neurobiology,” *Communication Quarterly* 48, no. 3 (2000): 272-92.

<sup>89</sup> Texas Public Policy Foundation, *Higher Education Summit*, 97.

While prompting community and business leaders to help ensure productive and meaningful lives for current and future students, the Solutions packet argues that these leaders already have the skills and knowledge necessary to succeed. This claim is based, in part, on the type of productivity and meaningfulness the Solutions foster. Specifically, the Solutions packet argues that students are, more often than not, interested (or should be interested) in *becoming* business leaders. A summary of a packet section on tuition costs states, “Most donors, taxpayers and parents are more concerned about preparing the next generation of business leaders than academic journal articles.”<sup>90</sup> If it is true that students typically want to become business leaders, than it stands to reason that current leaders are best-equipped to ensure that proper education is taking place in academia. The preceding quote demonstrates focus toward business interests and the training of future business leaders as central to the Solutions. Additionally, this quote creates a binary opposition between academic publication and student learning. The claim that increased quality of instruction is only possible through a reduction of academic publication is a core tenet to the Breakthrough Solutions. The following section examines this *topos*, assessing the line of argument centering on the claim that academic publication negatively impacts undergraduate education.

### 2.3 ACADEMIC PUBLISHING IS A WASTE OF TIME, MONEY, AND ENERGY

Building upon the *topoi* of education requiring business oversight and academics not fully embracing their duty as educators, the Solutions packet argues that rampant, unnecessary

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<sup>90</sup> Texas Public Policy Foundation, *Higher Education Summit*, 85.

publication is a large part of the problem in Texas colleges and universities. As indicated in the previous *topos*, the Solutions packet explicitly differentiates between meeting constituent needs and maintaining current levels of academic publication.<sup>91</sup> This argument, that donors, taxpayers, and parents want the majority, if not the entirety, of college undergraduates to become business leaders brings academic publication, particularly that within the humanities, into question.

A section of the Solutions packet entitled *Let's Not Forget the Liberal Arts: The Collapse of Undergraduate Teaching* attributes the decline of education quality, in part, to an unnecessary focus on publication that has little value to anyone, least of all students and taxpayers. Citing Lynne Cheney, former chairman of the National Endowment for the Humanities and wife of Vice President Dick Cheney, this section argues “we must admit that the overemphasis on research has — in the humanities as in other fields — meant a lot of useless activity, a lot of publishing that serves no purpose beyond expanding the author's c.v's...many publication will mainly gather dust on library shelves.”<sup>92</sup>

Questions regarding academic publication are plentiful in the Solutions packet. Speaking outside of the humanities, the first Breakthrough Solution calls for a collection of metrics that would show the time spent writing articles and the number of non-academic readers of those articles. This proposal is substantiated by the claim that tuition is too high and that one possibility for this cost is “the difference in productivity between non-tenure track teachers and tenured faculty is the time tenured faculty writing scholarly articles for scholarly journals. If this is true, academic articles are costing taxpayers and parents between \$6 to \$7 million each

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<sup>91</sup> Texas Public Policy Foundation, *Higher Education Summit*.

<sup>92</sup> Texas Public Policy Foundation, *Higher Education Summit*, 126.

year.”<sup>93</sup> If these cost estimates are accurate, the impact of academic publication is noteworthy and evidence of the need for external review.

Building upon the *topos* of accountability and the capacity for constituents to oversee faculty, the Solutions packet argues for external oversight of the publication process. Specifically, the packet endorses the idea that “An independent panel of donors and business leaders could randomly sample research papers to determine whether or not the articles contributed at least this much value to the community.”<sup>94</sup> This claim promotes the argument that if an academic publication is not readily accessible to lay audiences then it likely lacks value to the system of higher education and its constituents.

Claims regarding the useless nature of academic publication is substantiated in the Solutions packet through citation of education experts endorsing reform. The Solutions packet frequently references respected sources that are presented as outliers willing to admit what most in academia know, but would never reveal. Former United States Assistant Secretary of Education Chester Finn is cited as calling

academic research ‘a very congenial facade behind which very little work of any kind is done. Finn estimated ‘that fewer than 1 in 10 of the 850,000 professors in America makes any contribution at all’ to the enlargement of human knowledge’ and that most papers, articles, and books published accomplish nothing beyond padding a professor’s resume.’<sup>95</sup>

Finn’s assessment feeds into the belief that academic publication is nothing more than a means of placating academia’s need for knowledge production, regardless of quality. This point is

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<sup>93</sup> Texas Public Policy Foundation, *Higher Education Summit*, 88.

<sup>94</sup> Texas Public Policy Foundation, *Higher Education Summit*, 85.

<sup>95</sup> Texas Public Policy Foundation, *Higher Education Summit*, 112.

further developed shortly thereafter by another expert and academic insider, J. Scott Armstrong, professor at the University of Pennsylvania, stating:

professors who wish to be published in the academic press must: (1) *not* pick an important problem, (2) *not* challenge existing beliefs. (3) *not* obtain surprising results, (4) *not* use simple methods, (5) *not* provide full disclosure of methodology, sources and findings, and (6) *not* write clearly.<sup>96</sup>

Each of Armstrong's points further the argument that academic publication is a waste of constituents' hard-earned time and money and that a lack of accountability has allowed these practices to become pervasive in academia. The litany of evidence provided in the Solutions packet makes a powerful case against continuing current trends of academic publication. This line of argument also further reinforces the Solutions' *primary topos* that only business models are capable of facilitating an accountable, streamlined, and affordable form of higher education.

The culmination of the preceding *topoi* including the need for business-based practices in academia, increased accountability, and refocused attention toward undergraduate education all point toward the need for change in state systems of higher education. These *topoi* demonstrate that higher education in its current form is both undesirable and unsustainable. According to the Solutions, increased costs, coupled with lowered quality, has brought on a crisis of confidence among constituents and this crisis necessitates major changes throughout colleges and universities. The following section examines this *topos*, based on the line of argument that change is both necessary and inevitable if higher education is to survive.

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<sup>96</sup> Texas Public Policy Foundation, *Higher Education Summit*.

## 2.4 CHANGE IS INEVITABLE DUE TO THE COMING COLLAPSE OF THE HIGHER EDUCATION SYSTEM

According to the Solutions packet, current trends in academia are extremely outdated. This sentiment is captured in the following representative quote:

Think about it. Today's high-tech world is changing rapidly. Just thirty years ago, there was no such thing as CNN or the laptop computer, let alone the iPhones today's college students use. Has the academy adapted along with every other business? No. It is still doing things much the same way it always has. It is your fiduciary duty to expect better. Request and review all financial information, including a breakdown of how tuition is calculated, in order to identify and reduce unnecessary costs.<sup>97</sup>

The construction of academia as an outdated and out-of-touch institution promotes the sentiment that, even if the Solutions are not ideal, they are a necessary move toward contemporary modes of teaching, accountability, and business administration. As Perry states in his original invitation to the Higher Education Summit, major, possibly uncomfortable changes are necessary because, "The half measures of the past just won't do anymore."<sup>98</sup>

The Solutions packet presents academia as existing within a bubble, untouched by modern social and technological innovations and gradually approaching an inevitable moment of systemic collapse. While the Solutions are most directly concerned with the Texas state system

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<sup>97</sup> Texas Public Policy Foundation, *Higher Education Summit*, 72-3.

<sup>98</sup> Rick Perry, faxed message to Morris Edwin Foster (unpublished manuscript in the author's possession, March 4, 2008), Portable Document Format file.

of higher education, the Solutions packet's call for reform extends well beyond Texas. Most of the Solutions' arguments on the inevitable collapse of higher education thematize academia, whitewashing fundamental differences between private, public, community, and vocational schools.<sup>99</sup>

The need for change across the state systems of higher education was indicated by Sandefer whose position was explained by Burka, stating, "As Sandefer and I talked, it was clear that he takes a dim view of the future of higher education unless fundamental changes occur. 'I just think the system is broken,' he told me. 'The big lie is that the student comes first.'"<sup>100</sup> In the same interview, Sandefer predicted that "higher education is about to see dramatic change brought on by technology, which will allow education to be delivered at a lower cost to more people, posing a serious financial threat to the current model of a research-based university, whose large faculty and staff could become a liability."<sup>101</sup> Based on the Solutions packet and later sentiments from Sandefer, it is clear that the *topos* of inevitable change is intended to facilitate reforms in higher education prior to the development of larger, more dramatic *krises*.

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<sup>99</sup> An example of this theme is the Solutions' frequent citation of Derek Bok, former President of Harvard University. Bok's critique of higher education is primarily based on his experiences at Harvard. However, his observations from Harvard, a private institution, are presented as evidence of the need to reform state systems of higher education. Bok, *Our Underachieving Colleges*. The Solutions' trend of pulling examples from diverse forms of higher education, regardless of their relation to the Texas system of higher education is future demonstrated through its frequent citation of Martin Anderson's *Imposters in the Temple*, a critic of academia based on Anderson's experiences at the Massachusetts Institute of Technology (MIT), a private research institution. Martin Anderson, *Imposters in the Temple: A Blueprint for Improving Higher Education in America* (Stanford, CA: Hoover Institution Press).

<sup>100</sup> Burka, "Storming the Ivory Tower."

<sup>101</sup> Sandefer's sentiment, paraphrased here by interviewer Paul Burka, is based on his reading of *The Innovative University: Changing the DNA of Higher Education From the Inside Out* that calls for systemic changes in higher education. See Clayton M. Christensen and Henry J. Eyring, *The Innovative University: Changing the DNA of Higher Education from the inside Out* (San Francisco, CA: Jossey-Bass, 2011). Burka, "Storming the Ivory Tower."

As the preceding *topoi* have indicated, the Solutions are oriented to resolve a wide spectrum of issues in academia, empowering constituents to weed out unnecessary costs and throwing open the doors of colleges and universities in the name of greater transparency. The Solutions and their proposals are cast as major changes, but also based in common sense and inherently benign for all but the most undesirable of educators. Belief in the benign nature of the proposed reforms is made evident in the justifications for pay bonuses based on student feedback. Here, the packet states that there are no reasonable objections to the proposal because, “The rewards would be voluntary, so faculty who objected to incentive pay could refuse the bonus with no harm done to anyone.”<sup>102</sup> The Solutions packet identifies an opt-out clause as a potential remedy to any potential disagreement regarding student-based assessment. This and other proposals are presented as reasonable compromises that facilitate much-needed oversight while maintaining academic autonomy for instructors who successfully educate their students.

The Solutions packet communicates the unsustainable nature of current higher education policies which have resulted in reduced quality and increased cost. For example, as a justification for learning contracts, the Solutions packet states, “taxpayers and tuition payers (students and parents) as well as employers of college graduates are all demanding greater accountability and performance from colleges and universities.”<sup>103</sup> The Solutions packet utilizes this claim to indicate that a feverish swell of public sentiment makes reform of higher education an inevitability. This *topos* is strategically deployed in the Solutions packet to quell oppositional

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<sup>102</sup> Arguments that student-based assessment is a benign metric ignores extensive literature demonstrating student biases. These issues are unlikely to be resolved under the Solutions which explicitly support the use of pre-existing metric models to determine faculty bonuses Texas Public Policy Foundation, *Higher Education Summit*, 87, 88.

<sup>103</sup> Texas Public Policy Foundation, *Higher Education Summit*, 135.



arguments on the need to consider alternatives to the Solutions or insistence that the status quo is both desirable and sustainable.

Defense of the Solutions is further couched in the context of Texas' systems of higher education "falling behind" other states.<sup>104</sup> This claim of Texas being outdated and needing reforms that are more substantial than those found in other states is rhetorically significant as it refutes claims that the Solutions go well beyond cost-cutting initiatives that have proven sufficient elsewhere. By presenting Texas as a special case, the Solutions packet limits criticism to the boundaries of Texas, eschewing interstate comparison.

Finally, by arguing a need for change and situating the Solutions as alternatives that are uniquely necessary for Texas' failing system, the Solutions packet promotes systemic changes in higher education while forestalling time delays, requests for extended consideration, or debate by insisting that any delay should be considered time wasted. As a capstone, the *topos* of imminent change expedites reforms justified through other *topoi*. This combination of urgency and implied level of crisis severity makes the Solutions and Perry's subsequent support difficult to ignore and, as later chapters will show, equally difficult to refute.

## 2.5 CONCLUSION

This chapter shows that *topoi* found in the Solutions packet are strategically oriented to promote rapid and dramatic changes throughout the Texas systems of higher education. Analysis of texts

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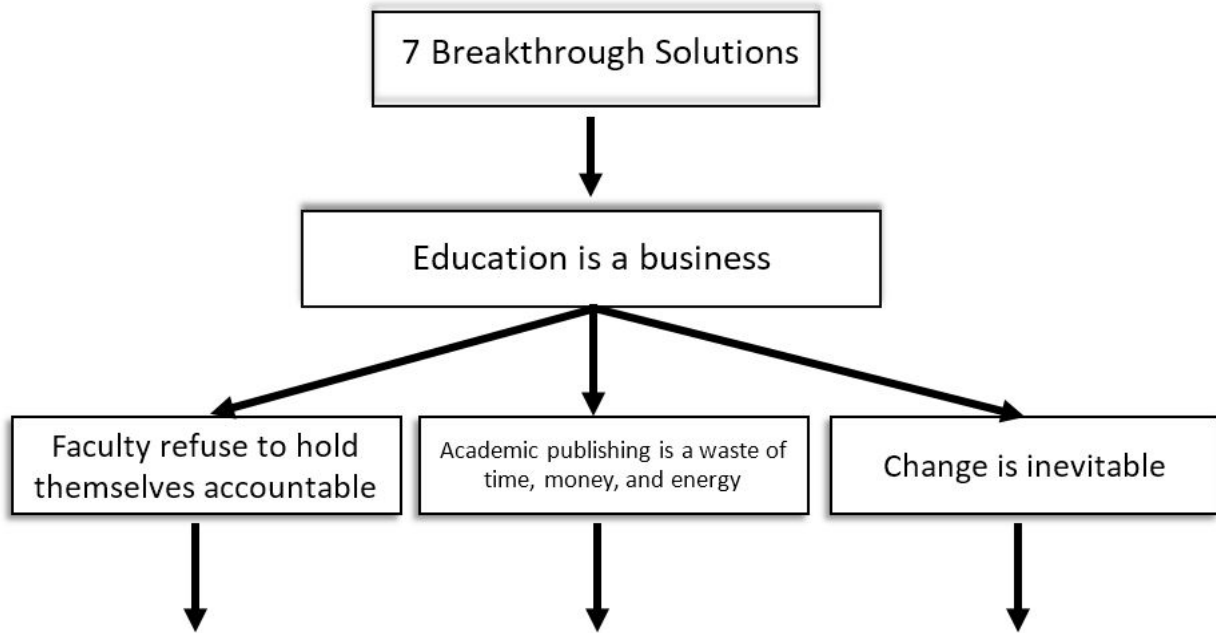
<sup>104</sup> Rick O'Donnell, "Denied Access: Fewer Texans Attend College Because There Are Fewer Options," in *Higher Education Summit* (Austin, TX: Texas Public Policy Foundation, 2008), accessed February 9, 2015, <http://www.texaspolicy.com/sites/default/files/documents/2008-05-21-HigherEdSummit2.pdf>.

within the Solutions packet show that the *primary topos*, that education is a business, is supported by three *supplemental topoi*:

- Faculty refuse to hold themselves accountable
- Academic publishing is a waste of time, money, and energy
- Change is inevitable due to the coming collapse of the higher education system

These lines of argument are the subtext and primary justification behind the Solutions (see Fig. 3).

Figure 3 The Seven Breakthrough Solutions' hierarchical topoi



Discovery of these *topoi* has occurred through an examination of how claims are justified and what arguments are most prevalent throughout the Solutions. As indicated previously, while it might be tempting to label each of the Solutions as their own *topos*, such an analysis would miss meaningful insights. This chapter has shown that some lines of argument operate outside of the rigid problem-solution orientation offered in each Solution. By identifying *topoi* embedded

within the Solutions packet, my analysis avoids ceding to the original textual structure offered by the Solutions, instead working to discover foundational arguments that are critical, but not highlighted within the proposals.

The importance of identifying *topoi* that function across a text is shown by Lambert Wierenga's conceptualization of commonplace argumentation as that which:

[P]resents the truths it formulates as though they were obvious, as though they were implicit in the 'nature of things', or as though they derived from a fund of ancient wisdom, popular common sense or what Grange terms 'shared cultural patrimony.'<sup>105</sup>

Put otherwise, *topoi* are the axiomatic presuppositions on which social, political, and cultural proposals are founded. For this reason, identifying each of the Solutions as a *topos* would be a fruitless endeavor. Whereas organizational fidelity to an original text can be constructive, this practice fails to illuminate the epistemological assumptions that Wierenga shows to be foundational to the deployment of commonplace arguments.<sup>106</sup>

As an example of Wierenga's point regarding a *topos*' role as an implicit epistemological claim, we can see how the Solutions' *topos* of education being a business is a necessary requisite for specific policy initiatives that endorse non-academic business leaders taking control over academia.<sup>107</sup> Only by uncovering the *topos* of academia being a business do the Solutions' proposals gain context, providing readers with an understanding of how the Solutions function as

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<sup>105</sup> Wierenga differentiates *topos* and commonplace arguments based upon each term's level of formality. The author explains "commonplace is a privileged form of rhetorical argument, a 'proof' which can in theory be applied to an unlimited number of particular cases." Lambert Wierenga, "The Rhetoric of the Commonplace: Argument and Ideology (Jules Verne and Emile Zola)," in *Toward a Definition of Topos*, ed. Lynette Hunter (London: Macmillan Education LTD, 1991), 162.

<sup>106</sup> The importance of uncovering these epistemological claims is discussed in chapter five.

<sup>107</sup> Policies endorsing business leaders having authority over academia include Solutions one through four.

a cohesive reform agenda as opposed to a series of separate proposals. Without focus toward this and other *topoi*, the foundational premises used to legitimate each of the Solutions would likely go unexamined or, at a minimum, understudied.

Through an uncovering of *topoi* within the Solutions packet, this chapter has presented possible pathways of arguments that interlocutors might find useful in future moments of controversy. This chapter has also taken the first step in developing a clearer understanding of the foundational claims found in the Solutions packet. This understanding will be utilized in later chapters, that juxtaposed the Solutions packet with similar analysis of other texts in the Texas controversy in an effort to better understand how conflicting *topoi* interact during moments of argument<sup>2</sup>. This realm of analysis will be based upon Quintilian's approach to *topos* as a mechanism through which inventive argumentative possibilities are uncovered through unbiased assessment.<sup>108</sup> Put otherwise, examining *topoi* from competing stakeholders might illuminate areas of agreement and compromise that are otherwise obscured by embittered exchanges over particular policy proposals.

As briefly mentioned in chapter one, the potential for the study of argument to provide possible means of compromise and resolution within controversy is supported by Rescher's possibilism, founded on "the view that *actual* individuals and the sundry properties they *actually* have are epistemically and ontologically basic, in that 'merely possible' individuals (and states of affairs and worlds) are *intellectual constructions (entia rationis)*."<sup>109</sup> Rescher views people, things, acts, and states of affairs to be the building blocks of reality. This understanding of reality allows for reconceptualizing existing actualities by considering "the 'sphere of the possible...a

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<sup>108</sup> Quintilian, *Institutio Oratoria, Volume II: Books 3-5*. trans. Donald A. Russell, Loeb Classical Library 125 (Cambridge, MA: Harvard University Press, 2002), 5.10.105.

<sup>109</sup> Nicholas Rescher, *A Theory of Possibility* (Pittsburgh, PA: University of Pittsburgh Press, 1975), 2.

construction from materials afforded by that of the real.”<sup>110</sup> In relation to this dissertation, Rescher’s approach to reality as contingent upon, but not beholden to the world as it presently exists opens pathways for conceptualizing controversy, finding compromise and agreement within seemingly-oppositional arguments.<sup>111</sup> As indicated above, findings from this chapter will be coupled with those in chapter three, paving the way for an analysis of the argument<sub>2</sub> between proponents and critics of the Solutions, examining these group’s *topoi* in conversation with one another.

As the opening of this chapter shows, events surrounding the Solutions and their proposed reforms escalated dramatically following the Higher Education Summit. Following distribution of the Solutions packet, regents of the state systems of higher education were charged with enacting each Solution. In an email sent the evening following the summit, McBee explained that “Seven ‘breakthrough reforms’ were proposed over the course of the day that the boards were encouraged to embrace, tailoring them to the particular circumstances of their systems and institutions.”<sup>112</sup> Following the Governor’s summit, regents returned to their respective institutions and began discussing how best to respond to the Solutions.<sup>113</sup>

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<sup>110</sup> Rescher, *A Theory of Possibility*, 2-3.

<sup>111</sup> Rescher further develops the need for preliminary analysis of worldly events, stating “one must ‘begin from where one is,’ and *we* are placed within the actual world of ours...*For us* other possible worlds remain intellectual projections...The priority of the actuality in any discussion *of ours* is inevitable: it is not a matter of overcoming some capriciously adopted and in principle alterable point of departure” Nicholas Rescher, *Imagining Irrreality: A Study of Unreal Possibilities* (Chicago, IL: Open Courts, 2003), 148.

<sup>112</sup> Barry McBee to Kenneth Shine, David Prior, Randy Safady, Anthony de Bruyn, Marsha Kelman, Geri Malandra, and Fredrick Francie, “Notes from Regents Conference,” May 21, 2008, in *McBees\_Notes* (Austin: Texas Tribune, 2008), accessed January 21, 2015, [http://static.texastribune.org/media/documents/McBees\\_Notes.pdf](http://static.texastribune.org/media/documents/McBees_Notes.pdf).

<sup>113</sup> Enactment of the Solutions occurred on an institutional level with Perry’s office asking for updates from regents on the deployment (and presumed success) of each Solution. No future summit was held, though a follow-up meeting of regents was originally slated to occur later in 2008. This summit was canceled by Perry’s office without explanation. Scott Caven to Kenneth Shine, Barry McBee, Francie Frederick, and David Prior, “RE: 7 Breakthrough Solutions Questions,” December 2, 2008, in *UT\_Skepticism* (Austin: Texas Tribune, 2008), accessed January 21, 2015, [http://static.texastribune.org/media/documents/UT\\_Skepticism.pdf](http://static.texastribune.org/media/documents/UT_Skepticism.pdf).

Sandefer's frequent reference to academia as hostile against accountability measures indicates that the Solutions were expected to spur controversy. Unsurprisingly, distribution of the Solutions packet resulted in the type of controversy Sandefer anticipated. Only hours after the Higher Education Summit concluded, many regents began emailing their offices and administrators, warning of an impending attack on their institutions. Meanwhile, other regents began developing strategies to immediately implement the Solutions. The diversity of responses to the Summit was marked, though the most impactful rejoinders came from Texas A&M, supporting the Solutions, and the University of Texas at Austin, publically decrying the proposed reforms. The following chapter examines the University of Texas at Austin's response to the Solutions packet, showing why their reaction deserves particular attention and engaging in an analysis of *topoi* within their reply to Sandefer's proposals.

### 3.0 MAINTAINING EXCELLENCE AND EFFICIENCY AT THE UNIVERSITY OF TEXAS AT AUSTIN

In the weeks following the 2008 Governor’s Higher Education Summit, universities across the Texas State Systems of Higher Education developed strategies to deploy, analyze, and, at times, oppose the Solutions. Jeff Sandefer, his staff at the TPPF, and Governor Rick Perry’s office worked to promote compliance and transparency in the enactment of the Solutions by asking regents to periodically report on universities’ progress.<sup>1</sup> Many regents and university systems made good-faith efforts to enact, or, at the bare minimum, consider, the Solutions. For example, the University of Houston made great efforts to document their progress toward compliance with the Solutions, hiring the Pappas Consulting Group to report on the feasibility of employing each solution.<sup>2</sup> Similar positivity was displayed at Texas A&M where personal connections between Sandefer, Perry, and Texas A&M administrators propelled enactment of multiple Solutions.<sup>3</sup>

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<sup>1</sup> In an email from Wayne Roberts, Senior Advisor for Higher Education at Perry’s Governor’s office, a conference call was proposed to “have the board chairs identify one or more regents from each system who are interested in developing the Solutions through regular conference calls.” Wayne Roberts to David Prior et al., “7 Breakthrough Solutions Project Information/Texas Woman’s Institutional Summary,” July 23, 2008, in *Regent\_Driven* (Austin: Texas Tribune, 2008), accessed January 21, 2015, [http://static.texastribune.org/media/documents/Regent\\_Driven.pdf](http://static.texastribune.org/media/documents/Regent_Driven.pdf).

<sup>2</sup> Though the University of Houston did not explicitly condemn the Solutions, their progress report does include multiple statements that refute the utility of individual proposals from the Higher Education Summit. For example, in response to the call to separate teaching and research budgets (Solution 3), the report states, “Separating research from teaching would deprive our students of learning from scholars” Jim P. Wise, “Update on Analyses Conducted at UHAssociated with the ‘Breakthrough Solutions,’” in *Academic and Student Success Committee Meeting* (Houston, TX: University of Houston System, 2008), 90, accessed October 29, 2015, <http://www.uhsystem.edu/board-of-regents/documents/minutes/12-12-08.A.SS.pdf>.

<sup>3</sup> Texas A&M rapidly began enacting the Solutions’ proposals regarding transparency and focus on undergraduate education. Almost immediately, the university system began offering cash rewards for highly-evaluated professors. Shortly thereafter, the university began compiling data on the cost of each professor and

While some institutions of higher learning were diligently exploring and enacting the Solutions, others were decidedly opposed to the reforms. Most notable among the negative responses to the Solutions was a document from the University of Texas at Austin, “Maintaining Excellence and Efficiency at The University of Texas at Austin: A Response to the Seven ‘Breakthrough Solutions’ and Other Proposals.”<sup>4</sup> Written by Dean Randy L. Diehl and the Executive Leadership Team of the College of Liberal Arts, this document was published in conjunction with a corresponding website that provided the same information in a digital, user-friendly format.<sup>5</sup>

Diehl’s response was prompted by the University of Texas System’s initial support of the Solutions. This early endorsement of the Solutions at the University of Texas System was best demonstrated by the administration’s publication of a 821-page spreadsheet including “professors’ total compensation, tenure status and total course enrollment.”<sup>6</sup> This spreadsheet was developed in compliance with the Solutions’ call for quantitative data on faculty productivity. The choice to comply with this aspect of the Solutions has been traced back to UT

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department, correlating the data with the number of undergraduates taught and publications written. See Reeve Hamilton, “A&M System Examines Professors’ Revenue Generation,” *The Texas Tribune*, September 9, 2010, accessed March 4, 2016, <https://www.texastribune.org/2010/09/09/am-system-examines-professors-revenue-generation/>.

<sup>4</sup> Herein referred to as “the Response” or “Diehl’s Response.” Randy L. Diehl, *Maintaining Excellence and Efficiency at The University of Texas at Austin: A Response to the Seven ‘Breakthrough Solutions’ and Other Proposals* (Austin, TX: University of Texas at Austin, 2011), accessed March 8, 2015, [http://www.as.utexas.edu/bov/resources/08.ut\\_maintaining\\_excellence\\_and\\_efficiency.pdf](http://www.as.utexas.edu/bov/resources/08.ut_maintaining_excellence_and_efficiency.pdf).

<sup>5</sup> Diehl’s website was structured similarly to the original TPPF website that promoted the Solutions (<http://texashighered.com>). Randy L. Diehl, “Seven Solutions Response,” the online edition of *Maintaining Excellence and Efficiency at The University of Texas at Austin: A Response to the Seven ‘Breakthrough Solutions’ and Other Proposals*. (Austin, TX: University of Texas at Austin, 2011), accessed April 1, 2015, <http://www.sevensolutionsresponse.org>.

<sup>6</sup> Reeve Hamilton, “UT System Releases Data on Faculty ‘Productivity’” *The Texas Tribune*, May 5, 2011, accessed March 4, 2016, <https://www.texastribune.org/2011/05/05/ut-system-releases-data-on-faculty-productivity/>.



regent Brenda Pejovich who was also serving on the board of the Texas Public Policy Foundation at the time of the data's release.<sup>7</sup>

Connections between the Texas Public Policy Foundation, Perry's Governor's office, and regents across the state systems of higher education created a tangled web of informal negotiation and non-official agreements regarding enactment of the Solutions. However, opponents to the Solutions were well aware of the mounting push for reform and responded in turn by forming coalitions and publishing open letters condemning the Solutions. These opponents were extremely vocal and, months before Diehl and his team published their response, Texas Public Policy Foundation spokesman David Guenther lamented, "People have taken convenient excerpts and extrapolated them out to attacks on the type of scientific research that a lot of the universities are doing. The point of the whole conversation has been that students are being forgotten and that universities were created to teach students."<sup>8</sup> With mounting pressure and opposition, it became apparent that the Solutions were a contentious and divisive set of proposals that required in-depth analysis prior to their potential enactment.

Focusing on how supporters of existing liberal arts education systems reacted to the proposed reforms, this chapter examines Diehl's Response to the Solutions. As the most formal, coherent, and holistic condemnation of the Solutions, Diehl's response served as a rallying point for opponents of Sandefer's reforms. As in the preceding dissertation chapter, analysis of Diehl's Response focuses on his arguments<sup>1</sup> within the original text and corresponding website. By uncovering the *topoi* within Diehl's defense of academia and liberal arts education, this chapter

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<sup>7</sup> Hamilton, "UT System Releases Data."

<sup>8</sup> Reeve Hamilton, "After Rick O'donnell, What Now for Texas Higher Ed?," *The Texas Tribune*, April 27, 2011, accessed March 4, 2016, <https://www.texastribune.org/2011/04/27/after-rick-odonnell-what-now-for-texas-higher-ed/>.

works to understand how his lines of argument functioned, succeeded, and failed. In later chapters, analysis of these *topoi* will be juxtaposed, with analysis from the previous chapter creating a cohesive account of the lines of argument found in the larger controversy.

Diehl's Response is structured as a direct refutation to the Solutions, explaining each proposed reform and then rebutting its merits before moving on to the next. As in the original Solutions packet, it would be possible to analyze Diehl's Response by following the author's original argument composition, identifying each Solution response as a *topos*.<sup>9</sup> However, just as chapter two utilized hierarchical *topos* theory to uncover primary and *supplemental topoi* in the Solutions, the following analysis deviates from Diehl's original argument structure by instead working to uncover underlying lines of argument used to defend ongoing systems of higher education.<sup>10</sup> This chapter begins by exploring Diehl's *primary topos*, arguing that academia is not a business.

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<sup>9</sup> This analytic structure would have each of Diehl's *topoi* mirror those of the Solutions. For example, labeling the Solution "Split research and teaching budgets to encourage excellence" would result in a responsive *topos* from Diehl labeled "Don't split research and teaching budgets to encourage excellence." The flaw in this design should be self-evident. Not only does this not provide additional insight into the lines of argument provided by the Solutions or Diehl, but this organization also requires Diehl's responses to appear in opposition to positive outcomes such as "excellence."

<sup>10</sup> The labeling of each Solution as a separate *topos* would result in a form of rhetorical criticism that falls within Brockriede's *criticism as description*. This form of criticism would have little value, as Brockriede explains: "When a critic reports what a speaker said in a speech, presents a resume of a speaking career, narrates one or more rhetorical experiences, or something of the sort, without making a claim (explicit or implicit) that increases a reader's understanding of that experience, the description is not a significant argument and is not useful criticism." Brockriede, "Rhetorical Criticism as Argument," 5.

### 3.1 THE CLASSROOM IS NOT A MARKETPLACE

Diehl succinctly conveys his approach to academia, stating “the classroom is not a marketplace” and is instead founded “on the principle that education is a public good that can improve lives and provide opportunities.”<sup>11</sup> This statement was made in response to the Solutions’ “business-style, market-driven approach under which colleges and universities would treat students as customers.”<sup>12</sup> Readers of Diehl’s response might consider his direct refutation of the Solutions’ *primary topos* as evidence that *topoi* are typically self-evident and readily identifiable. However, remember that Diehl’s was not the first response to the Solutions. The litany of previous, failed responses to the Solutions demonstrates that Diehl’s successful identification of the Solutions’ *topoi* was unique and this is why his arguments<sub>1</sub> are so compelling.

Unlike Diehl’s response that successfully uncovered the bedrock lines of argument in the Solutions, prior attempts to refute the Solutions were predominately misdirected. These attempts mistakenly addressed how the Solutions would operate as seven distinct policies rather than focusing upon the foundational lines of argument upon which the Solutions are contingent. An example of this topical misreading is evident in comments made by Clint Magill, former speaker of the Texas A&M faculty senate, who stated, “To try to compare a student to a customer, there’s a real disconnect some place ... If we were doing that model, we could be charging a lot more because we have a lot more applicants than we accept.”<sup>13</sup> Magill’s response is astute in that he correctly identifies the student-as-customer model of education as a central claim in the

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<sup>11</sup> Diehl, *Maintaining Excellence and Efficiency*, 15, 13.

<sup>12</sup> Diehl, *Maintaining Excellence and Efficiency*, 1.

<sup>13</sup> Vimal Patel, “A&M Regents Push Reforms,” *The Eagle*, June 13, 2010, accessed August 1, 2016, [http://www.theeagle.com/news/a\\_m/a-m-regents-push-reforms/article\\_ac1b1a95-3c89-5b23-8d8e-334b92a03034.html](http://www.theeagle.com/news/a_m/a-m-regents-push-reforms/article_ac1b1a95-3c89-5b23-8d8e-334b92a03034.html).

Solutions document. However, his response fails to discredit the notion of business models in education, instead merely indicating that current policies do not reflect business practices. A stronger understanding of the *topoi* within the Solutions would have provided the necessary insight to avoid a statement that implies that a different model is indeed possible and, from an economic perspective, preferable.

Unlike Magill's statement, Diehl successfully refutes the Solutions' commitment to business models in higher education by debunking the packet's claim that for-profit models of education offer a successful alternative to non-profit, not-for-profit, and public versions of higher education. This condemnation of for-profit models is supported by findings from a *Time* magazine article, cited by Diehl and indicating that for-profit universities have an average six-year graduation rate of 27% compared to the 81% graduation rate seen at the University of Texas at Austin.<sup>14</sup> Diehl further reinforces his position against for-profit models by claiming that the Solutions packet wrongfully promoted these institutions as "bastions of efficiency and fiscal responsibility."<sup>15</sup>

Diehl's attack on for-profit and business models in education coincides with his condemnation of classifying students as customers, arguing that this model prioritizes the "wants of the customer," and deprioritizes the "wisdom of traditional educational experience."<sup>16</sup>

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<sup>14</sup> Diehl's Response makes frequent reference to statistical evidence, arguing that the original Solutions packet makes a number of unsubstantiated claims. For example, Diehl's Response states, "TPPF does not provide a source for its claim that 'research shows that student satisfaction ratings remain one of the best measures of teaching effectiveness.' The research we have reviewed explicitly contradicts this claim." Diehl, *Maintaining Excellence and Efficiency* 4. This point is repeated when Diehl states, "Discussion about developing a \$10,000 bachelor's degree appears to stem from a similar belief that a market-driven model of low costs and high volume will promote excellence in higher education. We have yet to see evidence that this approach works" Diehl, *Maintaining Excellence and Efficiency*, 15.

<sup>15</sup> The exact phrasing of this claim is not found in the original Solutions packet. Diehl's paraphrasing, while approximately accurate, appears to engage in a strawman fallacy by hyperbolizing the Solution packet's support of these institutions. Diehl, *Maintaining Excellence and Efficiency*, 13.

<sup>16</sup> Diehl, *Maintaining Excellence and Efficiency*, 11.

However, while Diehl stands in opposition to business models in education, he does admit that students are, in part, customers, though he argues that this characteristic must come second to their role as *learners*.<sup>17</sup> The position that students are customers would appear to concede the Solutions' point. However, a closer reading of Diehl's argument reveals his deployment of rhetorical multivocality. This tactic is explored in Cicero's *De Oratore* where Crassus, a Roman rhetorician, is interpolated by his counterpart, Scaevola:

At this point Scaevola smilingly declared: The position challenged; "Crassus, I will strive with you no longer. For, in this very speech you have made against me, you have by some trick so managed matters as both to grant me what I said did not belong to the orator, and then somehow or another to wrest away these things again and hand them over to the orator as his absolute property."<sup>18</sup>

Crassus' simultaneous agreement and disagreement with his interlocutor is demonstrative of a unification wherein seemingly-oppositional claims are incorporated in a way that in some respects, one side is still considered more legitimate. In Diehl's Response, this unification demonstrates that education can be considered a business, but that this concession does not require an adoption of business practices and oversight. Michael Mendelson aptly describes Crassus' maneuver in a way that is also relatable to Diehl's deployment: "Scaevola sums up Crassus' rejoinder accurately: you agree and disagree with what I said, but on balance you work to substitute an opposing logos, though you do so with enough graciousness so as not to offend

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<sup>17</sup> Diehl, *Maintaining Excellence and Efficiency*.

<sup>18</sup> Marcus Tullius Cicero, *On the Orator*, trans. E. W. Sutton and H. Rackham, Loeb Classical Library 348 (Cambridge, MA: Harvard University Press, 1942) 1.17.74.

me.”<sup>19</sup> For Diehl, this fusion of competing claims works to discredit notions of business characteristics in academia legitimating standardized systems of governance.

To demonstrate the coherence of his multivocality, Diehl distinguishes academia from routine consumerism by stating “The higher education experience is not akin to shopping on iTunes or visiting Banana Republic.”<sup>20</sup> To many readers, the idea of comparing education to pedestrian shopping appears ludicrous. Diehl’s comparison of higher education, iTunes, and Banana Republic taps into this sentiment by enthymematically conveying how and why not all customer experiences are readily comparable.<sup>21</sup>

The act of purchasing goods and services typically results in an immediate exchange of an identifiable product. Meanwhile, enrollment in a college or university is a multi-faceted agreement between an institution, an individual (the consumer/student) and a diverse team of faculty and staff. Diehl drew from these commonplaces to dissociate higher education from other forms of consumerism, labeling higher education an “experience” unlike “shopping” or “visiting” a store.

The argumentative dynamics of this maneuver can be elucidated through Perelman and Olbrechts-Tyteca’s concept of quasi-logical argumentation. Evoking Adam Smith, the authors show that “rejecting existing criteria” resituates existing arguments, problematizing comparative

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<sup>19</sup> Mendelson later references G.B. Kerferd to show that Crassus’ multivocality is based in the Protagorean model where multiple sides of an argument “could be expressed by a single speaker as it were within a single complex argument.” G.B. Kerferd *The Sophistic Movement* (Cambridge, MA: Cambridge University Press, 1981), 84. Michael Mendelson, *Many Sides: A Protagorean Approach to the Theory, Practice, and Pedagogy of Argument* (Dordrecht: Kluwer Academic Publishers, 2002), 151.

<sup>20</sup> Diehl, *Maintaining Excellence and Efficiency*, 11.

<sup>21</sup> Diehl’s use of enthymeme here is complimentary to his larger *topos* of education not being a marketplace. However, while a *topos* offers a line of argument that is woven throughout an argument, enthymemes are tactile in nature, appearing only when necessary and supporting particular points rather than constituting foundational claims. Put otherwise, “We can think that the *topos* is a genus and the enthymemes are particular cases” or examples where a *topos* is being deployed. See Iovan Drehe, “The Aristotelian Dilaectical *Topos*,” *Argumentum* 9, no. 2 (2011): 136.

claims while simultaneously situating prior definitions as over-simplistic.<sup>22</sup> Diehl's positioning of higher education as dissimilar to pedestrian consumer decisions undercuts the Solutions' *primary topos* of education being a business by calling forth a heightened level of definitional specificity. This definitional separation is legitimated through Diehl's comparison of shopping and education, showing the reader that shopping and attending a university are fundamentally different experiences, the one terminal and the other requiring a multi-year commitment.

Perelman and Olbrechts-Tyteca explain dissociation as an attempt to "furnish the real, true meaning of the concept as opposed to its customary or apparent usage."<sup>23</sup> In Diehl's case, this means refuting the Solutions' claim that higher education can be understood as a business transaction. Diehl accomplishes this task by referencing aspects of consumerism that do not align with pursuing a higher education. According to Perelman and Olbrechts-Tyteca, claiming that "something falls or does not fall within a given concept amounts to the indirect introduction of dissociative definition" and this is particularly true when "the introduction of a new characteristic becomes the criterion for the correct use of the concept."<sup>24</sup>

Diehl's introduction of new criteria that problematize the Solutions' understanding of academia as a business is deployed through a specific comparison between higher education and well-known brands of consumer products. By referencing music and clothing distributors, Diehl lampoons the Solutions' blanket interpretation of academia as a business, muddling readers' ability to draw parallels by demonstrating incongruity. This strategic form of dissociation is briefly mentioned by Perelman and Olbrechts-Tyteca as a means of constructing a concept (higher education as akin to other businesses) as "an assertion that is irremediably confused, that

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<sup>22</sup> Perelman and Olbrechts-Tyteca, *The New Rhetoric*.

<sup>23</sup> Perelman and Olbrechts-Tyteca, *The New Rhetoric*, 444.

<sup>24</sup> Perelman and Olbrechts-Tyteca, *The New Rhetoric*, 445.

is univocal use is merely an illusion.”<sup>25</sup> Diehl selects two examples of common, well-known products to substantiate his distinction. His selection is both apt and rhetorically significant. Whereas songs bought on iTunes are ephemeral and clothes bought at Banana Republic are cosmetic, higher education is a multi-year investment in access to resources and information, the benefits of which are neither immediate nor universal. Customers that find their clothes ill-fitting can negotiate an exchange or return, but there is no exchange policy available for experiences.

Diehl’s distinction between iTunes, Banana Republic, and higher education is furthered by the types of training and expertise necessary in each sector. For example, an employee at Banana Republic requires minimal training compared to academics who spend years developing the skills necessary to teach and publish their work. Diehl’s focus on retail as a baseline comparison for academia is strategic due to their apparent and extreme differences. This line of argument would be comparatively ineffective if Diehl had chosen to contrast academia to other fields that require extensive training in expertise. For example, Diehl’s argument is less persuasive when academics are juxtaposed with other career types which require long-term training; such as medical professionals or nuclear scientists.

By listing specific retailers with attributes readily distinguished from higher education, Diehl’s comparison of iTunes, Banana Republic, and higher education is constitutive of *perspective by incongruity*, the process of fostering perspective through the juxtaposition of inconsistent concepts or things. Diehl’s selection of retailers ruptures “the sense of what properly goes with what,” leading readers to question higher education’s place in the exemplified trifecta.<sup>26</sup>

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<sup>25</sup> Perelman and Olbrechts-Tyteca, *The New Rhetoric*, 450.

<sup>26</sup> Kenneth Burke, *Permanence and Change* (Berkeley, CA: University of California Press, 1954) 74. Burke goes on to describe *perspective by incongruity* as “a method of gauging situations by verbal ‘atom cracking.’ That is, a word belongs by custom to a certain category — and by rational planning you wrench it loose...” Kenneth Burke, *Attitudes Toward History*, 3rd ed. (Berkeley, CA: University of California Press) 308.



This is accomplished through the strategic conjoining of iTunes and Banana Republic and simultaneous distancing of higher education. Burke explains: “Planned incongruity should be deliberately cultivated for the purpose of experimentally wrenching apart all those molecular combinations of adjective and noun, substantive and verb, which still remain with us. It should subject language to the same ‘cracking’ process that chemists now use in their refining of oil.”<sup>27</sup> Diehl deploys perspective by incongruity by rupturing the Solutions’ classification of academia as a business, creating a “wedge that pries apart established linkages” and opening space for a reconsidering of higher education’s form and function.<sup>28</sup>

Diehl’s attack against business models in higher education is not limited to questioning the Solutions’ classification scheme. The Response shows that, in addition to the Solutions misclassifying academia, not all aspects of higher education are readily ascertainable. Diehl uses these arguments to defend the humanities, a sector of higher education that Diehl isolates as having the type of research where “seemingly narrow findings have the potential to change human understanding.”<sup>29</sup> This claim directly refutes George O’Brien’s argument, quoted in the Solutions packet, that “The humanities are concerned essentially with human values: ethical, political, aesthetic, religious — none of which awaits radical discovery.”<sup>30</sup> Diehl substantiates his position, stating, “Historians, philosophers and economists from the Greco-Roman periods through Voltaire, Hume, and Adam Smith, for example, all influenced the American founding fathers. These scholars’ impact was not fully known for decades or centuries, just as the value of

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<sup>27</sup> Burke, *Permanence and Change*, 119.

<sup>28</sup> Rosteck, Thomas and Leef, Michael, “Piety, propriety, and perspective: An interpretation and application of key terms in Kenneth Burke’s *Permanence and Change*,” *Western Journal of Speech Communication*, 53 (Fall 1989): 330.

<sup>29</sup> Diehl, *Maintaining Excellence and Efficiency*, 7.

<sup>30</sup> George Dennis O’Brien, *All the Essential Half-Truths About Higher Education* (Chicago, IL: University of Chicago Press, 2000), 162.

much of today's scholarship can't be measured immediately."<sup>31</sup> Reference to these famous thinkers counters the Solutions' call for immediate accountability while simultaneously insinuating that impeding contemporary scholarship might stifle today's revolutionary thinkers.<sup>32</sup>

More than merely refuting the potential for the Solutions to improve higher education, Diehl's multiple references to the inner-workings of academia attempts to expose unsubstantiated claims in the Solutions packet. By systematically condemning business models in higher education, Diehl works to construct an ethos of informed brokering that is not held by politicians or business professionals. The *topos* of academia as incommensurable to business seeks to refute foundational claims within the Solutions by enthymematically demonstrating that academic policies and reforms must come from informed, imbedded academics. Any other policy proposal for institutions of higher learning would necessarily misunderstand the unique needs, foci, and dynamics of colleges and universities. This is a powerful line of argument and, if persuasive, casts doubt on nearly every aspect of the Solutions by undermining the ethos of the Solutions and their main author.

Diehl's efforts to discredit business models of education are central to his Response. In conjunction with his condemnation of business models, Diehl shows that, even if readers were to endorse a financially-driven model of education, the Solutions would still not be desirable compared to current and ongoing policies developed by academics. This strategy can be understood through Stephen Toulmin's theory of qualifiers, where an opponent's assumptions

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<sup>31</sup> Diehl, *Maintaining Excellence and Efficiency*, 8.

<sup>32</sup> Diehl expands on the need to grant space for scholarly innovation and inquiry by questioning the proposal to separate teaching and research budgets. Here, Diehl states, "We are unaware of any institution beyond colleges and universities that are dually committed to teaching and research and can serve as a model for separating the budgets surrounding each mission" Diehl, *Maintaining Excellence and Efficiency*, 9.

are momentarily conceded so that a conditional counter-claim can be offered.<sup>33</sup> For example, Diehl argues that *even if* education is a business, the Solutions are still not a good idea. This argument allowed Diehl to compare the benefits and setbacks associated with various models of higher education. As part of this process, Diehl provides substantial evidence that ongoing models of higher education are desirable to business-driven models.

### 3.2 ACADEMIA DOES NOT NEED REFORMED

The opening pages of Diehl's Response are quick to acknowledge the crises, both ongoing and potential, facing academia. Diehl's introduction admits that there are problems in higher education, but argues that the Solutions are incapable of solving these issues.

The Texas Public Policy Foundation (TPPF) think tank and some state leaders are advocating a business-style, market-driven approach under which colleges and universities would treat students as customers, de-emphasize research that isn't immediately lucrative, and evaluate individual faculty by the tuition revenue they generate... We do not believe this is the right response to the problems now facing higher education or one that recognizes The University of Texas at Austin's proven levels of efficiency and excellence in educating Texas students.<sup>34</sup>

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<sup>33</sup> John Anthony Blair, "The Pertinence of Toulmin and Perelman/Olbrechts-Tyteca for Informal Logic," in *Rhetoric and Argumentation in the Beginning of the Xxist Century*, ed. Henrique Jales Ribeiro (Coimbra: Coimbra University Press, 2009), 17-32.

<sup>34</sup> Diehl, *Maintaining Excellence and Efficiency*, 1.

This statement directly responds to the Solution packet's *topos* of change being inevitable in academia by arguing that change does not directly correlate to enactment of the Solutions. Functioning as a form of forced bifurcation, the Response rhetorically separates the actuality of crises in academia with the potentiality for the Solutions to offer meaningful reform. By conceding to the Solutions' evidence of current and developing crises, Diehl moves conversation from the realm of identifying problems to the question of how best issues can be solved. In doing so, Diehl undercuts the Solutions' claim of academics as unaccountable and disinterested in resolving ongoing issues.

While conceding the point that academia is in a state of crisis, Diehl strategically conveys that academia is both aware of and working to resolve a multitude of issues throughout higher education. This is accomplished through an overwhelming supply of data that indicates continued excellence at the University of Texas at Austin. Diehl's deployment of quantitative metrics appeases calls for accountability while simultaneously holding fast to the position that academics cannot continue to excel under the Solutions' proposed oversight. By pointing to evidence of success in the areas that the Solutions purport to address, Diehl's Response conveys that the work of academics continues to produce positive and quantifiable results even if this process is not fully understood by outside stakeholders. This line of argument undercuts the Solutions by alluding to a functional system of academia that Perry and the TPPF fail to fully understand.

Diehl's promotion of ongoing policies at the University of Texas at Austin is furthered by his claims that these ongoing initiatives are both mutually exclusive and superior to the

Solutions.<sup>35</sup> Diehl goes further by flipping the Solution packet’s claim, arguing that current policies in academia are sustainable and that the Solutions themselves might cause a collapse of higher education. For example, Diehl argues, “[The Solutions] would fundamentally change the university’s status as a top-tier university in which research and teaching are inextricably linked in ways that are crucial to both missions.”<sup>36</sup> Diehl’s repeated reference to ongoing academic excellence at the University of Texas at Austin demonstrates his enactment of topical performance where pre-existing, mutually exclusive alternatives to the Solutions are shown to be highly effective.

The argument that the Solutions might diminish educational quality is supported by the claim that reforms similar to the Solutions have failed in other venues. This line of argument is made possible through reference to state systems of higher education, both within and outside of Texas, that have adopted the Solutions’ framework for academia. For example, Diehl demonstrates that while “Some proponents of change in Texas also point to Arizona State University (ASU) as a model for embracing market forces,” further examination shows that ASU “has a student-to-faculty ratio of 23/1, compared to 19/1 at The University of Texas at Austin.”<sup>37</sup> This juxtaposition does not explicitly argue that smaller classes sizes result in increased learning, but it does go on to argue that the ASU model is undesirable, evidenced by the school’s 56% graduate rate.<sup>38</sup>

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<sup>35</sup> For example, Diehl states, “Though they may appear attractive at first glance, several of the proposals stand to undermine successful initiatives that already promote quality teaching” Diehl, *Maintaining Excellence and Efficiency*, 2.

<sup>36</sup> Diehl, *Maintaining Excellence and Efficiency*.

<sup>37</sup> Diehl, *Maintaining Excellence and Efficiency*, 14.

<sup>38</sup> Diehl, *Maintaining Excellence and Efficiency*.

Beyond general condemnations of for-profit and business models in education, Diehl draws upon particular instances of the Solutions failing in other university systems. Because Diehl's Response to the Solutions was published a full three years after the Higher Education Summit, many colleges and universities had already had time to respond to the Solutions packet. As a result, many of the Solutions had been tested or abandoned by state systems of higher education prior to the publishing of Diehl's Response. One example comes from Texas A&M where the Student Recognition Award for Teaching Excellence, a direct result of the Solutions, was created. Diehl explains:

Implementation of the program has apparently caused tension among Mr. Sandefer, outgoing Texas A&M chancellor Mike McKinney, and members of the Board of Regents. The points of dispute included the two key factors that drive the cost of the program — the size of awards and the number of faculty who should receive them. The Texas A&M Student Senate, which helps administer the awards, has called for taking the phrase “teaching excellence” out of the name. This follows the lead of Provost Karan Watson who has said the award is more a show of student appreciation than an accurate gauge of teaching excellence, according to media reports.<sup>39</sup>

Diehl does not show Texas A&M's awards to be inherently negative, he instead implies that the program is both contentious and implements a subjective metric of teaching quality.<sup>40</sup>

Furthermore, reference to “tensions” at Texas A&M counters the Solutions' claims that

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<sup>39</sup> Diehl, *Maintaining Excellence and Efficiency*, 6.

<sup>40</sup> Diehl's line of argument becomes more forceful when, in later pages, he cites the Association of American Universities as having warned Texas A&M to resist “ill conceived proposals” such as the Solutions. Robert M. Berdahl, letter to Michael D. Mckinney, 2010; Diehl, *Maintaining Excellence and Efficiency*, 9.

educators and students will benefit from awards that focus on teaching excellence.<sup>41</sup> By presenting the Solutions as controversial, Diehl taps into contemporary social trends where large swaths of American citizens proactively avoid controversy and debate.<sup>42</sup> While not a deterrent for all stakeholders, this line of argument does work to raise questions for those who would otherwise endorse reform.

In addition to evidence of failed initiatives within Texas, Diehl points to similar policies that have already failed in other areas of the country. This strategy is most prominent in Diehl's Response to the second Solution that calls for "a financial incentive to improve the effectiveness of teaching."<sup>43</sup> In a sub-section entitled *problems at other universities*, Diehl argues that this reform, when enacted, has proven highly controversial.<sup>44</sup> J.D. Sandefer, father of Jeff Sandefer, author of the Solutions, sought to increase the legitimacy of the second Solution by petitioning for the program at the University of Oklahoma. Diehl quotes Nicholas Hathaway, Vice President at the University of Oklahoma, who explains "The program was eliminated...without objection as part of a campus-wide budget cut. The awards did not appear to affect classroom instruction in any discernable way."<sup>45</sup> Further evidence of the Solutions' failings is found in Colorado where

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<sup>41</sup> Diehl substantiates this claim, arguing "Similar initiatives have been introduced elsewhere and have yet to demonstrate significant success." Diehl, *Maintaining Excellence and Efficiency*, 6.

<sup>42</sup> For an analysis of this trend see Nina Eliasoph, *Avoiding Politics: How Americans Produce Apathy in Everyday Life* (Cambridge: Cambridge University Press, 1998).

<sup>43</sup> Diehl, *Maintaining Excellence and Efficiency*, 6.

<sup>44</sup> Diehl mentions, "The Student Recognition Award for Teaching Excellent," akin to the type of awards encouraged by the Solutions, "was piloted at Texas A&M University, Prairie View A&M University, and Texas A&M University-Kingsville" Diehl, *Maintaining Excellence and Efficiency*. Karan Watson, Provost at Texas A&M, has been quoted as stating "the award is more a show of student appreciation than an accurate gauge of teaching excellence." Vimal Patel, "Emails shed light on Texas A&M awards program," *The Eagle*, May 12, 2011, accessed August 9, 2016, [http://www.theeagle.com/news/local/emails-shed-light-on-texas-a-m-awards-program/article\\_00f51203-d404-5ac7-947b-ca2764a5a473.html](http://www.theeagle.com/news/local/emails-shed-light-on-texas-a-m-awards-program/article_00f51203-d404-5ac7-947b-ca2764a5a473.html).

<sup>45</sup> Diehl, *Maintaining Excellence and Efficiency*, 7.

policies similar to the sixth Solution, “Put state funds directly in the hands of students,” were enacted. The Response document explains:

The proposal to give state higher education funding directly to students is essentially a voucher system. This model was used to develop the Colorado Opportunity Fund (COF), implemented in 2005 by Rick O’Donnell when he served as head of the Department of Higher Education in Colorado. Mr. O’Donnell has also worked for TPPF and, earlier this year, served briefly as an advisor to The University of Texas System. In May 2009, the Western Interstate Commission on Higher Education evaluated the COF at the request of the state and found the program “did not succeed in ensuring better access to postsecondary education.”<sup>46</sup>

These failings in Colorado problematize the Solutions while simultaneously conveying failings among the TPPF staff. Diehl develops this line of argument, citing a report prepared by the Colorado Department of Higher education that shows the program resulted in lower enrollment, particularly among minority and low-income students.<sup>47</sup>

By advancing a narrative of failure, Diehl situates the Solutions as a series of reforms that are not guaranteed to produce meaningful, positive results. By referencing previous failings, Diehl portrays the Solutions as a dangerous and costly experiment that would potentially exacerbate crises in academia. This position, that the Solutions should be abandoned because they might harm academia as easily as help it, is akin to arguments seen in scientific

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<sup>46</sup> Diehl, *Maintaining Excellence and Efficiency*, 12.

<sup>47</sup> Diehl, *Maintaining Excellence and Efficiency; An Evaluation of Colorado’s College Opportunity Fund and Related Policies: A Report Prepared for the Colorado Department of Higher Education by the Western Interstate Commission for Higher Education* (Boulder, CO: Western Interstate Commission for Higher Education, 2009), accessed April 8, 2015, <http://www.wiche.edu/info/publications/policyCOF.pdf>.



communities that endorse the precautionary principle. This principle argues that a product, process, theory, or idea should be assumed dangerous until proven otherwise. Originating from the German idea of *vorsorgeprinzip* (foresight, planning), the precautionary principle requires that long-term consequences be prioritized over potential short-term solutions.<sup>48</sup>

Arguments for the precautionary principle are most commonly seen in environmental and pharmaceutical circles, but they are not entirely unheard of in education.<sup>49</sup> Martha Nussbaum advises caution when considering reforms that would fundamentally alter core aspects of higher education.<sup>50</sup> Discussing the potential for education to cultivate imagination, she explains, “the imaginative component of democratic education requires careful selectivity.”<sup>51</sup> What makes Nussbaum’s caution an endorsement of ongoing systems of higher education and not a call for reform? In an interview on her writing, Nussbaum relays caution regarding shifts in American academia: “The one bright spot I did pick out was the US University and its liberal arts system — I think it's the healthiest of all.”<sup>52</sup>

Nussbaum’s cautious praise for higher education in the United States merits attention because her work supports the continuance of existing liberal arts education in academia. Nussbaum and Diehl have much in common with this approach. Both authors seek to maintain

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<sup>48</sup> Julian Morris, “Defining the Precautionary Principle,” in *Rethinking Risk and the Precautionary Principle*, ed. Julian Morris (Oxford: Butterworth-Heinemann, 2000), 1-21.

<sup>49</sup> For examples of the precautionary principle in environmentalism see Kenneth J. Arrow and Anthony C. Fisher “Environmental Preservation, Uncertainty, and Irreversibility,” *The Quarterly Journal of Economics* 88, no. 2 (May 1974): 312-19. and Timothy O’Riordan, *Interpreting the Precautionary Principle*, ed. James Cameron (New York, NY: Earthscan, 2009).

<sup>50</sup> Martha Nussbaum, *Not for Profit: Why Democracy Needs the Humanities* (Princeton: Princeton University Press, 2010).

<sup>51</sup> Nussbaum, *Not for Profit*, 109.

<sup>52</sup> Martha Nussbaum, interview by Matthew Reisz, *Times Higher Education*, October 21, 2010, accessed January 8, 2016, <https://www.timeshighereducation.com/features/world-crisis-in-humanities-not-many-hurt/413900.article>.

excellence in high education (“maintaining excellence” being, in part, the title of Diehl’s response). The authors also advise against dramatic shifts toward universal teleology in academia, instead supporting a diversified, eclectic approach toward education. What is lacking in both of their work is an explicit acknowledgement and deployment of pre-existing theoretical works on the need for precaution in the face of potential innovation.

Despite a rich pool of research and theoretical application that can be readily applied to proposed reforms for higher education, little work has been done to explicitly utilize scientific, environmental, and economic study of the precautionary principle. Instead, calls for caution are typically amorphous, espousing concern but lacking clear detail regarding the potential risks encapsulated in reform initiatives. This lost potential for strong theoretical backing diminishes the impact of Diehl’s *topos*. Despite this lack, the Response still works to counter Sandefer’s claim that the Solutions are both common sense and benign.<sup>53</sup> Diehl invokes a sense of uncertainty regarding the immediate and positive outcomes offered by the Solutions. This conveyance of doubt shifts the Solutions into a neutral realm, capable of either alleviating or exacerbating crises in higher education.<sup>54</sup>

Diehl supports his doubt with evidence that some of the crises meant to be solved by the Solutions were, in part, non-existent. In response to the claim that colleges and universities should cut spending and tuition costs, Diehl shows that the University of Texas at Austin’s tuition is well-below national averages. Diehl provides a series of graphs to substantiate his

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<sup>53</sup> This claim of banality was explained in chapter two and is based on Sandefer’s claim that individual academics could opt out of enacting the Solutions, mitigating their potential negative impact. See Texas Public Policy Foundation, *Higher Education Summit*, 88.

<sup>54</sup> This opening of possibilities is discussed in depth by Rescher, showing that the bringing forth of potential worlds has a powerful transformative effect, invoking readers to consider potential futures, both utopian and dystopian. See Nicholas Rescher, *Imagining Irrationality: A Study of Unreal Possibilities* (Chicago, IL: Open Courts, 2003). As a result, the Solutions become open to debate and deliberation, halting the immediacy of their enactment highlighting the need for additional study.

argument, showing that students pay an average of \$9,416 in tuition costs per year.<sup>55</sup> By demonstrating the cost effectiveness of his university, Diehl attempts to undermine the argument that “the presidents of state universities plead with legislators and donors for more money, even as they increase tuition faster than the rate of inflation.”<sup>56</sup> Diehl’s line of argument functions as a dismissal of the Solutions’ call for major reform, indicating that, while costs are well above what the Solutions propose, the university has kept them as low as possible while still maintaining educational quality.

Throughout his Response, Diehl demonstrates the success of current policies, but he is also careful to avoid claiming that these policies provide a universal model for higher education. Instead, Diehl refutes the universal reforms offered by the Solutions, instead claiming that colleges and universities face unique challenges that require individualized responses. As the next section shows, this *topos* works against universal models of education like those supported by Sandefer and his Solutions.

### 3.3 HIGHER EDUCATION REQUIRES TAILORED REFORM MODELS

Diehl’s Response to the Solutions repeatedly mentions that Sandefer and the TPPF want to create a universal model for higher education. In his opening statement, Diehl argues that

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<sup>55</sup> Diehl, *Maintaining Excellence and Efficiency*, 5.

<sup>56</sup> Diehl’s Response to claims of excessive costs is cursory to Sandefer’s original argument that tuition costs outpace inflation rates. There is no mention of inflation or comparable economic indicators in Diehl’s Response. See Texas Public Policy Foundation, *Higher Education Summit*, 83.

The proposals, however, fail to recognize the different missions of, and populations served by, these systems. They offer the same ideas, for example, to the regional University of North Texas, with 37,000 students in three units, and the statewide University of Texas, with nearly a quarter million students in nine universities and six health institutions.<sup>57</sup>

By situating the Solutions as an over-generalized approach to higher education, Diehl's Response circumvents Perry's statement at the Higher Education Summit that the reforms "were not 'one size fits all' solutions and [that] the proposals could be modified by different institutions."<sup>58</sup> This strategy of amplifying internal contradictions between the Solutions packet and claims made at the Higher Education Summit conveys the Solutions and their supporters as either insincere or disorganized. In either case, Diehl's claim of the Solutions being too rigid is a sound argumentative strategy. Any attempts to disprove Diehl's claim would require supporters of the Solutions to present a diverse set of policy initiatives, each of which has been tailored to a particular institution while still maintaining the core objectives of the Solutions. This prospect would be rather problematic given that the Solutions packet called upon regents and their staff to develop tailored Solutions. Without aggressive and prolonged support from these regents, the Texas Public Policy Foundation and Governor Perry were incapable of presenting their own evidence regarding the Solutions' malleability.

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<sup>57</sup> Diehl, *Maintaining Excellence and Efficiency*, 2.

<sup>58</sup> Carol A. Felkel, *Governor Perry's Higher Education Summit: The Minutes of the Boards of Regents of Texas State University System, Texas Tech University System, the Texas a&M University System, the University of Texas System, University of Houston System, University of North Texas System* (Austin: University of Texas System, 2008), 5, accessed May 5, 2015, <https://www.depts.ttu.edu/irim/Reports/StateReports/SYSTEM/Minutes/BoardMinutes080521.pdf>.

Diehl builds on his argument that the Solutions are far too rigid in stating “We should steer clear of oversimplified, market-driven ideas, like the seven ‘breakthrough solutions.’”<sup>59</sup> As an additional effort to discount universalized policies in higher education, Diehl responds to Sandefer’s original argument that student evaluations offer meaningful insight into the learning that takes place in individual classrooms. Diehl argues in favor of learning outcomes as the primary metric to for teaching success. He further specifies the need for individualized policies to determine teaching success, showing that “Each major at the University of Texas at Austin has defined learning outcomes...[including], for example, a student’s ability to articulate the significance of major historical events like those that led to the Texas War of Independence.”<sup>60</sup> This call for individualized learning outcomes supports a decentralized form of evaluation that counters the Solutions’ *topos* of faculty refusing to hold themselves accountable. Additionally, Diehl complicates the Solutions’ approach to teaching assessment by listing a number of factors that befuddle universal metrics. These include a professor’s “record of undergraduate and graduate student mentoring, course syllabi, teaching awards, grade distribution, and teaching methods.”<sup>61</sup>

By cataloging the “dynamic relationship [that] exists between course content, class size, and disciplinary-specific teaching styles which cannot be evaluated through a single form that students fill out on the day a class has ended,” the Response problematizes the Solutions’ capacity to universalize higher education policy.<sup>62</sup> This strategic maneuver works to complicate

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<sup>59</sup> Diehl, *Maintaining Excellence and Efficiency*, 16. This sentiment is supported by Pappas Consulting’s report, commissioned by University of Houston System and stating that the Solutions offered “one-size-fits-all” proposals. *2008 Report to the University of Houston System* (Palm Beach, FL: Pappas Consulting Group, 2008).

<sup>60</sup> Diehl, *Maintaining Excellence and Efficiency*, 4.

<sup>61</sup> Diehl, *Maintaining Excellence and Efficiency*, 10.

<sup>62</sup> The Response document goes further, listing a series of classes that have unique aspects which merit their individual evaluation and contextual learning objectives. Diehl, *Maintaining Excellence and Efficiency*, 10.

the Solutions proposals, delaying their progress by indicating the need to consider multiple variables and requiring justification for how teaching evaluations can meaningfully gauge learning within each classroom context. Through these lines of argument, Diehl questions the appropriateness of universal reforms such as the Solutions in higher education.

As a final line of argument that supports his *primary topos*, Diehl refutes the Solutions' claim that academic research is a waste of time, energy, and money. In offering this line of argument, Diehl shows that separating the budget for research and teaching is a means of differentiating their importance. The following section analyzes how Diehl develops this *topos* and uses it to further substantiate his position against business models of education.

#### 3.4 ACADEMIC RESEARCH TRANSCENDS COMMODIFICATION

Diehl defends academic publication by showing oppositional claims to be fundamentally myopic. Academic publication, according to Diehl, cannot be assessed by immediate, quantitative metrics such as financial contributions to the college or university. The *supplemental topos* of academic research and publication having value is demonstrative of Diehl's *primary topos*, substantiating the claim that business models cannot account for unique practices central to higher education. For example, in the opening sentences of his response to the Solutions, Diehl reminds readers that research cannot be assessed like any other (business-like) practice because an article or book does not need to be "immediately lucrative" to have value.<sup>63</sup> In effect, Diehl asks stakeholders to withhold judgement regarding the utility of academic research. The

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<sup>63</sup> Diehl, *Maintaining Excellence and Efficiency*, 1.

rationale for this request is that any piece of academic research, regardless of its immediate utility, might prove invaluable in the future. Under Diehl's interpretation of scholarship and research, the notion that academic work might eventually be noteworthy is non-falsifiable. All attempts to demonstrate fruitlessness can be rebuked as myopic, having cast judgement too eagerly.

While working to defend publication and research throughout academia, Diehl pays particular attention toward the humanities, arguing that the Solutions would be uniquely problematic for these fields of research.

We are especially concerned it will inhibit research in the humanities and we take issue with the idea that the value of research can be judged by its immediate impact or reduced to a monetary figure....As in other disciplines, the impact of most humanities research is not immediately observable, nor guaranteed. It tends to work cumulatively over time and, for the most part, requires no start-up funds, research labs, or expensive equipment.<sup>64</sup>

Diehl builds upon his argument that publishing's contributions are not immediately observable by showing that some of the greatest thinkers in human history once faced attacks similar to those levied by the Solutions. Citing examples including "Voltaire, Hume, and Adam Smith," Diehl stipulates that "These scholars' impact was not fully known for decades or centuries, just as the value of much of today's scholarship can't be measured immediately."<sup>65</sup> This need for scholarly freedom to research and publish is then situated within contemporary contexts though

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<sup>64</sup> Diehl, *Maintaining Excellence and Efficiency*, 7, 8.

<sup>65</sup> Diehl, *Maintaining Excellence and Efficiency*, 8.

the citation of an op-ed piece by Jo Ann Hackett and John Huehnergard, two humanities professors at the University of Texas at Austin.

How can you hope to understand the modern Middle East without knowing the history of the region? Without knowing that some of the same arguments that plague the region today have been going on for thousands of years? Arguments over water rights, over tribal boundaries and entitlements, over the universal justice that was promised with each new ruler — and was denied again and again.<sup>66</sup>

In both Diehl's own words and those provided by Hackett & Huehnergard, this line of argument features an overarching appeal to history. By referencing historical figures such as Vico and Hume (Diehl) and long-past crises (Hackett & Huehnergard), these arguments successfully demonstrate the utility of historic research, but fail to convey the contributions of more contemporary thinkers. Diehl finds himself in a bind here. If his argument holds true (that scholarship is rarely appreciated until long after it is written) then he is thusly incapable of producing compelling evidence of usefulness among contemporary academics. Upon analysis, the claim that contributions are rarely self-evident appears less compelling than a potential alternative line of argument wherein multiple contemporary thinkers are shown to have contributed to issues and concerns in ways that have radically bolstered humanity.

Despite solid arguments in defense of research and publication, the ambiguous nature of academic publishing that Diehl presents makes this aspect of the Response necessarily dependent on academia's *ethos* of expertise. By saying that publication has value, but admitting that the

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<sup>66</sup> Diehl, *Maintaining Excellence and Efficiency*; Jo Ann Hackett and John Huehnergard, "Two Texas Professors on Why Academic Research Matters," *Austin American-Statesman*, May 14, 2011, accessed August 10, 2016, <http://www.statesman.com/opinion/insight/two-texas-professors-on-why-academic-research-matters-1475412.html>.



average person cannot predict nor observe this value, Diehl asks readers to trust the expertise of authors and their peers. While this is likely the best line of argument available to defend academic publication (particularly in the humanities), it is also problematic given the Solutions' *topos* of academics being untrustworthy and unaccountable.

By appealing to expert knowledge within academia, Diehl's *topos* of academic research and publication feeds into critiques of academic elitism. The "wait and see" contributions offered by academic research are likely unconvincing to audiences that are skeptical toward academics. Diehl appears to push against this problem by showing that, even if not immediately useful, academic publication does not hinder other goals of higher education (undergraduate education, moves toward accountability). In listing the accomplishments of the University of Texas-Austin, Diehl includes support of "innovative research" as a prime reason why the Solutions are not currently necessary.<sup>67</sup> This commitment to research is juxtaposed with the university's continued capacity to "provide a world-class education, secure successful learning outcomes, [and] maintain high graduation rates," showing that these interests do not necessitate a zero-sum tradeoff with one another.<sup>68</sup> This line of argument also bolsters Diehl's *topos* of current policies surpassing the Solutions' goals, showing that, even with academic publication, higher education is operating beyond its critic's expectations.

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<sup>67</sup> Diehl, *Maintaining Excellence and Efficiency*, 1.

<sup>68</sup> This position is furthered by Diehl's citation of a 2005 report commissioned by the University of Texas at Austin focusing on curricular reform. The portion of this report quoted in Diehl's response states, in part, that "A great research university has more than one priority" and that "Research is essential and, in turn, it enriches teaching at all levels." William Powers, *Report of the Task Force on Curricular Reform* (Austin, TX: The University of Texas at Austin, 2005), 4. Though not referenced in Diehl's response, this 2005 report continues by stating, "Research and core undergraduate teaching are the responsibility of all faculty." Powers., *Report of the Task Force on Curricular Reform*, 17. This position runs counter to the Solutions' claim that tenured research faculty do not typically incorporate undergraduate education into their professional lives Diehl, *Maintaining Excellence and Efficiency*, 1.

As a final point regarding the utility of academic research and publication, Diehl shows that students benefit from emulating academic research initiatives. This *mimesis* is evidenced at the University of Texas at Austin where “80 percent of University of Texas at Austin undergraduates have conducted academic research,” a figure which Diehl uses to demonstrate how research experience can improve overall learning outcomes.<sup>69</sup>

In short, Diehl defends academic publication through a multi-pronged approach wherein the non-quantifiable contributions of humanities research is defended while simultaneously readers are encouraged not to conceptualize publication as a zero-sum tradeoff with teaching and learning outcomes. This line of argument further substantiates Diehl’s *primary topos* of academia being opposed to business models by curtailing attempts to systematically quantify and categorize academic’s roles.

### 3.5 CONCLUSION

Diehl’s Response to the Solutions sought to quell institutional support for Sandefer’s reforms by demonstrating the continued success and stability of the University of Texas at Austin. Similar to the Solutions, Diehl’s Response utilized a series of *topoi* that were not explicitly highlighted as primary lines of argument within the response document. Building upon the *primary topos* of the classroom not being a marketplace, Diehl’s *supplemental topoi* can be listed as including:

- Academia does not need reformed
- Higher education requires tailored reform models

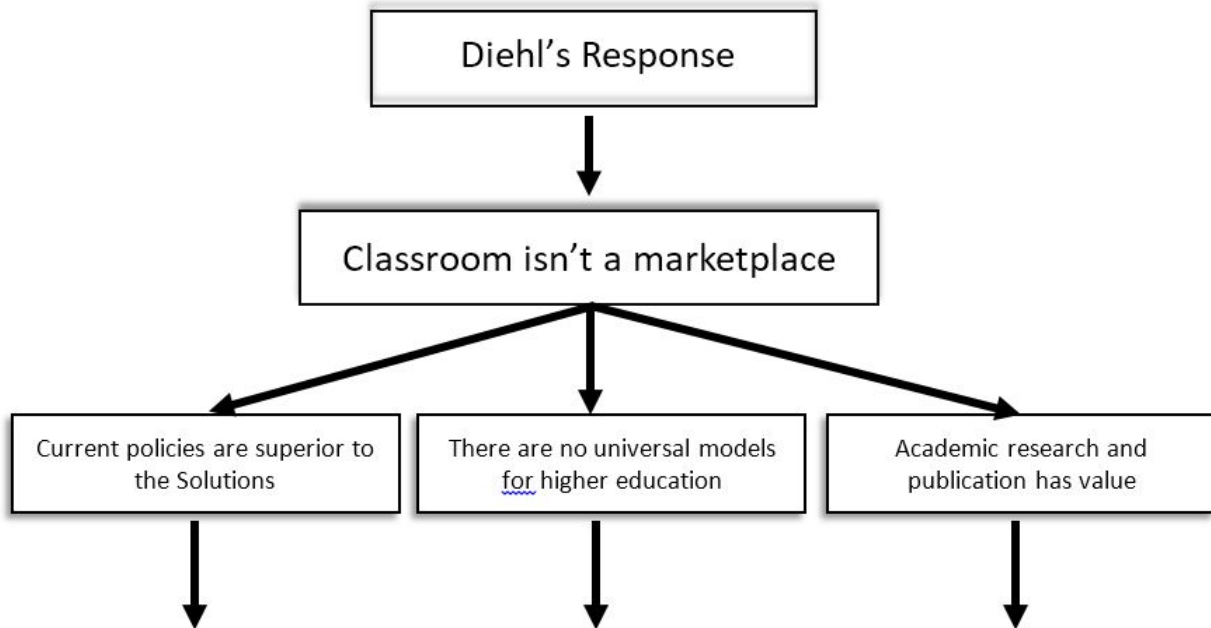
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<sup>69</sup> Diehl, *Maintaining Excellence and Efficiency*, 8.

- Academic research transcends commodification

This conglomeration of *topoi* can be read through hierarchical *topos* theory as a focused refusal to accept business practices in academia (see Fig. 4).

Figure 4 Diehl's hierarchical *topoi*



Readers of these *topoi* will note a central theme: academia is a unique sector that requires loose organizational structure where individual institutions and academics can operate in accordance to their particular needs, doing so within a concern for immediate utility in their research. This perspective is seen in Diehl's position that academic research has inherent value, even if that value may only be discovered in the distant future. The perspective is further supported by the belief that there are no universal models for education because each institution has a different inclination and structure. By uncovering each of the above *topoi*, we can begin to understand the foundational assumptions that have resulted in Diehl's support of existing academic policies.

Whereas chapter two showed the Solutions' are focused on teaching "a central set of truths," Diehl's philosophical underpinnings appear to emanate from a form of epistemological

pragmatism. The latter of these camps approaches knowledge as both situationally-contingent and subjective. Mendelson explains:

When the epistemological pragmatism...is translated into discursive practice, the result is an approach to argument based on the recognition that if knowledge is local and partial, knowing subjects will naturally produce opposing claims (antilogoi) and that some of these oppositions can be equally well defended... antilogical practice maintains that by purposefully placing opposing claims in juxtaposition rhetors can not only minimize the unfair advantage of a conventionally stronger position but also generate a consensually supported proposition that both adjudicates conflict and leads to prudent action.<sup>70</sup>

When juxtaposed, the ideological tenets of the Solutions (grounded in canonical truth) and Diehl's Response (rooted in epistemological pragmatism) illuminate how and why the controversy in Texas was more a philosophical dispute than it was pedagogic or economic concern. Perhaps it is the overlay of particular policy proposals (the Solutions) and their counter-proposals (the Response's support of existing policy) that resulted in the overshadowing of these ideological roots. Regardless, Diehl's response, while substantive, failed to resolve the ongoing controversy over higher education in Texas.

Diehl's Response is central to the larger Texas controversy due to its systematic rebutting of Sandefer's Solutions, but, despite this nuanced response, Diehl did not quell the ongoing controversy regarding higher education in Texas. Shortly after its publication, Diehl's Response was heavily criticized by supporters of the Solutions. The *Texas Tribune* quotes a member of Rick Perry's staff, explaining the Governor's sentiment:

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<sup>70</sup> Mendelson, *Many Sides*, 5, 139.

University faculty and their allies should join the reform efforts and recommend ways to innovate, improve graduation rates, and enhance accountability and efficiency at Texas colleges and universities,” said Perry spokesman Mark Miner. “We all have an obligation to meet the needs of Texas students, employers, taxpayers and our fast-growing economy. Resisting reform and accountability is an unsustainable recipe for mediocrity and stagnation.”<sup>71</sup>

Other defenders of the Solutions were cited in the *Texas Tribune*, questioning the work hours invested in the project and the cost of Diehl’s Response, asking if taxpayers were being billed for time invested in the effort.<sup>72</sup> These provocations point toward a larger controversy that played out following publication of the Solutions, an argument<sub>2</sub> that was intensified by Diehl’s Response and other responses to Sandefer’s proposals.

The following chapter explores the larger controversy that developed in response to the Solutions, examining how the *topoi* in the Solutions and Response were picked up by external interlocutors. While there is a litany of sources available, *topos* theory allows a meaningful cataloging of claims within these documents.<sup>73</sup> By exploring what lines of argument were adopted by other institutions, news outlets, and citizens, chapter four captures the essence of discourse within the larger controversy, uncovering the foundational arguments made by a diverse set of communicators. Following analysis of *topoi* in the public controversy surrounding the Solutions, this dissertation will examine the theoretical and rhetorical implications of this

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<sup>71</sup> Reeve Hamilton, “UT Dean Rejects ‘Seven Solutions’ in New Report,” *The Texas Tribune*, July 6, 2011, accessed March 4, 2016, <https://www.texastribune.org/2011/07/06/ut-dean-rejects-seven-solutions-in-new-report/>.

<sup>72</sup> These questions were posted by Michael Quinn Sullivan, president of Empower Texans, a conservative advocacy organization that includes Solutions author Jeff Sandefer on its board. Hamilton, “UT Dean Rejects ‘Seven Solutions.’”

<sup>73</sup> Wallace, “*topoi* and the Problem of Invention,” 387-95.

study of *topos*, offering insights into how the Solutions controversy might promote the development of stronger arguments in defense of liberal arts education.

#### 4.0 CONTESTED *TOPOI*

The controversial “Seven Breakthrough Solutions” for higher-education reform proposed by Jeff Sandefer in 2008, which helped to spark the current controversy, however radical as dismissed by some, should have been worthy of at least a mature discussion...In spite of the obvious clash of personalities and the current political theatre, this is the underlying theme of the drama at UT-Austin and the long-term issue that must be dealt with by its leadership succession. — Jim Windham<sup>1</sup>

It is possible to form syllogisms and draw conclusions from the results of previous syllogisms; or, on the other hand, from premises which have not been thus proved, and at the same time are so little accepted that they call for proof. Reasonings of the former kind will necessarily be hard to follow owing to their length, for we assume an audience of untrained thinkers; those of the latter kind will fail to win assent, because they are based on premises that are not generally admitted or believed. — Aristotle<sup>2</sup>

Diehl’s Response to the Solutions, while powerful, failed to resolve the ongoing controversy in Texas. The day following publication of Diehl’s report, Mark Miner, communications director for Perry, decried the Response as a stalling tactic that served the interests of academics at the expense of other stakeholders. Miner’s statement was, in part, a call for members of Diehl’s camp to offer their own ideas beyond those of maintaining the status quo:

The status quo that some Texas universities try to protect — with rapidly increasing tuition and four-year graduation averaging just 28.6 percent — is not

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<sup>1</sup> Jim Windham, “UT Mess a Symptom of National Higher-Ed Crisis,” *See Thru Edu*, July 22, 2014, accessed November 4, 2015, <http://www.seethruedu.com/updatesut-mess-symptom-national-higher-ed-crisis/>. This article was written on behalf of *See Thru Education*, a project funded by the Texas Public Policy Foundation.

<sup>2</sup> Aristotle, *Art of Rhetoric*, trans. J. H. Freese, Loeb Classical Library 193 (Cambridge, MA: Harvard University Press, 1926): 1357a.

keeping pace with our state's needs... University faculty and their allies should join the reform efforts and recommend ways to innovate, improve graduation rates, and enhance accountability and efficiency at Texas colleges and universities.<sup>3</sup>

The immediacy of Miner's response unequivocally demonstrated that the controversy over higher education in Texas would not be quickly resolved. Instead, *topoi* from the Solutions and Diehl's Response were picked up and utilized by other stakeholders in the public argument<sub>2</sub> over higher education both within and beyond Texas.<sup>4</sup> In the following section, I illustrate the Solution and Response's impact on national conversations on higher education. Upon presenting this background, I utilize *hierarchical topos* theory to shed light on the various *topoi* deployed by interlocutors in the national controversy prompted by the Solutions.

#### 4.1 NATIONALIZATION OF THE TEXAN CONTROVERSY

Originally revealed in 2008, the Solutions immediately elicited attention, both positive and negative, prompting stakeholders to question the desirability of reform in higher education. As mentioned in chapter three, there were a great many rebuttals to the Solutions prior to Diehl's

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<sup>3</sup> Ralph K.M. Haurwitz, "UT Dean Criticizes Proposals by Governor, Regent, Policy Group," *The Statesman*, July 6, 2011, accessed March 5, 2015, <http://www.statesman.com/news/news/local/ut-dean-criticizes-proposals-by-governor-regent--1/nRcP9/>.

<sup>4</sup> The impact of the Solutions controversy was reinforced by Thomas K. Lindsay, director for the Center for Higher Education at the TPPF, arguing that the Solutions' popularity "changes the debate to reducing the costs to students and parents, raising expectations about what the public expects from higher educations." Kevin Kiley, "A \$10,000 Platform," *Inside Higher Ed*, November 30, 2012, accessed April 5, 2015, <https://www.insidehighered.com/news/2012/11/30/texas-florida-and-wisconsin-governors-see-large-overlap-higher-education-platforms>.



Response in 2011. Between the publishing of these two documents, a groundswell of arguments<sub>1</sub> developed regarding the Solutions. When the Response was released, it was clear that ongoing attempts to initiate the Solutions were not going to be readily accepted by academics. Reactions to the Response were quickly noticed by stakeholders within and beyond Texas and the series of exchanges that followed were the arguments<sub>2</sub> that catapulted the exchange into the realm of controversy. The following section documents some of the more impactful examples of how the Texas controversy was picked up and deployed in conversations across the country. After this, I examine how *hierarchical topos* theory helps to explore each line of argument within the national controversy.

#### *4.1.1 A Texan Controversy Reaches Florida*

One of the strongest examples of the Solutions' influence on national deliberation came from Florida where Governor Rick Scott began distributing copies of the Solutions packet in an early effort to elicit support for similar proposals throughout his state.<sup>5</sup> Denise-Marie Balona of the Orlando Sentinel described the Texan influence over Florida policy:

Patterned after reforms being championed by Texas Gov. Rick Perry, who recently announced he's running for president, Scott is looking at changing the way professors are paid and moving toward a merit-pay system with limits on tenure. Texas has been debating such changes to save money and bolster

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<sup>5</sup> Denise-Marie Balona, "Scott Explores Changes in Higher Education," *Orlando Sentinel*, August 22, 2011, accessed December 9, 2015, <http://uff-fau.org/scott-explores-changes-in-higher-education/>. In the same article, the author shows, "college leaders elsewhere will be watching to see if Florida follows Texas' lead. Joni Finney, director of the Institute for Research in Higher Education at the University of Pennsylvania, said all states are struggling with the twin challenges of rising enrollment and budget cuts while also working to bolster professor productivity." Balona, "Scott Explores Changes in Higher Education." This lineage from Texas to Florida to Pennsylvania further demonstrates the dramatic impact that the Solutions had over higher education policy.

professor productivity — going so far as to consider tying professor pay to how many students they teach and how much research money they bring in...Such reforms were designed to move Texas colleges toward more of a business model in which students are viewed as consumers purchasing a product — a college degree.<sup>6</sup>

As this quote shows, Scott’s policy proposals were directly influenced by the Solutions. Recall from previous chapters that the role of *topoi* is to provide interlocutors with ready-made arguments that can be tailored to fit within particular contexts. The transference of *topoi* from the Solutions to Scott’s proposals demonstrate that these lines of argument were compelling enough to warrant *mimesis*.

*Mimesis* (μίμως), to imitate or act, is typically deployed when audiences wish to emulate something they have witnessed.<sup>7</sup> Recent deployments of *mimesis*, including those found in Scott’s proposals, consist of an idea being picked up, recontextualized, and redeployed.<sup>8</sup> Scott’s redeployment of the Solutions is paramount to the forms of *mimesis* found in Isocrates’ *Antidosis* where the author borrows thematic devices from previous works written by himself and others. Scott and Isocrates’ *mimesis* functions by “deliberately [resorting] to the language of another,” repackaging language and claims that would be familiar to audiences.<sup>9</sup> Mimetic

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<sup>6</sup> Denise-Marie Balona, “Scott Explores Changes in Higher Education,” *Orlando Sentinel*, August 22, 2011, accessed December 9, 2015, <http://uff-fau.org/scott-explores-changes-in-higher-education/>.

<sup>7</sup> Accurately translating the meaning of *mimesis* is extremely difficult. Ekaterina Haskins lays out various interpretations of the term based on writings from Plato, Isocrates, and Aristotle. Each of these authors disagreed with their counterparts and each author’s definition contained multiple contextualized usages of the term. Ekaterina Haskins, “Mimesis between poetics and rhetoric: Performance culture and civic education in Plato, Isocrates, and Aristotle,” *Rhetoric Society Quarterly*, 30, no. 3 (2000): 7-33.

<sup>8</sup> These forms of *mimesis* differ from those Plato labeled as automatist. Plato’s definitions of *mimesis*, of which there were three, include one form that “[emphasize] repetitive ‘automatism’ of poetic performance,” requiring little thought on behalf of the communicator. Haskins, “Mimesis between poetics and rhetoric,” 12.

<sup>9</sup> Haskins, “Mimesis between poetics and rhetoric,” 14.

recontextualizing of arguments demonstrates the versatility of well-constructed *topoi*. By picking up lines of argument that could be easily amended to fit his needs, Scott successfully utilized a form of Isocratic *mimesis* that blends well with *topos* theory's role of providing "ready-made arguments."<sup>10</sup>

Scott's mimetic modeling of the Solutions was strategic for two reasons. First, Scott was able to utilize existing research, tapping into the Solutions packet to substantiate reforms that would have otherwise required extensive work hours by him and his staff. Second, Scott successfully used the Solutions as a rallying point for like-minded conservative thinkers. This strategy promoted the development of a politically conservative framework of higher education and worked against existing models that are commonly classified as politically liberal.

Similar to the exchange of arguments<sup>1</sup> seen in Texas, the emergence of intellectual contestation regarding higher education in Florida prompted academics to defend the merits of their university systems. A prime example of this trend was offered by academics at Florida Gulf Coast University (FGCU) who established a committee to respond to Scott's growing interest in the Solutions. FGCU's response improved upon Diehl's strategy in two ways. First, FGCU reviewed the Solutions as individual policy proposal. Second, FGCU concentrated on the *topoi* used to support the entire reform agenda, directly engaging the lines of argument that were used to substantiate the Solutions reform agenda.<sup>11</sup> The FGCU response offered a detailed breakdown

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<sup>10</sup> David S. Levene, introduction to *Ars Topoica: The Classical Technique of Constructing Arguments from Aristotle to Cicero* by Sara Rubinelli (New York, NY: Springer, 2009), xiv.

<sup>11</sup> The introduction of the committee report encapsulates this strategy, stating "a detailed, point-by-point response to any particular proposal would be premature. Since there are a wide variety of models and solutions under consideration, selecting any one specific problematic proposal and addressing it might serve to elevate its legitimacy as a serious proposal when it may still be no more than an ill-formed thought experiment." Anne-Marie Bouche et al., *Nine Flawed Assumptions of Higher Education Reform: Statement of the FGCU Faculty Senate Ad Hoc Committee on Higher Ed Reform*" (Fort Myers, FL: Florida Gulf Coast University, 2011), accessed November 9, 2015, [http://www.fgcu.edu/FacultySenate/files/11-4-2011\\_ATTACH\\_FGCU\\_Faculty\\_Response\\_to\\_Higher\\_Ed\\_Reform.pdf](http://www.fgcu.edu/FacultySenate/files/11-4-2011_ATTACH_FGCU_Faculty_Response_to_Higher_Ed_Reform.pdf).

of “nine misperceptions about the condition of state-supported higher education.”<sup>12</sup> These “misperceptions” were:

1. The basic model of higher education in the US is fundamentally flawed and must be overhauled.
2. Course and degree offerings should be determined and controlled based on centralized, governmental decisions.
3. There is a discrepancy between student degrees and employers’ needs, and employers’ needs should be the first priority in determining higher education policy for Florida.
4. STEM degree programs are the most valuable and deserving of funding, while degrees in humanities and social sciences are less useful.
5. Perceived deficiencies in the preparation of college graduates is in large part a result of faulty or ineffective teaching.
6. Teaching and research are distinct activities and their funding should be split.
7. Teaching performance will be greatly enhanced by a merit pay system using monetary incentives.
8. Students can be viewed as “consumers;” student evaluations are the most reliable method of assessing “consumer satisfaction,” and “consumer satisfaction” in education is a valid measurement of educational outcomes.

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<sup>12</sup> Bouche et al., *Nine Flawed Assumptions*.

9. There is currently insufficient assessment of teaching and program quality; the costs associated with increased assessment are justified by the results in terms of improved outcomes.<sup>13</sup>

Recall from chapters two and three that the Solutions and Response each contained their own textual structure that concealed underlying *topoi* embedded within each argument<sub>1</sub>. Similarly, the FGCU document did not explicitly highlight the *topoi* within each bullet point. This trend of burying *topoi* within a text further demonstrates the importance of uncovering lines of argument that would otherwise go unanalyzed. By investigating what lines of argument are central to the claims made in a text, analyses such as this dissertation are capable of garnering deeper understandings of controversy and facilitate the development of stronger arguments in future moments of intellectual contestation.

By closely examining the FGCU bullet points, it becomes possible to map each argument onto the *topoi* previously offered in the Solutions. For example, bullets three, four, and eight can be classified under the *primary topos* of education being a business (section 2.1). Each of these points builds toward the argument that, by adopting standardized methods of analysis and oversight akin to those seen in other sectors, academia can increase its immediate contributions to business and the economy. Bullets three and eight have direct parallels to arguments already discussed in chapter two, providing strong focus toward future employability of students and the system of education as a commodity. Bullet four's role within the *primary topos* is slightly more ambiguous, requiring additional clarification. This bullet, that funding should be allocated based upon usefulness, can be linked to the comments made in the Solutions packet that argue higher education should provide immediate, quantifiable contributions to students and society.

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<sup>13</sup> Bouche et al., *Nine Flawed Assumptions*.

Similar to the FGCU bullets that can be linked to the Solutions' *primary topos* of education being a business, the other bullet points can be similarly mapped to the remaining *topoi*. Bullets two, five, and seven can be classified under the *topos* of faculty refusing to hold themselves accountable (section 2.2). Each of these points support the line of argument that academics cannot function autonomously, instead requiring governmental and business oversight. Bullet six can be classified under the *topos* of academic publishing being a waste of time, money, and energy (section 2.3). Finally, bullets one and nine can be grouped under the *topos* of change being inevitable due to the coming collapse of the higher education system (section 2.4). The correlation of these bullet points, Diehl's original *topoi*, and FGCU's response will be discussed in the following sections of this chapter. For now, it is important to mention that proponents of the Solutions were also extremely vocal following the initial Texas controversy. Staying in Florida for a moment, we can see similarities between the TPPF-University of Texas at Austin exchange and that of FGCU with another institution: Florida State University.

Despite overwhelming opposition to the Solutions among academics, not all institutions of higher learning agreed that the reforms were undesirable. Most notable among institutional proponents of the Solutions was Florida State University (FSU). In a report from the FSU Board of Trustees, the university praised the Solutions and supported them by adding nuance to each policy, tailoring the proposals to the particular needs of the university. In the executive summary of its report, the Board contrasts the situation in Texas to that in Florida and moves forward by

providing additional policies that are labeled as “more comprehensive” versions of the Solutions.<sup>14</sup>

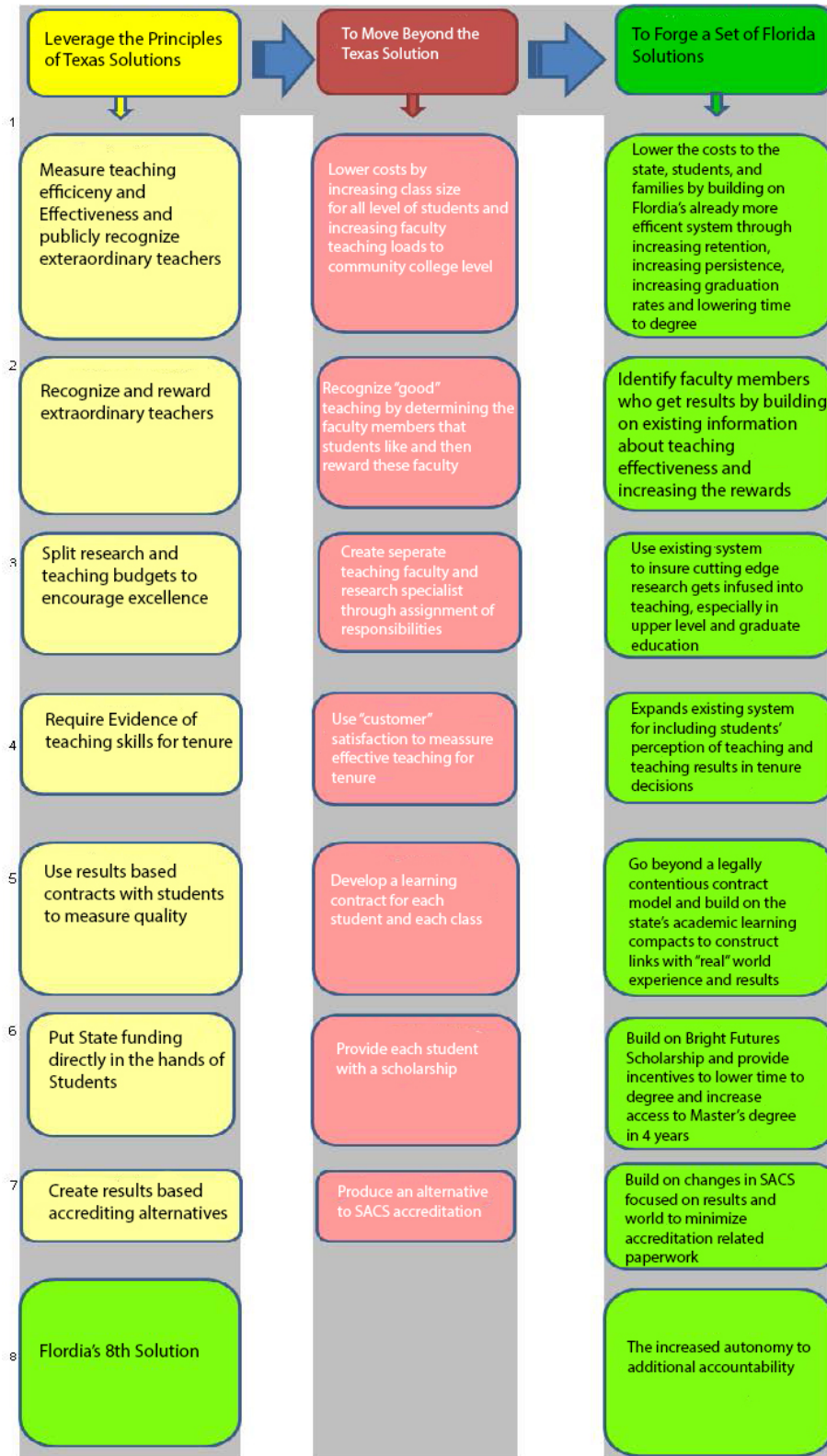
FSUs tactic of customization taps into the original intent of the Solutions. By adopting the general premise of each Solution but modifying its message in accordance to the specific needs of the university, the regents added detail to the rough proposals drafted by Sandefer and the TPPF. According to Solutions supporters, this was the purpose of the proposals all along.<sup>15</sup> By adding detail to the Solutions, FSU answered the call for action emanating from the original intent of the Higher Education Summit, taking the baseline ideals of the proposals and making them stronger and more sustainable. As part of its report on the Solutions, FSU included a detailed group that showed how the Solutions could be expanded and applied at the university (see Fig. 5).

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<sup>14</sup> Eric J. Barron, *Breakthrough Solutions for Higher Education: Florida Can Do Better Than Texas* (Tallahassee, FL: Florida State University, September 8, 2011), accessed on April 8, 2016, [http://www.fgcu.edu/FacultySenate/files/10-21-2011\\_FSU\\_Breakthrough\\_Solutions.pdf](http://www.fgcu.edu/FacultySenate/files/10-21-2011_FSU_Breakthrough_Solutions.pdf).

<sup>15</sup> In the minutes of the boards of regents following the Texas Higher Education Summit Perry is quoted stating the Solutions were not “one size fits all” policies, but rather “proposals [that] could be modified by different institutions.” Carol A. Felkel, *Governor Perry's Higher Education Summit: The Minutes of the Boards of Regents of Texas State University System, Texas Tech University System, the Texas a&M University System, the University of Texas System, University of Houston System, University of North Texas System* (Austin: University of Texas System, 2008), 4, accessed May 5, 2015, <https://www.depts.ttu.edu/irim/Reports/StateReports/SYSTEM/Minutes/BoardMinutes080521.pdf>.

Figure 5 FSU's enactment of the Solutions





As Figure 5 illustrates, FSU's support of the Solutions was not an uncritical endorsement of its reform agenda. Instead, the FSU Solutions report walks readers through each proposal, laying out how and why friendly amendments were necessary. For example, when reviewing the proposal to publically recognize extraordinary teachers (Solution #1), the FSU statement criticizes the Solutions' method of reform.

...Solution #1 is primarily focused on the efficiency of individual faculty through a single metric — number of students taught per \$ of cost. Industry has a long history of developing similar efficiency metrics. Case studies presented by E.I. DuPont to the American Chemical Society (2003) and to the Corporate Technology Council (2000) are particularly illustrative with respect to Texas Solution #1. DuPont's early focus was on simple metrics that combined total expenses or resources employed and the number of chemical compounds processed. Many of these early metrics failed because they were not well connected to corporate strategic objectives and because the use of single stand-alone metrics to study complex systems often have unintended consequences. For example, as might be expected, DuPont became extremely fast in processing compounds, but the use of a single "speed" metric actually discouraged them from focusing attention on particular promising families of chemical compounds. The end result was that they became less effective in delivering worthwhile products to the marketplace...The Texas Solution #1 needs to be modified to prevent similar unintended consequences.<sup>16</sup>

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<sup>16</sup> Barron, *Breakthrough Solutions*, 6.

The preceding excerpt is demonstrative of the larger FSU document; there is a strong sense of improving and clarifying the Texas Solutions within the FSU text. While most of the claims within the FSU document do not directly engage criticism of the Solutions, those aspects of the document that relate to analysis of competing *topoi* will be developed in later sections of this chapter.

Arguments<sub>1</sub> in Florida provide substantial evidence of the Texas exchange fulfilling Olson and Goodnight's criteria of a controversy by "reaching beyond the particular issue" of reform in Texas and developing into a form of oppositional argument that "[raises] the stakes of opposition to the level of global discursive indictments."<sup>17</sup> There are multiple other examples of the Texas controversy impacting conversations on higher education across America. For example, in addition to the Solutions' influence in Florida, Kevin Kiley shows that the Solutions promoted national deliberation on higher education:

[Governors] Perry and Scott appear to agree on much more than an ideal price tag. The two — along with another Scott, Wisconsin Governor Scott Walker, who unveiled his own higher education agenda earlier this month — appear to be at the forefront of what could be an emerging Republican approach to higher education policy, built largely around cost-cutting, which seems to appeal to some voters, if not to the academy itself.<sup>18</sup>

Kiley's explicit reference to the Solutions demonstrates their impact on national conversation. These references are further supported by claims that the Solutions epitomized a "Republican

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<sup>17</sup> Kathryn M. Olson and Thomas Goodnight, "Entanglements of Consumption, Cruelty, Privacy, and Fashion: The Social Controversy over Fur," *The Quarterly Journal of Speech* 80, no. 3 (1994): 251, 72.

<sup>18</sup> Kiley, "A \$10,000 Platform."

approach to higher education policy,” rhetorically situating the reform agenda as a potential national platform.<sup>19</sup>

Whether or not the Solutions “changed the debate” over higher education in the United States, it is unquestionable that the reforms did spur extensive deliberation. The sheer quantity of rejoinders offered following the Solutions-Response argument<sub>2</sub> makes any attempt at holistic analysis difficult. However, as the following section shows, a strategic deployment of *hierarchical topos* theory can assist in this endeavor by isolating particular arguments that warrant rhetorical criticism.

#### 4.2 HIERARCHICAL *TOPOI* WITHIN ARGUMENT<sub>2</sub>

As mentioned in chapter one, the Texas controversy became known as a “lightning rod in higher-education circles nationwide,” prompting extensive deliberation over the roles and trajectory of academia.<sup>20</sup> Argumentative analysis of this controversy can be pursued, in part, by seeking out those *topoi* that have proven valuable in previous moments of argument<sub>2</sub>.

The arguments<sub>1</sub> offered by interlocutors in the Solutions controversy demonstrate a range of rhetorical sophistication. For example, a number of well-respected academic and political figures in Texas contributed responses that failed to intellectually engage the controversy. Instead, these responses captured media attention by reacting emotionally and without regard for the impact of their actions.

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<sup>19</sup> Kiley, “A \$10,000 Platform.”

<sup>20</sup> Balona, “Scott Explores Changes in Higher Education.”

Throughout the Texas controversy, academics and politicians alike were urged to publically announce their position regarding the Solutions.<sup>21</sup> The resulting sense of divisiveness surrounding the Solutions caused a number of personal feuds to boil over, resulting in unexpected consequences and sensationalized events. One exemplar was produced when Jay Kimbrough, a former advisor to Governor Perry, was fired from his position as deputy chancellor at the Texas A&M University System. In a move that many considered retribution for his support of the Solutions, Kimbrough was abruptly dismissed by Texas A&M Chancellor John Sharp, a longtime rival of Perry. The firing came to represent the embittered battles over the Solutions when, upon learning of Sharp's decision, Kimbrough drew a knife on university representatives that were presenting him with termination papers.<sup>22</sup>

Bombastic reactions akin to Kimbrough's can undermine media and public focus toward policy proposals similar to and including the Solutions controversy. This phenomenon of the media spectacle has been documented by Douglas Kellner:

Spectacles are media constructs that are out of the ordinary and habitual daily routine which become popular media events, capturing the attention of the media and the public. They involve an aesthetic dimension and often are dramatic, bound up with competition like the Olympics or the Oscars and they feature

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<sup>21</sup> Examples of this pressure to take sides are available in the Solutions packet. See Texas Public Policy Foundation, *Higher Education Summit*, 84. Later exchanges between interlocutors provide further evidence that the Solutions created a sense of binary divisiveness. Paul J. Weber, "Chairman of Texas A&M Regents says 7 Solutions becoming 'distraction,'" *Dallas News*, May 26, 2011, accessed July 28, 2016, <http://www.dallasnews.com/news/state/headlines/20110526-chairman-of-texas-am-regents-says-7-solutions-becoming-distraction.ece>

<sup>22</sup> Kimbrough is quoted in the official Texas A&M police report as stating "If anyone is man enough to take them (referring to the keys and passcard) bring it on" during the incident. Texas A&M University Police Department, *Incident Report (Case Number 11-03064)*, September 21, 2011, accessed March 9, 2016, <https://static.texastribune.org/media/documents/TAMU-Incident3.pdf>; Reeve Hamilton and Emily Ramshaw, "Kimbrough Fired from Texas A&M System, Revealed Knife," *The Texas Tribune*, September 22 2011, accessed April 17, 2015, <https://www.texastribune.org/2011/09/22/kimbrough-fired-texas-am-university-system/>.

compelling images, montage and stories. ...Examples of political events that became media spectacles would include the Clinton sex and impeachment scandal in the late 1990s, the death of Princess Diana, the 9/11 terror attacks, and the meltdown of the U.S. and global financial systems concurrent with the 2008 presidential election and new presidency of Barack Obama.<sup>23</sup>

Media spectacles overlay a sensationalist lens on policy or competition-driven narratives. This focus on action and drama over policy is a common attribute to contemporary political deliberations.<sup>24</sup> Though Kimbrough's actions were not as nationally recognized as the examples listed by Kellner, his actions did prompt the same type of coverage that focused on dramatic events rather than the actual policies that prompted the firing or subsequent confrontation. Despite this focus on sensationalism, Kimbrough's reaction, though extreme, is useful as evidence of the high levels of tension that surrounded the controversy.

While Kimbrough's firing is illustrative of the high stakes nature of controversy, it encapsulates tension at the expense of intellectual nuance. As a counterpoint, this chapter works to uncover the substantive claims that developed in the argument<sub>2</sub> that followed the Solutions and Response. This process tracks how *topoi* were picked up by stakeholders both within the confines of the original argument<sub>2</sub> and within larger contexts such as the national discussion following the Solutions' release.

As discussed in chapter two, a major windfall of *hierarchical topos* theory is a better understanding of which *topoi* are absolutely necessary to maintain a position within any given controversy. *Hierarchical topos* theory also promotes a streamlining of argumentative analysis,

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<sup>23</sup> Douglas Kellner, "Barack Obama and Celebrity Spectacle," *International Journal of Communication* 3 (2009): 716-7.

<sup>24</sup> Douglas Kellner, *Media Spectacle* (New York: Routledge, 2003), 15-30.

asking researchers to consider the importance of each line of argument and to downplay those *topoi* that are not central to the primary argument(s) being made.

The primary risk of the streamlined analysis offered through *hierarchical topos* theory is that reducing the number of *topoi* might result in missing or oversimplifying an argument. However, my reconstruction of Diehl's Response indicates that a limited number of *topoi* can capture the essence of each line of argument, providing researchers and stakeholders with an understanding of underlying arguments. At the same time, the successes of *hierarchical topos* theory are not intended to devalue the type of analysis offered by FGCU. As this chapter shows, the FGCU bullet points offer meaningful insights into how the Texas controversy can be reconstructed to apply to other educational contexts.

*Hierarchical topos* theory, as laid out previously in this dissertation, promotes a structural analysis of *topoi* within an argument<sub>1</sub>, thus allowing for increased focus toward the most important lines of argument, the *primary topos*. Once applied to an argument<sub>2</sub> or controversy, *hierarchical topos* theory becomes all the more useful by allowing a direct comparison of competing *primary topos*. In relation to the Solutions and Diehl's Response, these competing *primary topos* are "education is a business" and "the classroom is not a marketplace." As part of my theory of *hierarchical topos*, I argue that this juxtaposition of *topoi* facilitates the production of questions that encapsulate central claims on multiple sides of an argument<sub>2</sub>. Put otherwise, I believe that looking at competing *topoi* allows scholars to articulate a concise question that sits at the heart of an intellectual contestation.

This chapter analyzes how *topoi* were picked up and deployed following the initial arguments<sub>1</sub> from Sandefer and Diehl. Additionally, this chapter provides a model for the deployment of *hierarchical topos* theory by placing competing *topoi* in conversation, presenting

a question that addresses each pair of *topoi* from the original Texas controversy. Having developed questions that encapsulate each set of four competing *topoi* from the Solutions and Response, this chapter is organized in sections, each one examining a question. These questions are:

1. Should education be structured as a business?
2. Is there an accountability crisis in academia?
3. Is academic publishing a useful?
4. Are the Solutions superior to ongoing modes of higher education?

In examining these questions, each section will explore how the relevant *topoi* were deployed and the impact of these lines of argument on the larger controversy. The contributions from this chapter work to develop an understanding of *topoi* in conversation, filling a gap in existing literature where *topoi* are typically examined mechanistically rather than in relation to one another. I begin this analysis by focusing on the Solutions and Response's *primary topoi* in conversation, asking if education should be structured as a business.

#### 4.3 SHOULD EDUCATION BE STRUCTURED AS A BUSINESS?

Questions of business models in higher education tap into the competing *primary topoi* from the Solutions and Response.<sup>25</sup> Consequently, it should come as no surprise that a great number of arguments<sub>1</sub> on this question were presented following the Texas controversy. Following the

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<sup>25</sup> For the Solutions the *topos* discussed in chapter two was that “education is a business.” For the Response, the *topos* discussed in chapter three was “the classroom is not a marketplace.”

initial exchange between the Solutions and Diehl, supporters of the Solutions continued to promote business standards by calling for stakeholder oversight in academia. Shortly after the Response was published, Heather Williams of the TPPF argued, “Our seven breakthrough solutions are explicit aspirations for higher education reform that are shared by many people and parties.”<sup>26</sup> Williams’ argument has multiple potential interpretations. A friendly read of her statement builds upon the forms of populism embodied by Andrew Jackson who spoke on “the people” and their fight against banking industries.<sup>27</sup> As Jackson showed, this form of popular appeal can dramatically influence public discourse by arousing generalized disdain against existing institutions and practices. Appeals of this nature prompt audiences to enact resistance against ongoing systems, forgoing consideration of specific policy proposals. Paul Johnson explains: “The content of the Jacksonian sentiment (anger and frustration against those in power) is more important than the ideological or philosophical coherence of the platform itself.”<sup>28</sup> Rather than addressing specific claims within Diehl’s Response, Williams’ argument taps into the *primary topos* that promotes business structures in academia. This maneuver allows her to bypass point-by-point refutation of Diehl’s *supplemental topoi*; so long as the public agrees with holistically overhauling of academia, the coherence and merit of particular Solutions becomes inconsequential.

More important than endorsing individual Solutions, Williams’ argument picks up the *topos* of education as a business by tapping into the Solutions’ call for accountability measures

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<sup>26</sup> Haurwitz, “UT Dean Criticizes Proposals.”

<sup>27</sup> Populism in Texan education policy was not new, but its tone and urgency grew with the revealing of the Solutions. Ralph Haurwitz, “Perry’s Higher Education Policy Taking on a Tea Party Flavor,” *Austin American-Statesman*, May 30 2011, accessed May 1, 2015, <http://www.statesman.com/news/news/local/perrys-higher-education-policy-taking-on-a-tea-par/nRbTK/>.

<sup>28</sup> Paul Johnson, “Imagining American Democracy: The Rhetoric of New Conservative Populism” (PhD diss., University of Iowa, 2013), 38, accessed January 28, 2016, <http://ir.uiowa.edu/etd/4996/>.



that mirror those seen in private industry. Through this move, the particularity of the Solutions becomes a secondary concern to the desire for populist control over academia. Of course, skeptics of the Solutions were unpersuaded by Williams' populist appeal. An alternative, less friendly read of Williams' argument is to interpret her remarks as a form of *argumentum ad populum*, calling for a proposal based on popularity rather than merit. This interpretation was picked up by critics of the Solutions including the FGCU faculty report:

It is not surprising that public dissatisfaction with the ever-increasing costs of higher education has risen in conjunction with nationwide defunding of public educational institutions and the transfer of expenses from the state government to the student. However, we need to distinguish between funding issues, which affect things like class size, curriculum offerings, staffing and infrastructure resources, and the basic model of higher education itself."<sup>29</sup>

By distinguishing funding from foundational structures of higher education, the FGCU report undermines correlations between public dissatisfaction and the need for new policy initiatives. This maneuver delegitimizes popular sentiment by supporting Diehl's previous argument that academia is fundamentally different than any other sector of the economy.<sup>30</sup> This line of argument, that the general public is incapable of fully understanding higher education, is likely persuasive to academics, but also problematically furthers negative perceptions of liberal elitism within academia by arguing that only academics are capable of making informed judgements regarding higher education. Still, understanding Williams' statement as a form of *argumentum*

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<sup>29</sup> Bouche et al., *Nine Flawed Assumptions*, 3.

<sup>30</sup> For Diehl's arguments on this topic see chapter two, section one where Diehl contrasts education to purchasing clothing or music.

*ad populum* allows critics to classify the Solutions as a warrantless disruption of existing, functional systems of higher education.<sup>31</sup>

In a vein similar to Williams' appeal to populism, support for business models in education were maintained by the original advocates of the Solutions. In an interview with the *Dallas Morning News*, Sandefer promoted cost reducing initiatives such as online courses and adjunct instructors, arguing these changes were society's only hope to improve systems of higher education.<sup>32</sup> Comments in this interview mirror those found in Sandefer's original Solutions packet, arguing that cost reduction is one of many benefits found in deploying business models in higher education. Sandefer further supported his call for business oversight by condemning other existing proposals that would overhaul higher education in America. In response to President Obama's support for increased accountability in higher education, Sandefer condemned the effort, stating, "I doubt that 'attention from Washington' will do much to solve rapidly rising college tuition. One bureaucracy can seldom fix another."<sup>33</sup> Here, Sandefer builds upon claims in the Solutions packet, that local business leaders are best equipped to assess the skills that future (potential) employees need to gain from academia, by critiquing alternative groups that would be capable, at least in theory, of facilitating reform.<sup>34</sup> This maneuver situates the Solutions as the only feasible alternative to ongoing, problematic systems of higher education. By narrowing the controversy to only two options (the Solutions and the status quo),

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<sup>31</sup> For examples of *argumentum ad populum* functioning as a form of disruption, see Johnson's analysis of conservative populism in his "Imagining American Democracy," 152, 229.

<sup>32</sup> Bill McKenzie, "Jeff Sandefer on Creating New Models for Universities," *The Dallas Morning News*, February 2, 2012, accessed March 8, 2015, <http://educationfrontblog.dallasnews.com/2012/02/jeff-sandefer-on-creating-new.html/>.

<sup>33</sup> McKenzie, "Jeff Sandefer on Creating New Models."

<sup>34</sup> Texas Public Policy Foundation, *Higher Education Summit*.

Sandefer reinforces his position, defending the *primary topos* of the Solutions by arguing that only they can bring about meaningful reform.

Proponents of online, for-profit, and community colleges, indicated by Sandefer to be logical outcomes from Solutions-based reforms, tapped into the *primary topos* of education being a business, arguing these cost efficient models of education should be deployed within state systems of higher education. Kevin Carey endorsed these models for education by referencing Governor Perry's 2011 State of the State address where he called for \$10,000 undergraduate degrees.<sup>35</sup> As proof of viability, Carey provided evidence on the efficiency and excellence offered through non-traditional education.

...online higher education has grown exponentially, with 5.6 million students — nearly 30 percent of the total — taking at least one online course. A U.S. Department of Education study found that online learning environments are often as good or better than traditional instruction, and for-profit giants like the University of Phoenix have used the cost-saving powers of technology to generate huge profits for shareholders.<sup>36</sup>

The popularity of online education in general and for-profit online education specifically is another example of the Solutions' popular appeal. Calling for a shift from traditional brick-and-mortar institutions to cheaper, more accessible online programs taps into the sentiments of an audience who, by their very nature as yet-graduated potential students, cannot speak to qualitative differences between various institutions and degree programs. Carey's ethos as an

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<sup>35</sup> Rick Perry, "Gov. Perry: We Must Reform, Streamline State Government," February 8, 2011, transcript, Office of the Governor, accessed April 8, 2015, <http://governor.state.tx.us/news/speech/15673/>.

<sup>36</sup> Kevin Carey, "Rick Perry Is a Higher Education Visionary. Seriously," *New Republic*, August 25, 2011, accessed May 4, 2015, <https://newrepublic.com/article/94172/rick-perry-higher-ed-reform>.

academic insider willing to expose corruption in an otherwise closed system grants him persuasive authority over deliberations on higher education reform. This same type of ethos was conveyed by Anderson in his exposé, *Imposters in the Temple*, where he sought to highlight the corruption and desperate need for “restoring integrity in America’s academic world.”<sup>37</sup> Carey and Anderson, both academics, bolstered the Solutions’ claims by providing insiders perspectives. The parallels in their lines of argument bears mention because Anderson’s book was one of the most cited external source in the original Solutions packet.<sup>38</sup>

Much as the Solutions’ advocates defended the merits of business practices in higher education, so too did critics pick up arguments made in Diehl’s Response condemning business models in academia. Building upon the *primary topos* that the classroom is not a marketplace, stakeholders argued against policies that would promote business ideologies. Some critics of the Solutions went so far as to virtually forego analysis of the Solutions themselves, instead attacking the language used by Sandefer and the TPPF. In an article published in *The Houston Chronicle*, Pamela Willeford argued the Solutions “include[d] business school words like measurement, efficiency, accountability and financial incentives,” suggesting, “[s]tudents are customers, and schools are businesses.”<sup>39</sup> Willeford problematized the Solutions’ claims by redeploying Diehl’s multivocality, arguing that while academia is a business, it is too

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<sup>37</sup> Martin Anderson, *Imposters in the Temple: A Blueprint for Improving Higher Education in America* (Stanford, CA: Hoover Institution Press).

<sup>38</sup> Anderson’s book was central to the Solutions’ arguments on accountability and the immediate need for reform. Anderson, *Imposters in the Temple*.

<sup>39</sup> Pamela Willeford, “Regents Should Help Build up Texas’ Flagship University,” *Houston Chronicle*, November 9 2013, accessed September 1, 2015, <http://www.chron.com/opinion/outlook/article/Willeford-Regents-should-help-build-up-Texas-4970542.php>.

“complicated and unique” to readily adopt business models.<sup>40</sup> The FGCU report also supported this line of argument, further problematizing the student-as-customer model:

...associating a college degree as a product “purchased” by customers gives students a false expectation and perception of the experience of higher education. A degree and the entire learning experience it encompasses are not commodities to be bought; the very act of buying implies a passive role on the student’s behalf. Let us not forget the student’s responsibility in actively earning their degree; they must take an active role in learning and rouse their motivation, determination, and perseverance.<sup>41</sup>

Possibly more than any other line of argument, critics of the Solutions took issue with identifying students as customers. Condemnation of these analogies were so pervasive as to warrant a rhetorical shift among Solutions advocates, moving away from the “customer” label while still maintaining an advocacy of business models in higher education. This rhetorical shift was well founded. By changing the language used to substantiate business models, Solutions advocates were able to sidestep the plentiful arguments<sup>1</sup> that focused on the problematic nature of customer-based models of education. Conversations led by advocates of Solutions-based reform made reference to the original Solutions language, but primarily elected to avoid similar statements. Instead, these advocates focused attention toward other arguments made against the Solutions, working to refute claims that business models in higher education were wholly undesirable.

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<sup>40</sup> Willeford, “Regents Should Help.”

<sup>41</sup> Bouche et al., *Nine Flawed Assumptions*, 8.

In addition to condemning customer driven systems of higher education, opponents of the Solutions took aim at claims within the Solutions that appeared to condemn liberal arts education. The FGCU faculty response was the most powerful of these attacks, claiming the Solutions would necessitate a systematic dismantling of the liberal arts.

Historically, liberal arts education has been distinguished from vocational training. A vocational program teaches students how to do a particular job or type of work. It is narrow and focused on mastering a specific skill set or body of knowledge. A liberal arts education prepares students to recognize, analyze and solve unfamiliar problems, independently seek out information, judge its quality and use it to master complex and unfamiliar subject matter, ask new questions and integrate information and skills across multiple disciplines and fields. We believe that the liberal arts model has lost none of its value, and is indeed even more necessary as the pace of change accelerates.<sup>42</sup>

In this argument, the FGCU report reinforced Diehl's Response by suggesting that any substantive change in higher education policy would risk destroying pre-existing, functional systems. In addition, the FGCU report added historical context by situating liberal arts education as consistently useful and functional throughout histories of higher education and into contemporary society. Through this statement, FGCU filled a gap in Diehl's Response by going beyond contemporary utility and instead showing business based training to be historically independent of liberal arts education.<sup>43</sup>

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<sup>42</sup> Bouche et al., *Nine Flawed Assumptions*, 4.

<sup>43</sup> Diehl's Response does contain a level of historicity, though this aspect of his work was comparatively miniscule.

As this section has shown, most of the arguments<sup>1</sup> following the initial Texas controversy constituted a recapitulation of *topoi* made within the Solutions and Response. However, one group of Solutions advocates picked up the *primary topos* of education being a business, but deployed it in ways that went beyond the scope of the original Texas controversy. In their analysis, FSU broke down barriers between the Solutions and Response by merging previously oppositional ideas into a new proposal. In their analysis, the board of regents at FSU picked up the Solutions' *primary topos*, education is a business, juxtaposing it with the Response's *topos* of higher education requiring tailored models. This curious arrangement is encapsulated in FSU's presentation of an eighth Solution to compliment Texas' original seven.

...in focusing solely on the performance of individual teachers and on student evaluations, the Texas proposal fails to incentivize universities to compete at a national and international level to keep the best and brightest students in Florida and to ensure that universities are nimble and effective in meeting the needs of Florida's economy. We propose the development of "enterprise universities" where universities gain increased autonomy and flexibility to innovate in exchange for a much higher level of accountability in meeting the needs of Florida.<sup>44</sup>

FSU's goal of "a much higher level of accountability," coupled with its call for "increased autonomy and flexibility" demonstrates elements of argumentative possibilism previously discussed in this dissertation.<sup>45</sup> By considering the Solutions as well-intentioned, imperfect

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<sup>44</sup> Barron, "Breakthrough Solutions for Higher Education," 4.

<sup>45</sup> Barron, "Breakthrough Solutions for Higher Education." FSU's imagining of possibilities that function outside of previously-established forms of binary opposition found in the original Texas controversy embraces Berlin's approach to rhetoric as capable of transcending needless barriers between ideals. James A. Berlin, "Revisionary Histories of Rhetoric: Politics, Power, and Plurality," in *Writing Histories of Rhetoric*, ed. Victor J. Vitanza (Carbondale, IL: Southern Illinois University Press, 1994).

policy proposals FSU merged positions that had appeared fundamentally at odds. Rescher describes this maneuver as the act of imagining a “possible states of affairs” that considers the possibility of oppositional proposals operating in congruity.<sup>46</sup> The utility of FSU’s analysis will be explored in chapter five, but for now we can look to this tactical fusing of ideals as an example of the transformative potential embedded within public deliberation.

Research shows that public deliberation opens pathways for new ideas and beliefs by facilitating agreement and unearthing commonality among otherwise-oppositional groups.<sup>47</sup> The FSU text is the first substantive example of deliberation growing out of the Texas controversy that successfully transcends contrarianism, marking an evolution of argument<sub>1</sub> that sought resolution through moderation rather than conquering of opposing interlocutors.<sup>48</sup> By considering the potentially harmonious inclusion of *topoi* from both the Solutions and Response, FSU opens space for the types of argument-based deliberation that will be explored later in this dissertation. For now, we must leave this momentary shimmer of promise, returning to the deployments of *topoi* by others in the controversy over higher education.

Moving forward, this dissertation examines the ways that arguments against business models in higher education presuppose the functionality of existing systems in academia. This need to defend existing structures taps into the second set of comparable *topoi* focusing on the accountability of academics. The following section addresses this issue by conjoining the

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<sup>46</sup> Nicholas Rescher, *Imagining Irrreality: A Study of Unreal Possibilities* (Chicago, IL: Open Courts, 2003), 46.

<sup>47</sup> David Kahane, et al., “Stakeholder and Citizen Roles in Public Deliberation,” *Journal of Public Deliberation* 9, no. 2 (2013), accessed July 20, 2016, <http://www.publicdeliberation.net/cgi/viewcontent.cgi?article=1250&context=jpd>.

<sup>48</sup> Deborah Tannen speaks to this capacity for harmony-based deliberation by shifting from Aristotelian notions of formal logic to those of Chinese philosophers who “focus more on integrating ideas and exploring relations among them than on opposing ideas and fighting over them.” Deborah Tannen, *The Argument Culture: Moving from Debate to Dialogue* (New York: Random House, 1998), 258.



competing *topoi* of “faculty refuse to hold themselves accountable” and “academia does not need reformed,” each of these lines of argument asking if existing systems of higher education are sufficient.

#### 4.4 IS THERE AN ACCOUNTABILITY CRISIS IN ACADEMIA?

Questions about accountability in higher education were intensified rather than resolved following the initial argument<sup>2</sup> between the Solutions and Response. In an article published in *The Texas Tribune*, Michael Quinn Sullivan, an ally of Perry and president of Empower Texans, argue that Diehl’s Response was itself evidence of unaccountability in academia.

The report and attending website raises some interesting questions I suspect no one in the press will bother to ask: 'How much did the analysis cost? What staff time was involved? Was it done 'on the clock' or in off-hours? How many UT resources were used to pay for it? Who foot the bill for the staff time, the research, website design and hosting?'<sup>49</sup>

Sullivan’s argument is as powerful as it is irrefutable. Any attempt by Diehl to defend his authorship would have furthered Sullivan’s claim that staff hours had been wasted by an office that should be focusing on enacting, not attacking, the Solutions.

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<sup>49</sup> In the same article, Hamilton reports the University of Texas’ response to Sullivan’s accusations: “Gary Susswein, a spokesman for the College of Liberal Arts, said the total financial cost of the project was \$12, which paid for the domain name of the website. He said faculty and staff worked on the report in addition to their regular duties. ‘Looking at ideas like this and reviewing serious proposals about higher ed reform is an important part of our job,’ he said. ‘It’s what we do. It’s how we make UT better’ Reeve Hamilton, “UT Dean Rejects 'Seven Solutions' in New Report,” *The Texas Tribune*, July 6, 2011, accessed March 4, 2016, <https://www.texastribune.org/2011/07/06/ut-dean-rejects-seven-solutions-in-new-report/>.

Arguments for increased accountability in academia existed well before the Solutions, but became more heated by the Texas controversy. In an article endorsing the Solutions, Carey, policy director of the Washington D.C.-based think tank *Education Sector*, rhetorically situated academics as unwilling to compromise or acknowledge overwhelming evidence on the need for external oversight in higher education.

Taken together, the seven solutions are remarkably student-friendly...But when Texas universities began implementing the seven solutions, academe went apoplectic. Last year, the Texas A&M system published a report comparing the salaries of individual professors to their teaching loads and their success in garnering external research funding. Most professors were pulling their weight. But some were enjoying fat, publicly-funded salaries while doing little work in return. Data from the University of Texas system yielded similar results. At UT-Austin, one group of 1,748 mostly-tenured professors, representing 44 percent of the faculty, generated 54 percent of institutional costs, taught only 27 percent of students, and brought in no external research funding whatsoever.<sup>50</sup>

Carey's argument might sound familiar to readers because it is similar to those made in the 1970s by President Ronald Regan and others regarding abuse of the welfare system. By labeling unspecified recipients of federal assistance "welfare queens," Reagan declared his plan to identify and punish individuals that were abusing the trust and good intentions of the common

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<sup>50</sup> Michael Benedik, "Part 6: The Seven Breakthrough Solutions," The Association of Former Students of Texas A&M University, August 5, 2011, accessed August 2, 2016, <http://www.aggienetwork.com/conversations-on-higher-education-in-texas/the-seven-breakthrough-solutions.aspx>.

taxpayer.<sup>51</sup> Subsequent research has found that the systemic abuses Regan so vehemently condemned were not only overstated — they barely existed in the first place.<sup>52</sup>

The parallels between Reagan’s statements against welfare and those made against academics by proponents of the Solutions can be readily tracked. Both of these condemnations utilize a narrative of unspecified individuals abusing systems that are intended to benefit society as a whole. In addition, both instances condemn unnamed parties for abusing systems that are funded through taxpayer dollars. This public condemnation of abusing federal funds serves to embolden the *polis*, inciting disdain against a general population (welfare recipients, academics) regardless of actual abuse having occurred. The rhetoric of undeserving recipients of public funds is further explored by Winslow’s article, aptly entitled, “The Undeserving Professor.”<sup>53</sup> Winslow tracks the construction of public disdain through the labeling of populations as “undeserving,” showing how the Solutions have tapped into Reagan’s formula of demonization.

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<sup>51</sup> The risk of emulating the rhetoric of welfare reform cannot be understated. Demonization of welfare recipients, while largely baseless, has shifted public discourse from focus on poverty to instead focusing on flaws within entitlement programs. As a result, the original crisis of poverty has fallen out of public conversation, becoming replaced by condemnation of individuals in need of government aid. Harvard Law Review, “Dethroning the Welfare Queen: The Rhetoric of Reform,” *Harvard Law Review* 107, no. 8 (1994): 2013-2031. Emulation of these discourses risks producing deliberations that focus on condemning educators, not on improving education.

<sup>52</sup> The forms of abuse condemned by Reagan have been well documented as being hyperbolized, though the existence of welfare system abuses was also substantiated. Julilly Kohler-Hausmann explains: “While the original welfare queens were outliers even within the scope of typical welfare fraud cases, the moniker in time worked to suggest that ‘average’ AFDC recipients were lazy, sexually promiscuous (typically African American) women who shirk both domestic and wage labor.” Julilly Kohler-Hausmann, “Welfare Crises, Penal Solutions, and the Origins of the ‘Welfare Queen,’” *Journal of Urban History* 41, no. 5 (2015): 2. This vilification of welfare recipients was based on Reagan’s own hyperbolic narrative, relayed by Josh Levin: “In Chicago, they found a woman who holds the record,” the former California governor declared at a campaign rally in January 1976. ‘She used 80 names, 30 addresses, 15 telephone numbers to collect food stamps, Social Security, veterans’ benefits for four nonexistent deceased veteran husbands, as well as welfare. Her tax-free cash income alone has been running \$150,000 a year.’” Levin reminds the reader that this Chicago-based woman was not really, but rather the fictional manifestation of Reagan’s disdain toward entitlement programs. Josh Levin, “The Welfare Queen,” *Slate*, December 19, 2013, accessed on November 20, 2015, [http://www.slate.com/articles/news\\_and\\_politics/history/2013/12/linda\\_taylor\\_welfare\\_queen\\_ronald\\_reagan\\_made\\_her\\_a\\_notorious\\_american\\_villain.html](http://www.slate.com/articles/news_and_politics/history/2013/12/linda_taylor_welfare_queen_ronald_reagan_made_her_a_notorious_american_villain.html).

<sup>53</sup> Winslow, “The Undeserving Professor: Neoliberalism and the Reinvention of Higher Education,” *Rhetoric & Public Affairs* 18, no. 2 (Summer 2015): 201-46.

The Undeserving label teaches important lessons about who is lazy, who should be feared, and who is responsible for the decline of American dominance. The image of the Welfare Queen offers a vivid example of the way the symbolic representations of the Undeserving can influence public policy. There is little doubt the polity's attitudes related to welfare shifted in relation to the rise of the Welfare Queen in the 1970s and 1980s....Anyone who assumes the label "Undeserving" is subject to aggressive regulation, containment, and disciplining. The TPPF critique adds the Undeserving Professor to that category. For the Undeserving Professor, modes of regulation, containment, and discipline encouraged by the TPPF critique come through in a reinvented version of higher education in accordance with neoliberal labor relations based on transparency, accountability, and surveillance.<sup>54</sup>

By framing academics as lazy and undeserving of their prestige, the Solutions developed a narrative that carried into the public arguments supporting higher education reform. This line of argument was picked up by later proponents of the Solutions within Texas, who continued to press for answers regarding academics' hesitance to adopt new accountability standards. "It's unsurprising that public universities would oppose being held accountable for how they spend public money or that unproductive professors would fight to extend their free ride."<sup>55</sup> By situating opposition to the Solutions as demonstrative of ongoing abuse, interlocutors succeeded in delegitimizing claims of functionality within existing structures of higher education, showing that academics would say anything necessary to continue deceiving the public.

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<sup>54</sup>Winslow, "The Undeserving Professor," 214-5.

<sup>55</sup>Carey, "Rick Perry Is a Higher Education Visionary."

While rhetorics similar to those seen in the 1970s condemnation of welfare recipients were popular among proponents of the Solutions, not all advocates of reform followed the same lines of argument to substantiate their calls for accountability. FSU walked a fine line by arguing in favor of Solutions-based reforms, but simultaneously dispelling claims of systemic crisis in academia. Discussing the Solutions' call for increased accountability, the FSU report states "The objective of Texas Solution #3 is laudable."<sup>56</sup> However, the FSU analysis stopped short of praising the Solutions' means of enforcing accountability: oversight from business leaders and other external stakeholders. Instead, FSU endorses a means of accountability that is more akin to the arguments found in Diehl's Response.

...accountability measures should be designed to fit the strategic mission of the university. The mission of research universities and their role in economic development is very different than the mission and role of community colleges.<sup>57</sup>

Regarding accountability standards, the FSU text is decidedly neutral regarding the current state work ethic in academia. By forgoing focus on the Solutions' arguments regarding "perceived lack of institutional accountability," FSU sidesteps arguments<sup>1</sup> that the Solutions are anti-academic.<sup>58</sup> Instead, FSU wisely focuses on the capacity to improve systems regardless of their historic or ongoing successes or failures.

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<sup>56</sup> The third Texas Solution is not directly focused on accountability, but instead rewarding teachers for "exceptional" research and teaching. However, as the FSU analysis correctly argues, "The goal of Texas Solution #3 is to encourage excellence in research and teaching, but also encourage more transparency and accountability." Barron, "Breakthrough Solutions for Higher Education," 14.

<sup>57</sup> Barron, "Breakthrough Solutions for Higher Education," 2.

<sup>58</sup> Texas Public Policy Foundation, *Higher Education Summit*, 14.

FSU's approach to accountability standards reinforced claims from the Texas Solutions, adding nuance to the controversy in the form of an additional policy proposal. In the eighth Florida Solution, FSU made a call for oversight that did not entail increased regulation.

Most public education institutions have a growing burden of regulations and restrictions, combined with decreased funding, that limit their ability to compete in the marketplace. Several states are addressing this issue by exchanging increased flexibility in managing finances and operations for clear, measureable and unambiguous accountability in meeting the state's needs.<sup>59</sup>

FSU's arguments in favor of reform are at odds with its claim that there are no systemic issues regarding education at its institution. It appears that, rather than attempting to solve performance-based issues, the FSU regents were primarily focused on resolving a crisis of public support. By increasing the transparency of its campus without enacting policies intended to increase oversight, the FSU proposals shifted attention away from academics' performance and toward public (mis)perceptions of university operations.

The strategy undertaken by FSU supports reforms as a form of public relations regardless of their need or impact. This sentiment, that reform initiatives can provide a positive good even if no actual crises exist, was not supported by others in Florida. Critics of the Solutions, specifically FGCU, countered claims of wastefulness by arguing that the quality of educators has increased substantially in recent history. Citing an increased supply of PhDs in nearly every field, the FGCU response stated, "the quality of teaching faculty has never been higher than in

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<sup>59</sup> Barron, "Breakthrough Solutions for Higher Education," 24.

the last fifteen years.”<sup>60</sup> The response continued by arguing that current methods of oversight are sufficient, if not overbearing.

All state universities already undergo multiple layers of program and institution-level assessment as part of their accreditation procedures... This entails meeting accountability measures such as annual program assessments and seven-year program reviews, creating academic learning compacts for each undergraduate and graduate degree program, in addition to individual faculty professional development plans and annual reports. Assessment is time-consuming and expensive, and care should be taken to ensure it does not swallow up resources that would otherwise be spent educating students, and contribute to the further expansion of administrative layers. New accountability measures should not be duplicative, and deregulation and cost/benefit analyses should be considered here as well as in other areas of operation.<sup>61</sup>

FGCU’s begrudging endorsement of existing accountability functions as a critique of the Solutions, arguing that they are a further encroachment on an already over-burden system of higher education. As an example of the already-prolific forms of problematic oversight plaguing academia, the FGCU response draws attention toward student-based accountability standards such as class assessments. The report argues, “student evaluations may give relatively higher scores to charismatic teachers who teach ‘fun’ subjects or who grade leniently even when their courses are poorly designed or not very rigorous.”<sup>62</sup> This line of argument taps into extensive literature showing student assessment to be exceedingly biased, predominately helping young

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<sup>60</sup> Bouche et al., *Nine Flawed Assumptions*, 6.

<sup>61</sup> Bouche et al., *Nine Flawed Assumptions*, 8.

<sup>62</sup> Bouche et al., *Nine Flawed Assumptions*.

white men at the expense of other educators.<sup>63</sup> By showing students to be non-objective stakeholders in academia, FGCU exposes the subjectivity that is inevitably embedded within all forms of instructor assessment. Building on this position, the FGCU argued that while students are indeed intelligent, “They may not understand the reason for certain teaching methods and approaches.”<sup>64</sup> This claim offers a powerful defense of Diehl’s argument that academics are best-equipped to assess the successes (and failings) of higher education. By arguing that educators might have pedagogical reasons for their teaching that are not immediately identifiable to external audiences, the FGCU response argues in favor of letting the most informed members of society control their own sector. This is, at its core, the same argument made by the Solutions when it states that businesses are best equipped to know what they want their future employees to learn. Each of these positions argue that the most knowledgeable individuals should be in charge of their own sector. The primary difference between the Solutions and the response offered by FGCU is, once again, if academia is a business. If it is, then business leaders would subsequently have insights to offer. If not, then these leaders would be as unprepared to make sound judgments as any other non-academic in America.

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<sup>63</sup> Evidence of this problem only continues to grow. Most recently, research has shown gender biases effect student perceptions of identical instructor performance. Boring and colleagues found that masculine professors were overwhelmingly considered more prompt with their student feedback compared to feminine professors that offered the same feedback turnaround. Anne Boring, Kellie Ottoboni, and Philip B. Stark, “Student Evaluations of Teaching (Mostly) Do Not Measure Teaching Effectiveness,” *ScienceOpen Research* (2016): 1-11, accessed August 15, 2016, <https://www.scienceopen.com/m/document?vid=818d8ec0-5908-47d8-86b4-5dc38f04b23e>. This research builds upon previous studies showing gender discrimination in student evaluations. Ben Schmidt, professor at Northeastern University, charted fourteen million student comments on an open-access evaluation site, <http://www.ratemyprofessor.com>. Schmidt found that regardless of department, female professors were more often assigned negative adjectives (bossy, annoying, incompetent) while men were assigned positive adjectives (brilliant, cool, witty). This gender gap was most prevalent in fields that were historically dominated by men. For example, women in engineering were five times more likely to be considered “unqualified “compared to their male counterparts. Ben Schmidt, “Gendered Language in Teaching Reviews,” last modified February 1, 2011, accessed March 2, 2016, <http://benschmidt.org/profGender/#>.

<sup>64</sup> Bouche et al., *Nine Flawed Assumptions*.



Because arguments<sup>2</sup> regarding the Solutions and Response's *primary topoi* failed to find resolution, interlocutors were forced to substantiate their positions based upon the *supplemental topoi* offered in the Texas controversy. To demonstrate the desirability of academia operating as a business, stakeholders investigated the desirability of academia in its current form. The following section explores the *topoi* that were picked up regarding the utility of academic research and publication. The importance of these *topoi* go beyond their particular claims; if academic research and publication has value beyond monetary markets then Diehl's arguments hold true that business metrics cannot fully account for academia's contributions to society. However, if advocates of the Solutions were to demonstrate that research and publication are largely unnecessary or, at a minimum, overly prioritized in modern academia, then arguments for systemic overhauling of the academe grow stronger.

#### 4.5 IS ACADEMIC RESEARCH AND PUBLICATION USEFUL?

It should come as no surprise that the desirability of academic publication and research was not resolved through the Texas controversy. Following Diehl's response, Sandefer continued to articulate his skepticism, stating in a 2012 interview "A good teacher, tenured or not, stays intellectually curious. But that doesn't require writing expensive articles for obscure academic journals that few people read."<sup>65</sup> Based on this quote, it appears that Sandefer lightened his mood toward publication following the Solutions, but he still held strong to his position that not all

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<sup>65</sup> Jeff Sandefer, interview with Bill McKenzie, *The Dallas Morning News*, February 2 2012, accessed March 8, 2015, <http://educationfrontblog.dallasnews.com/2012/02/jeff-sandefer-on-creating-new.html/>.

academic publication is useful and that the required (perceived) tradeoff with undergraduate education makes the issue too important to ignore. The Texas Public Policy Foundation also maintained its skepticism toward research and publication, stating shortly after Diehl's Response that "while world-class research has its role at research universities, students should not be relegated to secondary status, which they are too often today."<sup>66</sup> These claims were further supported by external stakeholders that coupled abuses in academic research with the continuing crisis of unaccountability. Carey makes reference to a systematic conspiracy against the Texan taxpayer:

Everyone knows that [Association of American Universities] institutions get away with ignoring teaching in favor of promoting research by enrolling a lot of smart students who are still smart after four years of expensive, mediocre instruction. But they have to allege otherwise in order to keep public dollars rolling in. The AAU pretends that teaching and research are inextricably linked because that's how they short-change the former in favor of the latter.<sup>67</sup>

By insinuating that a vast conspiracy network has resulted in continued funding of defunct research projects, Carey taps into the trope of liberal elitism within academia.<sup>68</sup> Focusing on this conspiracy, Carey asks readers to self-identify as in-the-know stakeholders that fully support reform initiatives. Thomas Conley tracks the phrase "everybody knows," showing it epitomizes a

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<sup>66</sup> Katherine Mangan, "U. Of Texas Dean Blasts Higher-Education Reform Agenda," *The Chronicle of Higher Education*, July 6, 2011, accessed June 5, 2015, <http://chronicle.com/blogs/ticker/u-of-texas-dean-blasts-higher-education-reform-agenda/34445>.

<sup>67</sup> Carey, "Rick Perry Is a Higher Education Visionar."

<sup>68</sup> Carey, "Rick Perry Is a Higher Education Visionar." Carey makes frequent reference to "liberals" in academia and posits that the Texas controversy "reveals a glaring weakness in the progressive education agenda." The author makes reference to the Association of American Universities as a "cabal of elite research institutions." These same arguments were put forward by Anderson, a leading source of information in the Solutions packet. In his critique of higher education, Anderson argued "The very essence of a modern university is intellectual elitism." Anderson, *Imposters in the Temple*, 124.

Ciceronian form of *topoi* wherein “common” knowledge is shaped by the speaker’s proclamation that certain claims are self-evident.<sup>69</sup> Carey’s claim of deceit allows him to attack academic research without having to substantiate his position through warranted analysis. The same form of argument was previously made by Anderson, mentioned earlier in this chapter in relation to Carey, when he condemned academic publication.

...since we know that most academic research done today is not important or relevant to begin with...the claim that research contributes importantly to the quality of teaching is really outrageous...[Professors] dilute themselves when they claim their research is important, a significant contribution to knowledge — when most of it is irrelevant and unimportant.<sup>70</sup>

Anderson fails to clarify the “we” in his statement. As a result, audiences that cannot point to examples of academic publication affecting their lives can easily identify as Carey’s “everybody” or Anderson’s “we.” This tactic allows the authors to guide readers toward the conclusion that research and publication have failed to demonstrate usefulness.<sup>71</sup>

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<sup>69</sup> Thomas Conley, *Toward a Rhetoric of Insult* (Chicago, IL: The University of Chicago Press, 2010), 39. Conley shows this interpolation of audience knowledge to function as a form of establishing binary opposition: “The authors...seek to consolidate their audience’s ‘us against them’ stance by repeating what ‘everybody knows’: that the pope is a pervert, and priests steal and are little more than pernicious beats. Ye saying by nay saying. So all of these are modalities not of opposition and division but of what Kenneth Burke called ‘identification.’” Conley, *Toward a Rhetoric of Insult*, 98.

<sup>70</sup> Anderson, *Imposters in the Temple*, 118.

<sup>71</sup> Academics were similarly guilty of providing non-falsifiable claims regarding the utility of research and publication. While skeptics of research and publication could not prove that particular works would *never* be useful, so too academics could not prove that all work would eventually prove beneficial. Defenders of academic research and publication instead sought to present the two as inseparable, but these claims necessitated examples that, while compelling, were hardly universally applicable. For example, take Benedik’s claims regarding his own research. “...research and teaching. They’re really intertwined. They’re inexplicably intertwined. I do research, I have a research lab. I have grants, I have many papers, I don’t work in the lab...I also take my research and I bring it in the classroom. When I’m teaching one of my classes in biotechnology, which is my area, I always end up the year giving my ‘research talk’ because what it does is it ties the entire semester’s work into how to solve a problem. You can’t separate the two. If someone said how many hours a week do you spend on research and how many hours a week do you spend on teaching, I wouldn’t even be able to answer that question because there’s no boundary. Most of us don’t do them in isolation; faculty members don’t do research half of the time to the exclusion of teaching and teaching to the exclusion of research. They’re all completely intertwined at the graduate level and also at the

Both Carey and Anderson's arguments can be understood through a lens of Burkean consubstantiality.<sup>72</sup> By situating their audiences as individuals that are aware of the scandals within academia, the authors construct a public that shares a justified opinion regarding the need for reform. Utilizing language such as "we" and "everybody" allows Carey and Anderson to deploy a form of Burkeian identification, opening space for persuasion by identifying the author and reader as homogenous.<sup>73</sup> Presenting their claims as obvious and commonsensible, the authors tap into a common public desire for "shared substance" wherein humans fulfill their unconscious desire to be included and identified with others.<sup>74</sup> The calling forth of publics through Burkean consubstantiation relays popular desires for reform by establishing the solutions as a rallying point for change.<sup>75</sup> In this way, the Solutions became more than a series of reform initiatives — they established a means for publics to cast light on abuses within taxpayer-funded systems.

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undergraduate level." Benedik, "Part 6." Here, the author successfully conveys the importance of his own work, but stops short of universalizing the mutually beneficial nature of research and teaching throughout academia.

<sup>72</sup> Burke explains consubstantiation with the following example: "A is not identical with his colleague, B. But insofar as their interests are joined, A is identified with B. Or he may identify himself with B even when their interests are not joined, if he assumes that they are, or is persuaded to believe so." Kenneth Burke, *A Rhetoric of Motives* (Berkeley, CA: University of California Press, 1969), 20.

<sup>73</sup> Burke explains this form of identification as a prerequisite for consubstantiality where audiences must be constructed by a rhetor and then, barring audience objection, individuals can be merged consubstantially. Burke, *A Rhetoric of Motives*, 55.

<sup>74</sup> David Blakesley, *The Elements of Dramatism* (New York: Longman, 2001), 15. Blakesley continues in greater detail, stating: "We may identify with someone (or some cause) and thus come to share belief because we imagine or desire to be one with another, or to feel energized or uplifted by our association" Blakesley, *The Elements of Dramatism*, 15.

<sup>75</sup> McGee discusses this process where publics ("the people") are established through the rhetoric of a leader or organization. Michael Calvin McGee, "In Search of the People: A Rhetorical Alternative," *Quarterly Journal of Speech* 61, no. 3 (October 1975): 235-49. McGee's interpretation of "the people" as a conglomeration of individuals selected by themselves or others to be within a particular group supports Carey and Anderson's interpolations of "everybody" and "We" respectively. This process allows advocates of the Solutions to "organize dissociated ideological commitments into incipient political myths," creating an unsubstantiated narrative of collective, near-universal disdain toward academia. McGee, "In Search of the People," 243.

One way publics were encouraged to reject academic work was through the argumentative framing of publication and research work as superfluous labor. This framing aimed to discredit Diehl and other academics' defenses of higher education as evidence of academics overstepping their grounds and wasting time on vacuous research. As seen in the last section, defenses of academia such as Diehl's were responded to with criticism that academics should be busy teaching students, not defending "unnecessary" parts of their workload. In response to this line of criticism, academics could either abandon their research and publication projects or, alternatively, double down on proving the merits of their work by gathering overwhelming evidence that such work contributes to society. The latter option is potentially dangerous — a failed attempt could spell doom for research programs. However, if successful, such research would provide the type of evidence which is needed to defend academia against arguments set forth in the Solutions.

The majority of academics that built upon Diehl's *topos* of academic research having value argued that academic publication and research strengthen rather than detract from undergraduate education. For example, The FGCU response built upon Diehl's *topos* by presenting research and teaching as synergistic, arguing, "[r]esearch informs and energizes teaching; teaching similarly inspires research."<sup>76</sup> R. Bowen Loftin, president of Texas A&M University, responded similarly:

Those of us in universities settings, for my entire lifetime, have always heard about research and teaching being at odds. What I've tried to say very publicly

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<sup>76</sup> Bouche et al., *Nine Flawed Assumptions*, 6.

and very forcefully is that I've never felt that way personally. And I think most of our faculty agree with me that teaching and research go hand and hand.<sup>77</sup>

This line of argument, that academic publication and research engenders better teaching, supports the general trend of continued academic research, but does not refute the claim that *some* academic research and publication can detract from educating students.<sup>78</sup> The overall defenses of publication and research provide a blanket protection for academics, but leave open claims that publication should be supervised and assessed. Sandefer posited the possibility for useless research and publication to hinder undergraduate education during an interview with the *Dallas Morning News* where he accused academics has having a “blank check” with which to abuse the trustiness of administrators, students, and the common taxpayer.<sup>79</sup>

The one line of argument following the initial Texas controversy that succeeded in refuting claims of variable utility in research and publication was provided by the FGCU response. FGCU succeeds where others failed by deploying the type of dissociative definition that Diehl utilized regarding consumer models of academia. Regarding academic research, the FGCU response argues, “‘Research’ should also be defined accurately: it is not only what goes on in laboratories and is funded by government or industry grants, but anything that pushes forward the boundaries of human knowledge.”<sup>80</sup> By engaging alternative interpretations of

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<sup>77</sup> Bowen R. Loftin, “Part 6: ‘The Seven Breakthrough Solutions,’” The Association of Former Students of Texas A&M University, August 5, 2011, accessed August 2, 2016, <http://www.aggienetwork.com/conversations-on-higher-education-in-texas/the-seven-breakthrough-solutions.aspx>.

<sup>78</sup> Michael Benedik, speaker of the Texas A&M Faculty Senate, further substantiated the position that teaching and research are synergistic. Benedik, “Part 6.” However, Benedik’s argument fails, as does Loftin’s, to address the argument that not all research is useful. The root of this failure is based in the non-falsifiability of the Solutions’ claim. Since it is beyond human capacity to categorically demonstrate the utility of all research and publication, the Solutions’ argument of occasional abuse cannot be entirely refuted.

<sup>79</sup> McKenzie, “Jeff Sandefer on Creating New Models.”

<sup>80</sup> Bouche et al., *Nine Flawed Assumptions*, 7.

research, the FGCU response shifts deliberation to a more open-ended sphere of analysis, asking readers to consider the multifarious ways academia might contribute to society.

Arguments<sub>1</sub> on the desirability of research and publication require stakeholders to assess the impact and utility of academic labor, using a diverse rubric which evaluates the value of classroom and research activities. This form of civic deliberation is potentially problematic, requiring a public assessment of predominantly technical spheres of communication.<sup>81</sup> It is difficult for non-academic evaluators to assess the value of academic research that may continue over a series of years, or have impacts which are not immediately apparent. Supporting this claim, Michael Bérubé shows the study of popular culture, though it might initially appear superfluous, to offer rich insights into the goals, morals, and failings of society.<sup>82</sup> Despite the difficulty of assessing academic work, non-academic stakeholders continue to hold sway in deliberations regarding the value of academic research and publication. From these deliberations, non-academic stakeholders have offered alternative models for research and publication. The need to compare existing structures of higher education to other possible systems (such as those brought on through the Solutions) is discussed in the following section by juxtaposing the

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<sup>81</sup> Technical spheres of communication, typically seen within professional environments where knowledgeable individuals speak using jargon and shorthand, are rarely comprehensible to lay audiences operating within public spheres of communication. Goodnight, “The Personal, Technical, and Public Spheres of Argument: A Speculative Inquiry into the Art of Public Délibération,” *Argument and Advocacy* 48, no. 4 (Spring 2012): 198-212.

<sup>82</sup> Michael Bérubé, “The Elvis Costello Problem,” in *Rhetorical Occasions* (Chapel Hill, NC: The University of North Carolina Press, 2006): 221-9. Another, more popular example of academic work having unforeseen utility is laid out in a speech by Steve Jobs where he explained how a calligraphy class changed the course of human technology: “I decided to take a calligraphy class...I learned about serif and sans-serif typefaces, about varying the space between different letter combinations, about what makes great typography great. It was beautiful. Historical. Artistically subtle in a way that science can’t capture. And I found it fascinating. None of this had any hope of any practical application in my life. But 10 years later, when we were designing the first Macintosh computer, it all came back to me. And we designed it all into the Mac. It was the first computer with beautiful typography. If I had never dropped in on that single course in college, the Mac would never have multiple typefaces or proportionally spaced fonts. And since Windows just copied the Mac, it’s likely that no personal computer would have them.” Steve Jobs, “2005 Stanford Commencement Address” (lecture, Stanford University, Stanford, June 15, 2005), accessed August 23, 2016, <https://www.youtube.com/watch?v=UF8uR6Z6KLc>.

competing *topoi* of inevitable change and the need for tailored models to sustain systems of higher education.

#### 4.6 ARE THE SOLUTIONS SUPERIOR TO ONGOING MODES OF HIGHER EDUCATION?

At its core, the Texas controversy asks interlocutors to assess the Solutions in comparison to existing models for higher education. As part of this question, stakeholders were asked to consider if the Solutions provided a model of education that was not only applicable within Texas state systems of higher education, but also institutions of higher education in other parts of the country. Defenders of the Solutions continued to argue that the proposed reforms offered a viable alternative to increasingly problematic models of higher education. In contrast, critics of the Solutions held strong to Diehl's claim that each college and university is unique and require contrasting models of education.

As chapter two demonstrates, the Solutions argue that existing models of higher education are unsustainable. The Solutions cite the economic recession, mounting tuition costs, and ever-lowering quality of scholarship as reasons for reform.<sup>83</sup> In contrast, the Response highlighted the top-tier education offered at the University of Texas at Austin, also noting that each university was required to create its own forms of education in accordance to the unique needs and interests of its students. Larry Faulkner, president of the Houston Endowment and president of the University of Texas at the time Sandefer was teaching there, built upon this argument by indicting Sandefer's capacity to fully understand the need for colleges and

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<sup>83</sup> Texas Public Policy Foundation, *Higher Education Summit*.



universities to maintain unique modes of operation. Faulkner argues from personal experience, attacking Sandefer's ethos: "[Sandefer] has an extremely narrow experience, and a university has a vast range of constituencies."<sup>84</sup> Despite supporting its own version of the Solutions, FSU reinforces these claims of myopia by arguing for a greater level of detail beyond what was offered in the original Texas Solutions:

The Texas proposal is primarily focused on efficiency — the number of students taught per \$ of cost. Experiences in industry demonstrate that the use of simple “speed per cost” metrics has a number of unintended consequences — this type of metric, if they stand alone, sacrifice effectiveness for efficiency... The proposed efficiency, reward, and accounting systems in the Texas proposal stress class sizes, teaching loads, and the creation of faculty with either teaching or research missions. Although the objectives are worthy, the outcomes for research universities and the economy are problematic.<sup>85</sup>

The points raised by Faulkner and FSU's regents points toward a need for individualized policies that are enacted and regulated at the institutional level. However, whereas FSU's critique of the Solutions supports the development of similar reforms, Faulkner's input on Sandefer's background was one of many arguments that he was not to be trusted.

With increased national attention toward the Solutions and Response came equal attention toward the authors of each document. Much of the coverage of the Solutions and Response contained detailed background on the major players in the original controversy. The

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<sup>84</sup> Patricia Kilday Hart, “Patricia Kilday Hart: Perry Pal Pressing His 'Seven Solutions',” *Houston Chronicle*, April 11, 2011, accessed January 5, 2016, <http://www.chron.com/news/houston-texas/article/Patricia-Kilday-Hart-Perry-pal-pressing-his-1685907.php>.

<sup>85</sup> Barron, “Breakthrough Solutions for Higher Education,” 2-3.

most immediate example of this author-based analysis was focused on Jeff Sandefer, author of the Solutions and, as it would turn out, a highly controversial figure.

Attacks against Sandefer fall into two categories of *ad hominem* arguments: abusive and circumstantial.<sup>86</sup> The former of these categories, though numerous, were predominately defamatory.<sup>87</sup> Research has shown that abusive fallacious arguments are commonly used to distract from substantive political deliberations. This dissertation shelves those attacks to be studied at a later date.<sup>88</sup> For now, circumstantial *ad hominem*s will be used to analyze the Solutions, the Texas systems of higher education and personal and professional Sandefer's background. This form of *ad hominem* merits discussion because, when embedded within larger arguments<sub>1</sub> against the Solutions, they provide backing to claims that the reform agenda was created as a form of retribution, not an earnest attempt to resolve *krisis*. An example of this (potentially) substantive attack against Sandefer offers context for how the Solutions came into existence:

Sandefer has sown many of the seeds of discord that led to the current battles.

After a tumultuous tenure, he left a teaching position at UT-Austin and ultimately found a home for his higher education ideology by using his wealth to start his own MBA program, where he charges whatever the private market can bear,

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<sup>86</sup> For detailed analysis on the five varieties of *ad hominem* arguments see Douglas Walton, *Ad hominem arguments*. (Tuscaloosa, AL: University of Alabama Press, 1998).

<sup>87</sup> For example, a letter to the board of regents at the University of Texas-Austin claimed that firing Bill Powers, the president of the university and skeptic of the Solutions, would mean "Sandefer will love you and send you mailers promoting White Supremacy." G. L. Hemphill to University of Texas-Austin board of regents, "Wallace Hall and Texas Monthly," July 7, 2014, in *Combined\_Documents\_Redacted\_For\_Release\_No\_Attachments* (Austin: Texas Tribune, 2014), accessed August 2, 2016, [http://s3.amazonaws.com/static.texastribune.org/media/documents/Combined\\_Documents\\_Redacted\\_For\\_Release\\_No\\_Attachments.PDF](http://s3.amazonaws.com/static.texastribune.org/media/documents/Combined_Documents_Redacted_For_Release_No_Attachments.PDF).

<sup>88</sup> For analysis of this type of argument see David Zarefsky, "Felicity Conditions for the Circumstantial *Ad Hominem*: The Case of *Bush v. Gore*," in *Rhetorical Perspectives on Argumentation: Selected Essays by David Zarefsky* (Switzerland: Springer International Publishing, 2014):145-58; Walton, *Ad hominem arguments*.

nearly \$50,000 per year. There, he can and should teach any curriculum and ideology he desires. But the institutions that the taxpayers of Texas have funded, nurtured and built are public treasures and should not be his “petri dish” for that same ideology.<sup>89</sup>

This quote, offered by Patria Hart of the *Houston Chronicle*, contextualizes why Sandefer’s response was met with immediate disdain and skepticism from Texan academics.<sup>90</sup> Hart also accused Sandefer of prioritizing personal gain over intellectual rigor when he drafted the Solutions. In her commentary, Hart explains that Sandefer had created a business program at the University of Texas that was “Anchored by business leaders who could bring real-world experience to the classroom by teaching part time.”<sup>91</sup> This program later fell apart when “UT began hiring full-time professors who could earn tenure because of their research initiatives. That left Sandefer and his associates with fewer classes to teach — and very unhappy.”<sup>92</sup> The narrative of Sandefer’s personal loss undercuts his Solutions agenda by positioning the Solutions as a form of retribution against the University of Texas.<sup>93</sup> The personal nature of Sandefer’s disdain toward higher education shifts his proposals from the realm of objective analysis to that of personal competition with a system that had rejected his approach to higher education.

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<sup>89</sup> Willeford, “Regents Should Help.”

<sup>90</sup> For further examples of this disdain, see the email exchanges referenced in section 2.0 where, immediately upon the Solutions being announced, administrators at multiple Texas universities conveyed their dismay toward Sandefer’s ideas.

<sup>91</sup> Patricia Kilday Hart, “Perry Pal Pressing His ‘Seven Solutions’.” *Houston Chronicle*, April 11, 2011, accessed January 5, 2016, <http://www.chron.com/news/houston-texas/article/Patricia-Kilday-Hart-Perry-pal-pressing-his-1685907.php>.

<sup>92</sup> Hart, “Perry Pal.”

<sup>93</sup> Willeford offers a similar interpretation, arguing the Solutions was a result of a “vendetta” against Texas systems of higher education. Willeford, “Regents Should Help.”

While personal attacks against Sandefer were the most numerous instance of ethos-based critique following the Solutions, other stakeholders came to the defense of Sandefer, Perry, and would-be adopters of academic reform. Carey presents the Solutions as resolutions to ongoing crises that liberal audiences should be interested in addressing.

The problems that Perry is trying to solve — bad teaching, unaccountable public institutions, soaring college costs — disproportionately hurt the first generation, low-income, and minority students that liberals should be most interested in helping. His call to disrupt traditional business models with low-cost, technology-driven alternatives reflects the ethos of the netroots movement that has come to dominate progressive politics. Yet one Firedoglake writer opined that Perry was ‘casually sacrificing the human pursuit of knowledge to the gods of a craven capitalism.’<sup>94</sup>

Carey’s attack against ongoing systems of higher education is offered as an example of academia’s self-interest at the expense of meaningful, student-based reforms. By showing that existing models of education are most likely to hurt those same populations that liberalism purports to protect, Carey’s remarks illustrate a form of hypocrisy that undercuts the ethos of academics as compassionate and dedicated to their students’ wellbeing. More than an attack against academia, these remarks operate as an indictment of political liberalism as a whole.

Personal attacks against stakeholders in the Solutions controversy risk derailing focus toward substantive policy issues, but the attention dedicated to individuals in the Texas controversy is understandable. Facing a series of proposals that call for excellence, high standards, and accountability, the Solutions’ opponents were in a difficult situation. Skeptics of

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<sup>94</sup> Carey, “Rick Perry Is a Higher Education Visionary.”

the Solutions found themselves having to refute a series of well-structured reform initiatives that had successfully deployed god terms in academia including “student success” and “teaching excellence.”<sup>95</sup> Arguing against the Solutions’ goals was nearly impossible; most academics sought the same ends, so opponents of reform were left to condemn the specific means that the Solutions offered. This left opponents with two options: disprove the Solutions’ capacity to promote its goals or cast doubt on the authenticity of the Solutions’ objectives. As time proved, personal attacks, regardless of their substance, were not enough to halt reform initiatives that appeared positive and rational.<sup>96</sup>

The difficulty of protesting the Solutions was not lost on skeptics of Sandefer’s reform agenda. In a roundtable discussion where R. Bowen Loftin, president of Texas A&M University, addressed the Solutions, he speaks to this difficulty. Loftin’s statement is powerful and comprehensive, deserving to be cited at length here:

...as chairman Bock said, the most recent discussions in Austin have sort of elevated and made them seem that they’re brand new — they’ve been around awhile. And there are similar kinds of things you’ll find across the nation that all derive of what we said earlier in this conversation about public perception. That’s where I think the root of the whole issue is really lying — is in public perception in higher education being a private good and being inefficient and being non-transparent. Those are the kinds of things out there generically and different

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<sup>95</sup> Richard Weaver’s theory of “god terms” is defined as words and statements “about which all other expressions are ranked as subordinate.” Richard Weaver, *The Ethics of Rhetoric* (Davis, CA: Hermagoras Press, 1985), 212.

<sup>96</sup> Adding to this difficulty, the Solutions situated academics as a privileged group that had previously escaped accountability measures. By calling academics unaccountable, Sandefer pre-empted personal attacks by situating would-be critics as people that would do everything in their power to avoid being held accountable to students, parents, and the common taxpayer.

places have sort of codified those certain kinds of policy, proposals, or solutions, as these were called. If you dissect the Seven Breakthrough Solutions proposed by the Texas Public Policy Foundation, I've said to many people, some of them at the very highest levels, are things we'd all agree on. Why should we not reward good teaching? What's wrong with that? What I've said all along though is it's how you succeed that's important. We're not all the same — we've already discussed the fact Texas A&M University is a flagship institution with ten other sister institutions out there that are regionally focused. We're not all the same.<sup>97</sup>

Loftin concisely captures the difficulty in refuting the Solutions by showing that no one in the controversy was against rewarding teachers or increasing academic standards. The point that separated proponents and opponents of the Solutions was not objective-based, but instead a question of means. The need for arguments against the Solutions ultimately required condemnation of their structure — who would be overseeing the enactment of these proposals? A focus on procedure, protocol, and systems of oversight reaffirms the classification of *primary topoi* in the Texas controversy. Lines of argument focusing on how academia should be structured and regulated are foundational to subsequent claims regarding how god terms are to be enacted and realized.

Faced with the Solutions' ideals that were harmonious with his own, Loftin was incapable of attacking the general goals of the Solutions. Instead, he continued his discussion by arguing that reforms, if necessary, required minimal oversight from external stakeholders including government and institutes such as the TPPF.

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<sup>97</sup> Loftin, "Part 6."

So what I've really talked to the board about in particular is I think that Texas A&M needs to find solutions or, rather, pathways instead of these solutions, that make sense for it. And I think that's what we've been doing. We've been talking about how we can reward good teaching. And by the way, we do that here...the [alumni] association for years and years has provided resources to the university to reward good teaching. And that, to me, is something we want to expand, not simply keep constant, expand. We need to reward those people that really make a huge difference in the lives of our students.<sup>98</sup>

This excerpt from Loftin offers two implicit arguments against the Solutions. First, he dismissed the need for reform, stating that Texas A&M had already enacted policies that work to promote the types of excellence discussed in the Solutions packet. While Loftin was only speaking about one institution, his comments undercut the Solutions' call for all state systems of higher education in Texas to begin reforming. By showing that at least one university did not need the Solutions, Loftin dismantles claims that the Solutions are universally applicable. This opened space for other universities to make similar arguments or, at a minimum, bandwagon on Loftin's claim by pointing to Texas A&M as an example of non-Solutions-based plans to improve teaching. The second argument that can be pulled from the preceding quote relates to claims of accountability. Stating that Texas A&M considers teaching rewards to be something "we want to expand, not simply keep constant" refutes the Solutions' claim that academics are proactively avoiding accountability and oversight measures.<sup>99</sup> Beyond Texas, critics of the Solutions followed a similar argumentative trajectory, utilizing extensive evidence to substantiate the

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<sup>98</sup> Loftin, "Part 6."

<sup>99</sup> Loftin, "Part 6."

sustainability of existing educational policies. FGCU’s report on the Solutions followed Diehl’s original argumentative approach by citing multiple statistics and reports, each showing that higher education in the United States is not only stable, but “arguably the most competitive in the world.”<sup>100</sup> This line of argument was also touted by a report from the Texas Coalition for Excellence in Higher Education, showing that undergraduate education at the University of Texas at Austin and Texas A&M was not only sufficient, but excellent.<sup>101</sup> However, both of these reports also conceded that any system of higher education is imperfect.

Concessions on the potential desirability of reform, coupled with simultaneous dismissal of the Solutions, is a deployment of multivocality similar to the example analyzed in chapter three. By conceding the potential need for reforms generally, but simultaneously discrediting the Solutions specifically, these reports situate academics as logical and moderate actors. By welcoming changes, the reports call for a larger conversation and engagement of policy issues, forestalling any enactment of the Solutions or similar policy proposals. The FGCU report further substantiates this point by re-stating Diehl’s argument that the Solutions can actually make crises in higher education worse, dispelling the Solutions’ original appearance as a de facto positive change.<sup>102</sup> Similar arguments were picked up by Pamela Willeford of the *Houston Chronicle*

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<sup>100</sup> Bouche et al., *Nine Flawed Assumptions*, 2.

<sup>101</sup> Michael K. McLendon, *Committed to Excellence: An Assessment of the Conditions and Outcomes of Undergraduate Education at the University of Texas at Austin and at Texas A&M University* (Austin, TX: The Texas Coalition for Excellence in Higher Education, 2012), accessed March 29, 2015, [http://s3.amazonaws.com/static.texastribune.org/media/documents/Committed\\_to\\_Excellence\\_Report\\_December\\_2012\\_FINAL.pdf.pdf](http://s3.amazonaws.com/static.texastribune.org/media/documents/Committed_to_Excellence_Report_December_2012_FINAL.pdf.pdf). The Texas Coalition for Excellence in Higher Education was founded following publication of the original Solutions packet and was designed to counter the TPPF and their reform agenda. Reeve Hamilton, “Coalition Publishes Study Touting Flagship Universities,” *The Texas Tribune*, December 6, 2012, accessed March 8, 2015, <https://www.texastribune.org/2012/12/06/coalition-publishes-study-touting-flagship-univers/>.

<sup>102</sup> The FGCU report substantiates this position by further demonstrating the successes of ongoing policies: “The U.S. is currently a major leader in educational research, a major exporter of higher education expertise, and the leading destination for foreign nationals seeking a top quality education.” Bouche et al., *Nine Flawed Assumptions*, 3. In a later section of the FGCU report, the authors raise concerns that the Solutions will produce problematic policies that, while intended to improve teaching, would allow educators to “game the system.” Bouche et al., *Nine Flawed Assumptions*, 7. The FGCU report does not specify how this “gaming” would occur.



who argued. “It has taken decades to build the University of Texas at Austin as a world-class institution, and it should not be torn down by a few individuals.”<sup>103</sup>

By raising doubt regarding the capacity for the Texas Solutions to improve academia, opponents of reform effectively halted immediate enactment of the proposals. A similar stalling tactic was offered by FSU in their effort to defend Solutions-based initiatives. In their analysis, the FSU regents argue that, even if the Solutions are superior to ongoing models of higher education, there is no crisis that requires their immediate enactment. By offering examples of ongoing success at their institution, FSU shifts the Solutions from the realm of urgent necessity to that of nonessential improvement. This distinction is not to be taken lightly. Describing “matters of common urgency,” Goodnight explains:

Rhetorical argument moves to action by virtue of its characteristic concerns with disturbances in the ongoing work and lifeworld of a community. The “common urgency” of an audience is defined through arguments that identify (1) the material constraints and resources necessitating and limiting actions, and (2) the possibilities and alternatives for common decisions.<sup>104</sup>

FSU’s simultaneous endorsement of the Solutions and defense of its of existing policies eliminates Goodnight’s first signifier wherein necessity for action is established. While the Solutions may still be good, they are no longer critical. Subsequently, conversation over the Solutions moves from the realm of necessary action to that of comparative analysis. Because the latter of these options is not constituted by systemic risk, stakeholders are granted additional time to deliberate.

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<sup>103</sup> Willeford, “Regents Should Help.”

<sup>104</sup> Thomas Goodnight, “A ‘New Rhetoric’ for a ‘New Dialectic:’ Prolegomena to a Responsible Public Argument,” *Argumentation* 7 (1993): 334.

Ultimately, stakeholders in the Solutions controversy resigned themselves to not knowing if and how the Solutions would impact academia. The imprecise nature of the original Solutions left stakeholders with little choice but to interpolate Sandefer's plans, plugging in their best or worst expectations with little backing for either position. Through this collective resignation, the controversy that started in Texas, took hold in Florida, and sent ripples through the rest of America took on the form of its predecessors — an embittered argumentative exchange that failed to facilitate long-term, meaningful change. This is not a new problem but, as discussed in chapter one, is the very nature of controversies — they have a tendency to re-emerge over time due to the unanswered nature of the questions raised. However, it is worth considering if and how such a cycle can be short-circuited, if not stopped entirely.

#### 4.7 CONCLUSION

The controversy that grew from the original Texas arguments<sub>1</sub> is far from over. While explicit mention of the Solutions and Response have diminished over time, the *topoi* seen in this dissertation remain well-rooted in public deliberations over higher education in America. Tracking these deliberations provides insight into the trajectories of education policy, but comprehensive analysis of arguments<sub>1</sub> in the public sphere remains an impossible task due to the overwhelming number of interlocutors and texts available. As with the analysis in this chapter, any consideration of arguments<sub>1</sub> over higher education requires focus on the lines of argument that are most pervasive and representative of the positions held by stakeholders.

To build on the potential utility of *hierarchical topos* theory, this chapter has explored the hypothesis posed in the conclusion of chapter three: that juxtaposing competing *topoi* allows critics to uncover philosophical and teleological assumptions embedded within *primary topos*. By directing focus toward those claims that are central to an argument<sub>1</sub>, *hierarchical topos* theory allows critics to provide greater focus toward the few points that are foundational to all other lines of argument. This resulting focus can be used to consider the assumptions within *primary topos* and, as a result, interpolate those assumptions into the rest of the argument<sub>1</sub>.

The benefit of streamlining analysis by narrowing focus toward a series of representative questions is shown by this chapter's ability represent the Texas controversy in a short, yet detailed manner. Furthermore, uncovering the *topoi* within the Solutions and Response has facilitated categorizing of central claims in each camp: proponents and opponents of reform. This classification has consequently revealed how some later stakeholders have shattered previously-established divisions by adopting *topoi* from both the Solutions and the Response.

As seen in this chapter, FSU's regents broke through the binary modes of argument<sub>2</sub> previously seen in the Solutions controversy by combining competing *topoi*, bringing forth a new understanding of potential collaboration between parties. In its analysis, FSU does not condemn the Solutions, but instead argues that they are the first, yet insufficient step in the right direction. By presenting policies similar to the Solutions, but doing so within the context of adding them to existing, functional systems of higher education the FSU initiatives move the controversy in a positive direction.

Discovery of unexpected and revolutionary arguments<sub>1</sub> is not limited to the FSU text. Regarding business-based models in higher education, some opponents of reform offered a moment of *peripeteia* by making arguments through business contexts. As part of this strategy,

arguments were made that adopting cost-cutting measures would dramatically decrease educational quality for students (customers).

One of the other things is, why not make classes larger? It would be more cost effective. Let's just make all the classes 50 percent larger; we'd save all that money. That's true. We could significantly cut the cost of an undergraduate degree, but the value of it would go down, too, because what you do in a classroom of 500 students is not the same as what you do in a classroom of 10 students, and there's a need for both of them. If you're just imparting information, that's not a problem doing with 500 students. Maybe not quite as good, but you can do it. If you're trying to get people to think, to write, to deal with data, to analyze, and if you're trying to take those students who've gotten the information and moving them to a place where they can do something with it, that's extraordinarily difficult to do in a large group. That's why there's large classes; that's why there's small classes. So, suggesting there's a solution to just teach more, teach bigger classes, completely ignores the fact that that diminishes quality.<sup>105</sup>

The utility of better understanding *topoi* within a controversy is supported by the preceding quote. By knowing that opponents of reform typically vilified business-based models and analogies in higher education policy, this excerpt can be interpreted as a rupturing of previously-established lines of division between interlocutors' arguments<sub>1</sub>. These moments of argumentative advancement illuminate opportunities that can either open space for compromise or undercut

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<sup>105</sup> Benedik, "Part 6."

opposition by turning their own *topoi* against them. The possibilities from this strategy will be discussed in the next chapter.

Moving forward, this dissertation explores how stakeholders within a controversy can benefit from utilizing *hierarchical topos* theory by focusing deliberation toward the *primary topoi* within an argument<sup>2</sup>. Additionally, the following chapter examines how the specific controversy regarding higher education might be better understood through a deeper examination of the *primary topoi* within the Solutions and Response. These analyses will provide a stepping stone between this dissertation, future moments of controversy, and later research on argument theory.

## 5.0 LEARNING FROM CONTROVERSY

The Seven Breakthrough Solutions and the Summit materials should be a good catalyst for constructive conversations about improving higher education (both its quality and productivity) and about the appropriate role of boards in that improvement. To be constructive, however, these conversations cannot be either rampantly critical or defiantly defensive. — Pappas Consulting Group Inc.<sup>1</sup>

As this dissertation has shown, the Solutions and Diehl's Response did not resolve the controversy over higher education in society. Instead, the Texas controversy reaffirmed that arguments<sup>2</sup> on higher education's purpose and focus are persistent, reemerging at times of social uncertainty and change. The epigraph to this chapter, provided by Pappas Consulting Group Inc. in their assessment of the Solutions, captures the essence of controversy by situating the Solutions as a potential catalyst for constructive conversation. Yet, the Texas controversy only partially delivered on these possibilities. While some interlocutors focused on the goals and purpose behind the Solutions and Response, many others prioritized personal attacks, political game playing, and ideological embitterment, further dividing interlocutors and foreclosing upon mutually-beneficial resolution. As indicated in chapter one, chapter five builds upon previous chapters' close reading of texts within the Texas controversy by offering insight into the underlying political, moral, and value-based positionality of stakeholders.<sup>2</sup>

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<sup>1</sup> *2008 Report to the University of Houston System* (Palm Beach, FL: Pappas Consulting Group, 2008).

<sup>2</sup> This contextualizing of arguments<sup>1</sup> works to resolve criticisms of close reading that argue the practice "may succumb to a 'local formalism' that seals the text from judgement about its long-range moral and political consequences." Michael Leff and Andrew Sachs, "Words the Most Like Things: Iconicity and the Rhetorical Text," *Western Journal of Speech Communication* 54 (Summer 1990): 256.

The original intent of my analysis was to demonstrate the argumentative invention facilitated by analyzing *topoi*. The FSU and FGCU texts, analyzed in chapter four, provide substantial evidence of rhetorical invention in the controversy over higher education in America. However, in addition to this invention, my analysis of FSU and FGCU has also uncovered the importance of perennially revisiting controversial topics. While some analysts might see this return as rehashing old disagreements, my analysis indicates that the reemergence of controversy allows interlocutors to pick up strong lines of argument, refining their strategies, and developing ever-stronger understandings and approaches to controversy. While the Solutions and Response did not resolve the Texas controversy, they did prompt other stakeholders such as FSU and FGCU to develop stronger arguments and to learn from the controversy. As this chapter argues, while Diehl's defenses of liberal arts education were argumentatively flawed, his Response did prompt discovery and promotion of inventive arguments<sup>1</sup> that are may energize future moments of controversy. To fully understand the learning potential of the Texas controversy, this chapter begins by learning from mistakes, identifying two areas that Diehl failed to recognize as critical aspects of the Solutions, resulting in his Response inadvertently supporting rather than refuting the Solutions' underlying claims.

The Solutions controversy interlocutors' flawed attempts to resolve arguments<sup>2</sup> over the goals and structures of academia can be attributed to the lack of compelling arguments<sup>1</sup> within the Solutions and Response. For their part, the Solutions situated academics as scapegoats for expensive and inadequate education, making an enemy of highly intelligent and invested stakeholders. Diehl's Response worked to showcase the successes of academia, but did so in a manner that maintained existing structures — a proposition that was already determined to be inadequate by proponents of the Solutions. However, while the preceding chapters have shown

that the Solutions controversy did not offer long-standing resolution for controversies over higher education, the merits of my analysis are not lost to this discovery. Instead, this chapter uncovers how foundational assumptions with the Solutions might indicate that the Texas controversy is more than a reemergence of recent intellectual contestations, but actually a recapitulation of other, far older controversies.

The preceding chapters of this dissertation have built toward a deeper understanding of the Solutions controversy. Chapter one started by explaining the Solutions controversy and exploring the potential utility of *topos* theory as a method of understanding arguments<sup>1,2</sup>. However, the drought of useful contemporary analysis on *topos* theory led to the early conclusion that existing theoretical frameworks provided an insufficient means of analyzing long-standing, expansive arguments<sup>2</sup> in contemporary society. Based upon the current limitations of Aristotelian *topos* theory, I developed a new means of categorizing lines of argument: *hierarchical topos* theory. To summarize, *hierarchical topos* theory contains the following steps:

1. Identify the *topoi* within arguments<sub>1</sub> that exist within a controversy.<sup>3</sup>
2. Identify if and how *topoi* interact within an argument<sub>1</sub>, considering the interplay of ideas and constructing a hierarchy of *topoi* by determining which line(s) of argument are dependent upon other *topoi* to remain sound.<sup>4</sup>
3. Upon identifying the *primary* and *supplemental topoi* within competing arguments<sub>1</sub>, consider if and how competing *topoi* can be grouped together. Examine these conjoined *topoi* by constructing a question that epitomizes

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<sup>3</sup> This step is essentially the entirety of Aristotelian *topos* theory. In this process, each argument<sub>1</sub>'s *topoi* are identified without considering how they might interact or impact those claims made by competing interlocutors.

<sup>4</sup> This step requires the labeling of *topoi* as *primary* and *supplemental*. It is theoretically possible to have multiple *primary topoi* within an argument<sub>1</sub>, though this dissertation leaves that possibility for later study.



those lines of argument up for consideration within the group of competing *topoi*.

The process of establishing a hierarchical relationship between complementary lines of argument is central to the theoretical contributions of my analysis. By determining what arguments<sub>1</sub> are most critical to a position, critics and interlocutors alike become better able to understand the indispensable aspects of a position. Once these *primary topoi* are identified, the juxtaposition of competing *primary topoi* allows focused attention toward the underlying *stasis* of a controversy rather than becoming fixated upon contentious tangents within a public controversy. The utility of *hierarchical topos* theory will be demonstrated as this chapter moves forward by showing how chapter four's juxtaposition of competing *primary topoi* illuminates epistemological claims within the Solutions and Response. For now, we can continue the brief outlining of preceding chapters, contextualizing moves that will be made in chapters five and six.

In chapter two we found that the role of the Solutions as a rallying point for political conservatism in higher education was primarily facilitated by appeals to free market and business standards within academia. The Solutions were as much a series of reform items as they were a defamatory campaign against liberalism and relativism both within and beyond the classroom. By uncovering *topoi* that were woven throughout the Solutions packet, this chapter illustrated the importance of looking beyond the textual structure of an argument<sub>1</sub>, instead considering how undercurrents of *topoi* are representative of the actual arguments being postulated.

*Topoi* uncovered in chapter two grant insight into the underlying arguments and objectives in the Solutions. By realizing that the *supplemental topoi* (faculty are not accountable, academic publishing is wasteful, and change is inevitable) are contingent upon the *primary topoi*

(education is a business), stakeholders are more capable of understanding and refuting the Solutions. Furthermore, uncovering these *topoi*, both supplemental and primary, promotes strategic refutation of central claims rather than focusing on individual aspects of the Solutions or repeating claims that all fall under a central line of argument.

Chapter three uncovered the *topoi* within Diehl's response to the Solutions. This chapter showed that while the Response was not the first effort to refute the Solutions, it was the most powerful condemnation of the proposed reforms. Diehl's detailed response to each Solution, as well as its underlying *topoi*, made it a uniquely powerful retort that encapsulated a defense of the University of Texas at Austin specifically and higher education in general.

Similar to the outcome of chapter two, identifying the *topoi* within Diehl's Response grants insight into the lines of argument that were deployed in the Texas controversy. Uncovering the Response's *primary topos* (the classroom is not a marketplace) reveals that Diehl offered a direct refutation of the Solutions. While his response conceded that education might be a business, he indicated that education is different and unique from other economic sectors. Diehl's position was supported by the Response's *supplemental topoi* (academia doesn't need reform, higher education requires tailored solutions, and academic research has merit).

In chapter four I showed that the classification of arguments<sub>1</sub> through *hierarchical topos* theory allows for the juxtaposition of competing *topoi* and that this process provides a fruitful means of comparing competing claims. By showing how later interlocutors picked up and deployed various *topoi* from the original Texas argument<sub>2</sub>, I explored the importance of understanding and identifying *topoi*. Specifically, chapter four proved that *topoi* were in fact redeployed during later moments of similar intellectual contestation. The windfall of this fact is

that stronger understandings of *topoi* can better prepare stakeholders for later, virtually guaranteed moments of controversy.

The preceding chapters of this dissertation have analyzed how the Texas controversy began, developed, and subsided. The following chapters consider how knowledge garnered from my analysis can (1) be incorporated into future controversies and (2) better inform understandings of *topoi*. In this chapter, I explore how understandings of *topoi* have spurred the realization that the Solutions and Response are explicitly concerned with policy, but are in fact focused toward value-based concerns that are themselves a question of epistemology. I begin this process by unpacking the Texas controversy. Utilizing the discoveries garnered in chapters two, three, and four, I construct a stronger understanding of the Texas controversy as a reiteration of historic arguments<sup>2</sup>. I then proceed by presenting arguments regarding the root of the Texas controversy, showing how undercurrents of thought have influenced the Solutions controversy and will likely impact future moments in similar controversies.

## 5.1 A SECOND LOOK AT THE TEXAS CONTROVERSY

The Texas controversy over higher education opened old wounds, asking academics and the larger American public to revisit questions about how higher education affects both individuals and society. At its core, the Solutions asked readers to consider the ultimate goals of academia, if those goals are being met, and if taxpayers should be supporting academic institutions without also gaining oversight authority over higher education. Arguments on these questions have been laid out in preceding chapters, showing that interlocutors in the Solutions controversy maintained

disparate views regarding the roles and obligations of academia. However, this dissertation has yet to fully engage the teleological and philosophical roots behind these questions. Based upon the insights gained in previous chapters, it becomes possible to now engage the question of how the philosophical assumptions held by interlocutors in the Solutions controversy informed deliberations over higher education in America.

To begin the process of reviewing philosophical claims within the controversy, it is worth referencing analysis from chapter two that showed how the Solutions packet made brief remarks indicating philosophical objections with the current state of academia.

In many ways, our universities, by misapplying the tenets of scientific inquiry to the human condition, have abandoned the very idea of a central set of truths that can be passed from one generation to another...Universities once dedicated to the pursuit of truth soon slipped into a relativist abyss... The result is unsettling. According to Bok, “the education offered undergraduates has become incoherent and incapable of addressing the larger questions of 'what we are and what we ought to be.’” “There is no vision, nor is there a set of competing visions, of what an educated human being is.” The story of liberal education has lost its organizing center — has lost, that is, the idea of culture as both origin and goal, of the human sciences. Without a compelling, unifying purpose, universities are charged with allowing their curricula to degenerate into a vast smorgasbord of elective courses.”<sup>5</sup>

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<sup>5</sup> Texas Public Policy Foundation, *Higher Education Summit* (Austin, TX: Texas Public Policy Foundation, 2008), 123-4, accessed February 9 2015, <http://www.texaspolicy.com/sites/default/files/documents/2008-05-21-HigherEdSummit2.pdf>.

The Solutions' calls for increased oversight and accountability — their claim that business leaders and business practices should be incorporated into academia — are centered upon the position that academia's role is to pass on “central truths....from one generation to another.”<sup>6</sup> Lessons learned from previous chapters support the argument that the Solutions sought to eliminate relativism by granting oversight authority to non-academic stakeholders. Furthermore, identifying the Solutions' *primary topos*, education is a business, has allowed for a stronger focus toward the ways that the Solutions and Response situated the teleology of academia. Specifically, business-oriented questions in academia demonstrate the divergent foundational understanding of knowledge and education within the Solutions and Response. Whereas the Response argues that intellectuals — those individuals that have dedicated their lives to higher learning — are best prepared to develop curricula, the Solutions argue that knowledge on how best to teach students is held by those individuals that operate outside of academia, living in “the real world,” as it is sometimes called.

Questions of knowledge and relativism are at the heart of controversies over higher education. The process of teaching critical knowledge and skills necessitates judgments on philosophical questions of truth and understanding. While daunting, this act of judgement is hardly new. In the following section, I put forward the argument that the Solutions and Response can be understood as offspring of previous texts on knowledge production and educational *praxis*. This position has been informed by deeper understandings of the Solutions controversy and its *topoi*, facilitating a focal shift from particular policies to that of philosophical differences. As the following section shows, reading the Solutions as a philosophical text flips policy-based analysis on its head by showing that the Solutions' reform agenda is not a question of policy, but

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<sup>6</sup> Texas Public Policy Foundation, *Higher Education Summit*, 123.

one of *episteme*. By showing that the Solutions controversy can be seen as a contemporary iteration of the epistemological controversy originally spurred by Platonic *philosophia*, I work to deepen understandings of modern higher education controversies.

### 5.1.1 A Question of Episteme, Not of Policy

The Solutions frequently mention the need to reform higher education by increasing focus on canonical truths. As demonstrated in chapter four, a model of higher education that prioritizes canonical truth is not entirely new and can be loosely linked to Plato's writings. The belief that an *a priori* concern of academia should be to uncover truths that are both knowable and transferable is reminiscent of Plato's concept of *episteme*, justified true belief.<sup>7</sup> To be clear, the Solutions historicize its reforms in a decidedly contemporary framework. The Solutions packet contains very few historical references that reach beyond the twenty century. While the Solutions packet does not explicitly situate its approach to higher education within a historical lineage, it is possible to trace many of its ideals to proposals from previous thinkers.<sup>8</sup> These connections are made possible by comparing claims within the Solutions to those found in historical texts.

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<sup>7</sup> Plato's school of thought is founded on the belief that absolute truth is both knowable and transferable. For Platonists, *episteme* is commonly referenced as "justified true belief," a phrase derived from Plato's *Theaetetus*. Plato, *Theaetetus*, trans. Harold North Fowler, Loeb Classical Library 123 (Cambridge, MA: Harvard University Press, 1921). Thinkers supporting Platonic *episteme* believe that an openness to subjectivity requires the inviting of lies and falsehood into conversation and that, if interlocutors are honest and focused, they will ultimately agree upon and discover truth. This ideology has been traced to Neo-Platonists who have adopted this approach to episteme as a religious tenet. Readers might note the idea of a singular truth being central to many monotheist religions — a development that occurred earlier in history through the application of Plato's works to theological texts. This approach to *episteme* differs from other Athenian thinkers, most notable Isocrates who interpreted episteme as the application of useful knowledge to a particular context without *a priori* concern directed toward the nature or existence of absolute truth. For a history and analysis of these terms see Werner Jaeger, *Paideia: The Ideals of Greek Culture*, Vol. 1 (Oxford: Oxford University Press, 1986). and H.I. Marrou, *A History of Education in Antiquity*, trans. George Lamb (Madison, WI: University of Wisconsin Press, 1982).

<sup>8</sup> This section does not argue that the Solutions are necessarily a Platonic text. Instead, the following pages draw parallels between various parts of the Solutions text and claims made by Plato and his followers. These

While not prominently conveyed throughout the packet, focus on truth and values is immediately identifiable in the Solutions. Beyond explicit statements calling for Western values, shown in the previous section, the Solutions’ agenda is based upon the belief that higher education can teach the truth. However, the Solutions argue that academics have abandoned reality in favor of a “bizarre smorgasbord of courses taught by faculty who often reject American values and the tenets of Western Civilization,” depriving their students of authentic knowledge and values.<sup>9</sup>

The Solutions packet makes no attempt to define truth or provide examples of epistemologically-sound curricula, though it does lament current academic systems where “values are regarded with suspicion as mere matters of opinion...it is no accident that among the traditional purposes of undergraduate education, the two that were most neglected during the past century — moral reasoning and civic education — are the two most heavily freighted with issues of value.”<sup>10</sup> Based on this and similar statements, we can infer that the Solutions’ packet would applaud an academic system that emulates systems of education emanating from pre-1940s America.<sup>11</sup> A return to these models would afford a heightened focus toward truth and values, resolving the current system wherein “American universities...have lost their moral compass.”<sup>12</sup>

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observations offer the first step toward a clearer understanding of how the Texas controversy might be understood as a reticulation of intellectual contestations dating back to ancient Athens.

<sup>9</sup> Texas Public Policy Foundation, *Higher Education Summit*, 122.

<sup>10</sup> Texas Public Policy Foundation, *Higher Education Summit*, 124. The Solutions packet references Derek Bok as the source for these claims. Derek Bok, *Our Underachieving Colleges* (New Jersey: Princeton University Press, 2006).

<sup>11</sup> This date is based upon the Solutions’ section on the history of academia, entitled *Abandoning the Truth*, where it is argued that “In the late 1940s, a profound change swept America” and that “Soon...Training students to read, write and think because far less important.” Texas Public Policy Foundation, *Higher Education Summit*, 123.

<sup>12</sup> Texas Public Policy Foundation, *Higher Education Summit*, 124.

At their core, these statements support the notion of foundational truths in the world that can be passed on by well-informed and virtuous academics.

Though likely unrealized by its author and supporters, The Solutions' argument against contemporary relativism is reminiscent of Plato's own struggle against *doxa*. Raymie McKerrow provides the tools necessary to map the Solutions onto Plato's struggle by showing how contemporary rhetorical theory has moved away from Platonic models of knowledge. McKerrow explains the role of rhetoric from "being grounded on Platonic, universalist conceptions of reason to one that recaptures the sense of rhetoric as contingent, of knowledge as doxastic, and of critique as a performance."<sup>13</sup> McKerrow's call for a critical rhetoric that supports knowledge as doxastic is demonstrative of the practices condemned by the Solutions. Furthermore, this approach to knowledge is akin to the push back that Plato himself faced when promoting his *episteme*.

The juxtaposition of the Solutions to Plato's *episteme* is no small move. If this comparison is proven to be fair and accurate then the Solutions can be understood as one more iteration of the battle between philosophy and rhetoric — competing forms of *philosophia* whose intellectual contest played out in ancient Greece long before modern colleges and universities were ever conceived. To better establish my position that the Solutions can be viewed through a lens of Platonic *episteme*, we can turn to claims made following the original Texas controversy. In an interview with the *Dallas Morning News*, Sandefer described his original position when drafting the Solutions:

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<sup>13</sup> Raymie E. McKerrow, "Critical Rhetoric: Theory and Praxis," *Communication Monographs* 56, no. 2 (1989): 92.



I believe that education has four jobs, or questions that it should help a student answer:

1. Who am I and why am I here?
2. What skills do I need and which skill should I master?
3. Who will affirm me and hold me accountable?
4. How can I prove what I can do?

There are three types of learning that can be delivered to help students answer these questions: Learn to Know; Learn to Do and Learn to Be.<sup>14</sup>

Sandefer's focus on ontological questions impacts and informs his drafting of the Solutions. By posing foundational questions such as "Who am I?" and "Why am I here?," Sandefer indicates that academia should help students to explore their role in the world both socially and metaphysically. Despite attacks that the Solutions would destroy the liberal arts, Sandefer's questions in the *Dallas Morning News* interview are surprisingly supportive of classical liberal arts education that focuses on the training of whole people rather than future workers.<sup>15</sup> Insight into Sandefer's goals show that he did not view academia's role to be exclusively vocational. Instead, as the preceding quote shows, Sandefer supported forms of higher education that were far more consistent with the liberal arts than the Solutions indicated.

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<sup>14</sup> Bill McKenzie, "Jeff Sandefer on Creating New Models for Universities," *The Dallas Morning News*, February 2, 2012, accessed March 8, 2015, <http://educationfrontblog.dallasnews.com/2012/02/jeff-sandefer-on-creating-new.html/>.

<sup>15</sup> This is a similar line of argument made by Florida Gulf Coast University in their response to the Solutions. Their response argued, "The goal of higher education, especially the four-year bachelor's degree, is first of all to educate students to become responsible, informed citizens of a free republic, and secondarily, to teach them the knowledge and skills needed to make a living, participate in the economy and advance the common good." Bouche et al., *Nine Flawed Assumptions of Higher Education Reform: Statement of the FGCU Faculty Senate Ad Hoc Committee on Higher Ed Reform* (Fort Myers, FL: Florida Gulf Coast University, 2011), 5, accessed November 9, 2015, [http://www.fgcu.edu/FacultySenate/files/11-4-2011\\_ATTACH\\_FGCU\\_Faculty\\_Response\\_to\\_Higher\\_Ed\\_Reform.pdf](http://www.fgcu.edu/FacultySenate/files/11-4-2011_ATTACH_FGCU_Faculty_Response_to_Higher_Ed_Reform.pdf).

Rather than an attack on liberal arts education, the Solutions are more accurately understood as a condemnation of relativism and subjectivity. By calling upon academics to return to “the earliest days of American higher education” where “students learned practical skills *and* moral reasoning,” the Solutions indict systems of higher education that divert from the traditional humanities.<sup>16</sup> The Solutions’ position is a curious one. While attacking contemporary versions of liberal arts education, the Solutions simultaneously situate social conservatism as the offspring of traditional education and social thought. This maneuver is performed by arguing that “Western values” — those seen in the histories of America — are the same values that were taught throughout the histories of higher education. The Solutions explain faculty members’ recent divorce from this long-standing precedent:

...faculty believe that traditional values of “Western civilization, are inherently racist, sexist, capitalist, and designed to deprive people of freedom” and that attempting rational dialogue” is a waste of time. Academia claims to be dedicated to “academic freedom” and “unbiased inquiry.” Anecdotes from inside the ivory towers suggest this doesn’t extend to beliefs not shared by the tenured faculty.

These claims of intolerance toward *episteme* within academia’s ivory tower are supported by the work of Allan Bloom, cited prolifically in the Solutions packet. Bloom identifies relativism as

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<sup>16</sup> In an atypical moment of personal condemnation, the Solutions make mention of Joshua Gunn’s work, arguing that his research project epitomizes the failings of contemporary liberal arts education. “You need to look no further than University of Texas professor Joshua Gunn to see how far liberal arts education has fallen at research universities. In a recent Insider Ed column, Gunn describes teaching the ‘queer theory unit’ of his ‘Rhetoric and Popular Music course,’ in which he ‘attempts to unravel binaries’ with “fabulous” essays such as Cynthia Fuch’s ‘If I Had A Dick: Queers, Punks and Alternative Acts’ and field trips to ‘18 and up punk’ bars. In the article, Gunn complains of ‘sexual harassment’ because a mother of one of his students complained to the dean. Gunn worries that one of his teaching assistants will be scolded for an upcoming lecture on the interchangeability of sex organs in the music and art of Peaches.’ Gunn was assured that he had the ‘academic freedom’ to teach as he wished.” Texas Public Policy Foundation, *Higher Education Summit*, 128. The Solutions’ disregard for Gunn’s work is justified by its position that contemporary social theories have spurred an abandonment of historical understandings of liberal arts education. This binary tradeoff is then situated as reason to return to historical models of education.

the culprit behind academia's abandonment of "the real motive of education, the search for a good life."<sup>17</sup> If these accusations hold true, that academia has abandoned the true purpose of education, then it is reasonable to claim that dramatic changes are needed within academia.

What has caused academia to embrace relativist epistemology? Academics that have traveled the world and witnessed the plethora of ways that humans differentially understand reality are likely to acknowledge that most claims of universal truth are inherently suspect. However, the Solutions condemn this type of learned relativism, reminding readers "The humanities are concerned essentially with human values: ethical, political, aesthetic, religious — none of which awaits radical discovery."<sup>18</sup> According to this position, the work of countless contemporary academics is nothing more than bloviating in an effort to muddle what is an otherwise clear understanding of reality, truth, and morality.

The Solutions and its advocates might be onto something. American forms of higher education do certainly differ from those seen in previous societies. This position is supported by Sande Cohen's categorizing of academic myths where the conservative trope of education promotes the learning of "a 'natural' stratum untouched by distorting socializations."<sup>19</sup> This interpretation of education as an incubator for ideology is teleological in nature and a central force in the creating, funding, and elimination of academic structures within American society. Despite its controversial agenda, the Solutions are not uniquely susceptible to critiques of

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<sup>17</sup> Allan Bloom, *The Closing of the American Mind* (New York, NY: Simon and Schuster, 1987), 34.

<sup>18</sup> George Dennis O'Brien, *All the Essential Half-Truths About Higher Education* (Chicago, IL: University of Chicago Press, 2000), 19.

<sup>19</sup> Cohen refers to this conservative trope as one of three ideological myths in education wherein academia is approached as a form of liberal, left-progressive, or conservative indoctrination. Belief in these myths presupposes mutual exclusive agendas for each ideology and their followers, making academia a battleground rather than a place for deliberation and inquiry Sande Cohen, *Academia and the Luster of Capital* (Minneapolis: University of Minnesota Press, 1993), 30.

ideology in education.<sup>20</sup> Foucault's lectures on biopower at the College de France end with a nod toward the role of educational institutions in both contemporary and historic political battles:

You can see that in the modern world, in the world we have known since the nineteenth century, a series of governmental rationalities overlap, lean on each other, challenge each other, and struggle with each other: art of government according to truth, art of government according to the rationality of the sovereign state, and art of government according to the rationality of economic agents, and more generally, according to the rationality of the governed themselves. And it is all these different arts of government, all these different types of ways of calculating, rationalizing, and regulating the art of government which, overlapping each other, broadly speaking constitute the object of political debate from the nineteenth century. What is politics, in the end, if not both the interplay of these different arts of government with their different reference points and the debate to which these different arts of government give rise?<sup>21</sup>

Foucault's genealogy of power shows that ideological conflicts are inevitable when assessing government and education. However, despite the pervasiveness of these conflicts, interlocutors on both sides of the Solutions controversy did little to defend the philosophical rationales for their position. This problem was particularly true for Diehl and other advocates for existing systems of higher education. This omission of philosophical justification for academia comes at a

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<sup>20</sup> Conservative authors have offered a litany of examples and arguments demonstrating the liberal biases in higher education; see Bloom, *The Closing of the American Mind*; Paul R. Gross and Norman Levitt, *Higher Superstition* (Baltimore, MD: John Hopkins University Press, 1994). Meanwhile, liberal authors have condemned what they view as recent trends in politics and business to silence progressive minds in academia. See Steven Best, Peter McLaren, and Anthony J. Nocella II, eds., *Academic Repression: Reflections from the Academic Industrial Complex* (Oakland, CA: AK Press, 2010).

<sup>21</sup> Michel Foucault, *The Birth of Biopolitics: Lectures at the Collège De France 1978-1979*, ed. Michel Senellart, trans. Graham Burchell (New York, NY: Picador, 2008), 313.

cost. While academics like to tie their own work to the lineage of great thinkers throughout human history, they must entertain the risk that contemporary norms in academia are divergent from successful models of education in the histories of learning. Despite this risk, most supporters of contemporary academia were uninterested in considering the Solutions' claims of ahistoricity in higher education. This unengaged mode of analysis was seen in a roundtable discussion on the Solutions where Michael Benedik, Speaker of the Texas A&M Faculty Senate conveyed the antagonistic nature of the Texas controversy:

To say that the seven solutions have been on the minds of faculty members is really understating it. It's probably the issue that has seriously miffed the majority of faculty in a really, really large way. And the reason is because of a lot of the underlying assumptions behind it and I think a lot of those underlying assumptions are, at least I find them, somewhat insulting and they're also, I think, many of them are flawed. So why do I say that?...One, some of them are saying higher education is broken, research universities are broken, and they're also saying faculty don't work. I would really argue with anyone about those points. Higher education is not broken, Texas A&M is not broken. Tier 1 universities have a real role to play in America and the world and are really critical for educating the future leaders, the future scientists, the future educators, the future engineers, and all that.<sup>22</sup>

Defenses of academia as a functional system provide an immediate retort to the Solutions, but fail to demonstrate that the functionality being offered is necessarily desirable. In a similar vein,

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<sup>22</sup> Michael Benedik, "Part 6: The Seven Breakthrough Solutions," The Association of Former Students of Texas A&M University, August 5, 2011, accessed August 2, 2016, <http://www.aggienetwork.com/conversations-on-higher-education-in-texas/the-seven-breakthrough-solutions.aspx>.

Diehl's response defended academic research and publication by arguing that "the impact of most humanities research is not immediately observable."<sup>23</sup> While responsive to attacks against academic publication, these comments fail to address the foundational claims made in the Solutions. Such a defense would require a justification of relativism and an endorsement of approaching epistemological concerns through Isocratic models of *episteme* wherein absolute truth is not the focal point for intellectual inquiry.<sup>24</sup> Unfortunately, I have found no defense of relativism or non-Platonic models of knowledge production in any response to the Solutions. This omission constitutes a lack within the Response and subsequent defenses of liberal arts education. However, attempting to defend relativism and Isocratic *episteme* within existing academic systems is no easy task. By failing to engage questions of knowledge production and certainty, the Response cedes valuable territory to the Solutions, indicating that even if faculty are doing their jobs, those might not be jobs we want fulfilled. The Solutions' endorsement of education focused toward canonical truth is in line with models of education mentioned earlier in this chapter: those of 1940s America.

In its analysis on "The Decline of Traditional Liberal Arts Education," the Solutions quote Bok at length when he argues that higher education began lowering its standards for

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<sup>23</sup> Diehl, *Maintaining Excellence and Efficiency*; Colorado Department of Higher Education, *An Evaluation of Colorado's College Opportunity Fund and Related Policies: A Report Prepared for the Colorado Department of Higher Education by the Western Interstate Commission for Higher Education* (Boulder, CO: Western Interstate Commission for Higher Education, 2009), 8, accessed April 8, 2015, <http://www.wiche.edu/info/publications/policyCOF.pdf>.

<sup>24</sup> As mentioned previously, Isocratic *episteme* approaches knowledge in relation to its usefulness in opposed to Plato's focus on justified, true belief. For Isocrates, the use of knowledge is paramount and its absolute accuracy is a secondary concern. As a result, Isocratic models of education prioritize deliberation and *praxis* over metaphysical concerns. For more on Isocratic models of education and his interpretation of *episteme* see Robert Hariman, "Isocrates, Tradition, and the Rhetorical Version of Civic Education," in *Isocrates and Civic Education*, ed. Takis Poulakos and David Depew (Austin: University of Texas Press, 2004), 217-34.

excellence in the late 1940s.<sup>25</sup> Bok continues by lamenting trends that have continued since the 1940s: employment of graduate students in teaching positions and increased focus on academic research.<sup>26</sup> Endorsement of 1940s curricula is an odd maneuver within the Solutions. In his book, *The American College and the Culture of Aspiration 1915-1949*, David Levine shows the period to be as chaotic as it was transformative. Levine points to the 1930s as the moment where liberal arts education was broadened to include art and journalism — a move that was met with “despair of the traditionalists” within academia.<sup>27</sup> Much like contemporary forms of higher education are viewed as “untraditional” and destructive, so too were the fields of art and social sciences heralded as the death of liberal arts education in the 1930s.

Despite questionable evidence that a return to pre-1940s models in higher education would produce positive results, the wave of professionalization that struck academia during the 1930s and 1940s does resonate with the Solutions’ objectives. Additionally, the Solutions’ appeal to traditional forms of American academia taps into models of knowledge production that supported canonical truth. A. McIntyre’s *A Short History of Education*, published in 1908, speaks of values and morality in broad strokes similar to those found in the Solutions.<sup>28</sup> In both texts, generalized ideals arguing that American education should promote virtuous behavior are provided to the reader in ways that assume prior agreement upon ethical systems and beliefs.

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<sup>25</sup> Texas Public Policy Foundation, *Higher Education Summit*, 126. The Solutions packet goes on to argue that its reforms are a means to “re-introduce the traditional humanities in the mainstream of Texas higher education.” Texas Public Policy Foundation, *Higher Education Summit*, 130.

<sup>26</sup> Bok, *Our Underachieving Colleges*, 83.

<sup>27</sup> David O. Levine, *The American College and the Culture of Aspiration 1915-1940* (Ithaca: Cornell University Press, 1986), 97.

<sup>28</sup> A. McIntyre, *A Short History of Education* (Toronto: The Copp Clark Company, Limited, 1908).

In many ways, the Solutions' favoring of 1930s and 1940s structures in higher educations might appeal to supporters of education reform. However, transformations of this kind could come at a great cost. For example, the Solutions make little mention of the social implications of returning to a pre-1940 model for higher education. Specifically, a hardened endorsement of ridged *episteme* would require modern academics to grapple with the racial and gendered discrimination in American history. Levine contextualizes this concern.

Racial and ethnic bias flourished in the American college of the 1920s and 1930s...Faced with the self-consciously determined opportunity and challenge to prepare a generation of leaders for a technological age, college officials and alumni — predominately white Anglos-Saxon Protestant (WASP) and often anxious about the loss of status of power of “native” American stock in American society in general — created the model student in their own image.<sup>29</sup>

While the Solutions would certainly not seek to replicate the forms of discrimination found in histories of academia in America, it is not possible to separate curricula from social practice. Pre-1940s versions of liberal arts education were comparatively narrow and closed off when related to modern forms of higher education. The comparative openness seen in modern universities have piqued Solutions supporters, but this openness was largely responsive to shifts toward social equity throughout society. A return to traditional education akin to the 1930s and 1940s risks a reemergence of heightened structural discrimination, a risk so extreme that proving otherwise remains a burden of proof for Solutions supporters.

Despite the faults of its appeal toward traditional models of education, the *episteme*-based education supported in the Solutions provide an entry point for analysis of educational models

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<sup>29</sup> Levine, *The American College*, 136.



within American systems of academia. More than a lofty set of theoretical objectives, the Solutions supplied policies to facilitate modes of knowledge production that come close to promoting Platonic *episteme*. This is accomplished by attempting to change the language and structure of academia, resituating it as a form of neoliberal control within globalized systems of economic development. In the following section, I explore how forms of neoliberalism and governmentality play into the Solutions' call for *episteme* and how this potential model of higher education affects understandings of knowledge and academia.

### 5.1.2 *The Roles of Neoliberalism and Governmentality*

The Solutions' support of canonical truth and its appreciation for Platonic forms of *episteme* warrant analysis, but does not fully encapsulate the rhetorical maneuvers executed in an effort to fundamentally reconstruct higher education in America. To fully explore how the Solutions sought to change higher education, this section will investigate how *topoi* and epistemological claims congealed into a set of reform items (the Solutions) that promoted radical alteration of academia. In short, I show that by arguing all aspects of higher education can be understood by outside stakeholders including business leaders, politicians, and taxpayers, the Solutions endorsed a neoliberal model of higher education.<sup>30</sup> As this section will show, this stance is demonstrative of the Solutions' move toward a form of control, *governmentality*, that Michel Foucault describes as

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<sup>30</sup> Throughout the Solutions and their supporting documents, business-like economics and quantitative metrics are identified as necessary modes of analysis when assessing higher education. This belief is situated as readily accessible to all stakeholders, regardless of training. Texas Public Policy Foundation, *Higher Education Summit*. Derek Bok shows this approach towards public and private action as fundamentally economic is a primary condition of governmentality Derek Bok, *Universities in the Marketplace: The Commercialization of Higher Education* (Princeton, NJ: Princeton University Press, 2004).

the ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, power that has the population as its target, political economy as its major form of knowledge, and apparatuses of security as its essential technical instrument.<sup>31</sup>

Foucault shows governmentality to function as a system of control that situates populations as subjects of the state, simultaneously constituting the *polis* as masses and individuals. As I show, this duality of control is replicated in the Solutions' goals, particular in its attempt to regulate and monitor both large systems of higher education and individual, localized learning outcomes.<sup>32</sup>

While the *topoi* within the Solutions were diverse, the meta-narrative of the Solutions packet was one of governmentality — the calling for oversight in ways that promote complex systems of situating, organizing, and calling forth publics. The Solutions' governmentality is made evident in the opening pages of the Solutions packet that highlighted the economic effects of higher education and informing readers that students should “stop paying more for less.”<sup>33</sup> Explicit focus on economic concerns over academia's educational or philosophical questions is not unique to the Solutions. Brownyn Davies and Peter Bansel identify a developing trait in education where “all products are redefined in terms of their dollar values and exchange values”

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<sup>31</sup> In his review of Foucault's work, Michael Peters shows governmentality as including “the formation of a whole series of specific governmental apparatuses, and...the development of a whole set of *savoirs*.” Michael A Peters, “Governmentality, Education, and the End of Neoliberalism?,” in *Governmentality Studies in Education*, ed. Michael A Peters, A.C. Besley, Mark Olssen, Susanne Maurer, and Susanne Weber (Rotterdam: Sense Publishers, 2009), xxxi. The Solutions qualify as one such apparatus that works to situate and distribute *savoirs*, psychological shifts resulting from education, through his privileging of momentary concerns over educational outcomes. Michel Foucault, *Security, Territory, Population: Lectures at the Collège De France, 1977-78*, ed. Michel Senellart, trans. Graham Burchell (New York, NY: Picador, 2004), 144.

<sup>32</sup> This is most prominent in Perry's 5<sup>th</sup> solution which calls for a massive system of individualized learning contracts which would hold students, educators, and university systems accountable to both standardized and non-standardized metrics for success.

<sup>33</sup> Texas Public Policy Foundation, *Higher Education Summit, 2*.

rather than their educational worth.<sup>34</sup> In line with this paradigm, the Solutions demonstrate a prevailing belief that higher education should be readily accountable and quantifiable to all stakeholders. Power assemblages of this nature are intended to motivate, subjugate, and rule publics and are prevalent in most neoliberal societies. Wendy Brown explains this process as the moment where “the domain of the political itself is rendered in economic terms” and subsequently “the foundation vanishes for citizenship concerned with public things and common good.”<sup>35</sup>

Brown’s analysis illustrates the failings of Diehl’s Response, demonstrating that by tacitly agreeing to consider academia through a system of economic exchange the Response is effectively ceding ground to the Solutions. Whereas the Solutions are the next step toward neoliberal control in academia, the Response was not a step backward toward traditional, liberal arts models. Instead, it was merely a call for continued levels of neoliberal control. Brown shows that current forms of neoliberalism are far from benign and that norms of higher education focused toward “human talent, better human relationship, democracy, and peace” no longer exist.<sup>36</sup> She explains:

We can no longer speak this way about the public university, and the university no longer speaks this way about itself. Instead, the market value of knowledge — its income-enhancing prospects for individuals and industry alike — is now

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<sup>34</sup> Bronwyn Davies and Peter Bansel, “Governmentality and Academic Work: Shaping the Hearts and Minds of Academic Workers,” *Journal of Curriculum Theorizing* 26, no.3 (2010): 6. This system of thought functions within the larger realm of neoliberalism, described by Wendy Brown as “a normative order of reason developed over three decades into a widely and deeply disseminated governing rationality” that “transmogrifies every human domain and endeavor, along with humans themselves, according to a specific image of the economic.” Wendy Brown, *Undoing the Demos: Neoliberalism's Stealth Revolution* (Brooklyn, New York: Zone Books, 2015), 9-10.

<sup>35</sup> Brown, *Undoing the Demos*, 39.

<sup>36</sup> This statement is presented by Brown in reference to historic models of education. It was originally part of a larger excerpt from the 1946 President’s Commission on Higher Education. Brown, *Undoing the Demos*, 187.

understood as both its driving purpose and leading line of defense. Even when the humanities and interpretive social sciences are accounted as building the analytical thinkers needed by the professions or as building the mind and hence securing a more gratifying life for the individual, they align with the neoliberal notion of building human capital.<sup>37</sup>

By supporting the status quo, Diehl's response failed to articulate a defense of liberal arts education, instead merely delaying the gradual, ever-accelerating encroachment of neoliberal mentalities in academia. By situating learning and education as quantifiable aspects of human capital, both the Solutions and Response support the forms of knowledge production grounded in Plato's approach to *episteme*. Whereas historic models of liberal arts education promoted an openness to divergent modes of thought and belief, neoliberal models of education are intrinsically tied to the monolithic belief that human actions and interactions are economic in nature.<sup>38</sup> This constructed nexus of humanity, purposeful for the Solutions and inadvertent for the Response, results in forms of education that fit within "a governing rationality that disseminates market values and metrics to every sphere of life and constructs the human itself as *homo oeconomicus*."<sup>39</sup>

The governing of rationality described by Foucault and Brown is indicative of trends within academia that are also pervasive in contemporary society. More than a minor point, the

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<sup>37</sup> Brown, *Undoing the Demos*.

<sup>38</sup> Brown builds upon this sentiment by utilizing Foucault's labeling of humans within neoliberal society as *homo oeconomicus*. Foucault explains this term to be based around "an analysis in terms of utility...since on the basis of these needs it will be possible to describe or define, or anyway found, a utility which leads to the process of exchange." Foucault, *The Birth of Biopolitics*, 225. This shift to economically-focused human existence has dramatic implications for academia. Because all human actions become relational to economics, "*homo oeconomicus* also eliminates the very idea of a people, a *demos* asserting its collective political sovereignty." Brown, *Undoing the Demos*, 39.

<sup>39</sup> Brown, *Undoing the Demos*, 176.

potentially damaging nature of extreme governmentality in academia has been identified by interlocutors within the Solutions controversy. The FGCU response explains:

The new wave of ‘reform’ seems to be suggesting a centrally-planned model similar to that implemented in the old Soviet Union or in Maoist China, in which the government decided which subjects should be taught, based on measures of ‘utility’ and ‘relevance’ established by central planners...In contrast, traditional higher education in the US is based on a free-market model, where educator interests and student demand combine to offer a broad and constantly changing array of courses, and students are free to pick their areas of study.<sup>40</sup>

FGCU’s contrasting of the Solutions to historic models of education illuminates potential incongruities between the Solutions’ endorsement of canonical truth and its desire to develop neoliberal models of education. In his study of neoliberalism, Foucault postulates that the Classical Greeks were diametrically opposed to notions of governance being applied toward individuals within a society.<sup>41</sup> Foucault shows Greek (and Roman) societies were opposed to forms of control which promote the types of governmentality seen in the Solutions.<sup>42</sup> Therefore,

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<sup>40</sup> Bouche et al., *Nine Flawed Assumptions*, 3.

<sup>41</sup> For evidence supporting Foucault’s claim see Marrou, *A History of Education in Antiquity*; Kimball, *Orators & Philosophers: A History of the Idea of Liberal Education*; *The Condition of Liberal Education: Pragmatism and a Changing Tradition* (New York: College Board Publications, 1995); Kathryn Morgan, “The Education of Athens: Politics and Rhetoric in Isocrates and Plato,” in *Isocrates and Civic Education*, ed. David Depew and Takis Poulakos (Austin: University of Texas Press, 2004), 125-56; Everett Dean Martin, *The Meaning of a Liberal Education* (New York: W. W. Norton & Company Inc., 1926). In addition to these external sources, Foucault personally substantiates his claim of Athenians opposing governmentality by distinguishing between the governing of individuals to the governing of city-states. He explains: “what is governed, what the [Greek] metaphor designates as the object of government, is the city-state itself, which is like a ship threatened by reefs.... individuals are not the object of government; the action of government is not brought to bear on individuals” Foucault, *Security, Territory, Population: Lectures at the Collège De France, 1977-78*, ed. Michel Senellart, trans. Graham Burchell (New York, NY: Picador, 2004), 123.

<sup>42</sup> Instead, Foucault favors consultation in Athenian society. This is evidence by Greek theology in which gods addressed, but typically did not govern individuals. Foucault, *Security, Territory, Population*, 125. This system of consultation is particularly true in Isocratic pedagogy, but is equally true for Platonic *episteme* which, though believing in Truth, requires individual exploration and inquiry to uncover that which is hidden. Foucault compares this system of guidance to Mediterranean East governance in which populations are led like a flock by shepherds

while the Solutions encouraged approaches to knowledge production grounded in the uncover and transference of canonical truths, they also opposed Athenian models of government and oversight.

One of the primary goals of modern liberal arts education is to operate as a semi-autonomous sphere within society where students may self-select their own paths, learning and growing in accordance with their own goals be they vocational, intellectual, or otherwise.<sup>43</sup> However, ever growing forces of governmentality are at odds with this paradigm. Neoliberal modes of control seek to impose hegemonic structures of power and knowledge production onto both students and faculty. By calling for increased accountability in academia, the Solutions are in conflict with academics who regard such metrics as anti-educational, politically motivated policies. Historic models of intellectual autonomy are countered by the Solutions and its supporters who prefer a streamlined form of education in which students receive a efficacious education which does not deviate from a pre-determined series of vocational and economic goals.<sup>44</sup>

The Solutions' call for economic quantification builds upon structures of neoliberal governance that Brown shows to substantiate a form of "governing rationality that disseminates market values and metrics to every sphere of life..."<sup>45</sup> She explains:

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who "'keep watch' in the sense, of course, of keeping an eye out for possible evils, but above all in the sense of vigilance with regard to any possible misfortune." Foucault, *Security, Territory, Population*, 127.

<sup>43</sup> Kimball, *Orators & Philosophers*, 38-42.

<sup>44</sup> This position is reified by the American Council of Trustees and Alumni who state "In too many places, institutions allow students to pick and choose from hundreds of courses instead of offering a rigorous general education about basic subjects such as English, history, math, and science." *The Spelling Commission and You: What Higher Education Trustees Can Do in Light of the Department of Education's Recent Report* (Washington, DC: American Council of Trustees and Alumni, 2007), 6. The document containing these claims from the American Council of Trustees and Alumni was included in Perry's original Solutions packet given to regents at the Governor's Summit on Higher Education. Texas Public Policy Foundation, *Higher Education Summit*.

<sup>45</sup> Brown, *Undoing the Demos*, 176.

*[K]nowledge, thought, and training* are valued and desired almost exclusively for their contribution to capital enhancement. This does not reduce to a desire only for technical knowledges and skills. Many professions today — from law to engineering to medicine — require analytical capacities, communications skills, multilingualism, artistic creativity, inventiveness, even close reading abilities. However, knowledge is not sought for purposes apart from capital enhancement, whether that capital is human, corporate, or financial. It is not sought for developing the capacities of citizens, sustaining culture, knowing the world, or envisioning and crafting different ways of life in common. Rather, it is sought for “positive ROI” — return on investment...<sup>46</sup>

Brown’s insights on knowledge production in neoliberal society further highlight the Solutions’ assumptions regarding the roles and goals of higher education. Additionally, her work shows that the Solutions’ calls for value-laden education requires readers to interpret the values being discussed. She explains that within neoliberal models issues such as poverty and dramatic wealth inequality “are left in the dust by neoliberal values, governance, and the dismantled social state.”<sup>47</sup> Within the Solutions, the promotion of neoliberal values is facilitated through localized oversight of higher education in an effort to regionalize power structures.

Rick Perry’s 2012 presidential campaign and corresponding call to eliminate of the Department of Education best illustrates the long-standing support of regionalized oversight among supporters of academic reform.<sup>48</sup> Under Perry’s proposed presidential policies, federal

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<sup>46</sup> Brown, *Undoing the Demos*, 177-8.

<sup>47</sup> Brown, *Undoing the Demos*, 179.

<sup>48</sup> Paul Burka explains this shift towards regionalism: “The seventh ‘breakthrough solution’ is to change the way Texas colleges receive accreditation. The TPPF wants to bypass the Southern Association of Colleges and Schools, one of the six regional accreditation organizations recognized by the United States Department of Education and the Council for Higher Education Accreditation. Rather than use this prestigious body, the proposal

support of education would be reoriented toward local agents and private markets.<sup>49</sup> The Solutions further illustrate his belief in regional governmentality. Local and privatized models of educational oversight is promoted as an efficiency measure within the Solutions packet. By calling for localized accountability standards for educators, the Solutions advocated “an effective, institution-based accountability tool rather than a top-down, one-size-fits-all test or other system imposed by federal or state governments.”<sup>50</sup> This proposed rupture of federal power would result in a highly regionalized form of knowledge production that lacks national cohesion. This localized governmentality of education is not new, though its heyday resides in the 1900s. McIntyre, writing in 1908, speaks to this model for education:

The public education of the United States is largely a local matter. Several states have made legal provisions regarding moral education in their schools, but these provisions vary from a mere “encourage morality,” requirement, to a mandate charging “all teachers, boards of education, etc., with the duty of providing that

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calls for Texas to establish its own standards.” Paul Burka, “Old College Try,” *Texas Monthly*, April 2011, accessed June 4, 2015, <http://www.texasmonthly.com/politics/old-college-try-2/>.

<sup>49</sup> Attempts to eliminate the Department of Education extend beyond Perry’s proposals. In 1995, the House of Representatives passed a budget resolution that called for the elimination of the Commerce, Energy, and Education Departments. Congressional Budget Office, *The Budgetary Implications of Eliminating a Cabinet Department* (Washington, DC, 2015), accessed March 9, 2016, <https://www.cbo.gov/content/budgetary-implications-eliminating-cabinet-department>. Michelle Bachmann, a presidential hopeful in 2012, was quoted during her candidacy stating “What I would do as president of the United States is pass the mother of all repeal bills on education. Then I would go over to the Department of Education, I’d turn off the lights, I would lock the door and I would spend all the money back to the states and localities.” Fox News, “Abolish the Education Department? Abandoned Idea Gets New Life,” *FoxNews.com*, September 23, 2011, accessed November 29, 2016, <http://www.foxnews.com/politics/2011/09/23/eliminating-education-department-still-option-but-unlikely-one.html>. Still, these examples pale in comparison to the official 1996 GOP presidential platform, stating “That is why we will abolish the Department of Education, end federal meddling in our schools, and promote family choice at all levels of learning” Veronique de Rugy and Marie Gryphon, “Elimination Lost: What Happened to Abolishing the Department of Education,” *National Review Online*, February 11, 2004, accessed January 3, 2016, <http://www.cato.org/publications/commentary/elimination-lost-what-happened-abolishing-department-education>. These examples epitomize a long-standing stance of governmentality, particularly from conservative politicians, towards higher education.

<sup>50</sup> Texas Public Policy Foundation, *Higher Education Summit*, 133.



moral training for the youth which will contribute to securing good behavior and manners.”<sup>51</sup>

While we can tie the Solutions’ agenda to that of the 1900s, its temporality separates it from McIntyre’s assessment. McIntyre wrote at a time where national oversight of education had never been fully realized within America. Therefore, his work was not an endorsement of regionalism, but rather an assessment of existing structures that had never been tested or juxtaposed to alternative models. In contrast, the Solutions asked readers to abandon existing structures in favor of a return to regionalism. This abandonment of state structures has been identified as a neoliberalist trope, state-phobia, where national systems are vilified as inefficient and coercive while non-governmental actors are situated as positive facilitators of free market economics.<sup>52</sup>

If the Solutions were an obvious attempt to apply economic metrics to higher education, why were they so popular among supporters for academic reform? The answer to this question can be found in the ways the Solutions were situated as honest, apolitical analyses of a biased and corrupt system. As the previous section has shown, the Solutions claimed higher education has been overtaken by a political agenda that maintains “hostility to Western civilization and American values.”<sup>53</sup> This assessment of contemporary liberal arts education went on to condemn

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<sup>51</sup> McIntyre, *A Short History of Education*, 145.

<sup>52</sup> Kasper Villadsen and Mitchell Dean, “State-Phobia, Civil Society, and a Certain Vitalism,” *Constellations* 19, no. 3 (September 2012): 401-20. Paul Patton builds upon this analysis by showing that state-phobia operates through a homogenizing of state authority: “At the heart of this state phobia is an essentialist conception of the state that enables administrative, welfare, bureaucratic, fascist and totalitarian forms of state all to be regarded as expressions of the same underlying form.” Paul Patton, “Foucault’s ‘Critique’ of Neoliberalism: Rawls and the Genealogy of Public Reason,” *New Formations* 80-81 (2003): 39-51.

<sup>53</sup> Texas Public Policy Foundation, *Higher Education Summit*, 128.

the popular notion in academia that “all points of view are equally valid.”<sup>54</sup> Similar arguments painting academia as a form of political indoctrination are plentiful in contemporary discourse, each hand-picking examples to substantiate arguments regarding undue political activism in and beyond the classroom.<sup>55</sup> The Solutions reify these accounts of academia by identifying common citizens as the victims of liberal propaganda. The Solutions cite Anderson, stating “the college and university faculties of America have been politicized...It is no longer a question of whether there is a tendency or a tilt to the left; the faculties of American universities and colleges are overwhelming leftist.”<sup>56</sup> This quote is used to promote a shift from liberal policies, but neither Anderson nor the Solutions explicitly endorse a conservative counterbalance. Instead, the Solutions are arranged apolitically by implying that any attempts to refute their merits would be a blatant attempt to politicize education.

Situating the Solutions as a set of apolitical reform items is itself an aspect of governmentality within the Texas controversy. To indicate the importance of reforming a broken academic system, the Solutions identify higher education policy as a mechanism for social change.<sup>57</sup> These changes may be explicit, calling for particular ideologies, or implicit, supporting systems which privilege an ideological framework. The Solutions utilize an implicit approach by

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<sup>54</sup> And that faculty and administrators are equipped to make these assessments on behalf of students. Texas Public Policy Foundation, *Higher Education Summit*.

<sup>55</sup> Allan Bloom offers a conservative assessment of American academia, arguing that liberal elitism has created a form of radical openness that is, paradoxically, closed-minded in its refusal to take sides and accept situational contingency in human interaction. Bloom, *The Closing of the American Mind*, 34, 67. Sande Cohen performs similar research, providing a Marxist interpretation of modern academia as a means of sustaining capitalist paradigms. Sande Cohen, *Academia and the Luster of Capital* (Minneapolis: University of Minnesota Press, 1993).

<sup>56</sup> Texas Public Policy Foundation, *Higher Education Summit*.

<sup>57</sup> Foucault succinctly illustrates higher education’s impact on society, stating “One has to be really naïve to imagine that the effects of power linked to knowledge have their culmination in university hierarchies. Diffused, entrenched and dangerous, they operate in other places than in the person of the old professor” Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, ed. Colin Gordon, trans. Colin Gordon, Leo Marshall, John Mepham, and Kate Soper (New York City: Pantheon Books, 1980), 52.

making *epistemic* claims intended to refute relativism.<sup>58</sup> In doing so, they support a further step toward all-encompassing modes of neoliberalism in academia.

The Solutions' move toward education systems prioritizing canonical knowledge, a system that can be connected to Platonic *episteme*, and neoliberalism is part of a larger system of transformation occurring in higher education. To engage this movement, stakeholders must develop stronger arguments in defense of liberal arts education, doing so in a manner that does not inadvertently advance neoliberal models in the academe.

## 5.2 MOVING BEYOND THE TEXAS CONTROVERSY

Despite their failings regarding the resolution of controversy, the Solutions and Response offer a solid foundation for discussion regarding higher education in America. By posing questions on the roles, utility, and epistemological nature of higher education, the Texas controversy presented a litany of issues for the public to assess. However, as seen in this chapter, responses to the Solutions and Response were predominately lackluster, focusing on political victories over intellectual excellence.

Despite the unrealized potential dwelling within the Solutions controversy, it is still possible to bring forth new lessons learned from the arguments<sup>1</sup> offered by Sandefer, Diehl, and others. Whereas previous chapters and sections have sought to deconstruct the Texas controversy by itemizing and categorizing lines of argument, this following chapter moves forward by

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<sup>58</sup> This trend is most apparent in the Solutions' analysis of liberal arts education where they attack the university system for "[abandoning] the very idea of a central set of truths that can be passed from one general to another" Texas Public Policy Foundation, *Higher Education Summit*, 123.

considering how claims made within the Solutions and Response might inform future moments of controversy within academia.

The importance of discovering defenses of liberal arts education that do not re-entrench neoliberal models is captured by Brown in the closing pages of her analysis and her words, provided here, offer a preface to the upcoming chapter that works to reach compromise and resolution for all stakeholders in controversies over higher education in America.

...a liberal arts education available to the many is essential to any modern democracy we could value, but is also not indigenous to it. Democracy can defund, degrade, or abandon the education it requires, undermining its resources for sustaining or renewing itself, even for valuing or desiring itself. Indeed, one crucial effect of neoliberal rationality is to reduce the desire for democracy, along with its discursive intelligibility when it does appear. Hence, another variation on Rousseau's paradox: to preserve the kind of education that nourishes democratic culture and enables democratic rule, we require the knowledge that only liberal arts education can provide. Thus, democracy hollowed out by neoliberal rationality cannot be counted on to renew liberal arts education for a democratic citizenry.<sup>59</sup>

A form of liberal arts education that supports democratic citizenship, emanating from a society that has already experienced a metamorphosis into neoliberal governance, will require extensive efforts to promote deliberation and social change. In the following chapter, I begin by showing how argument and deliberation training can dismantle neoliberalist norms. Following this

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<sup>59</sup> Brown, *Undoing the Demos*, 200.

section, I show that the Solutions controversy provides the necessary exigence to exercise this reemergence of liberal arts education.

## 6.0 ARGUMENT ACROSS THE CURRICULUM

The duty of rhetoric is to deal with such matters as we deliberate upon without arts or systems to guide us, in the hearing of persons who cannot take in at a glance a complicated argument, or follow a long chain of reasoning. The subjects of our deliberation are such as seem to present us with alternative possibilities: about things that could not have been, and cannot now or in the future be, other than they are, nobody who takes them to be of this nature wastes his time in deliberation. — Aristotle<sup>1</sup>

Look, the purpose of college is not just, as I said before, to transmit skills. It's also to widen your horizons; to make you a better citizen; to help you to evaluate information; to help you make your way through the world; to help you be more creative. The way to do that is to create a space where a lot of ideas are presented and collide, and people are having arguments, and people are testing each other's theories, and over time, people learn from each other, because they're getting out of their own narrow point of view and having a broader point of view.... The idea that you'd have somebody in government making a decision about what you should think ahead of time or what you should be taught, and if it's not the right thought or idea or perspective or philosophy...runs contrary to everything we believe about education. — President Barack Obama<sup>2</sup>

As the previous chapter has shown, the Solutions controversy only tangentially interrogated neoliberal trends in higher education. As a result, Diehl and other proponents of the liberal arts missed out on a *kairotic* moment where neoliberalism could be more fully questioned and criticized in a controversy that had already sparked public attention. This is not to say that Diehl's Response was entirely without merit. Chapter four shows that Diehl did succeed in his immediate goal of quelling some of the specific reforms called for in the Solutions. However,

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<sup>1</sup> Aristotle, *Art of Rhetoric*, trans. J. H. Freese, Loeb Classical Library 193 (Cambridge, MA: Harvard University Press, 1926): 1357a.

<sup>2</sup> Presidential Addresses and Remarks No. DCPD-201500618 (September 14, 2015).

despite this fault in the Response, the research and analysis presented in this dissertation indicate the ways that *topoi* can help to uncover points of *stasis*.<sup>3</sup> By identifying points of commonality between otherwise oppositional stakeholders, it becomes possible to find points of agreement and advance initiatives that otherwise appear impractical. In this chapter, I pursue this process by examining the ways points of commonality between the Solutions and Diehl's Response could be leveraged to alter undergraduate curriculum in a way that might destabilize neoliberalism's hold over academia. Through this analysis, I present the surprising conclusion that both the Solutions and Response support this type of move against neoliberalism. While the Solutions and Response are largely opposed to one another, these unanticipated points of commonality indicate one way that we might move forward by tapping into Rescher's claim that entertaining unrealized possibilities is a critical step to discovering new means of reaching compromise and innovation.<sup>4</sup>

In short, this chapter lays out one possibility for reconciliation between otherwise disparate interlocutors: enactment of argument and deliberation training across the curriculum.<sup>5</sup> I engage the potential for reform by building upon Aristotle's call for deliberation through reasoned argumentation, a concept also endorsed by President Obama as he calls for the accepting and engaging of difference through civil discourse. I begin by first demonstrating how

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<sup>3</sup> For example, as shown in chapters four and five, the Solutions controversy contained *stasis* on education being a business, either in its entirety or at least in part.

<sup>4</sup> Nicholas Rescher, *Imagining Irreality: A Study of Unreal Possibilities* (Chicago, IL: Open Courts, 2003).

<sup>5</sup> In this chapter I reference argument and debate training as complementary aspects of a civilly-driven curriculum. The primary goal of this chapter is to demonstrate how argument training can improve undergraduate education while simultaneously alleviating calls for reform from critics of academia. In accomplishing this task, I situate debate as a means of practicing and promoting argument skills. Debate is one of many ways that argument can be incorporated into the curriculum. In relation to this dissertation, I situate debate as a form of civic deliberation and "a mode of critical thinking in which the parties to a disagreement appeal their views to an outside adjudicating agency..." Douglas Ehninger and Wayne Brockriede, *Decision by Debate*, 2nd ed. (New York, NY: Harper & Row Publishing, 1978), 7.

this curriculum might offer possibilities to question neoliberalism. I then show how the Texas controversy has opened pathways for these reforms. The rationale for this shift, as laid out in the following pages, is based upon the Solutions and Response both having endorsed critical thinking and learning skills — two products of an argument-based system of higher education. Finally, I conclude by examining multiple avenues for enacting argument across the curriculum.

### 6.1 ARGUMENT TRAINING AS A POTENTIAL REMEDY TO NEOLIBERALISM

As chapter five shows, neoliberalism's influence on academia has compromised the types of liberal arts education that look beyond economic metrics and goals. While Diehl's Response was useful in halting some specific reform measures outlined in the Solutions, it did not address the underlying neoliberalism in academia that has resulted in diminished deliberation, autonomy, critical thinking, and advocacy skills among undergraduate students. The impact of Diehl's inattention toward neoliberalism is significant. In addition to the problematic trends already outlined in the previous chapter, Brown shows that neoliberalism's detrimental effect on academia will worsen over time, arguing that "these forces of neoliberalized knowledge on faculty endeavor and priorities are disastrous for the future of liberal arts education."<sup>6</sup> Brown's analysis points toward the need for a direct response to neoliberalism's encroachment in academia.

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<sup>6</sup> Wendy Brown, *Undoing the Demos: Neoliberalism's Stealth Revolution* (Brooklyn, New York: Zone Books, 2015), 197.



My analysis of the Solutions controversy has revealed one such opportunity: the potential for argument-laden curriculum reform that can trouble neoliberalism within and beyond academia. In this section, I establish how argument across the curriculum can rejuvenate a form of liberal arts education that focuses on holistic learning rather than job-based training and maximized economic benefit. I begin by showing that argument and deliberation are skillsets that hinder neoliberalism. I then show that the Solutions controversy has opened space for reform initiatives that promote these skillsets. Finally, I conclude the chapter by exploring various means of promoting argument and deliberation training across undergraduate curriculum.

Rhetorical scholars have shown neoliberalism and democracy to be inherently oppositional ideologies.<sup>7</sup> Stephen Rosow describes these ideologies as two “fault lines of collision” where a promotion of one necessarily subjugates the other.<sup>8</sup> As such, scholars interested in troubling neoliberal trends in academia should focus their efforts toward the development of democratic citizenship. This focus, if successful, will necessarily trade off with the prevailing neoliberal ideologies that have grown to permeate classrooms and civil society alike.<sup>9</sup> In its final chapter, this dissertation lays out how argument and deliberation training

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<sup>7</sup> The nebulous nature of “democracy” makes it subject to dissociative definition. The term is commonly used to substantiate claims, tapping into audience’s willingness to fill the term with whatever meanings they wish to interpolate. Brown explains this role of democracy as an empty signifier that is filled with meaning by a wide diversity of interlocutors: “‘Democracy’ is among the most contested and promiscuous terms in our modern political vocabulary. In the popular imaginary, ‘democracy’ stands for everything from free elections to free markets, from protests against dictators to law and order, from the centrality of rights to the stability of states, from the voice of the assembled multitude to the protection of individuality and the wrong of dicta imposed by crowds... Even the Greek etymology of ‘democracy’ generates ambiguity and dispute. *Demos/kratia* translates as ‘people rule’ or ‘rule by the people.’ But who were the ‘people’ of ancient Athens? The propertied? The poor? The uncounted? The many? This was a dispute in Athens itself, which is why for Plato, democracy is proximate to anarchy, while for Aristotle, it is rule by the poor.” Brown, *Undoing the Demos*, 18-9.

<sup>8</sup> Stephen J. Rosow, “Global Knowledge, the University, and Democratic Politics,” in *Transforming Higher Education: Economy, Democracy, and the University*, ed. Stephen J. Rosow and Thomas Kriger (Lanham, MD: Lexington Books, 2010), 154.

<sup>9</sup> The potential benefits of these reforms are noteworthy, as evidenced by neoliberalism being necessarily at odds with deliberation and, as a result, a citizenry trained in argument, deliberation, and critical thinking is capable of dismantling neoliberal models of governance. Brown explains: “[neoliberalism] retreats as well from the value of a citizenry educated for democracy, from the idea that education offers the prospect of intrinsically richer and more

across the undergraduate curriculum might offer a means of facilitating this shift toward democracy. This position is based upon the litany of compelling evidence showing argument and deliberation skills to be supportive of democratic principles. These skills are important because, at their core, argument and deliberation facilitate self-governance among and between citizens.<sup>10</sup> Fostering of these skillsets in academia is essential to supporters of democratic citizenship since those students that learn these skills in school will then carry them into their personal, public, and professional lives.<sup>11</sup> Furthermore, academia offers a starting point for social reform by familiarizing students with the act of civic argument and deliberation. As chapter five demonstrated, these skills remain heavily underappreciated in American society. This is due, in part, to these skills being far less necessary in societies where citizens are not expected to critically analyze and arbitrate their own lives.<sup>12</sup>

While the mass-media indicates that Americans are indeed in charge of their lives and decisions, the evidence presented in chapter five demonstrates the ways that neoliberal sensibilities have dramatically hampered public willingness to deliberate on contentious topics.

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gratifying lives and from the idea that education fosters an enhanced capacity to participate in public life and contribute to the public good.” Brown, *Undoing the Demos*, 190.

<sup>10</sup> For analysis on argument and deliberation being central to democratic citizenship see W. Norwood Brigrance, *Speech: Its Techniques and Disciplines in a Free Society* (New York, NY: Appleton-Century Crofts, Inc., 1952).

<sup>11</sup> Richard Arum and Josipa Roksa supports this position by showing that undergraduate curriculum has the power to change society as a whole by directing young citizens toward particular concerns and modes of thinking. Richard Arum and Josipa Roksa, *Academically Adrift: Limited Learning on College Campuses* (Chicago: University of Chicago Press, 2011). Similar arguments have been made against political liberalism in academia. These claims argue that academia often functions as a form of indoctrination, shifting social norms and expectations by training students to live more liberal lifestyles. Anderson, *Imposters in the Temple: A Blueprint for Improving Higher Education in America*; Bloom, *The Closing of the American Mind*; Ben Shapiro, interview by Jamie Glazov, *Front Page*, May 13, 2004, accessed November 8, 2015, <http://archive.frontpagemag.com/readArticle.aspx?ARTID=13097>. Regardless of the political ideologies in play, all of these authors agree that undergraduate curriculum has the power to dramatically transform society.

<sup>12</sup> Sara A. Mehlretter Drury, Rebecca A. Kuehl, and Jenn Anderson, “Deliberation as Civic Education: Incorporating Public Deliberation into the Communication Studies Curriculum” (paper presentation, Speech & Debate as Civic Education, University Park, PA, March 2016).

President Obama’s recent statements to undergraduate students demonstrate the commonly-understood trend in society where anything considered controversial or contentious is preferably avoided.<sup>13</sup> For this reason, a social reemergence in argument is extremely *kairotic*.

Calls for curriculum reform are supported by evidence showing that citizens trained in argument and deliberation are capable of encountering and peacefully deliberating about opposition and difference within their society.<sup>14</sup> Without this training, those public arguments that do exist are far less likely to propagate communal understanding and empathy. Instead, when citizens turn away from oppositional arguments in political, philosophical, or social arenas, we have the full realization of Deborah Tannen’s “argument culture” where the only forms of public deliberation are combative and hostile.<sup>15</sup> This type of hostile, combative argument is symptomatic of neoliberalism.<sup>16</sup> Dave Hill explains that neoliberalism’s “commodification of humanity and society, come to play in the enforcement and policing of consent, the delegitimizing of deep dissent, and the weakening of oppositional centers and practices and thought.”<sup>17</sup> Neoliberalism makes anything outside of these goals superfluous.

The current trend of delegitimizing oppositional advocacy is one place where academics can intervene to empower the *polis*. This intervention can take place in several arenas — in their publications, academics can explore new means of prompting student advocacy and deliberation. In everyday workplace conversations, academics can demonstrate positive forms of deliberation

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<sup>13</sup> Presidential Addresses and Remarks No. DCPD-201500618 (September 14, 2015).

<sup>14</sup> Drury, Kuehl, and Anderson, “Deliberation as Civic Education.”

<sup>15</sup> Deborah Tannen, *The Argument Culture: Moving from Debate to Dialogue* (New York: Random House, 1998).

<sup>16</sup> Rosow, “Global Knowledge,” 151-78.

<sup>17</sup> Dave Hill, “Class, Capital, and Education in the Neoliberal and Neoconservative Period,” in *Revolutionizing Pedagogy: Education for Social Justice within and Beyond Global Neo-Liberalism*, ed. Sheila Macrine, Peter McLaren, and Dave Hill (New York, NY: Palgrave Macmillan), 119-44.

and argument with other academics through reasoned, learned disagreement. In the classroom, academics can engage their students in critical thinking education through pedagogy that prioritizes cognitive development focused on learning how to question claims and assumptions, construct arguments, and engage others within civil society. Finally, in the public sphere, educators can participate in deliberative exercises such as town halls and debates, using these events to demonstrate the public good fostered within academia.

These initiatives would require individualized actions from educators, but they would not require a complete departure from existing efforts within academia. Attempts to halt neoliberalist ideologies in academia are ongoing. A number of educators and courses are already providing the critical thinking and deliberation skills mentioned in this chapter. However, many of these initiatives occur in elective coursework or token extra-curricular activities designed to demonstrate an institution's commitment to society.<sup>18</sup> At present, these courses and activities do not go far enough to combat neoliberalism. Rosow explains:

Undergraduate higher education, in particular, is struggling to understand what role the university might now play in the education of democratic citizens, now that this function has become ancillary to its basic logic and structure.

Symptomatic is the way many colleges and universities have turned, for example, to the idea of "civic engagement," which encourages students to participate in

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<sup>18</sup> The limited utility of existing initiatives is explored by Rosow, explaining "To what extent, for example, does 'Civic engagement' integrate students uncritically into a culture of voluntarism that limits their potential political horizons to those that reproduce prevailing political and social institutions and systems of power?" Rosow, "Global Knowledge," 160. To be fair, there are some positive signs that existing models for civic engagement are producing positive results. At the Benjamin Franklin Transatlantic Fellows Institute, recent work has promoted the training of students in argument and deliberation prior to their civic engagement initiatives. The institute has since discovered that this model of education promotes students to offer critical analysis of their role as civic actors, the successes and failings of various community organizations, and the purposes of an active citizenry within America and other nations. Allan Loudon and Taylor Hahn, "Comparing Argument and Debate Modes to Invoke Student Civic Engagement: Learning from 'The Ben'" Spotlight address, Speech & Debate as Civic Education, University Park, PA, March 2016.

community service programs. Portland State University in Oregon, for example, has gone so far as to require participation in civic engagement projects as part of the curriculum. However, for most universities this is an extracurricular add-on to programs, for example those in universities that participate in the American Democracy Project (ADP)...Many of these projects are valuable, but often civic engagement does not distinguish voluntary community service programs from political projects.<sup>19</sup>

While more effort is needed, this is not to say that the types of argument, deliberation, and engagement that currently exist in curricula across the country are not useful.<sup>20</sup> There are many examples of institutes and scholars who should be applauded for their successes.<sup>21</sup> For some students, momentary immersion within civic engagement and deliberation is enough to unlock an eagerness to promote democratic citizenship.<sup>22</sup> However, for most students, a deeper, more immersive form of civic training is necessary.<sup>23</sup> For example, instructors at the Benjamin

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<sup>19</sup> Rosow, "Global Knowledge," 160.

<sup>20</sup> While my proposals focus on argument and deliberation, these skillsets have been shown to interact with civic mindfulness and help "develop civic knowledge and the skills of civic engagement." Drury, Kuehl, and Anderson, "Deliberation as Civic Education," 2.

<sup>21</sup> Examples of these initiatives include the Benjamin Franklin Transatlantic Fellows Institute, mentioned previously, that prioritizes civic engagement and deliberation training in an effort to foster transnational cooperation and collaboration. Domestically, various universities have demonstrated that public outreach initiatives have the capacity to foster civic mindfulness and a willingness to deliberate. For example, the University of Pittsburgh's public debate series has offered the citizens of Pittsburgh multiple opportunities to deliberate on issues that pertain to their lives and their families. Some recent topics at these debates have included women's representation in government, hydraulic fracturing (fracking), and abstinence-only sex education. In the 2013-2014 academic year, the Pitt public debate series drew over one thousand audience members at these public debate outreach events.

<sup>22</sup> This rare, but exceptional potential is explored by Briana Mezuk where she shows that attending a single debate tournament has given some students the necessary skills to deliberate and argue across multiple contexts. Briana Mezuk, "Urban Debate and High School Educational Outcomes for African American Males: The Case of the Chicago Debate League," *The Journal of Negro Education* 78, no. 3 (Summer 2009): 290-304.

<sup>23</sup> Loudon and Hahn, "Comparing Argument and Debate Modes." The types of reform being proposed in this chapter encourage forms of argument and deliberation training that extend to all facets of undergraduate education. Similar calls for curriculum reform are being made by other scholars, but these initiatives are primarily directed toward communication majors, not all undergraduates. For an example of this communication studies-specific form of reform, see Drury, Kuehl, and Anderson, "Deliberation as Civic Education."

Franklin Transatlantic Fellows Institute have found that most students require multiple workshops focused on deliberation and repeated access to civic engagement opportunities prior to fully understanding their own independent agency to inspire and promote change through reasoned discourse.<sup>24</sup>

Though difficult, fostering the skills necessary for students to critically analyze and deliberate on issues they find important requires educators to increase their focus on these goals. Realizing these changes would require a substantial review of how curriculum is developed and what learning outcomes are prioritized in current systems of higher education. Despite the difficulty of achieving such a goal, I believe an argument-laden curriculum to be valuable enough to warrant the extensive effort necessary for meaningful reform.

Focusing higher education on the promotion of argument and deliberation within all contexts of our student's lives is a major step toward questioning existing social trends. For example, while the argument-laden curricula I propose would not explicitly focus on neoliberalism in academia, promoting heightened levels of deliberation in the classroom can result in an organic emergence of student-led inquiry on the economic and monetary paradigms within higher education.<sup>25</sup> Put otherwise, the simple act of facilitating deliberation in the classroom, regardless of the issues being discussed, can prompt healthy skepticism which is readily translatable to other issues and contexts.<sup>26</sup> Brownyn Davies shows that an education focused on critical thinking can be an emancipatory method of questioning neoliberalism.

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<sup>24</sup> Loudon and Hahn, "Comparing Argument and Debate Modes."

<sup>25</sup> Brownyn Davies, "The (Im)Possibility of Intellectual Work in Neoliberal Regimes," *Discourse: Studies in the Cultural Politics of Education* 26, no. 1 (2010); Davies and Bansel, "Governmentality and Academic Work."

<sup>26</sup> Richard Wyn Jones, *Security, Strategy, and Critical Theory* (Boulder, CO: Lynne Rienner Publishers, 1999). This theory has also been explored within classroom settings. At the Benjamin Franklin Transatlantic Fellows Institute, research has shown that once students are properly trained in argument and deliberation they are then capable of deploying these skillsets, without prompting, in completely new contexts. These deliberations have

We must give to our students a doubled gaze, to enable them to become critically literate, to become citizens at once capable of adapting and becoming appropriate within the contexts in which they find themselves and as responsible citizens capable of critique; citizens who can understand the constitutive work that discourse does and who can work creatively, imaginatively, politically, and with passion to break open the old where it is faulty and to envisage the new. Even more urgent is the task of giving them some personal tools for withstanding the worst effects of neoliberalism, for seeing both the pleasure and the danger of being drawn into it, for understanding the ways in which they are subjected by it. They need to be able to generate stable narratives of identity and to understand the way neoliberal discourses and practices will work against that stability.<sup>27</sup>

Application of Davies' doubled gaze has the potential to radically change pedagogical approaches. Throughout academia, scholars have pointed to the ways that training students to interrogate social structures can radically alter neoliberalist systems of power.<sup>28</sup> By this, I mean that utilizing and examining various forms of critical inquiry within the classroom produces the potential for students to question neoliberalism in multiple aspects of American society.<sup>29</sup> By teaching students how to deliberate, colleges and universities can train students to appreciate and

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demonstrated students' capacity to deploy argument in new, unexpected arenas. Louden and Hahn, "Comparing Argument and Debate Modes."

<sup>27</sup> Davies, "The (Im)Possibility of Intellectual Work," 13.

<sup>28</sup> Piya Chatterjee and Sunaina Maira, eds., *The Imperial University: Race, War, and the Nation State* (Minneapolis, Minnesota: University of Minnesota Press, 2014).

<sup>29</sup> Henry Giroux, "Protesting Youth in the Age of Neoliberal Cruelty," *Truthout* (June 18, 2014), accessed November 29, 2015, <http://www.truth-out.org/news/item/24437-protesting-youth-in-an-age-of-neoliberal-savagery>. Giroux's work examines how the Occupy movement has facilitated a rejection of neoliberalism by prompting global citizens to emulate the critiquing of social structures. In other words, successful deliberation is contagious, spurring otherwise-passive individuals to question systems and structures that were previously considered inescapable.

expect a healthy level of skepticism toward the existing norms of knowledge production grounded in canonical truth and neoliberalism. These current norms, outlined in chapter five, have resulted in existing systems of higher education that skirt argument and civic deliberation in favor of a myopic focus toward economic goals and absolute certainty of one's position.

The goal of my proposed reform is to educate students in argument and deliberation skillsets, thus rejuvenating liberal arts education and checking neoliberal ideologies in academia. Are these changes possible? There are some positive signs that argument and deliberation skills offer a potential means of slowly reforming both academia and society at large.

Any successful attempt at progressive social change requires a slow, incremental, even molecular, struggle to break down the prevailing hegemony and construct an alternative counter-hegemony to take its place. Organic intellectuals have a crucial role to play in this process by helping to undermine the “natural,” “commonsense,” internalized nature of the status quo. This in turn helps create political space within which alternative conceptions of politics can be developed.<sup>30</sup>

The types of political space that are opened through extensive deliberation have been laid out in this section, but, like any reform initiative, there is bound to be opposition to argument and deliberation training as a cornerstone to undergraduate curriculum.<sup>31</sup> However, the Solutions controversy has opened space for argument-laden reforms, making these proposals far more

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<sup>30</sup> Jones, *Security, Strategy, and Critical Theory*, 156.

<sup>31</sup> Current neoliberal trends in academia make these objections inevitable. Rosow shows that initiatives to strengthen democratic citizenship will invariably prompt opposition that is itself neoliberal. He explains: “The significance of higher education for the neoliberal order derives less from the need to integrate the national citizenry and more from the increased demand for labor skilled in new technologies on the one hand, and for legions of flexible, self-disciplined workers willing to accept the precarious conditions of late capitalism and able to make their way in constantly changing and globalizing labor markets.” Rosow, “Global Knowledge,” 156.



feasible.<sup>32</sup> In the following section I will show how the Solutions controversy is an example of *kairotic* moments where a reform agenda geared toward argument and deliberation becomes possible.

## 6.2 FINDING AGREEMENT WITHIN THE TEXAS CONTROVERSY

Whereas the Solutions and Response highlighted disagreements among stakeholders, it is possible to identify points of commonality in the Texas controversy that open space for popular reforms. This process of uncovering agreeable resolutions to controversy operates by showing that otherwise-oppositional positions can coalesce around these previously-unrealized points of commonality. In relation to the Solutions controversy, this section shows that academic reforms promoting argument training and application across the curriculum are supported by the Solutions and Response. In addition to enriching undergraduate education, I believe that by incorporating argument into university-wide curricula we can help students and other stakeholders develop stronger arguments<sub>1</sub> to be utilized in future moments of controversy.

As this section will show, the Solutions' call for increased transparency and oversight in academia should not intrinsically frighten academics, but is instead a reasoned call for deliberative input from stakeholders. However, what remains necessary for stakeholders to deliberate on the goals and structures of higher education is an increased capacity to construct and analyze arguments. As I will show, an increased argumentative capacity is desirable for all

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<sup>32</sup> Discovery of this potential for agreement among interlocutors was facilitated through Nicholas Rescher's possibilist lens where "speculating about what would happen and reflection on yet-unrealized and perhaps unrealizable possibilities" is of central focus. Nicholas Rescher, *Imagining Irrreality: A Study of Unreal Possibilities* (Chicago, IL: Open Courts, 2003), 6.

interlocutors in the Solutions controversy and helps to promote a democratic society where citizens are equipped with the necessary skills to deliberate on virtually any topic that resonates with their lives and beliefs.

Though there are a great many points of disagreement among stakeholders in the Texas controversy, the call for increased critical thinking, deliberation, and civic engagement is uniformly heralded as a desirable outcome. The Solutions make reference to the need for better training in deliberation and communicative skillsets, citing Bok who laments “Only a small minority of seniors emerge convinced that ill-structured problems are susceptible to reasoned arguments.”<sup>33</sup> The need for graduates to be skilled in critical thinking and feel confident in their capacity to solve problems through reasoned argument is a message that resonates throughout the Solutions.<sup>34</sup>

The Solutions’ endorsement of critical thinking skills is based on its desire to “build a coherent curriculum that teaches students to make better moral decisions.”<sup>35</sup> As discussed in chapter five, the epistemological goals of the Solutions are subject to criticism, but its method of reaching a reformed curriculum is something that academia can latch onto. By incorporating argumentation across the undergraduate curriculum, and approaching argument as a universally-

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<sup>33</sup> Bok, *Our Underachieving Colleges* (New Jersey: Princeton University Press, 2006), 114, quoted in Texas Public Policy Foundation, *Higher Education Summit*, 124.

<sup>34</sup> The Solutions packet offers extensive analysis on the importance and current failing of civic education in academia. As part of the packet, a TPPF briefing paper entitled “Texas Undergraduates Fail at Civics: ISI’s American Civic Literacy Survey Results” was included in its entirety. Texas Public Policy Foundation, *Higher Education Summit*, 47-57. This report offered statistical evidence showing that students know little about their government and society, though the types of learning tested in the survey appear to prioritize factual recall (number of representatives in Congress, etc.) over critical thinking and learning skills. Later in the Solutions packet, an article by Derek Bok indicates that problems in academia are based on his assessment, showing “it is not clear that undergraduates today are learning more or becoming more proficient in writing, speaking and critical thinking.” Derek Bok, “The Critical Role of Trustees in Enhancing Student Learning,” *The Chronicle Review* 52, no. 17 (December 2005).

<sup>35</sup> Texas Public Policy Foundation, *Higher Education Summit*, 130.

applicable skillset that is readily deployed within all subjects and contexts, defenders of liberal arts education can appease Solutions backers by providing students with the necessary skills to advocate on behalf of reform if and when they determine such changes to be necessary.

In addition to the explicit claims made within the Solutions packet, a curriculum focused on argument training can address concerns relayed by Solutions supporters. Bloom, mentioned in previous chapters as a frequently-cited author in the Solutions, has argued that current standards in higher education have resulted in forms of intellectual open-mindedness that promotes tolerance at the expense of actual deliberation.<sup>36</sup> Bloom describes this trait as counter-intuitive to democracy because contemporary systems of academia ask students to accept difference without offering the ability to critically assess and engage belief systems that differ from their own.<sup>37</sup> As this chapter shows, an enhanced ability to argumentatively engage diverse viewpoints can help to resolve these concerns by opening pathways for critical analysis, moving beyond unsubstantiated acceptance of opinions and toward authentic understanding of divergent claims.

Like statements from the Solutions and its supporters, the Response document contains claims that can be used to catapult argument and debate training into undergraduate education. In his Response, Diehl calls upon academics to consider “education a public good that can improve lives and provide opportunities for students and their families.” He then continues by situating higher education as a powerful force in society that “should be driven by that commitment to

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<sup>36</sup> Bloom, *The Closing of the American Mind*, 64.

<sup>37</sup> Bloom, *The Closing of the American Mind*, 64, 85. Bloom goes on to argue that liberal openness as lead to the forms of relativism condemned in the Solutions. While this dissertation does not endorse Bloom’s reading of academia, his point regarding unjustified acceptance of opinions holds merit. Forms of openness that do not support critical inquiry help to promote an egalitarian society, but they fail to offer students a means of increased understanding and analysis.

public good...”<sup>38</sup> By calling upon academics to promote civic engagement and advocacy in the classroom, the Response endorses an understanding of liberal arts education where deliberation and civic-mindedness is paramount. This type of education requires more than an elective course in argument, but instead a curriculum that teaches, demonstrates, and promotes advocacy through the civil exchange of divergent viewpoints and opinions.

Academics familiar with argument training will likely agree that deliberative skillsets are universally advantageous, but, despite this support, advocates of argument-based curricula must overcome inertial forces that would prevent systemic reform of undergraduate education. In other words, argument training across the curriculum is an idea that is easy to endorse in theory, but becomes more difficult when attempting to implement meaningful reform. By tapping into the Solutions controversy (or other similar, subsequent controversies), stakeholders can infuse argument training into undergraduate curriculum by situating it as a compromise between divergent stakeholders. One way to accomplish this maneuver is to relay the universal benefits derived from educating students how to deliberate on the desirability of their own education. For example, the Solutions argue that non-academics should have oversight of higher education — a prospect that is troubling to the academe. A move toward argument training as a central goal in higher education would require training advocates of the Solutions and similar reform agendas, arming them with stronger skills and arguments that could result in Solutions-based changes. It is reasonable to assume that some of the students trained in argument will utilize their skills to promote ideas and policies that their educators oppose. However, the opposite is also true. Teaching students how to advocate on their own behalf would result in a larger number of

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<sup>38</sup> Randy L. Diehl, *Maintaining Excellence and Efficiency at The University of Texas at Austin: A Response to the Seven ‘Breakthrough Solutions’ and Other Proposals* (Austin, TX: University of Texas at Austin, 2011), 13, accessed March 8, 2015, [http://www.as.utexas.edu/bov/resources/08.ut\\_maintaining\\_excellence\\_and\\_efficiency.pdf](http://www.as.utexas.edu/bov/resources/08.ut_maintaining_excellence_and_efficiency.pdf).

stakeholders having the capacity to clearly and persuasively make the case for liberal arts education.

Some students in the Texas controversy have already demonstrated how civic advocacy and argument skills can positively influence controversy by increasing the number and quality of active stakeholders. Young Texans for Excellence in Higher Education, a sub-organization of the Texas Coalition for Excellence in Higher Education, offered an exemplary model of public deliberation in their open letter to Governor Perry.<sup>39</sup>

As current students and recent graduates of The University of Texas at Austin, we write to you with great concern over the recent proposed reforms that would adversely affect our great institutions of higher education. We are a group of committed young citizens who believe strongly in the power of Texas' higher education system to transform lives, build our economy, and shape Texas' future. This group is the next generation of Texas leaders who will continue to ensure that our public higher education system is amongst the best in the world and is constantly striving to improve. We are ready to engage in the discussion and creation of solutions that enable more cost-effective, transparent, and accountable institutions. However, we are not willing to sacrifice educational quality. We call upon our elected officials and regents to work with university leadership to continue to support the dual mission of education and research at our State's flagships, and furthermore, we encourage the continued development of excellence and accessibility throughout our higher education system...If Texas is

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<sup>39</sup> Both organizations are relatively young, having formed in direct response to the Solutions.

to succeed in the future, now is the time to make the investment. Invest in our future. Invest in our students. Make Texas relevant. Make Texans competitive.<sup>40</sup>

The advocacy skills displayed by Young Texans for Excellence in Higher Education is demonstrative of the types of arguments<sup>1</sup> that can be provided by students and young interlocutors interested in promoting liberal arts education. However, the noteworthiness of the Young Texans' open letter is due, in part, to its uniqueness. An immersive culture of argument and deliberation would have countless stakeholders speak and write on issues relevant to themselves and their communities. The open letter from Young Texans for Excellence in Higher Education shows that this goal is feasible, though accomplishing a social shift toward increased argument and deliberation will require sustained effort from academics and administrators in higher education.

The idea of argument playing a prominent role in classrooms across the curriculum is not new. Advocates of argument-laden curriculum have pointed to its potential to empower students and their communities by prompting stakeholders to resolve social crises that were previously considered insurmountable.<sup>41</sup> Recent evidence has also shown that argument and debate can facilitate increased civic engagement by fostering advocacy skills that are then independently deployed by students both within and beyond classroom environments.<sup>42</sup> These claims have been

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<sup>40</sup> Young Texans for Excellence in Higher Education, Open letter to Governor Rick Perry, Lieutenant Governor David Dewhurst, Members of the Texas Legislature, and Members of the Board of Regents of The University of Texas System, October 12, 2011, accessed August 21, 2016, <http://www.scribd.com/doc/68490796/Young-Texans-for-Excellence-in-Higher-Education-Open-Letter>.

<sup>41</sup> Ede Warner and Jon Brusckke, "'Gone on Debating': Competitive Academic Debate as a Tool of Empowerment for Urban America" (paper presentation, Western Speech Communication Association, Coeur d'Alene, ID, February 2001). This potential for empowerment through argument training has been shown to translate into digital forms of deliberation. Alfred Snider, "New Models for Debating: The USA Learns from the World," in *Navigating Opportunity: Policy Debate in the 21st Century*, ed. Allan D. Loudon (New York: iDebate Press, 2010), 341-8.

<sup>42</sup> Loudon and Hahn, "Comparing Argument and Debate Modes."

supported by substantial evidence linking communication skills to critical thinking.<sup>43</sup> Knowing how to construct an argument and present claims both orally and textually supports the forms of learning that the Solutions promote when they announce “We want our college graduates to read, write and speak well, and to think critically. We want them to be able to make thoughtful moral choices and fully appreciate what it means to be human.”<sup>44</sup>

Despite argument-based curriculum being discussed among academics, current systems of education do not typically utilize such models. While individual departments and schools have tapped into argument as desirable skillset for all students, examples of argument within and across the curriculum are few and far between. However, the events that unfolded during the Texas controversy open space for potential reforms that, until now, were considered unnecessary or infeasible.

The Solutions controversy includes statements from otherwise discordant stakeholders, demonstrating universal praise for argument training in higher education. Tapping into this common sentiment allows argument training to meet the goals of academics, critics, and the common citizen alike. Furthermore, the Solutions controversy provides academics with a *kairotic* moment where argument training can be incorporated into existing curriculum, tapping into collective calls for civic education and thus circumventing one of the major hurdles that has historically halted similar initiatives: the need for “strong evidence demonstrating pedagogical benefits.”<sup>45</sup> The Solutions and similar, future moments of controversy allow academics to

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<sup>43</sup> M. Allen et al., “A Meta-Analysis of the Impact of Forensics and Communication Education on Critical Thinking,” *Communication Education* 48, no. 1 (January 1999).

<sup>44</sup> TPPF, “Higher Education Summit,” 121.

<sup>45</sup> Joe Bellon, “A Research-Based Justification for Debate across the Curriculum,” *Argument and Advocacy* 36, no. 3 (Winter 2000): 161. Without tapping into a moment of controversy, argument-based curriculum is unlikely to take hold in academia. This is because major reform typically requires that changes would be successful, but demonstrating the success of argument training across the curriculum would require that such programs already exist. Bellon disagrees with my assessment here, arguing “It would be a mistake, however, to assume that the dearth

circumvent this need by initiating an argument-based reform agenda that taps into existing support among critics of existing liberal arts education. All that becomes necessary for this strategy to succeed is to demonstrate that well-informed and argumentatively-capable citizens and students are far more competent at holding institutions, be they academic or otherwise, accountable.

The need for a citizenry capable of assessing and creating its own arguments is proven within the Solutions controversy. As part of the Solutions' call for accountability, it argues that the average citizen and business owner should have a say in how universities are operated. This might be true, yet there exists incongruity between the claim that citizens are currently capable of deliberating on and assessing academia and claims made elsewhere in the Solutions arguing that college graduates are not obtaining the skills necessary to be active citizens.<sup>46</sup> However, in a world where citizens are trained in argumentation, debate, and deliberation, the Solutions' call for increased external accountability becomes far more palatable to defenders of academia.

A citizenship trained in argument and debate would, in theory, prove capable of meeting the goals of the Solutions by giving stakeholders the necessary skills to deliberate and argue on:

1. The desirability of policy proposals such as the Solutions
2. The successes and failings of their educators (professors and teaching assistants)

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of direct research on debate across the curriculum renders us incapable of meeting our evidentiary obligation in advocating such initiatives." Bellon, "A Research-Based Justification," 161. Bellon's alternative evidencing of debate-based curriculum as functional and feasible is based on his assessment of debate proving useful within particular contexts, though there is limited evidence to support that broadening debate's scope beyond communication courses and debating unions would replicate these limited positive results.

<sup>46</sup> Both of these claims are presented and discussed in chapter two.



### 3. The goals and foci of higher education in America

Deliberation on each of these points would require a form of training that demonstrates the universal applicability of argumentation and debate. Luckily, much of this work has already been done and its merits have been supported by successes both domestically and internationally.<sup>47</sup> What remains is to prove the feasibility of a curriculum that prioritizes argument and debate training. In the following section, I examine some of the ways that argument and deliberation might be developed as a central aspect of undergraduate education. Rather than a strict series of guidelines, this section should be read as an exploration of various possibilities, each carrying variable levels of political and structural feasibility based upon the colleges and universities in question.

### 6.3 ENACTING ARGUMENT ACROSS THE CURRICULUM

When considering the adoption of argument-laden curriculum in higher education, stakeholders should remember that much of the heavy lifting to promote these models has already been accomplished. Rather than starting from scratch, initiatives to support argument across the

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<sup>47</sup> As an example, Alfred Snider and Maxwell Schnurer's work on argument and debate across the curriculum shows how various fields and disciplines can incorporate debate into their subjects, infusing students with a sense of ownership and agency. Alfred Snider and Maxwell Schnurer, *Many Sides: Debate across the Curriculum* (New York: International Debate Educational Association, 2006). Internationally, there are a number of organizations that utilize debate as a means of promoting civic deliberation across borders and social boundaries. One of these institutions is the Benjamin Franklin Transatlantic Fellows Institute, a U.S. Department of State program where students from Europe and America gather to discuss geopolitical, social, and local concerns through a diverse set of debate formats and experiments. As of this dissertation, the program is entering its tenth year of funding and continues to garner support from diplomats and agencies across the United States and Europe.

curriculum can tap into existing support for communication across the curriculum.<sup>48</sup> Recent shifts in curriculum development have opened space for increased focus on communicative competencies. As a result, communication and rhetoric programs are uniquely capable of promoting and facilitating argument-laden curriculum.

While I argue that all forms of undergraduate education can be improved by incorporating argumentation into the core curriculum, I also concede that there are no uniform models available for this reform. As chapter two demonstrated, the Solutions' thematized, generic study of academia undercut the distinctions that constitute unique educational environments. Reforms that work at a small state school will not necessarily prove fruitful at massive private institutions. Because there are no universal models for higher education, the proposals mentioned in this chapter are not universal, but are instead intended to provide some general ideas that can be picked up and modified to better operate within the contexts of a particular college or university.

While one of the goals behind this dissertation has been to explore the potential for *topos* theory to open pathways for resolution regarding controversies over the goals and trajectory of higher education, this is just one of the many ways that argumentation can be presented to students. Regardless of *topos* theory being incorporated into curricula, this dissertation has

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<sup>48</sup> There is a litany of examples where colleges and universities have accepted the universal need for communicative competency. Examples include: 1.) the University of Maryland where every undergraduate student is required to take a course in communication theory and public speaking and 2.) the Massachusetts Institute of Technology's (MIT) incorporation of speaking-based coursework. MIT explains this move toward communicative competency: "In the 1990s, the Institute came to realize that its graduates needed more instruction and practice in writing and speaking if they were going to be successful as scientists, engineers, and entrepreneurs in the twenty-first century." Les Perelman, "Communicating across the Curriculum," *MIT Faculty Newsletter* 22, no. 1 (September/October 2009), accessed November 9, 2015, <http://web.mit.edu/fnl/volume/221/perelman.html>. While a good step toward argument across the curriculum, these existing initiatives are only partially representative of how curriculum reform could be developed. A full emersion of argument-based learning would require courses in argument theory and practice, but also commitment from different programs and departments, each finding ways to incorporate this training into their own classrooms.

proven is that existing arguments<sup>1</sup> on the merits of liberal arts education are entirely insufficient. Subsequently, stakeholders must consider how best to construct new arguments to support the merits of liberal arts education. Accomplishing this task requires strong appeals to the citizens, regents, and students effected by potential reforms. Yet, despite the difficulty in proposing these changes, the use of argument within nearly all fields of academia is not an entirely unsubstantiated or unusual proposal. The previous section shows that academics have already provided support for argument-based curriculum. Furthermore, future analysis can and should support the development of new curriculum, helping to eliminate the need for disorganized attempts to promote argument in new contexts.

As part of a push for debate training across the curriculum, Snider and Schnurer developed strategies for incorporating argumentation into classrooms in extremely diverse fields — from art to history, religion to foreign languages.<sup>49</sup> Their work provides a strong model for argument-based reforms by demonstrating to academics that the incorporation of argument and deliberation can enrich classroom environments without detracting from subject matter. However, while Snider and Schnurer’s research successfully demonstrates the pedagogic feasibility of argument across the curriculum, social and political hurdles have prevented the types of extensive reform supported in this dissertation. Despite these previous setbacks, I believe that lessons learned from the Texas controversy might hold the key for enacting an argument-based model for liberal arts education.

The capacity for argument to be a cornerstone of undergraduate curriculum has been long-standing, but the Solutions controversy offers the first recent moment where such reform becomes truly possible. As mentioned earlier in this chapter, the current potential to enact

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<sup>49</sup> Snider and Schnurer, *Many Sides*.

argument-based reforms is based upon the *kairotic* moment facilitated by the Solutions controversy, causing disparate interlocutors to concur on the importance of civic education and public deliberations over knowledge production. We can consider the Solutions controversy as a means of lifting inventional constraints on curriculum, allowing academics to seize upon existing skepticism toward academia by embracing and engaging reform rather than deflecting well-reasoned criticisms of current policies and practices.<sup>50</sup>

Academics are not the only group in America that should improve its attitude toward oppositional argument. However, they are possibly the best equipped to enact social change by promoting and demonstrating modes of civic discourse that seek compromise, empathy, and understanding through reasoned discussion. In an address on liberal arts education in 2015, President Barack Obama spoke to this need by asking students to consider an openness to oppositional, potentially distressing positions.

I've heard of some college campuses where they don't want to have a guest speaker who is too conservative. Or they don't want to read a book if it has language that is offensive to African Americans, or somehow sends a demeaning signal towards women. And I've got to tell you, I don't agree with that either. I don't agree that you, when you become students at colleges, have to be coddled and protected from different points of views. I think that you should be able to — anybody should — anybody who comes to speak to you and you disagree with, you should have an argument with them. But you shouldn't silence them by

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<sup>50</sup> Richard Enos discusses inventional constraint in relation to civic composition in Athenian society. Richard Leo Enos, "Inventional Constraints on the Technographers of Ancient Athens: A Study of Kairos," in *Rhetoric and Kairos: Essays in History, Theory, and Praxis*, ed. Phillip Sipiora and James S. Baumlin (Albany, NY: State University of New York Press, 2002). While this dissertation is divergent from Enos in its application of *kairos* and its relation to inventional restraint, his work informs my analysis by showing that messages are necessarily contingent upon the timeliness of their deployment.

saying, you can't come because I'm too sensitive to hear what you have to say.  
That's not the way we learn, either.<sup>51</sup>

President Obama's remarks hit upon the need for increased deliberation and willingness to argumentatively engage diverse viewpoints, though his speech could be directed to academics as easily as it was to students. A move toward argument-centric models of undergraduate curriculum requires academics to play an active role by embracing and seeking out moments of controversy, providing examples of civil disagreement worthy of emulation. In this way, academia can reconstitute itself as a paragon of reasoned discourse rather than a profession that fears oversight and assessment.

By proactively engaging their colleagues and students in public argument (debates, town halls, etc.), educators can show that colleges and universities are capable of promoting discourse and welcoming viewpoints that exist beyond the liberalism interpolated upon institutions of higher learning.<sup>52</sup> By moving toward models of higher education that demonstrate academics' willingness to engage oppositional viewpoints, academia has the capacity to move beyond the forms of binary, politicized opposition seen in the Solutions controversy. Miller discusses this potential as a means of transforming social *doxa*.

Changing the current *doxa* of the humanities...could enrich student's and professors' knowledge base, increase their means of intervention in cultural production, counter charges of social and commercial irrelevance...and make the field's citizenship and social-movement claims more credible (Miller 12, 107)

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<sup>51</sup> Presidential Addresses and Remarks No. DCPD-201500618 (September 14, 2015).

<sup>52</sup> An example of this practice would be academics participating in public debates on social issues, possibly as competitors or as respondents. Examples of these events have been developed by competitive debate programs across the country. For example, the William Pitt Debate Union hosts a series of Marcella L. Finegold Memorial Public Debates in collaboration with the Department of Communication in and the Pitt School of Medicine. The debate series have included speakers including state senators and leading names in the topic areas being discussed.

The need for a transformation of *doxa* as it relates to higher education is palpable. Multiple sources show that credibility in academia is at an all-time low with educators slowly losing the culture war over the future and trajectory of higher education.<sup>53</sup> As chapter five has shown, neoliberal models of academia have become the norm. Resisting these economically-driven styles of learning requires what Brown considers a return to pre-neoliberal models where “College stood for expanded individual opportunity, but also for the acquisition of a vastly enlarged view of and encounter with the world — its diverse peoples, sciences, languages, literature, and histories.”<sup>54</sup> By showing that argument can function as a constructive form of intellectual exploration and engagement, academia can facilitate forms of learning where students are encouraged to understand and engage others, doing so while simultaneously learning how to better articulate their own beliefs and positions.

The transformative potential of an argument-based curriculum is not exclusive to classroom instruction. A full emergence in argumentation will require colleges and universities to promote speaking and listening events where students, along with members of the surrounding public, are given the opportunity to engage diverse viewpoints. Models for these events already exist and have been proven viable. Countless public debates have taken place on college campuses, inciting deliberation on pressing issues relating to the campus and surrounding communities. However, these events remain relatively infrequent and offer limited opportunity for institutions of higher learning to situate themselves as the go-to source for meaningful deliberations over contentious issues.<sup>55</sup> An argument-based curriculum should equip students

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<sup>53</sup> For support of this claim see Brown, *Undoing the Demos*. Further support is provided by the continued salience of Solutions-based reform initiatives that work to undermine academic oversight over higher education.

<sup>54</sup> Brown, *Undoing the Demos*, 187.

<sup>55</sup> Brian Lain et al., “A Survey of Scope and Perceived Value of Debate Outreach and Civic Engagement at the College Level” (paper presentation, Speech & Debate as Civic Education, University Park, PA, March 2016).

and educators alike with the capacity and willingness to enter public deliberations, providing a bridge between campuses and their surrounding communities by incorporating student learning into social and cultural concerns that reach beyond the campus. Again, this is not a new idea, but increased focus toward argumentation can help move public debates away from the realm of obligatory outreach initiatives for competitive debate teams by opening opportunities for all students to consider themselves civil advocates.

Despite the potentially positive outcomes derived from argument-based curricula, a move toward this type of education carries inevitable complications. For example, stakeholders are likely to question the authenticity of academic's claims to fully entertain and consider oppositional viewpoints. The Solutions packet makes frequent reference to the lack of honest brokerage within higher education. Marty Nemko, whose work was included in the Solutions packet, argues "Some colleges claim to celebrate diversity of ideas, yet most of their classes are biased in one direction, with other ideas presented mainly to be denigrated."<sup>56</sup> However, Nemko continues by arguing for the exact forms of education that an argument-based curriculum would provide: "The best education fairly examines a wide range of perspectives."<sup>57</sup> By supporting an environment where diverse perspectives are welcomed and interrogated, academia can move beyond the current trend of deferring controversy and instead begin working toward resolution with critics of contemporary higher education.

A move toward argument and debate training does more than improve arguments<sup>1</sup> within controversy — it can also work toward resolution for many of the Solutions' other concerns. For example, the Solutions' argue that student assessment is the only means of ensuring quality

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<sup>56</sup> Marty Nemko, "How Some Colleges Deceive Students, Parents," in *Texas Public Policy Foundation Higher Education Summit* (Austin, TX: Texas Public Policy Foundation, 2008), 141.

<sup>57</sup> Nemko, "How Some Colleges Deceive Students," 141.

instruction in the classroom. However, as chapter four has shown, there is a litany of evidence supporting claims that existing student assessment models are heavily skewed to favor white, heterosexual men. By increasing student capacity and willingness to publically deliberate on the merits of assessment models, argument training can work toward resolving these issues and potentially move toward a deeper social understanding of structural forms of racism, sexism, and gendered language.

In addition to argument and debate training helping to determine the desirability of existing models, a student body that is more willing to deliberate with one another would also become more capable of engaging new, alternative models of education. As an example of a policy proposal that Solutions advocates, students, and academics could engage as a potential means of reforming higher education, we can look to Stuart Rojstaczer, a former professor at Duke University, who has offered a comprehensive alternative to ongoing student assessment guidelines:

For lower-division classes, it's often possible to infer the quality of instruction by measuring how students perform, on average, on the next sequence in a study area (such as Spanish II or Calculus II). In upper-division courses, inferences can be made on instructor quality from the outcomes of graduates in the major area of study. One can examine whether a professor has inspired an unusual number (either large or small) of undergraduates students to choose careers in that professor's subject area. Such outcome-based measures would require extra work, but they would also tend to be fairer and ultimately more informative than the bubble sheets filled out by students today.<sup>58</sup>

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<sup>58</sup> Stuart Rojstaczer, "Student Evaluations Offer Bad Data That Leads to the Wrong Answer," *New York Times*, September 18th 2012, accessed October 9, 2015,



Rojstaczer's proposal and similar methods of reform are indicative of potential pedagogic invention, demonstrating the potential for possibilist changes in academia that can be facilitated through a public that is well-educated in argumentation and advocacy. By bringing more voices into the conversation, argument and deliberation training increases the likeliness that new and exciting ideas, reforms, and compromises can be discovered. This potential for discovery is not only useful within its particular context, but can also provide a self-perpetuating means of increasing possible solutions to ongoing controversies.

In his work on sophistical rhetoric, John Poulakos explains that inventive discovery of new ideas works by understanding that “the possible can be actualized; and its actualization constitutes not the end but an origin or source of yet another set of possibilities.”<sup>59</sup> Poulakos identifies this approach to possibility as demonstrative of sophistical rhetoric, showing that “the rhetoric that privileges the possible is a rhetoric of the ‘there,’ the ‘then,’ and the ‘can be’.”<sup>60</sup> In other words, deliberations that prioritize possibility require a focus toward future potentiality, looking at current systems as a starting point but understanding that interlocutors have the capacity to change and adapt their surroundings in accordance to their desires and needs.

In relation to this dissertation project, I argue that possibilist approaches to higher education are a means to discovering new resolutions to age old controversies and that this possibilism is best realized by publics that are versed in argumentation.<sup>61</sup> This capacity for academic, pedagogic, and social renewal through a continual stream of original ideas and

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<http://www.nytimes.com/roomfordebate/2012/09/17/professors-and-the-students-who-grade-them/student-evaluations-offer-bad-data-that-leads-to-the-wrong-answer>.

<sup>59</sup> John Poulakos, “Rhetoric, the Sophists, and the Possible,” *Communication Monographs* 51 (September 1984): 221.

<sup>60</sup> Poulakos, “Rhetoric, the Sophists, and the Possible,” 224.

<sup>61</sup> For more on possibilism see Nicholas Rescher, *Imagining Irrationality: A Study of Unreal Possibilities* (Chicago, IL: Open Courts, 2003).

theories is as exciting as it is unpredictable. The types of arguments and ideas that would be developed through an argument-based curriculum are largely contingent upon the types of argumentation that would be taught within colleges and universities. To explore some of the potential pedagogic pathways enabled through these reforms, the following sub-sections explore two potential realms of argument theory that might prove fruitful for advocates of argument across the curriculum.

### 6.3.1 *Topos-centric Argument Training*

As this dissertation has argued in preceding chapters, *topos* theory is an under-utilized means of identifying lines of argument as they exist within and beyond particular controversies. For this reason, *topos*-based argument training is one way that argumentation can be easily incorporated into existing curricula. The histories of rhetoric have demonstrated study of *topoi* to be advantageous for students interested in bettering themselves while simultaneously learning how to participate in civil society.<sup>62</sup> As discussed in chapter one, Aristotelian *topos* theory has historically facilitated “a means of organizing our thoughts and information” as well as improving critical thinking skills.<sup>63</sup>

While utilizing Athenian linguistics might be initially off-putting to some interlocutors, the goals behind *topos* theory align with the need to provide students with the skills to identify and analyze arguments as they exist and carry through various controversies. Whereas some

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<sup>62</sup>The histories of rhetoric provide ample evidence that *topoi* provide a valuable means of analyzing and creating arguments. For a comprehensive study of *topos* theory see Sara Rubinelli, *Ars Topica: The Classical Technique of Constructing Arguments from Aristotle to Cicero* (Berlin: Springer, 2009), 15. For examples of *topos* theory being crafted and utilized within particular contexts see Quintilian, *The Institutio Oratorio*. and Boethius, *De Topicis Differentiis*.

<sup>63</sup> Zompetti, “The Value of *Topoi*,” 23.

forms of argument training focus toward analysis that is tailored to particular exigencies, *topos* theory would allow students to see that seemingly unique moments of intellectual contestations are often reiterations of previous arguments<sup>2</sup>. This training would allow students to develop general argumentative strategies that can be tailored to particular situations, better equipping them to engage others through extemporaneous deliberation. Furthermore, an argument curriculum focused on *topos theory* might prove desirable for educators that have neither the time nor energy to develop an extensive course in argument. Zompetti compares alternative forms of argument training to *topos* theory:

While [other methods] are extremely useful, none offer an instructor the ease and utility of *topoi* when teaching issues relating to argument. In general, *topoi* help to ease the instruction process. While the varied argument-related activities are difficult and time-consuming, *topoi* offer a relatively easy approach to argument identification and construction. For the beginning student, speaker or rhetor, *topoi* provide a possible list to check when searching for arguments during research. The *topoi* also aid in the construction of arguments during preparation and delivery of speeches...As a rhetor becomes more advanced, *topoi* often seem second nature, yet their use is still very much a part of the advanced arguer's routine...By using *topoi* in this way, arguers can greatly improve their abilities to speak and argue. In so doing, their confidence will improve, and the process of arguing will become less intimidating.<sup>64</sup>

Zompetti's advocacy of *topos* theory in the classroom supports the conclusions of this dissertation, showing that identifying and analyzing *topoi* allows for deeper understanding of

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<sup>64</sup> Zompetti, "The Value of *Topoi*," 24-5.

arguments<sup>1,2</sup> and a stronger sense of how arguments tend to reemerge within similar moments of intellectual contestation.<sup>65</sup> Furthermore, he shows training in *topos* theory to be a gateway to critical thinking skills, prompting students to break down neoliberal curtailing of oppositional argument by “[allowing] an individual to explore and understand the multiple sides of an issue” by creating “a systematic, organized process whereby we can acquire, interpret, manage and use information (in the form of arguments) critically.”<sup>66</sup> Zompetti demonstrates that *topos* training can provide a valuable means of promoting civic deliberation and argument among undergraduates. Additionally, the *kairos* of the Solutions controversy might help to reverse prevailing norms in academia that situate *topos* as a relatively outdated concept.<sup>67</sup>

As this dissertation has shown, the study of *topoi* facilitates a stronger understanding of argumentation and has the potential to reveal agreements, underlying arguments, and incongruities within a controversy. The potential for these discoveries to be mapped onto other contexts and analyses is unknown and will require further study from myself and other scholars. However, while all formats of debate and argument training would help students to understand the nuances of philosophical, social, and political decisions, I argue that the information garnered through *topos* theory generally and *hierarchical topos* theory in particular is demonstrative of its capacity to positively influence classroom interactions. Argument across the curriculum, facilitated by theoretical understanding of *topoi*, allows audiences to narrow lengthy discussions by identifying core arguments, separating them from non-foundational claims. This process

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<sup>65</sup> Zompetti, “The Value of *Topoi*.”

<sup>66</sup> Zompetti, “The Value of *Topoi*,” 22-3.

<sup>67</sup> Those studies utilizing *topos* theory in contemporary contexts are rare. Chapter two’s analysis of Arthos’ work showed that *topos* theory is viable in current contexts, but that more theorizing is needed to fully utilize the theory. John Arthos, “Locating the Instability of the Topic Places: Rhetoric, Phronesis, and Neurobiology,” *Communication Quarterly* 48, no. 3 (2000). I believe that my work regarding *hierarchical topos* theory might offer one such means of bringing *topos* into the center state of argument theory.

results in focusing deliberation upon the most critical claims within a controversy and resolves the common sentiment among lay debaters that important topics are often too massive to be properly discussed.

Through this dissertation, I show that discovering the insufficient nature of existing *topoi* within the Solutions controversy has the positive potential of moving attention toward new, better means of promoting liberal arts education. This capacity for change does not depend upon my dissertation project, but rather upon educating stakeholders to enact argumentative invention themselves, doing so through a heightened understanding of argumentation and deliberation that can be facilitated through curriculum reform.

As this dissertation has shown, *topos* theory promotes discovery of new arguments by allowing stakeholders to determine if existing arguments<sub>1</sub> are satisfactory or if they are merely reiterations of old claims that have already proven to be insufficient to resolve controversy. Through this discovery, informed stakeholders may then proceed by incorporating existing, valuable *topoi* into new avenues for discussion and deliberation. This process of argumentative invention is tied to particular exigencies, but is facilitated by making space for new arguments by doing away with impotent claims in previous moments of controversy.

Despite the potential benefits to an argument-laden curriculum that incorporates *topos* theory, there are limitations to this mode of argumentative analysis. As mentioned previously, there are very few examples of *topos* theory being utilized by contemporary thinkers. As a result, educators incorporating *topos* theory into their curriculum would have a limited set of example texts to offer their students. Additionally, this dearth in literature indicates that most educators are relatively unfamiliar with *topos* theory, so the adoption of this model would require a preliminary familiarizing with the theory. As a result, *topos* theory might offer an exciting and

fruitful means of incorporating argument and deliberation across the curriculum, but it is unlikely to be the most popular preliminary means of enacting argument-based reforms. Despite these limitations, the analysis offered in this dissertation points toward the potential windfall available for pedagogues willing to explore various forms of *topos* theory.

As mentioned previously, I believe that incorporation of *topos* theory might provide a solid means of injecting argument into undergraduate student curriculum. However, as I have also mentioned, there is no single, universal model for argument across the curriculum. The following sub-section explores another pathway for argument to be picked up by academics, briefly exploring how forms of argument outside of Westernized education might provide a fruitful means of invigorating discussion within and beyond the classroom.

### *6.3.2 Transcultural Models of Argumentation*

Another option for enactment of argument-laden curricula lies in the incorporation of various models that are rarely seen in American colleges and universities. Even among rhetorical scholars, argument is often framed through western notions of competition, prioritizing victory over one's opponents. This section explores an alternative method of argument that could be deployed within American universities. Specifically, I argue here that Tibetan forms of argument and debate, commonly seen in Buddhist monasteries, can provide a fruitful means of facilitating public deliberation that prioritizes cooperation and discovery over competition and polemics.

The potential for eastern forms of argument to be deployed within American educational systems has already been posited by Deborah Tannen, showing that “disputation was rejected in

ancient China as ‘incompatible with decorum and harmony cultivated by the true sage.’”<sup>68</sup> As a result of this rejection, many forms of argument and debate throughout Asian cultures have developed through foundationally different approaches to logic than those seen in western cultures.<sup>69</sup> Tannen continues her work by differentiating these approaches, showing that eastern forms of argument seek “to ‘enlighten an inquirer,’ not to ‘overwhelm an opponent.’”<sup>70</sup> This approach to argument as a cooperative process of discovery can provide American students with a mode of inquiry that does not fall prey to current social trends where students will avoid communicative events that they consider confrontational.<sup>71</sup>

This model of argument might be particularly appealing to academics that question the Solutions’ adherence to knowledge production reminiscent of Platonic *episteme*. Tannen explains:

If Aristotelian philosophy, with its emphasis on formal logic based on the assumption that truth is gained by opposition, Chinese philosophy offers an alternative view. With its emphasis on harmony, says anthropologist Linda Young, Chinese philosophy sees a diverse universe in precarious balance that is maintained by talk.<sup>72</sup>

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<sup>68</sup> Tannen, *The Argument Culture*, 258.

<sup>69</sup> The differences between Greco-Roman and Eastern forms of argumentation are further developed by Steven C. Combs’ analysis of Daoist disputation. Steven C. Combs, “The Useless-/Usefulness of Argumentation: The Dao of Disputation,” *Argument and Advocacy* 41 (Fall 2004): 58-70.

<sup>70</sup> Tannen, *The Argument Culture*, 258.

<sup>71</sup> Avoiding of conflict is not new in American culture. Previous studies have shown that American university students will proactively avoid communicative events at a rate of over fifty percent when faced with potential verbal conflict. Alan L. Sillars et al., “Coding Verbal Conflict Tactics: Nonverbal and Perceptual Correlations of the ‘Avoidance-Distributive-Integrative’ Distinction,” *Human Communication Research* 9, no. 1 (1982).

<sup>72</sup> Tannen, *The Argument Culture*, 258.

For those scholars that are uncertain of argument-based curriculum's capacity to transform social norms, an exploration of eastern forms of deliberation such as those addressed by Tannen might prove fruitful. Unlike Aristotelian forms of argumentation, Tibet monasteries have developed a form of intellectual inquiry that proactively avoids focus on opposition and disputation.<sup>73</sup> Instead, Daniel E. Perdue describes the focus of Tibetan argument and debate as a mode of mutual inquiry and discovery.

The central purposes of Tibetan monastic debate are to defeat misconceptions, to establish the correct view, and to clear away objections to that view...Great emphasis is placed on the knowledge to be gained through debate. Debate for monks of Tibet is not mere academics but a way of using direct implications from the obvious in order to generate an inference of the non-obvious state of phenomena.<sup>74</sup>

Readers familiar with Platonic dialectic might note similarities between his work and this Tibetan approach to debate. By situating argument and debate as means of promoting discovery among audiences and participants, the Tibetan model asks students to open themselves to new ideas, entertaining the possibility that their own positions are imperfect, but also understanding that discovering these imperfections does not translate to having "lost" an argument.<sup>75</sup> Instead,

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<sup>73</sup> This distinction is explained by Geshe Lobsang Tharchin, showing "The purpose of debate is not to defeat and thereby embarrass a mistaken opponent, thereby gaining the victory for oneself; rather, the purpose is to help the opponent overcome his wrong view." Geshe Lobsang Tharchin, "Oral Commentary," trans. Artemus B Engle, quoted in Daniel E. Perdue, *Debate in Tibetan Buddhism* (Ithaca, NY: Snow Lion Publications, 1992), 9.

<sup>74</sup> Daniel E. Perdue, *Debate in Tibetan Buddhism* (Ithaca, NY: Snow Lion Publications, 1992), 6-7.

<sup>75</sup> Similar focus is found in Daoist models of debate where practitioners approach argument and debate "to open up the possibilities for additional conceptions-momentarily foregrounding a provisional claim or promoting alternative ways of thinking." Combs, "The Useless-/Usefulness of Argumentation," 68. While the Daoist model is distinct from the forms of debate practiced in Tibetan monasteries, both formats aim to instruct students in the use and production of arguments that prioritize mutual discovery and the exploration of ideas. This is in contrast to Western education which prefers to instruct students in comparatively binary and oppositional forms and formats for argument.



argument and debate are understood as means of discovery, providing students with the tools necessary to question other's claims as well as their own.<sup>76</sup>

As an introduction to argument and debate, Tibetan educators ask students to consider simple, inconsequential arguments as a means of familiarization with logic and advocacy.<sup>77</sup> By asking students to develop arguments on pedestrian questions (“What is the best kind of animal,” “Could Batman beat Superman,” etc.), argumentative skillsets are developed that can be later deployed during moments of intense inquiry.<sup>78</sup> Similar forms of training are already seen in western classrooms, though it bears mention that Tibetan debate training typically begins at a far younger age.<sup>79</sup> Despite this difference, the Tibetan approaches to argument and debate briefly outlined in this section provide an initial investigation into the potential for transnational formats of advocacy to facilitate meaningful changes in contemporary undergraduate curriculum.

It is worth mentioning that American stakeholders interested in Tibetan forms of argument would need to resituate Buddhist approaches to fit within secular classroom

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<sup>76</sup> Perdue explains that despite focusing on truth and accuracy, Tibetan debate does not support dogmatic constructions of reality. Instead, “debate is an intense and imaginative critical process” where assumptions and preconceptions are constantly questioned and analyzed, facilitating a dynamic and mutual quest for deeper understandings of the topic at hand. Perdue, *Debate in Tibetan Buddhism*, 31. An example of this discovery lies in Tibetan modes of argument focusing on increased understanding of claims by questioning the use of indefinite articles. Perdue explains that “the use of the indefinite articles ‘a’ and ‘an’” facilitate vague understandings of a claim or position by indicating that a particular lies within a larger universal set. Perdue, *Debate in Tibetan Buddhism*, 164.

<sup>77</sup> Perdue explains this process as intended to “train the potency of the mind so that one will be able to penetrate the difficult topics.” Perdue, *Debate in Tibetan Buddhism*, 186.

<sup>78</sup> Perdue elaborates on this process: “Monastic debate is a matter of learning a few basic, solidly established forms of reasoning and then taking that knowledge and applying it to many different subjects. This vigorous application sharpens one’s intellect and increases the capacity for understanding. The monks practicing debate study within a well developed system beginning with basic logic and working up to the great texts of India, both the sutras and the commentaries but mostly the latter.” Perdue, *Debate in Tibetan Buddhism*, 21.

<sup>79</sup> Though it is beyond the scope of this dissertation, it is worth considering that supporters of argument-laden curriculum might also consider if and how advocacy skills might be taught in settings prior to undergraduate education. Georges B. J. Dreyfus shows that some forms of Tibetan education have students dedicate up to four years focusing on argument skills while others are more akin to Western systems, incorporating argument as a small aspect of a larger curriculum. Georges B.J. Dreyfus, *The Sound of Two Hands Clapping: The Education of a Tibetan Buddhist Monk* (Berkeley: University of California Press: University of California Press, 2003).

environments. The validity of this process has already been proven possible on a limited scale, though additional work will be needed for a full deployment of Tibetan argument theory within American classrooms.<sup>80</sup> For now, I want to move forward by revisiting broader questions regarding the deployment of argument across the curriculum, investigating if and how American argument and debate scholars can contribute to the process of reorienting liberal arts education toward one of advocacy and deliberation.

### 6.3.3 *Making Argument Great Again*

At this point, readers might be asking “How do we promote the forms of argument-laden curricula laid out in this chapter?” As mentioned previously, there are no universal models for the adoption of argument across the curriculum. Furthermore, answers to this question cannot be readily catalogued, but instead require individual institutions, departments, and academics to consider how best to incorporate argument and deliberation in their classrooms. However, one possible means of promoting change would be tapping into the extensive knowledge and expertise found in competitive debate communities.

Members of competitive debate communities have already indicated the need to incorporate argument and debate into their classrooms. Pete Bsumek has argued “the intercollegiate debate community should begin an urgent project of reclaiming debate,” situating itself as an authority on argument pedagogy and curriculum by “theorizing about debate and

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<sup>80</sup> Michael Lempert, *Discipline & Debate: The Language of Violence in a Tibetan Buddhist Monastery* (Oakland: University of California Press, 2012). Lempert shows that previous exposures to Tibetan debate have led westerners to “see some of their own aspirations reflected in these performances,” resulting in a mimetic adoption of similar argumentative norms. Lempert, *Discipline & Debate*, 10.

promoting its virtues as a tool for public engagement.”<sup>81</sup> Bsumek’s call to action is worthy of consideration, though competitive debate organizations have historically failed to heed calls to shift their priorities toward civic engagement and curriculum development. Instead, these organizations have historically elected to continue their focus toward competitive success in contest rounds, offering public debates as an appeasement measure to department chairs and administrators.<sup>82</sup> For argumentation to become a central theme in undergraduate education competitive debate groups can support, but in their current form cannot lead reform initiatives.<sup>83</sup>

The capacity for competitive debate societies to lead the charge for argument-based curriculum is questionable, but this concern is not an inherently damning revelation that would hamper curriculum reform. In fact, developing a program of argument across the curriculum that does not depend upon competitive debate as its starting point might prove beneficial. Contemporary competitive debate often utilizes deployments of *dissoi logoi*, switch-side debate. Despite its usefulness in contest rounds, this format of debate is likely to prove unpalatable to stakeholders that are already concerned with relativism in academia.

Whereas competitive debate typically requires students to debate multiple sides of any given argument, students unfamiliar with argument theory would likely find themselves more comfortable arguing on inconsequential topics or, when a topic takes on a serious tone,

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<sup>81</sup> Pete Bsumek, “Debate as Disease: Debate and the Dialogue and Deliberation Movement,” *Contemporary Argumentation & Debate* 30 (2009): 4.

<sup>82</sup> There are some positive indications that this trend is improving. For example, the 2015 conference, *Speech and Debate as Civic Education* was predominately populated by competitive debate coaches and directors. This conference sought to approach debate as a central part of undergraduate education. Its impact is still unknown. The conference proceedings for this event are forthcoming. M. Hogan et al., eds., *Speech & Debate as Civic Education* (University Park: Penn State University Press, forthcoming).

<sup>83</sup> The potential for competitive debate organizations to prioritize civic engagement and social outreach initiatives is suspect. As an example, the third national development conference on intercollegiate debate, held at Wake Forest University in 2009, prompted little long-term change within the Cross-Examination Debate Association (CEDA) community. This failed potential is unfortunate given the plethora of potentially-revolutionary changes proposed by attendees of the conference.

defending their own beliefs before being asked to represent those of other interlocutors. To be clear, switch-side debate has proven to be an extremely valuable pedagogic tool — this dissertation is not an assault on contemporary deployments of *dissoi logoi*, but is instead based in the belief that lay students are less likely to embrace argumentation if they are asked to initially support claims that they themselves might abhor. Though valuable, *dissoi logoi* should not be a student's initial exposure to civic advocacy. Instead, students should learn the basic skillsets necessary to articulate a claim, growing comfortable with their own beliefs and opinions before being asked to adopt those of their peers. This gradual process of building argument comfort zones can help to illuminate understandings of argument as more than a tool for liberal academics, instead showing that all opinions and beliefs can benefit from a deeper understanding of how reasoned discourse is conducted.

Competitive debate's deployment of *dissoi logoi* might make its models unpalatable for students and educators, but other aspects of competitive debate might still offer invaluable skillsets to stakeholders in future controversies. For example, competitive debaters are typically trained to critique word choice and definitions utilized by their opponents. This realm of argument, akin to the types of dissociative definition discussed by Chaïm Perelman and Lucie Olbrechts-Tyteca, would allow stakeholders to better articulate the importance of precise word selection and argumentative specificity.<sup>84</sup> This type of argument would allow stakeholders to go beyond the vague series of claims found in the Texas controversy where arguments regarding the roles and trajectory of the Texas system of higher education incorporated examples from extremely diverse forms of education. By learning how to demand increased clarity and

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<sup>84</sup> Chaïm Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation* (Notre Dame: University of Notre Dame Press, 1969): 444.

definitional specificity, stakeholders might learn how to hone arguments<sup>1,2</sup>, opening new inventive possibilities during future moments of intellectual contestation.<sup>85</sup>

A shift toward argument-laden curriculum that taps into the *kairotic* moment of possibility facilitated by the Solutions controversy or similar, future controversies will require the support of multiple communities.<sup>86</sup> Competitive debate scholars, general academics, administrators, and others will need to embrace the possibility of teaching students to argue in diverse contexts, knowing that by relaying advocacy skillsets the academic community is effectively training a generation of students that will grow to question themselves, society, and even the very academic institutions that taught them critical thinking skills. This process is not without risk, but it is the only way forward for an academe truly dedicated to a liberal arts education to teach students to think, speak, and advocate efficiently and effectively.

## 6.4 LOOKING FORWARD

This project puts forward one possible means of moving beyond existing structures of liberal arts education by surpassing previous iterations of controversy, developing forms of undergraduate education that promote argument, debate, and civic deliberation. In its critique of contemporary

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<sup>85</sup> Teaching students to question the arguments being offered up by stakeholders is particularly important in controversies that include political concerns. David Zarefsky indicates “the constraints on political argumentation requires that the advocates have a broad latitude to reconstruct the argument in order both to resolve the dispute and to resolve it in their favor.” David Zarefsky, “Strategic Maneuvering in Political Argumentation,” *Argumentation* 22 (2008): 327. The trend for political figures to strategically reorient public argument to better their agenda means that concerned stakeholders must be capable of identifying these strategic maneuvers and respond accordingly. Also see Edward Schiappa, “Arguing About Definitions,” *Argumentation* 7 (1993): 403-417.

<sup>86</sup> Support for this movement is moving in promising directions. A forthcoming volume, *Using Debate in the Classroom: Encouraging Critical Thinking, Communication, and Collaboration*, promises to further Snider and Schnurer’s evidencing of argument’s universal applicability to higher education. Karyl A. Davis et al., *Using Debate in the Classroom: Encouraging Critical Thinking, Communication, and Collaboration* (New York, NY: Routledge, 2017); Snider and Schnurer, *Many Sides*.

academia, the Solutions asked readers “how do we re-introduce the traditional humanities into the mainstream of Texas higher education?”<sup>87</sup> This dissertation responds by proposing that students should be given the skills to advocate on their own behalf, a goal that reaches beyond existing, neoliberal models of higher education and taps into histories of academia that promoted civic discourse and discovery.

In chapters two and three, I explored *topoi* within the original Solutions and Response arguments. In doing so, I developed my theory of *hierarchical topos* in an effort to better understand how lines of argument relate and depend upon one another. This analysis was conducted in an effort to uncover stronger lines of argument. However, I was surprised to discover that the *topoi* offered in defense of liberal arts education failed to promote argumentative invention, instead exposing the arguments<sub>1</sub> within the Solutions and Response to both be indicative of neoliberal modes of thought regarding higher education. This discovery was solidified in chapter four where competing *topoi* were placed in conversation, revealing that the Response was not a positive advocacy for liberal arts education so much as a negative refusal of the Solutions.

Chapters five and six of this dissertation offered a means of moving beyond arguments that would merely recapitulate the Solutions controversy. In chapter five, I showed that epistemological conceptions of academia, situated within a neoliberal system, have forestalled stakeholders in their attempts to defend the liberal arts. In response to this conclusion, chapter six developed as a potential resolution, offering a means of improving stakeholder advocacy and meeting demands found within the Solutions and Response.

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<sup>87</sup> Texas Public Policy Foundation, *Higher Education Summit*, 130.

In addition to providing a deeper understanding of *topoi*, my analysis has argued that existing lines of argument within controversies over higher education are wholly insufficient to promote liberal arts education. In doing so, I have responded to Brown's concerns on neoliberal education by advocating argument-based curriculum that can help to promote stronger forms of democratic citizenship.<sup>88</sup> The potential windfall of this analysis, particularly those aspects relating to argument-based curriculum, is multigenerational. As students pass through a system of higher education that focuses on the universal utility of argumentation they will incorporate these skills into society through their personal, professional, and public lives. In doing so, academia will be effectively training its replacements — surpassing current forms of higher education and developing a renewed focus toward critical inquiry and deliberation; renewing the *demos*.

Looking forward, future analysis will be needed to support reform initiatives for argument-laden curriculum. This process will require individualized forms of *praxis* where stakeholders engage students and others, both within and beyond the classroom, in an effort to demonstrate society's collective capacity for civil discourse. Are academics open to new models of pedagogy that invite students to question foundational assumptions in academia? This question remains unanswered, but choosing to offer students an opportunity to develop advocacy skills will ensure that, even if disagreements surface, we will be teaching what matters.

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<sup>88</sup> Busmek, "Debate as Disease." Busmek speaks on the ties between deliberation, debate, and democracy, showing that the field of communication is founded upon the belief of these concepts as necessarily intertwined. Further evidence can be found in Troy A. Murphy, "Deliberative Civic Education and Civil Society: A Consideration of Ideals and Actualities in Democracy and Communication Education," *Communication Education* 53, no. 1 (January 2004).

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