Learning Targets

• Analyze and synthesize details from two texts about justice.
• Explain how an author builds an argument.

Persuasion

When presenting their support for a particular point of view, writers use persuasive language to make their cases about unjust treatment or situations. A powerful argument is crafted using emotional, logical, and ethical appeals to those who have the power to take action on an issue. To take a stand against an injustice and provide a passionate and persuasive argument that convinces others of your point of view is the responsibility and right of every effective communicator.

Preview

In this activity, you will read two texts about the same issue and analyze their claims.

Setting a Purpose for Reading

• When presenting an argument, writers use evidence to support their positions. Of the types of evidence—empirical, logical, and anecdotal—anecdotal is the least reliable because it may be based on a personal account rather than fact or research. As you read the following two texts, look for the evidence presented to support the arguments. Mark each text to identify each type of evidence, and discuss with peers the effect of that persuasive technique on the text as a whole as well as its impact on the reader.

• Circle unknown words and phrases. Try to determine the meaning of the words by using context clues, word parts, or a dictionary.

ABOUT THE ISSUE

Background Information on Michael Fay Controversy

Michael Fay, an American teenager living in Singapore, was arrested in 1994 for possession of stolen street signs and for vandalism of automobiles. The criminal justice system in Singapore sentenced Fay to a series of “canings,” in which the accused is struck several times on the buttocks with a long rattan cane. Amnesty International has declared this punishment “torture.”

Before the punishment was carried out, Fay’s father publicized his case all over America, hoping that people would be so horrified by the act that they would protest. What the case touched off instead was a huge debate over the effectiveness of such punishments on criminals. Proponents of caning pointed out that Singapore has very little crime, while America provides its criminals with cable TV. The case dominated much of talk radio in the months leading up to the scheduled caning.

The Clinton Administration did intervene somewhat and was able to get the number of strokes reduced. In the end, Fay was struck four times with the cane, and the case—and Fay—slipped out of the public’s mind.

The Michael Fay case generated a lot of publicity. Newspaper reporters and editorial writers expressed different points of view on whether the punishment was justified.
Editorial

Time to Assert American Values

from The New York Times

1 Singapore’s founding leader, Lee Kuan Yew, returned to a favorite theme yesterday in defending the threatened caning of Michael Fay, an 18-year-old American found guilty of vandalism. Western countries value the individual above society; in Asia, he said, the good of society is deemed more important than individual liberties. This comfortable bit of sophistry helps governments from China to Indonesia rationalize abuses and marginalize courageous people who campaign for causes like due process and freedom from torture. Western nations, it is asserted, have no right to impose their values on countries that govern themselves successfully according to their own values.

2 So, the argument goes, when Americans express outrage over a punishment that causes permanent scarring—in this case, caning—they are committing an act of cultural arrogance, assuming that American values are intrinsically superior to those of another culture.

3 There is a clear problem with this argument. It assumes that dissidents, democrats and reformers in these countries are somehow less authentic representatives of their cultures than the members of the political elite who enforce oppressive punishments and suppress individual rights.

4 At times like this, Americans need to remember that this country was also founded by dissidents—by people who were misfits in their own society because they believed, among other things, that it was wrong to punish pilferage with hanging or crimes of any sort with torture.

5 These are values worth asserting around the world. Americans concerned with the propagation of traditional values at home should be equally energetic in asserting constitutional principles in the international contest of ideas. There are millions of acts of brutality that cannot be exposed and combated. A case like Michael Fay’s is important because it provides a chance to challenge an inhumane practice that ought not to exist anywhere.

6 While this country cannot dictate to the government of Singapore, no one should fail to exhort it to behave mercifully. President Clinton provided a sound example when he called for a pardon. Principled private citizens ought now to call for American companies doing business in Singapore to bring their influence to bear.

7 Our colleague William Safire is right to call upon American corporations with subsidiaries in Singapore to press President Ong Teng Cheong to cancel Mr. Fay’s punishment. According to Dun & Bradstreet and the U.S.-Asean Business Council, some CEOs and companies in this category are: Riley P. Bechtel of the Bechtel Group Inc.; John S. Reed of Citicorp; Roberto C. Goizueta of the Coca-Cola Company Inc.; Edgar S. Woolard Jr. of E. I. du Pont de Nemours & Company; Lee R. Raymond of Exxon Corporation; John F. Welch Jr. of the General Electric Company; Michael R. Bonsignore of Honeywell Inc.; Louis V. Gerstner Jr. of the International Business Machines Corporation; and Ralph S. Larsen of Johnson & Johnson Inc.

sophistry: false argument
rationalize: give excuses for
marginalize: make less important
propagation: the spreading of something
inhumane: not kind to humans
8 Singapore needs such people as friends. Now is the time for them to make their voices heard. The Fay case provides a legitimate opening for American citizens and companies to bring political and economic pressure to bear in the propagation of freedom and basic rights. Former President Bush can lead the effort by using his speech at a Citibank seminar in Singapore Thursday to call for clemency for Michael Fay.

Second Read

- Reread the editorial to answer these text-dependent questions.
- Write any additional questions you have about the text in your Reader/Writer Notebook.

1. **Craft and Structure:** What is the most compelling claim that the author makes in the first paragraph about the cultural conflict in values illustrated by this case of vandalism? How does it support the author’s argument?

2. **Craft and Structure:** The author states, “While this country cannot dictate to the government of Singapore, no one should fail to exhort it to behave mercifully.” Both dictate and exhort have to do with telling another person or group what to do. What shades of meaning distinguish the two words as used in this sentence? Look the words up in a dictionary if you need to clarify their meanings.

3. **Key Ideas and Details:** How does the author connect his statement that America should tell other countries to behave mercifully with the list of American corporations with branches in Singapore?
Rough Justice
A Caning in Singapore Stirs Up a Fierce Debate About Crime and Punishment

by Alejandro Reyes

1 The Vandalism Act of 1966 was originally conceived as a legal weapon to combat the spread of mainly political graffiti common during the heady days of Singapore’s struggle for independence. Enacted a year after the republic left the Malaysian Federation, the law explicitly mandates between three and eight strokes of the cane for each count, though a provision allows first offenders to escape caning “if the writing, drawing, mark or inscription is done with pencil, crayon, chalk or other delible substances and not with paint, tar or other indelible substances. …”

2 Responding to reporters’ questions, U.S. chargé d’affaires Ralph Boyce said: “We see a large discrepancy between the offense and the punishment. The cars were not permanently damaged; the paint was removed with thinner. Caning leaves permanent scars. In addition, the accused is a teenager and this is his first offense.”

3 By evening, the Singapore government had its reply: “Unlike some other societies which may tolerate acts of vandalism, Singapore has its own standards of social order as reflected in our laws. It is because of our tough laws against anti-social crimes that we are able to keep Singapore orderly and relatively crime-free.” The statement noted that in the past five years, fourteen young men aged 18 to 21, twelve of whom were Singaporean, had been sentenced to caning for vandalism. Fay’s arrest and sentencing shook the American community in Singapore. Schools advised parents to warn their children not to get into trouble. The American Chamber of Commerce said “We simply do not understand how the government can condone the permanent scarring of any 18-year-old boy—American or Singaporean—by caning for such an offense.” Two dozen American senators signed a letter to Ong on Fay’s behalf.

4 But according to a string of polls, Fay’s caning sentence struck a chord in the U.S. Many Americans fed up with rising crime in their cities actually supported the tough punishment. Singapore’s embassy in Washington said that the mail it had received was overwhelmingly approving of the tough sentence. And a radio call-in survey in Fay’s hometown of Dayton, Ohio, was strongly pro-caning.

5 It wasn’t long before Singapore patriarch Lee Kuan Yew weighed in. He reckoned the whole affair revealed America’s moral decay. “The U.S. government, the U.S. Senate and the U.S. media took the opportunity to ridicule us, saying the sentence was too severe,” he said in a television interview. “[The U.S.] does not restrain or punish individuals, forgiving them for whatever they have done. That’s why the whole country is in chaos: drugs, violence, unemployment and homelessness. The American society is the richest and most prosperous in the world but it is hardly safe and peaceful.”

6 The debate over caning put a spotlight on Singapore’s legal system. Lee and the city-state’s other leaders are committed to harsh punishments. Preventive detention laws allow authorities to lock up suspected criminals without trial. While caning is...
mandatory: required by law

My Notes

mandatory in cases of vandalism, rape and weapons offenses, it is also prescribed for immigration violations such as overstaying visas and hiring of illegal workers. The death penalty is automatic for drug trafficking and firing a weapon while committing a crime. At dawn on May 13, six Malaysians were hanged for drug trafficking, bringing to seventeen the number executed for such offenses so far this year, ten more than the total number of prisoners executed in all of 1993.

7 Most Singaporeans accept their brand of rough justice. Older folk readily speak of the way things were in the 1950s and 1960s when secret societies and gangs operated freely. Singapore has succeeded in keeping crime low. Since 1988, government statistics show there has been a steady decline in the crime rate from 223 per 10,000 residents to 175 per 10,000 last year. Authorities are quick to credit their tough laws and harsh penalties for much of that. …

8 “If there is a single fundamental difference between the Western and Asian worldview, it is the dichotomy between individual freedom and collective welfare,” said Singapore businessman and former journalist Ho Kwon Ping in an address to lawyers on May 5, the day Fay was caned. “The Western cliche that it would be better for a guilty person to go free than to convict an innocent person is testimony to the importance of the individual. But an Asian perspective may well be that it is better that an innocent person be convicted if the common welfare is protected than for a guilty person to be free to inflict further harm on the community.”

9 There is a basic difference too in the way the law treats a suspect. “In Britain and in America, they keep very strongly to the presumption of innocence,” says Walter Woon, associate professor of law at the National University of Singapore and a nominated MP. “The prosecution must prove that you are guilty. And even if the judge may feel that you are guilty, he cannot convict you unless the prosecution has proven it. So in some cases it becomes a game between the defense and the prosecuting counsel. We would rather convict even if it doesn’t accord with the purist’s traditions of the presumption of innocence.”

10 Singapore’s legal system may be based on English common law, but it has developed its own legal traditions and philosophy since independence. The recent severance of all appeals to the Privy Council in London is part of that process. In fundamental ways, Singapore has departed from its British legal roots. The city-state eliminated jury trials years ago—the authorities regard them as error-prone. Acquittals can be appealed and are sometimes overturned. And judges have increased sentences on review. Recently an acquittal was overturned and a bus driver was sentenced to death for murder based only on circumstantial evidence. “Toughness is considered a virtue here,” says Woon. “The system is stacked against criminals. The theory is that a person shouldn’t get off on fancy argument.”

11 Woon opposes caning to punish non-violent offenses. But he is not an admirer of the American system. Last year, Woon and his family were robbed at gunpoint at a bus stop near Disney World in Orlando, Florida. The experience shook him. America’s legal system, he argues, “has gone completely berserk. They’re so mesmerized by the rights of the individual that they forget that other people have rights too. There’s all this focus on the perpetrator and his rights, and they forget the fellow is a criminal.” Fay is no more than that, Woon says. “His mother and father have no sense of shame. Do they not feel any shame for not having brought him up properly to respect other people’s property? Instead they consider themselves victims.”

dichotomy: division into two opposites

accord: agree

mesmerized: hypnotized

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Yet harsh punishments alone are clearly not the salvation of Singapore society. The predominantly Chinese city-state also has a cohesive value system that emphasizes such Confucian virtues as respect for authority. “No matter how harsh your punishments, you’re not going to get an orderly society unless the culture is in favor of order,” says Woon. “In Britain and America, they seem to have lost the feeling that people are responsible for their own behavior. Here, there is still a sense of personal responsibility. If you do something against the law, you bring shame not only to yourself but to your family.”

That “sense of shame,” Woon reckons, is more powerful than draconian laws. “Loosening up won’t mean there will be chaos,” he says. “But the law must be seen to work. The punishment is not the main thing. It’s the enforcement of the law. The law has to be enforced effectively and fairly.”

Second Read
• Reread the article to answer these text-dependent questions.
• Write any additional questions you have about the text in your Reader/Writer Notebook.

4. Craft and Structure: The author states: “Recently an acquittal was overturned and a bus driver was sentenced to death for murder based only on circumstantial evidence.” Use context and the definitions of the words circumstance and evidence to explain the meaning of “circumstantial evidence” in this sentence.

5. Knowledge and Ideas: Both selections in this activity are about Singapore’s punishment for Michael Fay, an American found guilty of vandalism. How is the author’s purpose different in “Time to Assert American Values” and “Rough Justice”?

Working from the Text
6. Return to each of the texts and locate examples of evidence in the texts that you marked and identify whether it is empirical, logical, or anecdotal. With your group, discuss the impact of the evidence on the text and the reader, using examples from the text to support your answers.
Reasoning and Evidence

When evaluating claims made about a topic, it is important to determine whether a writer's reasoning is valid and if the evidence provided sufficiently supports a claim. Writers may make false statements that are not fully supported by logic or evidence.

Fallacies are common errors in reasoning that undermine the logic of an argument. Fallacies may be based on irrelevant points and are often identified because they lack evidence to support their claim. Some common fallacies are given below.

**Examples of Common Fallacies**

<table>
<thead>
<tr>
<th>Fallacy</th>
<th>Description</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hasty Generalization</td>
<td>A conclusion that is based on insufficient or biased evidence: in other words, rushing to a conclusion before all the relevant facts are available.</td>
<td>Even though it's only the first day, I can tell this is going to be a boring course.</td>
</tr>
<tr>
<td>Either/Or</td>
<td>A conclusion that oversimplifies the argument by reducing it to only two sides or choices.</td>
<td>We can either stop using cars or destroy the earth.</td>
</tr>
<tr>
<td>Ad Populum</td>
<td>An emotional appeal that speaks to positive (such as patriotism, religion, democracy) or negative (such as terrorism or fascism) feelings rather than the real issue at hand.</td>
<td>If you were a true American, you would support the rights of people to choose whatever vehicle they want.</td>
</tr>
<tr>
<td>Moral Equivalence</td>
<td>A comparison of minor misdeeds with major atrocities.</td>
<td>That parking attendant who gave me a ticket is as bad as Hitler.</td>
</tr>
<tr>
<td>Red Herring</td>
<td>A diversionary tactic that avoids the key issues, often by avoiding opposing arguments rather than addressing them.</td>
<td>The level of mercury in seafood may be unsafe, but what will fishers do to support their families?</td>
</tr>
</tbody>
</table>

7. With a partner, reread the previous texts about Michael Fay and look for evidence of fallacious reasoning. Provide evidence for why you think the reasoning is fallacious, and discuss how the writers could have changed their text to avoid these problems.
Check Your Understanding
What other fallacies are commonly used in arguments? Explain how anecdotal evidence could be an example of false or fallacious reasoning.

Explain How an Author Builds an Argument
Evaluate the arguments for and against the punishment prescribed in the Michael Fay case as they are presented in the editorial and the article. Assess the validity of the arguments and identify the one that, in your opinion, has the most relevant and sufficient evidence to support it. Be sure to:

• Start with a statement that identifies the argument you will discuss, including the title and author of the passage. Then state your claim about how the author builds his or her argument to persuade the audience.
• Explain the impact of the author’s choices on the text and reader, providing relevant evidence from the passage.
• Identify any false statements and faulty reasoning.
• Use words, phrases, and clauses to show how your ideas are related.
• Provide a concluding statement that follows from the argument you have presented.