

TOWARD A RHETORIC OF CONFIDENCE:
RETHINKING ETHOS THROUGH SCAMS,
FORGERIES, AND FAKE IDENTITIES

by

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ABSTRACT

The con artist, a sophisticated rhetorical figure and diverse cultural archetype, reflects the significance and potential of confidence as a rhetorical principle. In this project, I examine appeals to ethos embedded in confidence games to consider how ethos extends beyond traditional notions of the character of the author. This principle persists through the history of rhetoric and functions, in many ways, as the authoritative appeal. Analyzing the structure of confidence games, the character of forgeries distinct from the character of their authors, and the notion of imposture as a mediating rhetorical structure, I develop a framework for extending ethos to decisions underpinning the rhetorical canon of arrangement, the visual design of texts to argue for their own authenticity, and the idea that character is informed by thoughtful imitation. I also explore some of the implications this rhetoric of confidence has on issues such as social media, fake news, and political rhetoric in the post-truth era. In addition, I argue for an emphasis on character in writing pedagogy to enable students to have confidence in their own authorial personas which they can adapt to new writing situations.

DEDICATION

This dissertation is dedicated to my wife, Sarah, and my daughter, Alice. I could not have done this without their love and support.

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INTRODUCTION: ON ETHOS AND CONFIDENCE

Frank William Abagnale Jr. is perhaps the most widely known and successful confidence man in American history. In the five years he operated, Abagnale, also known as The Skywayman, cashed fraudulent checks worth approximately \$2.5 million throughout twenty-six countries. Besides forging checks, Abagnale was also a highly successful impostor, adopting at least five distinct, false personas before his capture by French authorities in 1970 (*The Art of the Steal*).

In *Catch Me If You Can*, Abagnale reflects on what allowed him and other con artists throughout history to successfully swindle, deceive, and take advantage of ordinary people for personal profit. In Abagnale's book, a semi-autobiographical account of his exploits as a paper hanger and impostor throughout the United States and abroad, he reveals that "[t]op con artists, whether they're pushing hot paper or hawking phony oil leases, are well dressed and exude an air of confidence and authority. They're usually, too, as charming, courteous and seemingly sincere as a politician seeking reelection, although they can, at times, effect the cool arrogance of a tycoon" (129). Essentially, Abagnale credits his success not to any sophisticated scam or a skill in choosing particularly gullible marks.

Instead, Abagnale credits his success to his ability to gain the trust of his victims through charisma, confidence, and an apparent sense of authority granted by his disguises. In rhetorical terms, it was Abagnale's ability to craft personas and persuasive arguments to meet the demands and expectations of his intended audiences that allowed him to pass phony checks for more than half a decade in the 1960s before being captured. Most interestingly, the rhetorical vulnerabilities

Abagnale exploited revolved not around well-thought-out logical arguments or by appeals to the marks' sympathies, but simply from his character and the trust those personas commanded.

Many common aphorisms echo the rhetorical underpinnings of Abagnale's success and reflect a larger cultural perception that success is linked to a persuasive character.

Look the part, be the part. Fake it 'til you make it. Act like you belong.

Parallel to Abagnale's assertion that a con artist's greatest tools are confidence, arrogance, and charm, at the center of each of these phrases is that appearance, confidence, and authority and central to success. Whether imitated or actual, appearance and confidence convey a sense of authority and authenticity. Implicit in each of these phrases and in Abagnale's own criminal scheme is the notion that character, made up of qualities including appearance, charisma, and authority, are more important to persuasion than its logical and emotional counterparts.

Likewise, not only is character a significant dimension of persuasion, but no persuasive or rhetorical act can be successful without the trust of the audience, which can only be achieved if the audience has confidence in the speaker's character.

This understanding of the significance of character, appearance, identity, and trust is centrally important to many of the concerns and controversies surrounding rhetoric today. Consumers, students, and citizens are bombarded by expressions of rhetoric that take advantage of their predilection to trust and identify with a discourse community while simultaneously readily dismissing anything determined to be 'rhetoric' by news media, political figures, or even popular consensus. In the context of the post-truth era, traditional ways of thinking about rhetoric are inadequate given the landscape of mass deception. The concept of *ethos* is particularly affected by these developments because ideas of identity and authenticity are further complicated in digital spaces and in a more globalized, less personal society. Ultimately, as a society we may

view ourselves as logical agents. However, it is most often confidence that guides our decision-making. The rhetoric of impostors such as Abagnale demonstrates that confidence is the central determinant of persuasion. The arguments of con artists are structured and designed in such a way that traditional approaches to persuasion focused on the logical development of ideas serves to support the *ethos* of the rhetor. The effectiveness of an argument ultimately resides in the question of whether the audience has confidence in the rhetor's conclusion.

Analyzing the roles of confidence, identity, and appearance in persuasion embedded in the confidence game, highlights the ways *ethos* extends beyond traditional notions of character. The cultural fascination with the confidence man suggests a cultural perception of rhetoric that values this approach to persuasion. In this model, the confidence game serves as a mechanism to conceptualize the significance and versatility of *ethos* and to connect classical rhetorical theory to current cultural concerns of identity, authenticity, and rhetoric. Interrogating this cultural figure alongside the tradition of rhetorical theory and analyzing the rhetorical underpinnings of deception highlights the authoritative role of *ethos* in persuasion. This analysis results in a more refined understanding of the rhetoric of confidence and character in all corners of our lives and I propose that this theoretical framework of *ethos* can change how we evaluate authenticity and trust in venues such as digital rhetoric, mass media, and politics. Lastly, this theorized understanding of deception and persuasion based on character might allow us to move beyond analysis and interpretation of character to consider the rhetoric of the confidence man as a productive model for writing and communication.

The term *ethos* has traditionally been used to refer to the role of character in rhetorical theory. However, the definition of character and conceptions of how character functions persuasively are consistently reinterpreted. Typically, approaches to *ethos* follow one of a few

particular patterns. Many scholars and rhetoricians have come to associate the term *ethos* with the credibility of the rhetor. In this view, *ethos* refers to the rhetor's ability to present an argument in a way that allows the audience to assess those ideas objectively. But this interpretation creates an array of questions, generally revolving around the importance of a rhetor's reputation prior to the rhetorical situation and the role of the audience. Other scholars explore the ethical dimensions of *ethos*, expanding on Aristotelian views of virtue and good will. Recently, many scholars have expanded on the definition of *ethos* to accommodate concepts of community, self-structure, and postmodernism in approaches that highlight the divide between the theory and the practice of rhetoric. In this chapter, I argue that evaluating diverse and evolving definitions of *ethos*, new approaches to *ethos* in rhetorical theory, and the realities of confidence and character challenges conventional definitions of *ethos* and reveals the necessity of expanding notions of *ethos* to accommodate those realities.

While rhetoricians such as Plato began to theorize the nature of rhetoric and the role of character, it is in *On Rhetoric* that Aristotle provides a formal definition of *ethos* as a technical aspect of rhetoric and a means of persuasion. Simply put, Aristotle begins his framework of *ethos* by arguing that it embodies "the personal character of the speaker" (8). Aristotle elaborates on this definition and, in doing so, identifies both what he means by character and how character might function persuasively.

The first element of *ethos* described by Aristotle coincides with the most common popular view of *ethos* in rhetorical theory. Aristotle begins his extended discussion of *ethos* when he states that there is persuasion "through character whenever the speech is spoken in such a way as to make the speaker worthy of credence (I.2.1356a5). Thus, the purpose of *ethos*, according to Aristotle, is creating confidence. The complexity of character becomes more

apparent when Aristotle's definition is interpreted from the perspective of the audience. In *Ethos and Pathos from Aristotle to Cicero*, Jakob Wisse writes that from this passage, ethos may be defined as "from the point of view of the hearer, the element that makes the audience regard the speaker as trustworthy" (33). The interesting point of this definition, evident in both Aristotle's own words and in Wisse's interpretation of them, is the matter of "appearing trustworthy" (Wisse 33). To the audience, ethos is concerned with the appearance of trustworthiness.

Aristotle goes on to recognize the subjectivity of trust from the perspective of the audience. He states that "we believe fair-minded people to a greater extent and more quickly [than we do others], on all subjects in general and completely so in cases where there is not exact knowledge but room for doubt" (I.2.1356a5). In this passage, Aristotle describes the way bias can determine an audience's response to an argument. Ethos, in this view, functions as the baseline or fundamental appeal. In any case where the audience would form a subjective response to an argument, trust serves as the final factor. And, even in the case that certainty is possible, trust is still a major determining factor, as evidenced when Aristotle states that "character is almost, so to speak, the most authoritative form of persuasion" (I.2.1356a5). This passage from *On Rhetoric* alongside the notion that trust serves as a dominant determining factor supports the argument for the centrality and significance of ethos to persuasion.

Another important element of Aristotle's definition of ethos is that the persuasive power of character is confined to each rhetorical interaction. Essentially, it is the speaker's ability to establish trust within the rhetorical moment that leads to effective persuasion. Aristotle states "this should result from the speech, not from a previous opinion that the speaker is a certain kind of person" (I.2.1356a5). Thus, Aristotle dismisses a speaker's reputation as an effective means of persuasion. While seemingly limiting, in terms of confidence, this means that the rhetor has the

opportunity to deploy ethos as an active rhetorical appeal rather than a passive or implicit quality of the argument. The speaker must, in a defined and active sense express the appropriate appearance within the defined rhetorical moment (69). Similar to Aristotle's assertion that the rhetor must shape the audience's impression of him or her, this passage also conveys the idea that character is something constructed and presented by the rhetor within the boundaries of a singular argument. By restricting the notion of ethos in this way, we must consider how ethos and appeals to confidence might be constructed within the confines of an argument and how the rhetor might manipulate appearances and persuade an audience.

There are three reasons why speakers themselves are persuasive; for there are three things we trust other than logical demonstration. These are practical wisdom [phronesis] and virtue [arete] and goodwill [eunoia]; for speakers make mistakes in what they say through [failure to exhibit] either all or one of these for either through lack of practical sense they do not form opinions rightly; or though forming opinions rightly they do not say what they think because of a bad character; or they are prudent and fair-minded but lack good will, so that it is possible for people not to give the best advice although they know [what] it [is]. These are the only possibilities. Therefore, a person seeming to have all these qualities is necessarily persuasive to the hearers. The means by which one might appear prudent and good are to be grasped from analysis of the virtues; for a person would present himself as being of a certain sort from the same sources that he would use to present another person; and good will and friendliness need to be described in a discussion of the emotions. (I.2.1378a5-7)

Generally, these qualities are understood, as summarized by James Kinneavy and Susan Warshauer in "From Aristotle to Madison Avenue: *Ethos* and the Ethics of Argument," to mean

that the speaker must “appear to have practical knowledge about the subject,” “seem to have the good of the audience at heart,” and “portray himself or herself as a person who would not deceive the audience” (174). Again, there is a clear emphasis not on the rhetor’s authentic intentions but, instead, on the rhetor’s ability to appear to be trustworthy or portray himself or herself in a way that creates confidence in the argument. The subjective elements of Aristotle’s definitions of *phronesis*, *arete*, and *eunoia* – particularly, the notion of goodness – is explored in the second chapter but in a technical sense, Aristotle defines, in *On Rhetoric*, a clear framework of *ethos* as a faculty of rhetoric and a fundamental, authoritative basis of persuasion.

Interpreting Aristotle and the Notion of *Ethos*

While Aristotle attempts to provide a direct and technical definition of *ethos* in *On Rhetoric*, the disconnect between the intentions of the rhetor, the interpretation of goodness, and the potential for deception and manipulation inherent in appearing trustworthy. In contemporary rhetorical theory, several scholars have interpreted Aristotle’s definition of *ethos* and considered how we might address such a sense of instability. James Baumlin defines *ethos*, interpreting Aristotle’s definition through the lens of current theoretical concerns, in *Ethos: New Essays in Rhetorical and Critical Theory*. In the introduction to his edited collection, Baumlin writes that, fundamentally, “*ethos* concerns the problematic relation between human character and discourse; more specifically, it raises questions concerning the inclusion of the speaker’s character as an aspect of discourse, the representation of that character in discourse, and the role of that character in persuasion” (xvii). Essentially, Baumlin synthesizes the uncertainty of appearance, creation, and authenticity inherent in Aristotle’s notion of character with the classical, widely accepted definition of *ethos*. Essentially, Baumlin highlights the questions addressed in this

dissertation. The uncertainty of that relationship between character and rhetoric must be fully recognized and integrated into our notion of *ethos*.

In “From Aristotle to Madison Avenue: *Ethos* and the Ethics of Argument,” Kinneavy and Warshauer bridge the gap between the Aristotelian definition of *ethos* and the contemporary realities of the role of character in persuasion. Ultimately, they admit that we, as rhetoricians and as citizens, are faced with one central question when it comes to the meaning of *ethos* in everyday life: “In modern practice, is it the individual, or the truth value associated with the argument of the individual that ultimately persuades?” Since, as implied in both Aristotle’s wording of the definition of *ethos* and scholars such as Baumlin’s concerns of the instability and problematic relation between character and rhetoric, much of *ethos*’ effectiveness and use as a faculty of rhetoric is related to appearance and portrayal, I contend that persuasion is ultimately located in the rhetor’s ability to gain the audience’s confidence. Thus, the “individual” is not a passive conveyor of an argument but, in reality, the most important aspect of an argument’s persuasiveness because, as Aristotle admits, trustworthiness is the final arbiter of successful rhetorical communication.

This approach to the definition of *ethos* is not uncommon in approaches to rhetorical theory. Nan Johnson, in “*Ethos* and the Aims of Rhetoric,” provides an overview of the changes to *ethos* throughout history, concluding that “[t]his discussion of *ethos* as a device of stylistic manipulation in the service of gaining good will or favor is typical of the manner in which Aristotelian-Ciceronian approaches to the function of *ethos* have been incorporated into various rhetorical arts since the end of the classical period” (106). However, in many contemporary approaches to rhetorical theory and *ethos*, many scholars overlook the extent and severity of those implications and, in popular consciousness, this sense of “stylistic manipulation” has

created a confused and misplaced notion of rhetoric. These assumptions are evident in Wayne Booth's discussion of non-academic synonyms for rhetoric in *The Rhetoric of Rhetoric: The Quest for Effective Communication*.

Everyday language includes many synonyms for defensible rhetoric: sound point, cogent argument, forceful language, valid proof – and on through terms for style: graceful, subtle, supple, elegant, polished, felicitous, deeply moving, beautiful. Some even praise an outburst as eloquent without meaning to suggest excessiveness or the dodging of rationality. (11)

In Booth's presentation of rhetoric in popular culture, it is evident that "good" rhetoric revolves around one of two points. Booth also presents the alternative viewpoint often associated with popular perceptions of rhetoric:

We have an even longer list for the bad stuff: propaganda, bombast, jargon, gibberish, rant, guff, twaddle, grandiloquence, purple prose, sleaze, crud, bullshit, crap, ranting, gutsy gambit, palaver, fluff, prattle, scrabble, harangue, tirade, verbiage, balderdash, rodomontade, flapdoodle, nonsense, "full of sound and fury, signifying nothing. (11-12)

Essentially, effective or "defensible" rhetoric is focused on the reason and certainty located in logical appeals. Illegitimate rhetoric is associated with a lack of content, or logic. The second popular approach to rhetoric relates to *ethos* and the line of reasoning explored in this dissertation that defensible rhetoric is the trustworthiness associated with appearance and style. These unstable qualities of *ethos* merit further theorizing since, as scholars such as Baumlin and Johnson have noted, character, appearance, and style can be manipulated and tailored to the expectations of the audience and the rhetorical demands of an argument.

Theory and Practice

In addition to a broader misunderstanding of *ethos* in popular culture, many current scholarly approaches to rhetorical theory and *ethos* overlook the extent and severity of those implications. Largely, this is a result of a divide between theory and practice. Theory, in this sense, refers to understanding rhetoric from an analytical dimension. This typically includes a consideration for the imperatives of composition pedagogy and understanding the role of the author in the writing process. Practice, which is the central concern of this dissertation, is concerned with the use of rhetoric and expressions of *ethos* as a faculty for persuasion in the larger cultural landscape. Yet, a comprehensive understanding of the themes in research surrounding *ethos* and its status in the greater scope of rhetorical theory is important to my task of understanding the problematic and unstable nature of *ethos*. Many alternative approaches to *ethos* in rhetorical theory emphasize either the role of the author or a rediscovery of the ethical roots of rhetoric introduced by Aristotle and Plato.

These scholars explore new implications and approaches to *ethos* that are informed by our ability to look back and examine the shifting nature of *ethos* over time. In “Self-Structure as Rhetorical Device,” Marshall Alcorn, for instance, discusses *ethos* not as establishing credibility or asking an audience to trust an argument and, instead argues that authors can effectively situate a persuasive argument by interrogating their own experiences and fragmented identities. Alcorn presents an *ethos* of introspection in which the author invites the audience to interrogate and learn from the author’s experience.

Robert Wade Kenny presents an equally unconventional approach to *ethos* in “Truth as Metaphor.” In this article, Kenny rediscovers the neo-Platonic approach to *ethos* by interpreting Aristotle’s model of *eunoia*, or goodwill, in ethical terms that go beyond the simplicity of

persuasion. In this model, Kenny argues that *ethos* should be “understood as the quality of personhood that calls humanity to care for its self, its world, and its others” (36). He asserts that we should write from the perspective of and toward an outcome for universal goodwill and human improvement situating *ethos* as the abode of mankind rather than a rhetorical appeal. In this model, writers appeal to common ground as participants in the human condition as a method of persuasion – this model also rediscovers neo-Platonic ideals of virtue and knowledge as the purpose of rhetoric is again the pursuit of “Truth” and understanding rather than persuasion and personal gain. Robert Brooke argues that *ethos*, rather than being situated as a rhetorical or persuasive appeal, should be considered the trust in the author’s experiences or writing process (“Trust, Ethos, Transference”). This model of writing emphasizes the author’s metacognitive awareness, introspection, and ability to interrogate his or her writing and decision-making processes, creating an honest and earnest rhetorical foundation of *ethos*. C. Jan Swearingen offers a pedagogical model of postmodern *ethos*, arguing that composition classrooms should focus on rediscovering imitation as a writing exercise and explore constructing illusions of identity during the writing process. This model approaches *ethos* from a productive angle asking teachers and scholars to consider imitation, emulation, and the self-as-illusion as valuable components of *ethos* and the writing process.

While these original approaches to *ethos* and models of writing all present interesting ways of interrogating and engaging with the concept of *ethos*, this project is concerned with *ethos* as a mechanism for persuasion. Situating *ethos* as the authoritative appeal complicates the notion of trust and highlights ways that *ethos* extends beyond the character of the rhetor. Essentially, *ethos* becomes a deliberately crafted and enacted performance that a rhetor might deploy to gain the confidence of an audience.

The Performance of *Ethos*

While the body of research focusing on reinterpreting and expanding upon traditional notions of *ethos* in rhetorical theory is valuable, much of that research falls short of realizing the potential of *ethos*. This potential is evident when we consider the implications of *ethos* as performative, dynamic, and potentially tailored to the purpose of persuading a particular audience under defined circumstances within a single rhetorical moment. Many scholars have touched upon these elements when discussing *ethos* and additional research has expanded upon this notion of the persuasiveness of character without directly recognizing rhetorical theory and the history of *ethos*. These important questions, which are found in the “problematic relation between human character and discourse,” is the central focus of this dissertation (Baumlin xvii). Largely, this includes the less stable elements of *ethos*. More specifically, I will focus on those areas most vulnerable to the talents of the confidence man such as giving. Those areas of vulnerability include the role of the audience, the notion of authenticity, and the rhetor’s ability to craft an identity to most effectively persuade.

The question of authenticity and the possibility of crafting a character to suit the persuasive purpose of the argument is the first central complication I take up in this dissertation. Many scholars have discussed the potential for character to be manipulated or performed. Aristotle’s *On Rhetoric* admits this possibility, which subsequent rhetoricians, most notably Quintilian, associate with virtue. However, a dramaturgical or performative model of rhetoric – particularly Erving Goffman’s *The Presentation of Self in Everyday Life* – provide the most compelling framework for understanding the potential of *ethos* as a persuasive and possibly deceptive appeal. Aristotle argues that *ethos* must be crafted within the given rhetorical exchange

and the dramaturgical model of rhetoric answers the question of how that construction might occur even if Goffman does not address rhetorical theory directly.

The way I treat authenticity in this dissertation, which aligns with the notion of the confidence man as a rhetorical figure, views *ethos* as a rhetorical strategy performed as an argument rather than a purpose or framework for an argument. Dana Anderson outlines a similar stance in *Identity's Strategy: Rhetorical Selves in Conversion*.

One way of viewing identity rhetorically...is to view it as a kind of persuasive strategy, as a means of moving an audience toward certain beliefs or actions. From this more-or-less traditional rhetorical perspective...identity matters less as something that one 'is' and more as something that one does in language; or, more exactly, identity matters as something that one does to an audience through the expression of who or what one is. (4)

In this view, identity is not a stable sense of authority and trustworthiness embodied in the rhetor but a strategy that can be manipulated, tailored, and imitated for persuasive purposes. Early rhetoricians argue that *ethos* is the expression of a stable inner self. However, definitions of *ethos* often carry the implication that since *ethos* is an impression on the audience conveyed by a rhetor, it is possible to mediate and craft that expression. This active approach to *ethos*, while implicit in many discussions of rhetorical theory, is one of the more effective tools of the confidence man and is a central focus of this dissertation. Rather than simply recognizing the possibility of inauthentic expressions of *ethos*, this dissertation focuses narrowly on the rhetorical value of understanding such expressions.

The second major complication of *ethos* that is evident when situated alongside the confidence man is the role of the audience. Though Aristotle does not thoroughly address the relation between the rhetor and his or her audience, he does reveal that, ultimately, *ethos* is more

about creating an impression of trustworthiness rather than revealing authentic virtue. This relationship was most effectively outlined by Kenneth Burke in *A Rhetoric of Motives*. Using the term identification, Burke draws attention to the tendency of an audience to agree with a rhetor who can effectively situate himself or herself within the discourse community of the target audience. Examining Burke's conclusion through the lens of *ethos* creates new possibilities for expanding and better understanding the role of confidence in rhetorical theory. A significant yet often overlooked dimension of *ethos* is the fact that character might be constructed and then performed. Scholars such as Stephen Yarborough, who describes an interactionist model of *ethos* in *Inventive Intercourse: From Rhetorical Conflict to the Ethical Creation of Novel Truth*, discuss the possibilities of evaluating and responding to the expectations of one's audience. However, viewing these possibilities from the standpoint of deception allows for a greater exploration of the potential of *ethos* as a persuasive foundation.

Synthesizing the role of the audience with notions of performance situates *ethos* as a highly active rhetorical strategy designed to be effective within and to respond to various rhetorical domains. E. Johanna Hartelius explores this sense of performance for an audience in *The Rhetoric of Expertise*. Hartelius is primarily concerned with how rhetor reveals and takes advantage of his or her expertise as a rhetorical strategy. She goes on to recognize the importance of the rhetor's ability to evaluate the expectations of the intended audience. Applied to expertise, *ethos* is only viable in the context of a community; by responding to the audience's cultural identity, the expert adapts her performance of character, discovering appeals that link her identity to that of a community. The audience's identification with the expert and with her habits and values, in turn, invites them to concede her *ethos*-based arguments. (13)

In this analysis of *ethos*, Hartelius emphasizes many of the key factors of a performative theory of *ethos* embodied in the confidence man. In particular, she highlights how a rhetor might adapt the performance of character to meet the expectations of a community. She also implies that there is an element of imitation in this performance as that adaptation is specifically tailored to emphasize the quality of expertise.

Altogether, *ethos* as it is defined within the scope of this dissertation is primarily founded upon the notions that character is an active appeal that can be imitated, adapted, and performed in a way to take integrate and take advantage of the expectations of various audiences. This theory of *ethos* takes inspiration from many definitions and interpretations of *ethos* in classical and contemporary rhetorical theory. However, it differs in that I am interested in the most extreme potential of *ethos* as an authoritative and exploitable, rather than complementary, rhetorical strategy. This view of *ethos* as a strategy is most fully realized in the cultural archetype of the confidence man, which I locate as a representative rhetorical figure.

Looking Toward the Confidence Man

Why analyze the confidence man? Nathaniel Rivers, in “I Told U So! Classical and Contemporary *Ethos* and the Stabilization of Self,” directly identifies some of the potential of the confidence man and recognizes the risks of the notion that *ethos* has come to be associated known “as character, as authority, as the mask, as sinister showmanship” (282). He writes “[i]n presenting such an attractive and stabilizing *ethos*, do we ourselves risk presenting *ethos* as a rhetorical silver bullet that, if made strong enough, authoritative enough, can penetrate all audiences defenseless against it?” (283-4). In his article, Rivers questions the construction of self in a given rhetorical moment and is skeptical of a stable sense of *ethos*. However, by invoking

the confidence man, I take this line of reasoning further to more completely realize the ways in which *ethos* might be exploited for the benefit of the rhetor and to the detriment of the audience. Thus, my response to Rivers would be that it is necessary that we do recognize *ethos* as a persuasive silver bullet capable of manipulating audiences by tailoring one's character to identify with and sway the opinions of an audience from within. Recognizing the extreme potential of *ethos* and analyzing expressions of character at their most manipulative is a productive way to theorize the impact of *ethos* and its significance within the greater scope of rhetorical theory. The totality of control implied in this approach to *ethos* deviates from the standard approach in rhetorical theory but presents an opportunity to consider how *ethos* might extend beyond the conventional definition.

The public, despite still developing findings toward the contrary, is sensitive to this notion. Hartelius discusses the persuasive power awarded to the authority of expertise, she describes public anxieties that revolve and the instability of *ethos*.

The public's awareness of our dependence on experts incites a deep insecurity. We are afraid of being duped, stumped by unfamiliar circumstances in which our knowledge, skill, or experience is simply inadequate. We fear a good liar. The possibility that an expert is not what she purports to be entails the risk of deception and embarrassment...At the core of our cultural anxiety is the combination of ambiguity and power: If it is impossible to judge the special competence of experts, is it wise to trust them? The public worries that we will be fooled by an imposter. And our discomfort is exacerbated by the nagging suspicion that attempting definitively to sort out the performative and substantive elements of expertise is futile. (163-164)

This risk of deception and the relationship between trickery and character, while perhaps terrifying, creates a unique and productive site for analysis. Through this study of the confidence man, the archetype and the reality, this dissertation will interrogate the extent of the persuasiveness of character. In turn, I establish a framework provided by the exploits of con artists for disrupting and formulizing the significance of appearances and the presentation of character to rhetorical analysis and persuasive communication. Understanding *ethos* creates opportunities to assess, interpret, and respond to arguments more thoughtfully, creating a more informed methodology for engaging in conversations online, in the media, and in political rhetoric. The confidence man figure is an embodiment of the possibilities of *ethos* as an authoritative appeal. Essentially, we might better prepare ourselves to navigate complex and continually developing rhetorical structures. Hartelius's comments on Frank Abagnale reveal as much.

It is not difficult to feign or imitate the performance of an expert without possessing the underlying substantive knowledge. Consider the character of the con artist, illustrated by such films as *Catch Me If You Can*. Dressing like an airline pilot will, for however brief a time, allow one to move around the appropriate space (in this case, an airport terminal) and be received by 'the community' (adoring young stewardesses) as though you were indeed that which you purport to be. (10)

Thus, the rhetoric of confidence introduces ways of considering appearance, character, and trust as integral to the persuasive process. This project is an exploration of that approach to rhetoric. Reducing the rhetoric of confidence that underpins scams, forgeries, and false identities to a system provides a method of inquiry that informs our rhetorical and analytical practices as well as composition processes.

In chapter 1, “The Rhetor Figure,” I examine the history of rhetoric through the lens of *ethos* embodied in the rhetor figure. Each era in the rhetorical tradition has a central rhetor figure that demonstrates that period’s expectations for rhetoric and the rhetor. From a cultural-historical perspective, these figures reflect not just rhetorical ideals but cultural values and beliefs. Thus, the rhetor figure represents cultural perceptions of rhetoric and the capabilities of the rhetor within a cultural moment. In the chapter, I narrowly focus on the rhetor figures that best embody the thread of *ethos* as a rhetorical strategy. These figures function as precursors to the confidence man and highlight the deceptive potential of confidence and strategic self-presentation. Beginning in the classical era, I discuss the Sophist figure as an embodiment of performativity. The Ideal Orator of the Roman era builds upon that figure by introducing political dimension to rhetoric. The Renaissance figure of the Courtier marks a turn toward dissimulation and self-fashioning that leads to a dramatism in the Enlightenment figure of the Elocutionist. The influence of these two figures shape the current cultural perceptions of rhetoric and the culture in which the confidence man is the central orator figure.

The following chapter, “The Confidence Man,” examines the implications of situating the confidence man figure as the representative rhetor figure in American culture. Originating in conduct manuals and southern humor, the confidence man serves as a reflection of the values of the flush times and the anxieties of the new country. Later authors such as Edgar Allan Poe, Mark Twain, and Herman Melville reinterpret that figure as a sophisticated embodiment of the American national character. In the twentieth century, the confidence man enters mainstream culture as a criminal figure and shapes popular culture through film and television. These adaptations serve as instructive figures, informing and shaping the American ideal and the popular perception of rhetoric. The most significant implication of that figures centrality in

American popular culture is the notion that as a rhetorical figure, the confidence man serves as a mechanism for rethinking the possibilities of *ethos* and the rhetoric of confidence.

In “The Ethotic Scheme,” I explore the implications of drawing on classical rhetorical theory and the canon of arrangement to analyze the underlying rhetorical structure of the confidence game. Comparing the rhetorical canon of arrangement to the divisions of the confidence game, I highlight how the overlap supports the viability of a rhetorical structure defined only to gain the confidence of the audience. The following chapter, “The Character of the Text,” takes a similar approach by analyzing the rhetorical dimensions art forgery. In this chapter, I argue that these forgeries, detached from the *ethos* of the painter, argue for their own authenticity and thus express and idiosyncratic *ethos*. In “The Imitative Self,” I interrogate many of the assumptions of *ethos* as an expression of a stable identity. In this chapter, I build upon theories of self-presentation and impression management outlined in social psychology texts such as Goffman’s *The Presentation of Self in Everyday Life*. I argue for a notion of the imitative self as a mediating structure that allows the rhetor to craft a strategic presentation of self strictly through imitation, deviating from common approaches to self-presentation as idealization.

In the conclusion, I situate the rhetoric of confidence as a mechanism for interrogating and disrupting current concerns of post-truth rhetoric. In “Confidence in the Post-Truth Era,” I provide an overview of current concerns in the post-truth era of digital deception, fake news, and political rhetoric. Post-truth rhetoric, as many scholars point out, presents a denigration of logic and an amplification of *ethos* in a system in which credibility is based on group affinity rather than any measure of objective analysis. I follow that section by addressing the question of how we might use the rhetoric of confidence and *ethos* as a model of production rather than a framework for analysis. In an epilogue, “Academic Writing as Confidence Game,” I situate the

theories proposed in this dissertation within the framework of higher education and composition pedagogy. This includes composition pedagogies that emphasize the character of the author and the treatment of *ethos* in writing textbooks. Thus, the dissertation ends by considering how we might anchor this theory within our understanding of academia, how it is currently represented, and how it might be expanded upon going forward.

CHAPTER 1: THE RHETOR FIGURE

In 1940, linguist David Maurer released *The Big Con: The Story of the Confidence Man*, a comprehensive account of confidence men in American culture; their lingo, and their tactics. Maurer ends the book by reflecting on the abilities of confidence men and why they will continue to be successful, concluding that “[c]onfidence men trade upon certain weaknesses in human nature” (314). While one of those weaknesses is famously greed, as “you can’t cheat an honest man,” the other is certainly our inclination to trust – or to place confidence in – others. Thus, while Maurer’s discussion of the confidence man identifies our vulnerability, he also describes the rhetorical reality embodied in *ethos*.

However, the exploitation of character as a basis for persuasion is not unique to confidence men, counterfeiters, and impostors like Frank Abagnale. Beyond theoretical approaches to rhetoric, examining how *ethos* manifests in discussions of rhetoric throughout history often reveals the centrality of character and appearance. Like the current confidence man, each period in the history of rhetoric has its own archetypal rhetor figure. The changes in and opinions of this archetypal rhetor reveal the evolving notions of *ethos* and illuminate answers to the questions of the persuasive capabilities of character, appearance, or identity.

The concept of *ethos*, while central to rhetorical study and theory, is consistently contended and misunderstood throughout the rhetorical tradition. Examining the quality of argument that is tied to the rhetor’s character is particularly problematic because of differing philosophical and pragmatic approaches to the functions and definitions of rhetoric. Relative to *ethos*, or character, concepts such as reason and emotion seem fixed. For instance, the use of

logos in providing evidence to support one's claims or the use of pathos to appeal to the emotions of a particular audience seem straight-forward compared to the idea of the role or persuasive effects of a rhetor's character evident in the way that the rhetor demonstrates good virtue, good sense, or goodwill toward the audience. Throughout history, it has been difficult to determine how these characteristics are demonstrable in oral or written arguments because the definitions of good virtue, good sense, and goodwill constantly change depending on the time and place. Likewise, philosophical, ethical, and moral concepts often encroach on the concept of *ethos* since it is often so tied to a rhetor's purpose.

In this chapter, I trace the positions on *ethos*, appearance, and trust as embodied in shifting notions of the rhetorical figure over time. Essentially, I examine notions of character that parallel theoretical discussions of the potential of character and appearance as persuasive by examining the evolving conception of the ideal rhetor figure in the history of rhetoric, education, and culture. While this history often overlaps with philosophical discussions of identity and self, I take a narrowly rhetorical approach to understand the place of *ethos* in the broader understanding of rhetoric.

Perspectives on character and *ethos* resonate throughout the history of rhetoric and, in this chapter, I trace those changes across the landscape of changing rhetor figures. To effectively position the confidence man as the contemporary representative rhetor figure and situate him in the greater canon of rhetorical tradition, I prove that the confidence man simply follows in a tradition of rhetorical figures spanning history. In this chapter, I examine those rhetor figures throughout the history of rhetoric that echo the rhetorical underpinnings of the confidence man, including the Sophist of the classical era, the Ideal Orator and the Good Man Skilled in Speaking of the Roman period, the Courtier of the Renaissance, and the Elocutionist of the Enlightenment.

Each of these figures embodies characteristics familiar to our understanding of the confidence man. In particular, these figures argue for or expose the authoritativeness of performativity, character, and appearance in relation to other approaches to persuasion and rhetoric. As embodiments of greater rhetorical ideals, the responses to those figures by their contemporaries likewise show the change over time in the treatment of character and confidence in rhetorical theory.

The significance of character is often evident in the reactions of various rhetoricians, ranging from condemnation or dismissal to technical appreciation and often esteem. Rather than a comprehensive analysis of the change in approaches to *ethos* over time, my study of the varied treatment rhetor figure – and the role of his or her character in persuasion – establishes a tradition of character, appearance, and, perhaps, performance as a rhetorical strategy that leads to the notion of the confidence man as a central, if not representative, rhetorical figure. Thus, the shiftiness of *ethos* and ever-changing treatments of the character of the rhetor over time reveal cultural perceptions of the function of rhetoric and the role of identity, confidence, and charisma in persuasion. This tradition, I argue, inevitably terminates with the confidence man figure, who represents not only current perspectives on rhetoric but millennia-old notions of character and trust as a basis of persuasive communication.

A Cultural-Historical Approach to *Ethos*

In current approaches to rhetorical theory, it is widely accepted that *ethos*, rather than being a stable or fixed rhetorical concept, is a consequence of the cultural, linguistic, and philosophical landscape of the time and place in which it is discussed. Fundamentally, the rhetor figure and likewise, notions of character, are culturally constructed. Popular rhetor figures

function as archetypal representations of cultural values, ideals, and anxieties as they relate to persuasion, communication, and deception. Many scholars have described rhetoric as a reciprocal relationship between culture and theory rather than a stable system of fundamental principles. Rhetoricians in contemporary approaches to rhetorical theory have highlighted the notion that cultures respond to and perhaps revise those principles based on various philosophical and ideological perspectives.

The argument that perspectives on rhetoric and *ethos* are culturally based and persistently changing is commonplace in rhetorical studies. Baumlin summarizes the issue in his introduction to *Ethos: New Essays in Rhetorical and Critical Theory*, writing that “*ethos*, like versions of self, must change over time and among cultures” (xxii). Thus, he continues, “the study of *ethos* must acknowledge the presence and play of ideology within a speaker’s or author’s self-representations” (xxii). By not only analyzing the change in perspectives towards *ethos* but the conception of the rhetor figure itself, the ‘presence and play’ of ideology becomes more apparent. Ideological understandings of character have led to a moment in rhetorical history in which the confidence man represents broader assumptions of rhetoric. By positioning *ethos* in a cultural and historical framework, Baumlin asserts that *ethos* is dependent upon and shaped by cultural, linguistic, and sociological forces acting upon the rhetor – essentially, he situates *ethos* as the intersection of these concepts.

That status of character in both current rhetorical theory and popular culture is the product of both the history of rhetoric and cultural opinions of persuasion and the role of the rhetor. In “*Ethos and the Aims of Rhetoric*,” Johnson continues the line of reasoning set out by Baumlin, arguing that “[t]he particular disposition of rhetorical theory during any one period in history reflects the intellectual and philosophical climate of that particular era” (98). Thus, as

Johnson points out, the constant evolution of *ethos* is a reflection of – perhaps even a response to – cultural perspectives and opinions specific to a given cultural moment. To recognize that rhetorical theory is culturally-generated and representative of cultural and ideological ideals highlights the importance of understanding the history of *ethos*. S. Michael Halloran reinforces this viewpoint when he argues that “[t]o have ethos is to manifest the virtues most valued by the culture to and for which one speaks” (60) In this view, current approaches to *ethos* and the idea that a representative rhetor figure might embody our current understanding of *ethos* and rhetoric become a consequence of a tradition of confidence and character in the history of rhetoric.

The shift of *ethos* and its significance in rhetorical theory and cultural perspectives on persuasion becomes more apparent when we compare current dominant ideologies with those that dictated the notion of character in historical traditions of rhetoric. Johnson continues her discussion of evolving rhetorical theory writing that “[c]omparison between modern rhetoric and historical tradition are significant not only because such assessments define to what degree our ideas about language and communication have changed but also because such retrospective evaluations reveal the nature and origins of the philosophical assumptions that underlie those ideas” (98). While Johnson argues for using the history of rhetoric to illuminate historical ideological perspectives retroactively, I argue that we might likewise use this notion as a lens for interpreting and interrupting contemporary assumptions concerning rhetoric, character, and persuasion.

This lens is particularly relevant to the notion of *ethos* and its changing significance over time. Johnson recognizes the value of a historical lens for understanding current approaches to rhetoric, stating that “[a]n examination of the historical significance of *ethos* in rhetorical theory is a particularly effective means of clarifying directions in modern rhetoric because definitions of

the role of *ethos* have been linked traditionally to definitions of the aims of persuasion and the obligations of rhetorical education” (98). While Johnson focuses narrowly on the history of *ethos* and the ways that “variations in definitions of *ethos* correspond to different views of the relationship between rhetorical practice, philosophy, and ethics,” in this chapter, I highlight how those variations instead lead toward a cultural model of rhetoric that, embodied in the figure of the confidence man, represents the centrality of *ethos* and character to persuasion (98). Essentially, the treatment of *ethos* over time represents a trend toward the notion of character and appearance as the dominant – or authoritative – means of persuasion.

The Sophist and the Ethotic Argument

In the history of rhetoric, the first representative figure – or the embodiment of rhetorical principles in a defined character – is found in the Sophist. Essentially, like the confidence man figure, the Sophist functions as an embodiment of rhetorical theory. The response to that figure by rhetoricians of the classical period highlights both the significance of the rhetor figure as a cultural figure and the possibilities of rhetoric. Focusing on the character of the Sophist is useful not only for exploring and defining the notion of *ethos*, but in defining a central representative figure, the changes in character, or *ethos*, over time becomes much more apparent.

Perhaps the most important contribution to rhetorical theory found in the figure of the Sophist is the recognition of character as a basis for persuasion. Throughout much of the Classical period, rhetoric was typically aligned with philosophy – the use of discourse to discover and attain knowledge. The Sophists, however, offered a perspective of rhetoric that forced rhetoricians to reconcile the realities of persuasion and the potential of character as deceptive. Johnson summarizes the origins of this issue, writing that “[t]he discussion of *ethos* as

a device of stylistic manipulation in the service of gaining goodwill or favor is typical of the manner in which Aristotelian-Ciceronian approaches to the function of *ethos* have been incorporated into various rhetorical arts since the end of the classical period” (106). In the Classical period, it was in the character of the Sophist that such a discussion began.

This discussion often developed from arguments by the Sophists themselves as well as condemnations of sophistry. G.B. Kerferd argues that the figure of the Sophist acted as a centralized viewpoint of rhetoric from which other theories of rhetoric emerged, primarily in the works of Plato. In *The Sophistic Movement*, Kerferd writes that “their [the Sophists] major significance, it has often been said, was simply that they provoked their own condemnation first by Socrates and then by Plato” (1). Later, Kerferd expands on the significance of the Sophists as a point of reference in Classical rhetorical theory, writing that “virtually every point in Plato’s thought has its starting point in his reflection upon problems raised by the Sophists” (173). Therefore, to understand the significance of character, it is important to locate the archetypal figure of the Sophist – as well as other rhetorical figures – within the framework of rhetorical theory.

From the most favorable viewpoint, the Sophists are largely considered to have been scholars interested in exploring, understanding, and teaching the art of persuasion. As rhetorical figures, they focused on the display of skill in argument and the notion of language as an instrument of giving pleasure. Frans van Eemeren, Rob Grootendorst, and Francisca Snoeck Henkemans, in *Fundamentals of Argumentation Theory: A Handbook of Historical Backgrounds and Contemporary Developments*, write that the Sophists “were itinerant scholars who taught lessons in argumentation and social and political skills” (30). The overlap between social and political rhetoric – and the exclusion of philosophy – set the Sophists apart and create an image

of rhetoric as a pragmatic skillset situated for the purpose of persuasion rather than a philosophical pursuit of knowledge as described by contemporaries such as Plato.

This overlap is also the source of much of the scrutiny assigned to the Sophists as rhetorical figures. Patricia Bizzell and Bruce Herzberg effectively demonstrate the move from the Sophists' position in rhetoric toward the cultural perception of sophistry in *The Rhetorical Tradition: Readings from Classical Times to Present*. The authors point out that "the Sophists were a diverse group of early philosophers who were interested in exploring all branches of knowledge" and believed that "human knowledge relies solely on sense perception" (22). This emphasis on perception and subjectivity has led to the Sophists' association with an ornamental style.

The Sophists' characterization as Classical grifters and charlatans perhaps represents the common and definably more cynical definition of sophistry in rhetorical theory. George Grote succinctly defines this more common viewpoint in *History of Greece* describing the Sophists as "ostentatious impostors, flattering and duping the rich youth for their own personal gain, undermining the morality of Athens public and private, and encouraging their pupils to unscrupulous prosecution of ambition and cupidity" (156). What is most notable about Grote's description is his emphasis on the qualities of *ethos* and character that I argue underpin persuasive rhetoric. The Sophist, in this view, is centrally concerned with appearance and character as persuasive tools – Grote's use of 'impostors' conveys a protean sense of character and his description of flattery and duping represent sophisticated rhetorical strategies common to the notions of deception, trickery, and the rhetoric of confidence. In "The Sophists," Henry Sidgwick goes as far as to call this approach to rhetoric "the art of fallacious discourse" (289).

Direct characterizations of the Sophist as a rhetorical figure parallel Grote and Sidgwick's accusations. John Poulakos in "Toward a Sophistic Definition of Rhetoric," for instance, describes the Sophist as a rhetorical figure fundamentally interested in *kairos* or responding to a given situation (18), playfulness or the exploitation of language, and possibility or perhaps the potential of language (20). Kerferd expands on this characterization, revealing a distinctive rhetorical strategy that emphasizes the notion of character and the significance of appearance to persuasion. Essentially, the Sophist is "concerned simply with what can be given enough appearance of truth to persuade or deceive an audience" (175). Thus, creating trust through the manipulation of appearances which are specifically crafted to respond to the expectations of an audience underly the Sophistical view of rhetoric.

Treating oratory as performances, sophists such as Gorgias would specialize and ceremonial oratory and accused by Plato of being concerned "merely with the manipulative aspects of how humans acquire knowledge" (Bizzell and Herzberg 23). This viewpoint creates a direct link to the common idea of rhetoric as persuasive and deceptive yet not necessarily truthful. The Sophistical approach to rhetoric thus points to, as Bizzell and Herzberg describe, "the fact that language can be crafted to suit particular purposes" (42). More specifically, creates the possibility of crafting the expression of *ethos* to suit the purposes of persuading a particular audience. Christopher Tindale describes such an approach to rhetoric as the ethotic argument. In this model of rhetoric, exercised primarily by the Sophists, the demands of the audience and the ability of the rhetor to address numerous dimensions of character serve as the basis of persuasion.

In an ethotic argument, the argument and the treatment of character are situated as consequences of the audience rather than isolated rhetorical strategies. Tindale expands on the

significance of the audience in the Sophists' view, writing that "good ethotic argumentation is constructed with attention to how an audience will experience it. Giving weight to character makes it attractive, but it always matters to whom it should be attractive" (149). Thus, the Sophist's audience serves as the basis from which he might develop an argument based on the manipulation of character. Tindale elaborates on the possibilities of an ethotic "involves all kinds of appeals to the person who says something (rather than just what is said), in the attempts to praise others and even to undermine the worth of another's speech through attacking that person's character" (131). This sophistic strategy of ethotic argument that focuses narrowly on character is not limited to the character of the author.

Gorgias, perhaps the most well-known sophist and the subject of much of Plato's scrutiny, embodies many of the characteristics of sophistry in his work and is, essentially, the embodiment of the Sophist archetype. Gorgias, whose style is often considered a rhetoric of performance, was centrally interested in the possibilities of rhetoric to manufacture belief in and persuade an audience (Bizzell and Herzberg 42). Rosamund Kent Sprague, in *The Older Sophists*, expands on the traditional characterization of Gorgias, associating him with qualities such as forcefulness, style, and improvisation (30-31). His ability to improvise is particularly important to a rhetoric of confidence and the rhetorical figure of the confidence man. Sprague writes that Gorgias would challenge audiences to suggest a subject and would "[show] apparently that he knew everything and would trust to the moment to speak on any subject" (31). This ability to appear as an expert on any subject is central to the rhetoric of the confidence man and a defining quality of the potential of *ethos* as the authoritative appeal.

This treatment of character and the possibilities of *ethos* is most readily apparent in Gorgias's "Encomium of Helen." In the "Encomium of Helen," Gorgias presents a defense for

Helen of Troy. This defense is situated around Gorgias's ability to make an argument for Helen's character while outlining the deceptive potential of rhetoric. Centrally, the "Encomium of Helen" is an ethotic argument in that in it, Gorgias is concerned with manipulating the audience's notion of *ethos*, demonstrating how perception and confidence in appearance and character – rather than wholly logical conclusions – determine belief. Throughout the "Encomium," Gorgias strives to elevate and defend the *ethos* of Helen. In doing so, Gorgias presents the scope of sophistic argumentation and its capabilities to enhance and diminish the perception of *ethos*.

In addition to the ethotic argument of the "Encomium of Helen," which serves as the central theme of the text, Gorgias also reveals an approach to rhetoric that betrays its potential for deception and fallacious persuasion. In the "Encomium," Gorgias asserts that "[s]peech is a powerful lord, which by means of the finest and most invisible body effects the divinest works: it can stop fear and banish grief and create joy and nurture pity" (52). He continues with an even more provocative description of speech, comparing rhetoric to magic, stating "[s]acred incantation sung with words are bearers of pleasure and banishers of pain, for, merging with opinion in the soul, the power of the incantation is wont to beguile it and persuade it and alter it by witchcraft" (52). Jacqueline de Romilly discusses the implications of such a statement, arguing that "[t]he very insistence shows that what we have here is more than a mere simile; in fact, the double analogy drawn by Gorgias may well turn out to be a program for rhetoric" (3). Gorgias concludes by reflecting on his own ability to reshape Helen's character, stating that "I have by means of speech removed disgrace from a woman" (54). Throughout the "Encomium of Helen," Gorgias argues that Helen was merely a victim of the persuasive power of rhetoric to shape perceptions of character and, in turn, he supports that interpretation with an ethotic argument of his own, demonstrating not only the significance but the authoritativeness of *ethos*.

Isocrates, a sophist that followed Gorgias and a contemporary of Plato, further characterizes the figure of the Sophist and the role of the ethotic argument. In “Against the Sophists,” Isocrates differentiates himself from other sophists by providing and rejecting a definition of the Sophist. This definition equates sophists with charlatans that profess to teach elements of character such as virtue when, as Isocrates sees it, virtue is an innate part of the character of the speaker. Thus, Isocrates simultaneously develops the figure of the Sophist while also commenting on the role of *ethos*, which he elaborates upon in the *Antidosis*. In the *Antidosis*, Isocrates fully presents his theories of rhetoric and education, including the Sophistic approach to character and ethotic argument though through the lens of skepticism that set Isocrates apart from figures such as Gorgias. In the work, Isocrates very directly asserts his position on character:

Furthermore, mark you, the man who wishes to persuade people will not be negligent as to the matter of character; no, on the contrary, he will apply himself above all to establish a most honorable name among his fellow-citizens; for who does not know that words carry greater conviction when spoken by men of good repute than when spoken by men who live under a cloud, and that the argument which is made by a man’s life is of more weight than that which is furnished by words? (1.277-78)

Though Isocrates seems to present an approach to *ethos* that values reputation – a position that Aristotle would reject in his formalization of the term – an earlier statement made in the *Antidosis*, situated alongside this assertion, clarifies this position. In this passage, Isocrates refers not to the reputation of the rhetor beyond the scope of the rhetorical moment, but the rhetor’s ability to simply appear reputable, stating that “the power to speak well is taken as the surest index of a sound understanding, and discourse which is true and lawful and just is the outward

image of a good and faithful soul” (1.255). In drawing a direct correlation between “the power to speak well” and “the outward image of a good and faithful soul,” Isocrates highlights that the appearance of good character is as valuable than the authenticity of that character.

Most discussions of the Sophist as a rhetorical figure inevitably lead to Plato and his aggressive dismissal of the Sophists. Kerferd states out that historically, Plato has typically been considered the Sophists’ implacable foe. Consequently, Plato’s characterization of the Sophists allows us to situate the Sophist as a representative rhetorical figure and, thus, conceptualize the notion of character in classical rhetorical theory. This notion of character, defined in Plato’s portrait of the Sophist, echoes in contemporary perspectives on rhetoric and approaches to *ethos* anchored in the characterization of the confidence man in American culture.

Specifically, in Plato’s dialogue, the *Gorgias*, he presented a fully realized characterization – and his most elaborate condemnation – of the Sophist figure. The dialogue begins with a conversation between Socrates and Gorgias that more closely resembles an interrogation. The trajectory of the dialogue is an exploration of the theory and purpose of rhetoric, as Socrates attempts to define, understand, and refute the Sophistical theory of rhetoric embodied in Plato’s characterization of Gorgias. In *Classical Rhetoric and Its Christian and Secular Tradition from Ancient to Modern Times*, Kennedy describes this initial exchange between Socrates and Gorgias, writing that “[a]s [Gorgias] appears in the dialogue, he has not clearly conceptualized what rhetoric is, but his general view is that rhetoric is an art or faculty which can take any subject matter and present it persuasively” (Kennedy 47). However, this summary misses an important dimension of sophistic thinking, particularly the notion of character as it relates to the relationship between the rhetor and the audience. The Sophistical definition of rhetoric, as Plato sees it, appears most clearly in Socrates’s summary of Gorgias’s

position. At this stage of the dialogue, Socrates states “I think now, Gorgias, you have come very near to showing us the art of rhetoric as you conceive it, and if I at all take your meaning, you say that rhetoric is a producer of persuasion, and has therein its whole business and main consummation” (*Gorgias*). The fundamental and most significant aspect of this definition, within the scope of *ethos* and the character of the rhetor, is not the Sophistical claim that rhetoric’s sole purpose is persuasion. Critically, Socrates concludes his speculative definition of the Sophistic perspective on rhetoric with the statement that “effecting persuasion in the minds of an audience...is the main substance of the art” (*Gorgias*). Gorgias immediately replies that this definition is satisfactory, placing an emphasis more on the relationship between the rhetor and the audience than simply persuasion.

The emphasis on the relationship between the rhetor and the audience is persistent throughout the *Gorgias*. In particular, an extended metaphor details the capabilities of rhetoric to supersede legitimate expertise. Gorgias provides an example of creating the impression of authority, and thus, a belief or confidence in an inauthentic character. In this example, Gorgias describes how a physician might prescribe a treatment which a patient might ignore while the rhetorician can persuade the patient to take a course of action, supplanting the authority of the authentic physician. Essentially, Gorgias explains, “there is no subject on which the rhetorician could not speak more persuasively than a member of any other profession whatsoever” (*Gorgias*). Socrates reflects on Gorgias’s reasoning, summarizing his position stating that, from Gorgias’s perspective, “there is no need to know the truth of actual matters, but one merely needs to have discovered some device of persuasion which will make one appear to those who do not know to know better than those who know” (*Gorgias*). Following this line of reasoning, Socrates argues that as a teacher of rhetoric, Gorgias’s central concern is “only to make him [a student]

appear in the eyes of the multitude to know things of this sort when he does not know, and to appear to be good when he is not” (*Gorgias*). This passage furthers the notion of audience and alludes to persuasiveness of *ethos* and its potential is the authoritative appeal of an argument. Plato’s deployment of the word ‘appear’ emphasizes the idea that the *ethos* of the rhetor is not necessarily an authentic projection of the rhetor’s identity but, instead, an impression created to persuade an intended audience. In this view, the persuasive expression of apparent expertise is more effective than actual expertise. Thus, the rhetor’s ability to control the perception of his or her character serves at the authoritative appeal.

Later in the dialogue, the significance of the rhetor’s character and the potential for crafting that character to most effectively persuade an audience becomes most apparent as Plato formulates a framework of rhetoric. This framework constitutes a continuum that allows Plato to illustrate the divide between philosophical rhetoric and sophistic rhetoric, which he dismisses as flattery. As Robin Reames points out in “Seeming and Being in the ‘Cosmetics’ of Sophistry: The Infamous Analogy of Plato’s *Gorgias*,” “this marks a decisive moment in the Platonic corpus, a moment when rhetoric and sophistry are associated with seeming and appearance and therefore distanced from being and reality” (74). While the framework as a whole is largely concerned with exploring the nature and origins of rhetoric, Plato also makes interesting observations about the differences between seeming and *being* that are fundamental to the notion of *ethos*. In this passage of the dialogue, Plato situates several comparisons to distinguish between true arts and flattery. Legislation, a true art that is founded in reality, is contrasted with its false counterpart, sophistry. Likewise, gymnastics, the true art of the body, is contrasted with cosmetics or the manipulation of appearances. This framework, fundamentally, sets up a distinction between *seeming* and *being*. Thus, the Sophist, as a rhetor figure, is concerned with

rhetorical arts that create false perceptions in an audience in order to persuade, highlighting the authority and persuasiveness of the character of the rhetor.

At the core of this framework is the distinction between persuasion-to-knowledge and persuasion-to-belief articulated in the *Phaedrus*. The distinction is predicated on the idea that a rhetor should work to move an audience to legitimate, philosophical knowledge rather than potentially misguided or deceptive notions of belief or, fundamentally, an audience's confidence in the rhetor's argument. Kennedy summarizes this perspective, writing that from the Sophistical point of view "[r]hetoric...has no need of facts and is a tool of persuasion which makes the unknowing seem to know more than the knowing" (*Classical Rhetoric* 48). However, defining 'knowing' and distinguishing it from 'unknowing' continues to be problematic because of the realities of *ethos* and perception. Like other attempts to define *ethos*, the notion of appearance and the value of creating an impression on the audience is unavoidable. Though Plato uses Socrates's apparent dismissal of Gorgias's theory of rhetoric to make an argument for authenticity, there is simply no way to define the role of character in an argument without recognizing the reality that it is the perceived character of the rhetor that is persuasive, not the authentic and philosophically located notion of identity. Even if a rhetoric is based on the notion of persuasion-to-knowledge, that notion of knowledge is dependent on the audience's confidence in the character and authenticity of the rhetor.

Like other attempts to define *ethos*, the notion of appearance and the value of creating an impression on the audience is unavoidable. Though Plato uses Socrates's apparent dismissal of Gorgias's theory of rhetoric to make an argument for authenticity, there is simply no way to define the role of character in an argument without recognizing the reality that it is the perceived character of the rhetor that is persuasive, not the authentic and philosophically located notion of

identity. While Plato defines the rhetoric of the Sophist in the *Gorgias*, he illustrates a more specific characterization of the Sophist figure itself in a later dialogue, the *Sophist*. In the *Sophist*, Plato presents a conversation between Socrates and Theodorus in which Socrates attempts to define the Sophist and situate that figure relative to the philosopher and the statesmen. While the larger theme of the work deals with defining morality and further elaborating on Plato's philosophical approach to rhetoric, this dialogue effectively continues the tradition of defining a central rhetor figure which allows us to conceptualize rhetoric from a cultural perspective. Specifically, Socrates describes the Sophist as a hunter of men that demands money for a semblance of an education, a merchant of supposed virtue, and a profiteer who benefits from disputes. Kerferd's breakdown of this dialogue that "the Sophist is seen as the false counterfeiter of philosophy, ignorantly framing contradictions that are based on appearances and opinions rather than reality," again highlights the emphasize on appearances and the performance of an *ethos* that is dependent on the position of the audience (5).

Like Romilly's assessment of the Sophistic of Gorgias's "Encomium of Helen," Plato presents the Sophist as a mystical or magical figure throughout the dialogue. Much of the Sophist's rhetoric revolves around a "mysterious power" exercised as "a magician or imitator of true being." Socrates goes as far as to place the Sophist "in the class of magicians and mimics" rather than align the Sophist with rhetoric at all. The mysterious power Socrates attributes to the Sophist figure primarily revolves around the art of imitation. Persuasively, the Sophist's abilities lie in making "young men believe in their supreme and universal wisdom." The Sophist's "conjectured or apparent knowledge only of all things" echoes the inauthentic expertise inherent in flattery outlined in the *Gorgias* and elaborated upon in the *Phaedrus*. But in the *Sophist*, Plato more directly criticizes the notion of apparent expertise by equating it to imitation, which he calls

an “artistic or graceful form of jest.” Like the abilities of a painter to create the impression of a scene, Socrates describes the possibilities of imitation in a rhetorical sense.

And may there not be supposed to be an imitative art of reasoning? Is it not possible to enchant the hearts of young men by words poured through their ears, when they are still at a distance from the truth of facts, by exhibiting to them fictitious arguments, and making them think that they are true, and that the speaker is the wisest of men in all things? (Plato, *Phaedrus*)

This passage demonstrates the fundamental persuasiveness of character and situates that appeal of *ethos* within a broader framework of rhetoric. Essentially, Socrates recognizes the apparent reason inherent to an argument based on creating trust in appearances – the validity reason and truth is determined by the audience’s confidence in the argument of the rhetor.

In many ways, Aristotle’s formalization of rhetoric and *ethos* is a response to the many concerns Plato exhibits toward the Sophist figure. In *On Rhetoric*, Aristotle defines *ethopoeia*, or the representation of character, as a quality that is dynamic and fluid, recognizing the capabilities of the Sophist and integrating the persuasiveness of character and the risks of deception into the framework of rhetoric. While Plato dreads the notion of imitation and the possibilities of false representation, Aristotle acknowledges the legitimacy of representation through the neutrality and brevity in his discussion of *ethos*. The Sophist figure recognized the capabilities of rhetoric when it is reduced to a persuasive toolset as opposed to a philosophical ideal, effectively dismissing standards of good argumentation set out by rhetoricians such as Plato. However, when set alongside the exploration of morality found in his *Nicomachean Ethics*, the notion defining virtue or establishing what should be represented in *ethos* takes on a markedly philosophical turn. While Aristotle’s approach to *ethos* is largely innocuous within *On Rhetoric*,

by imbuing *arete*, *eunoia*, and *phronesis* with qualities of goodness and virtue, he leaves open the possibility that rhetoric remains a platform to discuss greater ideas about the role of the rhetor figure and the nature of character. The Sophist, however, remains the central rhetor figure that best embodies the potential of what Aristotle sets out when he describes *ethos* as the authoritative appeal.

The New Man and the Good Man Skilled in Speaking

On the surface, the Roman conceptions of the rhetor seem like a much more optimistic approach to rhetoric and character than the cynical pragmatism that characterized the Sophist. However, through the lens of the Sophistic ethotic argument, the quality of virtue that seemingly defined the Roman orator and the reality of apparent authenticity crafted for rhetorical ends complicates this approach. Though they are hesitant to admit as much, the Sophistic quality of manipulating appearances is often implied in the language of Roman rhetoricians such as Cicero and Quintilian, no matter how much they maintain that innate, honest virtue sits at the core of the ideal rhetor figure.

As in Greek rhetoric, the representative rhetor figure of the Roman era revolves around the theory and political experience of Marcus Tullius Cicero. Throughout his rhetorical works, including *De Oratore* and *De Inventione*. Cicero sets out to define the scope of rhetoric, the responsibilities of the orator, and the relationship between the two. Most interesting about Cicero's own relationship to the figure of the ideal orator is his practical experience as an aspiring Roman statesman. Essentially, the biographical Cicero embodies many of the attributes that align with the ideal orator, the notion of *ethos* carried on from Aristotle to contemporary

rhetoric, and, in fact, the rhetorical qualities that underpin the contemporary notion of the confidence man as a rhetorical figure.

Within the political and social landscape of the Roman republic, Cicero was considered a *homo novus*, or new man. While from a historical perspective, the exact definition of a ‘new man’ and the relationship between that figure and nobility is unclear, within the framework of rhetoric and the scope of *ethos*, the implications of the concept on character as a rhetorical strategy become evident. In *Making a New Man: Ciceronian Self-fashioning in the Rhetorical Works*, John Dugan examines Cicero’s approach to character as an acting statesman rather than a rhetorician. In a rhetorical view, a ‘new man’ is “a political outsider without the authenticating pedigree of ancestors who had held high elected office” (1). The orator’s character is detached from a reputation or the credibility associated with prior actions.

The concept of the ‘new man’ thus has several significant implications when considered alongside Aristotelian *ethos* and the notion of character. First, the ‘new man,’ in agreement with Aristotle’s definition of *ethos*, refers to the rhetor’s ability to craft a persuasive character within the rhetorical moment without relying on an established reputation. In the Aristotelian view, this is the definition of *ethos*. A ‘new man’ crafts a persuasive impression of character within the boundaries of a specific rhetorical interaction. Second, like other rhetor figures such as the Sophist or the confidence man, the ‘new man’ serves as a defined rhetor figure that embodies particular traits. Essentially, the ‘new man’ is a role that Cicero takes on and deploys to further a persuasive argument. Likewise, by examining the ‘new man’ both as a rhetorical construct used and analyzed by Cicero and other Roman rhetoricians, we can deduce the significance of *ethos* and discover the evolution of the character as a dominant rhetorical strategy.

The detachment of the character of the orator from reputation means that we must analyze *ethos* through the lens of performance. James May describes the Roman concept of character in *Trials of Character: The Eloquence of Ciceronian Ethos*, writing that “[t]he Romans believed that character remains essentially constant in man and therefore demands or determines his actions. Since character does not evolve or develop, but rather is bestowed or inherited by nature, an individual cannot suddenly, or at will, change or disguise for any lengthy period his *ethos* or way of life” (6). However, Cicero’s approach to the ‘new man’ and his tendency to perform and narrowly define that role demonstrates the actual relationship between performance and *ethos* that Aristotle alludes to which becomes much more prominent in the Courtier of the Renaissance and, later, in the Confidence Man. Cicero’s use of the ‘new man’ figure subverts the conventional perspective on character and identity as stable by performing the role of ‘new man’ and outlining a theory of self-fashioning revolving around a portrait of the ‘ideal orator’ that “idealizes and mystifies him” (Greenblatt 80).

The most significant aspect of the ‘new man’ and the ‘ideal orator’ are their functions as archetypal rhetor figures. Emma Dench, in *Romulus’ Asylum: Roman Identities from the Age of Alexander to the Age of Hadrian*, frequently describes the ‘new man’ in terms that situate it more as a role that Cicero plays rather than a biographical fact about Cicero’s political background. Dench describes Cicero’s relationship with the idea of the ‘new man’ as a card to play, highlighting the theatricality of *ethos* (179). More interestingly, the ‘new man’ exists to integrate *ethos* into an argument. Dench continues that contrasting the ‘new man’ with the notion of elitism and corruption associated with nobility makes “moral high ground of the ‘new man,’” a quality that resembles Aristotelian *arete*. More than using the ‘new man’ as an archetypal role to appeal to an audience, the ‘new man’ represents the performativity of character and the potential

of *ethos* to be crafted by the rhetor. Dugan writes that “the ways in which both Cicero and other Roman writers describe the self, especially that of a ‘new man,’ repeatedly emphasize the notion that it is a product of deliberate strategies of fashioning” (3). Implicit in this notion of self-fashioning is the decision-making processes that dictate *ethos*.

Cicero’s central concern in much of his oratory was the creation and perpetuation of a public, persuasive persona. The ‘new man’ archetype serves as a role from which orators such as Cicero can develop an effective platform centered around the value of character and the authoritative persuasiveness of *ethos*. The ‘new man,’ like other expressions of the rhetor figure archetype, is a “flexible term which Cicero employed especially in a variety of ways in order to make it fit his rhetorical strategy” (van der Blom 41). This flexibility highlights the performativity of character as well as the value that we might place on extrapolating a system of rhetoric from the successes of the rhetor figure. Cicero’s flexible use of the ‘new man’ and his ability to oscillate between personas depending on the audience reveals an approach to *ethos* that centralizes character to persuasion and the creation of trust. This approach highlights the ambiguity of *ethos* and opens up the possibility that virtue is not inherent to the rhetor but can be established within the rhetorical moment by adapting to the audience’s expectations and beliefs of virtue. Since *ethos* represents the authoritative appeal, then the underpinnings of *ethos* embodied in rhetor figures such as the ‘new man’ serve as a framework from which we can better understand the centrality of the character of the rhetor.

Parallel to Cicero’s presentation of his own character in political oratory is his commentary on the ideal orator in his rhetorical works. Namely, it is in *De Oratore* that Cicero outlines the qualities an effective orator should display. Steven Greenblatt describes the work in *Renaissance Self Fashioning: From More to Shakespeare* as “manifestly a work which meditates

upon the creation of a self, specifically, the fashioning of the ideal orator” (79). His theory of rhetoric and self-fashioning echoes the flexibility of his position on *ethos*. In *De Oratore*, Cicero argues that rhetoric is a synthesis of knowledge and style, highlighting the significance of appearance as complementary and necessary for successful communication. While Plato might separate the two, Cicero conjoins objective truth with subjective ornamentation and performance. On rhetoric, Cicero states that “there is to my mind no more excellent thing than the power, by means of oratory, to get a hold on assemblies of men, win their good will, direct their inclinations wherever the speaker wishes, or divert them from whatever he wishes” (1.8). This passage speaks to the relationship between the orator and the audience like his tendency to flexibly adopt the identity of the ‘new man’ when appropriate. Here, the purpose of the rhetor figure is to gain the confidence of the audience rather than to persuade them with passion or reason. In this view, *ethos* or the ability to create that confidence is the authoritative appeal. Likewise, situating confidence as the purpose of rhetoric places the emphasis of the orator’s rhetoric on the audience rather than the argument.

Cicero directly addresses the implications of *ethos* several times throughout *De Oratore*. When discussing appeals to the character of the orator, he typically describes Aristotelian qualities of virtue and goodwill. For instance, when describing the forensic rhetoric of courts, he states that “[a] potent factor in success, is for the characters, principles, conduct, and course of life, both of those who are to plead cases and of their clients, to be approved, and conversely those of their opponents condemned; and for the feelings of the tribunal to be won over, as far as possible, to goodwill towards the advocate and the advocate’s client as well” (2.43). In this passage, Cicero recognizes the potential for *ethos* to subvert other forms of persuasion and highlights the need for goodwill, echoing Aristotelian *eunoia*.

In *De Oratore*, Cicero also describes those qualities of character that function persuasively. Cicero again parallels many of the expectations for character outlined by Aristotle in *On Rhetoric* by focusing on the virtue inherent in *ethos*. At the core of these qualities are “good-nature, kindness, calmness, loyalty, and a disposition that is pleasing” (2.43). In discussing the effects of these qualities, Cicero continues that “feelings are won over by a man’s merit, achievements or reputable life, qualifications easier to embellish, if only they are real, than to fabricate where nonexistent” (2.43). However, the remaining qualities of the ideal orator Cicero describes are more closely associated with a sense of performativity.

Other qualities of Cicero’s ideal orator include knowledge of many matters, distinctive style, understanding of emotion, humor, culture befitting a gentleman, charm, memory of precedents, delivery controlled by gesture, features, and voice, and an acting ability (1.5). While qualities of virtue might be tied to the identity of a person, the remaining qualities of the ideal orator are much more flexible and seemingly possible to ‘fabricate where nonexistent.’ As in Cicero’s political oratory, in which he flexibly adapts to his audience by adopting the persona of the ‘new man,’ in *De Oratore* he implicitly advocates for a theatrical approach to rhetoric. The comparison between rhetoric and acting is present throughout much of Cicero’s work but is most evident when he describes the qualities of the ideal orator. He states that “in an orator we must demand...tragedian’s voice, and the bearing almost of the consummate actor” (1.28). Thus, the emphasis of *ethos* as an impression of character which is not necessarily an authentic reflection of identity persists through Roman rhetoric.

Following Cicero, Quintilian provides a characterization of the orator figure that explicitly defies the possibilities of deception and self-fashioning that characterizes Cicero’s ‘new man.’ In Book XII of *The Orator’s Education*, Quintilian provides what some scholars

consider his most original and significant contribution to rhetorical theory by defining the character of the orator (Bizzell and Herzberg 360). He states “[l]et the orator, then, whom I propose to form, be such a one as is characterized by the definition of Marcus Cato, *a good man skilled in speaking*” (12.1.1). Quintilian qualifies his meaning of *a good man* by contrasting it with a bad man, who would lack wisdom, attempt evil, and undermine his own authority. Thus, Quintilian’s interpretation of the rhetor figure reintegrates the significance of moral virtue into the character of the rhetor.

However, while in Book XII Quintilian might explicitly argue for the virtue of the orator, in Book X of *The Orator’s Education*, he alludes to the performative potential of *ethos*. In Book X, Quintilian defines and remarks upon the necessity of imitation in the development of the orator. Essentially, Quintilian argues that aspiring orators must imitate not just the words of other authors and orators, a dimension of rhetoric more closely related to *mimesis*, but effectively imitate the character of the rhetor. Quintilian goes as far as to suggest that an orator may borrow qualities of excellence from others “so as to supply what is deficient in his models” (10.2.28). As in other approaches to *ethos* and the character of the rhetor, Quintilian presents a model of character that is fundamentally performative, perpetuating the Protean qualities of the rhetor found in the rhetoric of confidence.

The ideal orator of the Roman era, embodied in concepts such as Cicero’s *new man* and Quintilian’s *good man skilled in speaking*, continue the tradition of *ethos* as a authoritatively persuasive and fundamentally subjective dimension of rhetoric. Commenting on the significance of Cicero to *ethos*, Greenblatt states that “Cicero thus revives Gorgias’ view of the Protean nature of rhetorical speech, and its autonomous status apart from extraneous moral concerns” (269). Beyond the Sophistic divide between *ethos* and morality, Cicero also recognizes many of

the potentials outlined by Aristotle. By locating himself as a *new man* and using that character as a rhetorical platform, Cicero situates credibility and trust as the authoritative appeal. Like Aristotle, Cicero restricts the notion of *ethos* to its singular rhetorical moment and, by placing so much of an emphasis on his own character, amplifies the authority of *ethos* as a means of persuasion. Cicero also revives what Greenblatt describes as the “Protean nature of rhetorical speech” in a literal sense through the association he draws between *ethos* and theatricality. In this view, the rhetor is a Protean figure because of the potential for self-fashioning, an argument Quintilian furthers with his discussion of imitation.

The Courtier and the Prince

The performativity of character and the potential of self-fashioning becomes even more pronounced during the Renaissance. When considering the theme of deception and dissimulation in Renaissance rhetoric, the initial figure one might point to would be Niccolò Machiavelli’s *The Prince*. The figure of the Prince, as outlined by Machiavelli, uses the impression of character to shape opinions and actions and the central theme of the work is found in the notion that craftiness is more effective than candor. However, the complexity, variation, and notoriety of that figure represents an overt style of rhetoric that undermines the Protean and imitative qualities of the confidence man. While the quality of craftiness and self-fashioning found in the rhetoric of the Renaissance is significant to the development of a broadened view of *ethos*, the qualities that resonate in the current figure of the confidence man are most evident in Baldassare Castiglione’s figure of the Courtier.

The Courtier figure is the embodiment of the notion of craftiness and presents a unique perspective of *ethos* and self-fashioning as a persuasive strategy. In many ways, the Courtier

might be considered the original confidence man because of the way Castiglione embraces notions of dissimulation and ethotic persuasion left implicit in earlier discussion of character and imitation. In *The Book of the Courtier*, Castiglione describes such a development in the rhetor figure over time, writing that “nearly every age has produced and prized a certain kind of orator peculiar to its time; and these have been different, not only from their predecessors, but also from one another” (45). Castiglione uses this passage to draw a parallel between his proposed figure of the Courtier and earlier interpretations of the rhetor figure, namely Cicero’s *homo novus*. Daniel Javitch, in *Poetry and Courtliness in Renaissance England*, argues that Castiglione’s central inspiration for *The Book of the Courtier* was Cicero’s *De Oratore*. In many ways, *The Book of the Courtier* parallels *De Oratore* and can be read as an extension of those ideas adapted to the peculiarities of the Renaissance period.

Castiglione’s *The Book of the Courtier* presents a philosophical conversation between a group of characters in the chamber of the Duchess of Urbino. The conversation centers around a game of “forming in words a perfect Courtier,” or companion and advisor to a prince (Castiglione 19). In contrast to the political orator represented in Cicero’s ‘new man,’ the Prince is a figure of subtle influence, focused more on social interaction than political oratory. Javitch argues that *The Book of the Courtier* represents an adaptation to the period. He reflects that “the institutional functions oratory had enjoyed in ancient courts of law and public assemblies became much more limited in the Renaissance” (23). Bizzell and Herzberg elaborate on that idea, pointing to stricter attention to political involvement, arguing that Castiglione came about “when democratic freedoms were declining and the political world was increasingly being governed by despots. But whereas Cicero chooses to celebrate a fading ideal in the face of change, Castiglione attempts to fashion one that will be more effective within the new order” (653).

Essentially, Cicero's rhetoric of politicking through oratory was incompatible in the Renaissance, and Castiglione's adapts to those change by shifting the outcomes of rhetoric from political oratory to subtle influence through self-fashioning and dissimulation.

During the conversation depicted in *The Book of the Courtier*, the characters describe an extensive range of characteristics that define the ideal Courtier figure. These include skill in warfare and sports, wisdom, humility, knowledge in literature and history, witty, creative, friendly, and attractive. The extent of these qualities highlights the treatment of *ethos* in the Renaissance and the performative aspect of rhetoric. And for these reasons, *The Book of the Courtier* has historically been treated as a sort of conduct manual for the Renaissance. Harry Berger argues in *Fictions of the Pose: Rembrandt Against the Italian Renaissance* that *The Book of the Courtier* "is a book about self-representation...The explicit theme of the book is learning how to represent oneself to others" (99). Thus, the qualities outlined by the characters of the book are aspirational and achievable, not inherent. The explicit outcome is to learn to display these qualities to others without betraying the artificiality of appearances.

The quality of the Courtier figure outlined in the conversations of *The Book of the Courtier* that best emphasizes the notion of adaptation and presents the Renaissance rhetor as a fully-developed Protean figure is *sprezzatura*. Castiglione describes this quality, arguing that the goal of the Courtier should be "to practice in all things a certain *sprezzatura* [nonchalance], so as to conceal all art and make whatever is done or said appear to be without effort and almost without any thought about it" (32). *Sprezzatura* represents the factor of self-fashioning that conceals the fact that the qualities that a Courtier expresses are not authentic reflections of identity but the practice of deliberate self-presentation. Wayne Rebhorn makes this distinction more apparent, stating that *sprezzatura* "an art of suggestion, in which the courtier's audience

will be induced by the images it confronts to imagine a greater reality exists behind him to make himself into a much more enticing and compelling figure that he might otherwise be” (38).

Castiglione equates *sprezzatura* to apparent effortless mastery that implies a sense of mastery of innateness such as in the brushstroke of a painter, the first step of a dancer, or a single note from a singer.

Embedded in *sprezzatura* and the underlying argument of the book toward self-fashioning is a concept of dissimulation. While previous approaches to the rhetor have avoided or treated deception cursorily, the Courtier presents dissimulation as a fully realized rhetorical strategy. Javitch draws a direct connection between the Courtier and the ethics of the confidence man, stating that “subterfuge lies at the heart of [*sprezzatura*]” (55). The Courtier figure thus makes explicit the potential for deceit implied in other interpretations of the rhetor figure. Berger argues that *The Book of the Courtier* is also marked by the “prospect of apprehensiveness, distrust of hidden motives, fear of exposure, and a general sense of the weakness of the courtier’s position” (102-103). The Courtier thus recognizes an interpretation of *ethos* that characterizes subsequent approaches to the figure of the rhetor as some rhetoricians attempt to integrate performativity and artificiality into the practice of rhetoric.

The Elocutionist

Two major approaches to rhetoric developed in the period following the Renaissance. These approaches are marked by a renewed interest in delivery and style. Bizzell and Herzberg summarize this interest in style and its association with persuasion. The authors write that “[o]ratorical style continued to be regarded as beautiful and impressive, and *impressive* was synonymous with *effective*, for the striking phrase would capture the attention of the auditor”

(794). Essentially, this dramatic shift embraces the performativity of the Renaissance Courtier and equates the impression one makes on the audience the determinant of rhetorical success. To create an impression on the audience is central to definition of *ethos* in which the goal of the rhetor is to express his or her character in a manner that gains the confidence of the audience. Thus, the seventeenth and eighteenth-centuries introduce a rhetor figure that embodied a rhetoric of *ethos* and confidence through appearance, style, and self-presentation.

While not directly related, two movements that demonstrated a renewed interest in style and delivery paralleled one another during this period. The focus on style developed from the Ciceronians who focused narrowly on elaborating upon the five canons of rhetoric: invention, arrangement, style, memory, and delivery. Following the Renaissance ideals of influencing an audience embodied in the Courtier, the interest in the rhetorical canons led to the rediscovery of eloquence and the ornate style. The rhetor figure of this period that most effectively carries on the Courtier tradition of self-presentation and *sprezzatura*, however, comes from the elocutionary movement, championed by actor Thomas Sheridan.

Sheridan's goal as a rhetorician was to revive the oratorical practices of the classical era and the elaborate eloquence associated with delivery. While his belief, according to G.P. Mohrmann, was that "a revival of the art of speaking would improve, religion, morality, and constitutional government," perhaps deviates from the Courtier's view of obfuscation, the figure of the Elocutionist, at least theoretically, embodies the tradition of performativity and the significance of the character of the rhetor that I have traced through the history of rhetoric. Elocutionists represent an exaggeration of this approach to delivery as while other "rhetoricians such as Campbell and Blair were to successfully blend the old and the new...the elocutionists found fertile ground in delivery alone" (Mohrmann iv-v). Sheridan defines this movement as

“the detailed study and appreciation of oral performance” (Bizzell and Herzberg 803). As an amoral system, the potential of elocution also extends to subversive purposes. Phillipa M. Spoel writes that “[t]he elocutionists made rhetoric appear to be the art of declaiming a speech by rote, without regard to whether the thought uttered were trivial or false or dangerous” (49). Like many discussions of *ethos*, the performativity of elocution implies a basis of trust and confidence distinct from the content of the argument.

In his theory of elocution, Sheridan approaches *ethos* from a narrowly classical perspective, situating the function of the exordium or introduction to establish the credibility of himself as an authority and of elocution as a field (Spoel 68-69). However, the broader methodology of the elocutionary movement corresponds with the Renaissance view of performance and dissimulation. However, by situating *ethos* as the authoritative appeal that underpins persuasion and is supported by other means of persuasion, the act of delivery itself becomes a mechanism for gaining the confidence of the audience. This notion is most pronounced in the paid attention to delivery by authors such as Gilbert Austin and John Bulwer. Austin’s *Chironomia; or a Treatise on Rhetorical Delivery* presents a mechanical system of notation and extensive diagrams for performance. Unlike Sheridan, who argued for a natural approach to oratory, “Austin distrusted the natural, conversational approach to public speaking” (Bizzell and Herzberg 889). *Chironomia*, in many ways like *The Book of the Courtier*, is a handbook for affecting persuasion through performance. Castiglione argues for a notion of the body and the performance of nonchalance as markers for identity and indications of the qualities represented in *ethos*. Likewise, the attention to performativity, delivery, and the body reflects a concept of gaining confidence through strategic self-presentation.

Ultimately, the most impactful movement in the Enlightenment with regards to the rhetor figure was the outright rejection of style and eloquence in the wake of scientific and philosophical revolutions of the period. Mohrmann describes the impact on eloquence as “a savage onslaught from the methods of science and the new epistemology” (iv). During this moment, rhetoric was equated with the “art of obfuscation” (795). Spokesman for the British Royal Society wrote in 1667 that “eloquence out to be banish’d out of all civil Societies” (Sprat 111). Clarifying his point, Sprat continued that the goal of the Society was “to reject all the amplifications, digressions, and swellings of style” (Sprat 113). Echoing the fatalistic view of Plato during the classical era, the schism of the Enlightenment shifted the opinion of rhetoric to a tool of deception and dissimulation.

Composition and the Confidence Man

The bifurcation of rhetoric during the Enlightenment has largely persisted through the history of rhetoric. The point of the divide in contemporary rhetorical theory, however, is between the academic study and mainstream perceptions of rhetoric. As Booth outlines in his comparison of the definitions of rhetoric and its non-academic synonyms, the popular conception of rhetoric is more closely aligned with the deceptions and swindles of con artists and impostors. The tradition of the rhetor figure has always been marked by a notion of performativity and preoccupation with the character of the rhetor but those qualities are exaggerated in current popular culture.

In academia, the figure of the rhetor is perhaps best embodied in the notion of the compositionist. In composition studies, *ethos* is often equated with the voice or identity of the author. While the central notion remains the same, practical approaches to the character of the

author vary throughout composition studies. In the Current-Traditional model of composition, writer's diminish the idiosyncrasy of their authorial voice and "do not suggest to their readers that a distinctive ethos might be conveyed by a writer's stylistic choices. They prefer instead to treat style as univocal, as a standard of purity and precision toward which all authors ought to aspire" (Crowley 240-241). On the opposite end of the continuum of *ethos* is the expressivist viewpoint in which writers develop an authentic style and authorial *ethos* by focusing on narrowly on the writing process rather than the product, ignoring the imperatives of the audience (Elbow). David Bartholomae offers an approach that parallels performative interpretations of *ethos* arguing that writers should study and appropriate the language of their audience in order to gain the confidence of their readers. These approaches, however, are situated in the defined discourse of academia. In order to evaluate the extents of *ethos* in everyday life, it is more appropriate to interrogate the popular rhetor figure.

Throughout the history of rhetoric, the dominant rhetor figure of each period has demonstrated the authority of *ethos* and the possibilities of persuasion anchored in confidence. While the perception of these figures has varied, each rhetor fundamentally incorporates notions of style, performativity, and *ethos* as methods of persuasion. Thus, to understand the scope of *ethos* in rhetoric from a cultural standpoint, it is necessary to analyze the current representative rhetor figure, which I locate as the confidence man. While popular culture is certainly diverse and many figures represent rhetorical values and methods, including advertisers, lawyers, and politicians, the confidence man is unique in that it is a dramatized embodiment of the negative perceptions of rhetoric as deceptive. In addition, the confidence man's lack of authentic content highlights the ways that logical and emotional appeals function only to support the confidence man's ethotic scheme. In the following chapter, I elaborate on the *ethos* of the confidence man

by situating that figure as the representative rhetor in American popular culture and analyzing the implications of its depiction in popular culture texts.

CHAPTER 2: THE CONFIDENCE MAN

In American popular culture, the thread of *ethos* and the implications of a rhetoric of confidence ends with the confidence man. Like other rhetor figures, the qualities of the confidence man reflect larger cultural beliefs. Unlike other rhetor figures, the confidence man is deeply embedded in popular culture – multitude of forms, variations, adaptations across mediums and contexts. Essentially, the confidence man is more completely intertwined with values, beliefs than rhetor figures isolated to individual works, discussions, or disciplines.

Beginning with treatments of the confidence man as a uniquely American cultural figure, this chapter traces the history and evolution of the confidence man into a sophisticated rhetorical figure that demonstrates the value of a rhetoric based on the creation of confidence and underpinned by the character or *ethos* of the rhetor. My central concern with this chapter is situating the confidence man figure in contemporary American popular culture as a decisively rhetorical figure by analyzing the origin, depiction, and adaptation of that archetype in American cultural texts. This analysis also serves to place the confidence man as a rhetor within the broader tradition of rhetor figures in the history of rhetoric. The view of rhetoric provided by this comparison demonstrates the centrality of *ethos* to rhetorical theory and the significance of appearance, character, and gaining the confidence of the audience.

The characteristics and adaptations of the archetype of the confidence man have definitively shifted over time to respond to the beliefs and circumstances of each era. In American culture, the confidence man began as an instructive, hyperbolic figure that embodies

the ideals and anxieties surrounding identity, perception, and rhetoric. John Blair's definition of the confidence man highlights the extent of his relevance as both a cultural and rhetorical figure:

Among all the liars and fabulists in the world the figure of the confidence man towers head and shoulders about the crowd. He convinces you that his riches are fabulous (which of course they are), invites you to join a scheme sure to multiply your own wealth and, as soon as he has your confidence, proves it to be misplaced. (11)

In this chapter, I examine the origins of such figures in early American literature and explore how that archetype has, over time, adapted and responded to evolving cultural beliefs. Characters such as Simon Suggs and Ovid Bolus domesticated the anxieties of 19th century American life. As American literature progressed, and actual con artists began to appear in newspapers, the confidence man developed into a more sophisticated meditation on American ideals in the work of Mark Twain, Edgar Allan Poe, and Herman Melville. This approach to the confidence man archetype continued until it was adapted by Hollywood, most notably in films such as *The Sting* and *Catch Me If You Can*. The confidence man thus stabilized as an archetype in American culture, becoming a romanticized, markedly sympathetic character – the personification of persuasion and charm. Recently, the confidence man figure has constantly re-adapted but, centrally, the archetype remains a constant reflection of American ideals and an example of mainstream perceptions of *ethos*.

As a cultural figure, the confidence man goes far beyond representing the persuasive value of *ethos*. Though the confidence man figure is, essentially, the embodiment of character and appearance, it also represents broader realities of rhetoric and culture. In addition to defining the scope of character and the rhetorical framework of *ethos*, the confidence man figure acts as

the embodiment of broader American cultural values necessary to develop a more thoughtful framework of how *ethos* and functions in an argument.

The Confidence Man as Covert Cultural Hero

Unlike the rhetor figures that permeate the history of rhetoric, the confidence man originates in literary works rather than rhetorical theory. However, as Baumlin and Johnson argue, the rhetor figure functions a reflection of cultural values and beliefs directed toward rhetoric. With the bifurcation of rhetoric between academic discourses and popular culture, rhetorical texts no longer adequately define rhetoric on a cultural scale. Thus, the confidence man is a consequence of current perceptions of rhetoric and an embodiment of cultural ideals related to persuasion, appearance, and trust embedded in mainstream concepts of rhetoric.

The confidence man, like figures such as the Sophist and the Courtier, reflects cultural views of rhetoric and character. However, the ideals reflected by the confidence man figure are often unique to the particularities of American culture. Analyzing the confidence man in American popular culture and the way that figure has developed over time reveals both rhetorical assumptions about rhetoric in conjunction with the cultural values that produce those assumption. Gary Lindberg, in *The Confidence Man in American Literature*, defines the unique link between American culture and the confidence man.

The confidence man is a covert cultural hero for Americans. He occupies a central place in our popular mythology; yet not many of us would want to acknowledge this fact when stated so bluntly, and that is why we don't notice his centrality. What the con man represents about us can only be seen obliquely, in the discrepancies between our ideals

and our conduct. When we denounce someone publicly and then privately laugh up our sleeves at his exploits, we celebrate the cult of the con man. (3)

The ‘cult of the con man’ permeates not just a value system framed in self-determinism and opportunity of the American Dream but the understanding of rhetoric. As seen in Booth’s list of non-academic synonyms for rhetoric, the perception of rhetoric in popular culture is simultaneously positive and negative. This juxtaposition is most evident in the figure of the confidence man whose adaptations oscillate between sympathetic and antagonistic. He represents the potential of rhetoric as a tool for asserting individuality while also demonstrating the anxieties associated with persistent deception.

Using the ‘cult of the con man’ to define a system of *ethos* functions reciprocally. On one hand, the confidence man functions as a reflection of cultural values and beliefs. On the other hand, depictions of the confidence man in popular culture perpetuate, shape, and influence perceptions of rhetoric. In *Time Passages: Collective Memory and American Popular Culture*, George Lipsitz argues that popular culture texts are essentially products of the collective identity of a culture. Therefore, the endurance of the confidence man in American popular culture highlights certain cultural and rhetorical ideals. A second view of cultural studies, emphasizing reciprocity, extends this line of reasoning. Thomas De Zengotita, in *Mediated: How the Media Shapes Your World and the Way You Live in It*, argues for an approach to popular culture that recognizes a reciprocal relationship between a population and its popular culture texts. In this view, popular culture texts are not just products of a particular cultural moment crafted by an author and consumed by an audience, but function to instruct, reinforce, and perpetuate the viewpoints they present. Essentially, while a text might reflect or respond to cultural values, it also serves to influence and shape those beliefs.

A notable aspect of the confidence man figure from early American literature to modern film is that he is almost universally depicted as a white male. However, as a fictional archetype in popular culture texts, the depiction of the confidence man is tied more closely to broader cultural issues of diversity and representation than to the intrinsic rhetorical properties of the archetype. Of all its qualities, the defining trait of the confidence man is adaptability. Any iteration of the confidence man archetype adapts his or her methods to the circumstances and the depiction of that archetype as a white male reflects a lack of diverse characterizations rather than an archetypal imperative.

Earlier depictions of the figure are certainly tied to ideas such as privilege and class. In Melville's *The Confidence-Man: His Masquerade*, Black Guinea's race is intrinsic to his con and Hooper's Suggs is capable of being an impostor in Alabama because of his race – both take place in the social context of the mid-19th century American South. In *The Confidence-Man*, the confidence man figures, rather than being confined or empowered by race, alter their rhetorical strategies to accommodate cultural biases. With regards to gender, many scholars argue that female 'confidence man' figures are equally capable as con artists even though their rhetorical methods differ. There are numerous examples of female 'confidence men' in popular culture, but they almost exclusively run romance cons, demonstrating again that the archetype is defined first by its flexibility and the confidence man's awareness of how to take advantage of a specific audience.

Though not entirely, race and gender are largely tied to the individual depictions rather than the inherent qualities of the archetype. Actors such as Tony Curtis, Robert Redford, and Leonardo DiCaprio represent the prototypical leading man of American film. These portrayals of the confidence man figure have defined the characterization of the archetype in the public

consciousness and perpetuated cultural biases toward race and gender. But some depictions have ignored or disrupted this concept, supporting the argument for the universality and adaptability of *ethos*. Since any character can embody the qualities of the confidence man archetype regardless of race and gender – even though each adaptation is certainly affected and shaped by cultural biases – it is a set of rhetorically-oriented character traits, such as adaptation, showmanship, self-determinism, and nonchalance, that define the archetype.

Cultural implications of the confidence man's depiction as a white male cannot be separated from rhetoric and the advantages that characterization gains from his privilege, but those implications are less obviously connected to persuasive tactics associated with *ethos* which are a consequence of cultural biases and social norms. The confidence man, fundamentally, changes his appearances to create an impression and gain his victim's trust – since character's cannot change their race or gender, they instead change the rhetorical strategy that underpins the confidence game itself. If anything, various depictions of the confidence man figure that disrupt that archetypal depiction demonstrate the versatility of *ethos* as an adaptive rhetorical strategy tailored to the expectations and biases of the audience.

Just as historical rhetor figures reflect the significance of and position on *ethos* in rhetorical theory and culture, the confidence man is likewise a rhetorical response to ideals of self-determinism and confidence and anxieties surrounding trust and deception. The introduction of the confidence man archetype to American culture in the 19th century served to discern the idiosyncrasies of American culture while introducing audiences to the realities of the new country. This notion of reciprocity embedded in popular culture also leads to an arguably more honest interpretation of American values and *ethos*. While scholars are inclined to theorize and define, popular culture texts depicting the confidence man as a rhetorical figure reflect reactions,

responses, and opinions of mainstream American culture more directly relevant to and evident in our everyday experience.

An Overview of the Uniquely American Trickster

The significance of the confidence man archetype as an embodiment of cultural ideals, beliefs, and fears is perhaps most evident in the amount of scholarly attention it has received. As a literary and cultural figure, the confidence man has a history that spans from early American humor and conduct manuals to contemporary film and television shows. The adaptation of that archetype has undergone similar variations, oscillating between street criminals, gamblers, playboys, and demagogues. Fundamentally, the confidence man is defined by a set of characteristics that are common to all iterations of the character. It is in the depictions and adaptations of those qualities that the confidence man's value as a cultural reflection of *ethos* and the rhetoric of confidence is most apparent.

While much of the scholarship on the confidence man focuses on analyzing the figure in literary works, some scholars have explored broader implications of the confidence man outside the scope of the works he appears in. Karen Halttunen, in *Confidence Men and Painted Women: A Study of Middle-class Culture in America, 1830-1870*, analyzes early appearances of the confidence man figure as marginal characters in 19th century advice manuals. These characters served to instruct readers by, essentially, providing examples that conflicted with social expectations. However, as social expectations adapted to the possibilities of the new country, these marginal figures came to embody desirable qualities inherent to American culture. Halttunen provides a definition of the confidence man that highlights the fundamentally persuasive and rhetorical attributes of the figure. She argues that the confidence man figure,

which predates even the term ‘confidence man,’ is depicted as a villain in early American advice manuals and “a man whose art it is to deceive others through false appearances” (2). In this brief definition, Halttunen identifies the confidence man’s cognizance of his audience and his rhetorical strategy of adapting his argument or appearance to create trust. While in the context of these conduct manuals, the qualities of the confidence man appear negative, they align with the central concept of *ethos* as outlined in rhetorical theory and, through a cultural lens, values closely associated with American interpretations of virtue.

Beyond the rhetorical significance of the character, Halttunen goes onto recognize the value of the confidence man as a uniquely American cultural figure and reflection of the beliefs of that cultural moment. The confidence man effectively embodies notions of mobility central to the American national character (Halttunen 31). These qualities represent not just the possibilities of geographical movement but social mobility and rhetorical adaptability. Halttunen writes that “[b]lessed with superior wit, skill in the use of resources, adaptability and enthusiasm...the trickster emerged as the archetypal American because the trickster represented man-on-the-make” (Halttunen 31). Halttunen situates the confidence man as the embodiment of these cultural ideals by his synthesis of American values and his abilities to capitalize on them. She also, like other scholars, equates the confidence man to a trickster figure. While the concept of the trickster figure is a significant archetype in the folklores of African, African-American, and Native American cultures among others, within the scope of this project and much of the scholarship that compare these figures, the confidence man represents a variation of the trickster created as a response to cultural anxieties of anonymity, shiftiness, and capitalism that existed in nineteenth-century America

The view of the confidence man as a mechanism for defining those cultural ideals and rhetorical principles is perhaps most concisely described by William Lenz. In *Fast Talk and Flush Times: The Confidence Man as a Literary Convention*, Lenz treats the confidence man as a literary figure that is fundamentally linked to American culture and a product of the flush times of American history. He argues that “[w]riters used the evolving figure of the confidence man to embody a cycle of boom and bust and as to act as a mediating structure between the increasingly problematic new country and an anxious national audience” (64). In this view, Lenz emphasizes the reciprocal nature of the confidence man that is central to the cultural-historical reading of the rhetor figure. Just as other rhetor figures served as an indicator for identifying perspectives on *ethos*, the confidence man serves as a mediating structure revealing larger cultural concerns of the period. However, as a rhetorical figure, these concerns all reside in the possibilities of *ethos* resulting from the anonymity of American culture.

To account for the complexities of the confidence man figure – how he oscillates between a marginal and heroic figure, embodying values, anxieties, and rhetorical principles – many scholars draw comparisons to the traditional trickster figure. Lenz, for instance, describes the confidence man a “distinctly American version of the archetypal trickster” (1). In addition to Lenz assertion, Lindberg outlines a more detailed comparison between the trickster and the confidence man. Lindberg resituates the confidence man, arguing that the focus of analysis should be on how authors deploy that figure to reflect, disrupt, or comment on larger themes of American culture. Essentially, he argues that the confidence man “is a culturally representative figure, not a marginal one” (8). Lindberg states that while trickster figures embody themes that engage with the human condition, the confidence man more specifically engages with idiosyncratic qualities of American culture. Contrasting the confidence man with the trickster

figure demonstrates how the confidence man is a more specifically focused response to its cultural moment. Essentially, like other rhetor figures, the confidence man can be situated as a consistent and accurate representation of the value of *ethos* today.

Susan Kuhlmann makes an argument in *Knave, Fool, and Genius: The Confidence Man as He Appears in Nineteenth-Century American Fiction* that subverts Lindberg idea of the narrow scope of the confidence man. She writes “[o]f course [the confidence man] is not...an intrinsically or exclusively ‘American’ phenomenon. His qualities are too deeply rooted in a universal human nature and have been too often and too widely exploited for such a claim to be made” (6). While Kuhlmann correctly asserts that the confidence man carries broader implications toward universal human nature, the that figure is still anchored in an American attitude toward appearances, persuasion, and self-determinism. Viewing the contemporary archetypal confidence man as a “distinctly American version of the archetypal trickster” (Lenz 1) that is “rooted in universal human nature” (Kuhlmann 6) allows for a multi-dimensional analysis of the confidence man as a rhetor figure that is anchored in values and beliefs specific to American culture.

At the intersection of American culture and the universal qualities of the confidence man as a persuasive figure lie the implications of *ethos*. The defining quality of the confidence man is his persuasive ability defined by trust and confidence. In his discussion of the confidence man, Warwick Wadlington applies a largely rhetorical lens in his examination of the confidence men found in Herman Melville, Mark Twain, and Nathanael West. *In The Confidence Game in American Literature*, Wadlington emphasizes the fiction-making elements of the confidence man and the authors that adapt that figure for thematic and rhetorical purposes.

Sophisticated modern study of the art of persuasion has gone far beyond the traditional circumscription of rhetoric as the arousal of conviction through artfully deployed language on a given occasion, to a more inclusive notion of man as a persuasive or persuading animal. Men seek and create the grounds of confidence which is to say, mutual faith, as much to validate themselves as to control the wills of others. (5-6)

In this passage, Wadlington illustrates the universal qualities of the confidence man described by Kuhlmann by situating the relevance of the confidence man within the context of rhetorical theory. In doing so, Wadlington describes the significance of *ethos* both as a persuasive device for the rhetor and a motivation for the audience.

The rhetoric of the confidence man is typically addressed in scholarship by focusing either on the perspective of the audience or the rhetorical tools of the confidence man. The first approach to audience is drawn from the common notion found in definitions of the confidence man and early iterations in conduct manuals and humor literature that ‘you can’t cheat an honest man.’ Focusing on the fundamental greed of his victims, authors of confidence man literature explore the vulnerabilities of human nature. They also argue for an awareness of *ethos* as a rhetorical vulnerability considering the flexibility of identity and unreliability of appearances. This quality permeates all confidence man narratives but is not an inherent quality of the rhetor. Rather, this approach represents the implications of situating such a figure as fundamentally rhetorical.

As a quality of the confidence man, notions of audience are more significant when considering how the confidence man chooses a victim. Wadlington again merges the confidence man with rhetorical theory when he states that “[a] traditional function of rhetoric is to divide one’s audience into the shrewd and the credulous; at the extreme, into potential ‘knave’ and

potential ‘fools’” (144). While in this passage, Wadlington addresses the need for the audience to be ‘shrewd’ concerning trust, he also describes the confidence man in a way that emphasizes the relationship between the rhetor and the audience central to *ethos* and the rhetoric of confidence. Fundamentally, the effectiveness of the confidence man is underpinned by his awareness of his audience and his ability to craft an argument tailored to the task of gaining their confidence.

While Wadlington may be most concerned with the rhetorical implications of the confidence man, several scholars approach the character through a rhetorical framework by outlining his persuasive tools. Lenz, for instance, states that the confidence man “shuns all tools but his own rhetoric” (2). Lenz effectively reduces the character to an embodiment of rhetoric. Essentially, the confidence man’s only tool is a sophisticated understanding of rhetoric and the ability to alter reality through language. Lindberg echoes this line of reasoning, further narrowing the confidence man’s toolset to *ethos*. He argues that “[t]he confidence man is a manipulator or contriver who creates an inner effect, an impression, an experience of confidence, that surpasses the grounds for it. In short, a confidence man makes belief” (7). To make belief is to create and capitalize on the notion of *ethos* as the authoritative appeal. Lindberg also emphasizes the confidence man’s role as manipulator aware of the authority of trust and how to adapt his argument for his purposes. The methodology of the manipulator, also present in rhetor figures of the Renaissance and Elocution Movement, is the “mastery of tone, gesture, and suggestion possessed by the gifted actor” (Kuhlmann 19). Thus, through the lens of rhetoric, the confidence man represents the potential of *ethos* as a persuasive basis and notion that the character of the author can be adapted to those ends.

The Origins of the Confidence Man

The early confidence man figures represent an adaptation to the cultural landscape of the new country. Values, traditions, and rhetorical conventions that had previously underpinned mainstream culture suddenly became incompatible with the implications of American notions of identity, social hierarchy, and character. While the confidence man began as a mechanism to provide a moral framework tailored to American culture, he quickly came to embody the aspirations and possibilities associated with the American Dream.

The origins of the confidence man in the incompatibility of American culture and perspectives on character held over from Victorian ideals is evident in changing notions of character and the relationship between a person and the, perhaps intentionally, underdeveloped and evolving social system. Halttunen argues that 19th century conduct manuals demonstrate those shifting notions of *ethos* and the value of confidence in the new country. She writes that rather than relying on traditionally held values of *ethos* attached to social standing and authority, “[i]n the emerging social system, authority could be seized by any charismatic figure who emerged from the masses as a man of magnetic personal power” (24). Thus, these conduct manuals, written by previously eminent social authority figures such as community and religious leaders, were crafted with the intent of disrupting this emerging social system by perpetuating Victorian ideas of character. Thus, the confidence man began as an antagonistic or deceptive figure that would lead young men toward disgrace and debauchery.

The early treatments of the confidence man figure likewise reveal the perceived potential of *ethos* in a country disentangled from concepts of reputation and credibility or, as Wadlington puts it, “disembarrassed of the weight of European institutions and traditions” (11). These depictions of the confidence man define a position on *ethos* that parallels approaches to character

that permeate the history of rhetoric. As Aristotle defines it, *ethos* is thus confined to the rhetorical moment and is crafted to reflect, or imitate, inner virtue while responding to the expectations of an audience. Lindberg describes the intersection of rhetoric and identity in America in a way that confines the persuasiveness and identity of the rhetor within his scheme. He writes that “[i]nstead of relying on family background, class habits, inherited manners, many Americans have had to confront each other as mere claimants, who can at best try to persuade each other who they in fact are” (5). This view of rhetoric, common in scholarly discussion of identity and anonymity in the new country, resembles the Aristotelean definition of *ethos* and the Ciceronian new man.

Halttunen’s interpretation of character in early-American culture supports such a rhetorical interpretation of the confidence man. She states that “[c]haracter meant, on the one hand, self-reliant virtue based on fixed inner principle. At the same time, character meant reputation, the youth's outward demonstration of inner virtue, not his principles but his standing in the eyes of others; not his self-reliance, but his efforts to please an audience of strangers” (49). This interpretation reintroduces the ideas of performativity that underpinned the rhetor figures of the Renaissance and Elocution movement. Essentially, Halttunen, in providing a history and analysis of an emerging system of values, supports a rhetorical argument for the *ethos* of the confidence man. The protean nature of the confidence man and the lack of fixed identity in a dynamic social system reasserts the significance of the rhetor-audience relationship and the notion of *ethos* as the display and perception of character.

Ethos dominated the rhetoric of the new country and became a tradition of persuasion and approaches to identity evident in the development of the confidence man figure. As a rhetorical figure, the *ethos* of the confidence man defines current perceptions of rhetoric, identity, and

appearances. The origins of the confidence man as a mechanism for reflecting and responding to the shiftiness of identity during the expansion of the American landscape and the move away from Victorian ideals of status and social order.

The Early Tradition of the Confidence Man

The defining characteristics of the confidence man are distinctively rhetorical and unique to the idiosyncrasies of American culture in the nineteenth century. As a response to a changing system of ideals and the realities of a new country founded on self-determinism and anonymity, the confidence man exists in this period as a moral figure that domesticates anxieties concerning identity and deception. As this figure is refined – or perhaps as cultural ideals adapted to and integrated the implications of the confidence man – he functions as a device to reflect on the American experience and outline the qualities that would come to define the American Dream.

While characterizations of the confidence man originally appeared tangentially in conduct manuals of the early 19th century, the character was fully articulated as a distinctive literary figure in southern humor literature of authors such as Hugh Henry Brackenridge, Joseph Baldwin, and Johnson Jones Hooper. Focusing on Hooper's Simon Suggs in particular, Lenz writes that such works “allows the reader to envision the worst images of Americans within the safe confines of comic fiction and to discharge the anxieties this image creates through laughter at the apparent poetic justice dispensed by the confidence man in Hooper's narrow focus on a highly exaggerated, stylized, corrupt new country” (21). In those early conduct manuals, as Halttunen argues, the confidence man symbolized the complicated intersection of social norms and identity. Early authors of southern humor adapted the confidence man archetype and took that same approach, though by characterizing the confidence man more directly. Essentially,

authors used such the humor genre to describe real anxieties of anonymity and deception, to provide moral lessons in reconciling such anxieties, and to develop a framework that would define a uniquely American approach to *ethos* as an authoritative and adaptable underpinning of persuasion.

One of the earliest of such characters appears in Hugh Henry Brackenridge's *Modern Chivalry: Containing the Adventures of Captain John Farrago and Teague O'Regan*, written in 1792. The work follows the travels of Captain John Farrago, who functions as a confidence man figure through his philosophy on appearances, identity, and the roles of these concepts in the undefined American frontier. In the first chapter, Farrago himself is a subject of mistaken identity, a moment that clearly establishes the problematic nature of identity in the new world that underlies the entire work. Throughout *Modern Chivalry*, Brackenridge depicts confidence games, impostors, and deceptive storytelling.

In many of these vignettes, Farrago functions more accurately as a benevolent trickster than as a confidence man himself, disarming would be grifters and defending the legitimacy of impostors within the frontier framework of character. However, Farrago consistently employs the same rhetorical principles of the confidence man by reshaping perception and thus, reality, with language. Lenz describes Brackenridge's purpose in the work, arguing that "Brackenridge not only exploits appearances of New World tricksters but also explores implications of their presence in American culture as creators of fictions" (35). Fundamentally, the American philosophy holds that "[s]tyle, rather than substance, is all-important on the frontier" (Lenz 32). This position is most clearly asserted in a statement resembling Farrago's personal philosophy which he describes when he proclaims "[y]ou have nothing but your character, Teague, in a new country to depend upon" (Brackenridge 17). In this statement, Brackenridge asserts the authority

of *ethos* in the new country and defines a sentiment that becomes refined and markedly more aligned with the possibilities of deception in later adaptations of the confidence man.

Joseph Baldwin's *The Flush Times of Alabama and Mississippi: A Series of Sketches* from 1853 follows in the tradition of southern humor defined by authors such as Brackenridge. The vignettes presented in the work typically deal with themes of law, capitalism, and commerce that were, in many ways, unique to its cultural moment in American history. The opening piece, however, is notable because in it, Baldwin presents his variation on the archetypal confidence man figure. This figure, Ovid Bolus, Esq., blends the concept of the confidence man as literary figure with the notion of the lawyer as a rhetorical. This synthesis carries the connotation that in American, where character is unfixed and trust problematic, rhetoric is primarily a tool of deception. In his description of Bolus, Baldwin focuses less on the man and more on his defining quality, reducing Bolus to a personification of qualities inherent to the confidence man.

Bolus was a natural liar, just as some horses are natural pacers, and some dogs natural setters. What he did in that walk, was from the irresistible prompting of instinct, and a disinterested love of art...he did not labor to lie; he lied with a relish; he lied with a coming appetite. Growing with what it fed on: he lied from the delight of invention and the charm of fictitious narrative. It is true he applied his art to the practical purposes of life; but in so far did he glory the more in it; just as an ingenious machinest rejoices that his invention, while it has honored science, has also supplied a common want. (81)

Baldwin's description of Bolus in this passage is more significant because of its implications toward a culture of deception than the individual qualities of the character. The elaborate association between Bolus and lying blurs the distinctions between Bolus as a confidence man

figure, the nature of lying and deception, and the concept of rhetoric as both an art and science of persuasion.

The characterization of Bolus in this passage is so singularly focused on his role as a liar that Baldwin presents the character as a personification of deception. Comparing Bolus's compulsion for lying to the instincts of an animal and stating that it is his only interest reduces the character to a single trait. Further, Baldwin's recognition of the practical purposes of lying and description of Bolus's lies as a scientific framework thematically parallels the principles of rhetoric. Within the context of American notions of identity and rhetoric, Bolus, a confidence man figure presented as a personification of lying, is also a reflection of the rhetoric of confidence and character that dominates the new country. Baldwin's characterization of Bolus thus defines and disrupts the complexities of *ethos* in a setting in which character is un-fixed and often fabricated for persuasive, selfish purposes.

The quintessential confidence man figure of this era is in Johnson Jones Hooper's Captain Simon Suggs. Suggs, like Bolus, embodies the mediating qualities of the confidence man. The literary form of Hooper's *The Adventures of Captain Simon Suggs*, written in 1843, is divided into a series of sketches like *The Flush Times of Alabama and Mississippi* and extends Suggs's relevance by depicting him in a larger context of deception. Suggs does not only deceive others but serves as a focalizer within the narrative as a inhabitant in a culture of deception and shiftiness. Structurally, Hooper's work resembles political biographies of the period. These biographies were designed to present candidates to the public through physical descriptions and accounts of notable achievements, and in *The Adventures of Captain Simon Suggs*, Hooper gives the same consideration to Suggs. However, this biography is marked by the hypocrisy and shiftiness that characterized American culture of the period.

Overall, Suggs's characterization expands upon the tradition of *ethos* and the rhetoric of confidence that permeates American culture. This sense of skepticism and the capabilities of a rhetoric that is characterized by character and the manipulation of trust underpins the entirety of *The Adventures of Captain Simon Suggs* through a recurring aphorism:

His [Sugg's] whole ethical system lies snugly in his favourite aphorism—'IT IS GOOD TO BE SHIFTY IN A NEW COUNTRY'—which means that it is right and proper that one should live as merrily and as comfortably as possible at the expense of others; and of the practicability of this in particular instances, the Captain's whole life has been a long series of the most convincing illustrations. (Hooper 12)

The 'ethical system' embodied in Suggs's exploits parallels a greater social and rhetorical system that underlies American culture. As demonstrated throughout the rhetorical tradition, the possibilities of *ethos* are enabled and amplified by the rhetor's ability to craft a character suited to the audience. Alongside virtue and nonchalance, shiftiness is a fundamental trait of the rhetor. Connecting shiftiness and the new country in the aphorism, Hooper argues that shiftiness is the defining feature of this rhetor figure.

The characterization of Suggs as a confidence man and rhetor figure demonstrates the possibilities of shiftiness as a rhetorical principle throughout Hooper's series of stories. Hooper's characterization of Suggs often aligns with and redefines broader rhetorical principles. For instance, Hooper disrupts the relationship between the rhetor and the audience by describing Suggs as "a miracle of shrewdness. He possesses, in an eminent degree that tact which enables a man to detect the soft spots in his fellow" (Hooper 12). Suggs goes beyond crafting his argument to discursal expectations to explicitly target rhetorical vulnerabilities. Thus, rhetoric becomes an art of exploitation.

The means of that exploitation is defined by Suggs's self-fashioning and adaptability. As Lenz points out, a defining feature of Suggs's approach to rhetoric is his ability to "assimilate himself to whatever company he may fall in with" (12). Shiftiness defines not only the separation between *ethos* and morality, but the Protean nature of identity embodied in Suggs. Throughout the work, Hooper consistently equates Suggs's aphorism with the qualities that enable him to enact that aphorism. Thus, shiftiness becomes "a quick, ready wit...which makes him whenever he chooses to be so—and that is always—very companionable" (Lenz 12-13). Lenz's interpretation of Suggs is notable because it is also a rhetorical one. Hooper, in defining qualities of shiftiness as Suggs exploits those around him through identification and self-fashioning also outlines a model of rhetoric that highlights the potentials of *ethos*, echoing similar notions found most notably in the *Courtier*.

Each of these early confidence man figures are significant to the history of rhetoric in many of the same ways as works such as Castiglione's *The Book of the Courtier*. By personifying the definition features of a rhetoric of confidence that underpinned early American culture, authors such as Brackenridge, Baldwin, and Hooper provide a more authentic, albeit less formalized, model of rhetoric. Approaching rhetoric from a theoretical standpoint, as I discuss in the previous chapter, falls short of accounting for the realities of *ethos* and the possibilities of character. Centralizing theories of rhetoric in a representative rhetor figure, however, provides a mechanism for evaluating rhetorical theory alongside cultural reflections of belief and anxieties that underly *ethos*.

The Confidence Men of Poe, Twain, and Melville

A defining moment in the history of the confidence man – and the origin of the expression itself – is the case of William Thompson. In 1849, Chicago law enforcement was faced with a unique string of crimes that, at the time, only tenuously met the definition of criminality. Thompson's brand of larceny was described in detail in the *New York Herald*:

Arrest of the Confidence Man.—For the last few months a man has been travelling about the city, known as the “Confidence Man;” that is, he would go up to a perfect stranger in the street, and being a man of genteel appearance, would easily command an interview. Upon this interview he would say, after some little conversation, “have you confidence in me to trust me with your watch until to-morrow;” the stranger, at this novel request, supposing him to be some old acquaintance, not at the moment recollected, allows him to take the watch, thus placing “confidence” in the honesty of the stranger, who walks off laughing, and the other, supposing it to be a joke, allows him so to do. (“Arrest of the Confidence Man,’ *New-York Herald*, 1849”)

Thus, the original confidence game represents, in thorough detail, the extent and complexity of *ethos* as a persuasive structure. The gold watch scam relied on Thompson's appearance to initiate the conversation. Creating the impression of being a gentleman allowed Thompson to take advantage of social expectations of credibility. The *Herald* goes on to speculate that it is the mark's assumption about Thompson's identity that causes him to place his confidence in Thompson's character.

Other definitions of the confidence man created in response to Thompson's scam similarly highlight the potential of *ethos*. Bergmann states that within the decade, “the term confidence man and the criminal who fitted it were regular enough features of American society”

(574). Essentially, not only had the concept of the confidence man become commonplace, but the manipulation of *ethos* as a rhetorical strategy was likewise routine. In a 1859 publication *The Rogue's Lexicon*, the editors of the National Police Gazette define the confidence man as “[a] fellow that by means of extraordinary powers of persuasion gains the confidence of his victims to the extent of drawing upon their treasury, almost to an unlimited extent” (Matsell 20-21). While *The Rogue's Lexicon* correctly locates the confidence man as a rhetorical figure, other publications provided more specific descriptions of the confidence man's methods.

Tricks and Traps was a similar series of pamphlets that described and exposed the growing variety of treacheries in mid-nineteenth century American. In an issue devoted to the confidence man, Henry William Herbert highlight the qualities that make the confidence man particularly persuasive:

[The confidence man's] modes of operating are almost as various as the characters of men. He is always an intelligent man, dresses in accordance with the character he personates, and is a shrewd judge of human nature. Like the charming serpent, he approaches his victim knowing him to be in his power. He is the most sociable and companionable of men, except when it is his game to be otherwise. His prime object is to gain the confidence of his intended victim, for upon this depends his success. (57)

Herbert's evaluation of the confidence man emphasizes a Protean ability like Ciceronian approaches to *ethos* that resonate throughout the tradition of rhetoric. In this description, the confidence man embodies classical qualities of *ethos* with the distinction of showing how the confidence man controls the expression of those qualities. In addition, the notion of appearance is directly correlated with the confidence man's expression of character and persuasive power.

Thompson and his gold watch scam mark the transition of the confidence man from a figurative representative of cultural beliefs to an actualized criminal figure that embodies a sophisticated interpretation of *ethos*. In the aftermath of Thompson's arrest, American culture was forced to reconcile two previously disconnected issues. Immediately following Thompson's arrest, journalists and authors used the incident as an opportunity to scrutinize, interrogate, and reflect upon American culture. Rather than representing a figurative abstraction of anonymity, deception, and self-determinism, the confidence man now represented harsher realities of deception, criminality, and capitalism.

In addition to those anxieties surrounding shiftiness, however, was an acknowledgement of the confidence man's rhetorical qualities and the prevalence of those qualities in everyday life. Several satirical pieces from publications such as the *Herald*, the *Literary World*, and the *Merchants' Ledger* use the figure of the confidence man, embodied in Thompson, as a device for critiquing the rhetoric and confidence men of merchandise and politics. The *Herald*, for instance, asks readers to notice the luxurious lifestyles of the upper-class and remember that those luxuries are likewise products of elaborate confidence games. In the satire, Thompson's haul of watches is seen as insubstantial relative to the spoils of Wall Street. Bergmann summarizes the tone of these satires, noting that "in Thompson's swindle the confidence-asking method is amusing for its very audacity and ingenuity; in the Wall street manipulator's swindle, however, the method is vicious and evil" (565). These satirical responses to Thompson's arrest are significant to the discussion of a rhetoric of confidence in American culture for two reasons. First, they clearly situate Thompson's swindle as a rhetorical act. More importantly, the responses embodied in these satires elevates the ingenuity of Thompson's scam that would characterize a distinctly

American perspective on self-determinism and capitalism that would underpin the American Dream.

Although Edgar Allan Poe's "Diddling Considered as One of the Exact Science" predates Thompson's arrest by six years, Poe presents a more pragmatic description of the confidence man relative to the humor figures of the early tradition. The satirical tone of "Diddling" functions as a segue between the humorous figures of Brackenridge, Baldwin, and Hooper and the more sophisticated self-examination that characterizes the works of Twain and Melville. Specifically, Poe's treatment of the confidence man resembles Castiglione's characterization of the Courtier, outlining the qualities that define not just the confidence man but American cynicism found in the critical response to Thompson's arrest. Poe's Jeremy Diddler, the third historical Jeremy after Jeremiad and Bentham, functions as a literary device that allows the author to isolate, comment on, and satirize problematic notions of rhetoric in nineteenth-century America.

In "Diddling," Poe presents a series of examples of 'diddling,' a common term for swindling in the period, to elaborate on the human qualities of deception and dissimulation. Like Castiglione's *The Book of the Courtier*, Poe outlines the attributes of the diddler. However, Poe locates these qualities not as aspirational but as intrinsic to humanity. Poe writes that "[m]an is an animal that diddles, and there is no animal that diddles but man" (367). He continues this comparison to animals to further emphasize that the desire to cheat is fundamental and instinctual. He contends that "[a] crow thieives; a fox cheats; a weasel outwits; a man diddles" (367). Through this series of analogies, Poe furthers the argument set out by authors of Southern humor that deception and confidence is central to the American national character.

While Poe argues that the proclivity to steal and cheat is fundamental to American *ethos*, he also outlines the underlying qualities of the ideal diddler, implying that the ability to swindle

can be developed and perfected. Paralleling discussions of the ideal orator from the history of rhetoric, Poe writes that “[d]iddling, rightly considered, is a compound, of which the ingredients are minuteness, interest, perseverance, ingenuity, audacity, nonchalance, originality, impertinence, and grin” (367). Poe goes on to define these terms in more detail, highlighting the methodology, motives, and character of the confidence man. His nonchalance, however, is the quality most relevant to reading the diddler as a rhetorical figure. Echoing Castiglione’s *sprezzatura*, the confidence man’s nonchalance defines the diddler’s behaviors consistently. The implications of nonchalance, which Poe defines by calling the diddler “cool—cool as a cucumber,” extend beyond his direct treatment when considering the connections to rhetorical theory (368). In the anecdotes following the list of ideal qualities, the diddler exhibits nonchalance in his appearance, authority, and air. Poe describes the diddler as well dressed and exerting an apparent authority. The superficial ethotic argument highlights the American reality of American reliance on appearance as the marker of identity seen in moments such as Hooper’s transformation into a captain by simply wearing a uniform. Poe continues that the diddler “is remarkably precise, cautious, staid, and deliberate in his demeanor” (367). The diddler demonstrates a rhetorical sophistication in his precision and deliberateness and, combined with his nonchalance, he effectively embodies the cultural ideals located in *ethos* in early America.

Mark Twain’s *The Adventures of Huckleberry Finn* furthers the discussion of the confidence man figure and American values by mimicking the imagery of earlier works of confidence man literature but juxtaposing the shiftiness of earlier confidence men with Huck’s sympathetic variation of the rhetoric of confidence. The characters of the Duke of Bridgewater and the rightful King of France embody the tradition of Suggs and relocates that archetype into Twain’s narrative. Lenz argues that “[i]n language, physical appearance, and profession these

rogues recall the confidence men” such as Suggs and Bolus (176). Twain’s physical description of Dauphin, wearing a “battered-up slouch hat,” “greasy blue woolen shirt,” “ragged old blue jeans,” and carrying “big fat ratty-looking carpet-bags” parallels the ugly appearance of Suggs (161). Yet Twain uses contradiction between their appearances and ‘identities’ to reflect on appearance and identity in American culture:

With the appearance of the Duke and the King, Twain reflects on that tradition of the confidence man through the lens of his focalizer, Huck. Huck, who himself embodies the qualities of the confidence man most notably in his impersonation of Tom Sawyer, reflects on the absurd stories of the Duke and the King, thus providing a perspective on the American notion of identity:

It didn't take me long to make up my mind that these liars warn't no kings nor dukes at all, but just low-down humbugs and frauds. But I never said nothing, never let on; kept it to myself; it's the best way; then you don't have no quarrels, and don't get into no trouble. If they wanted us to call them kings and dukes, I hadn't no objections, 'long as it would keep peace in the family; and it warn't no use to tell Jim, so I didn't tell him. If I never learnt nothing else out of pap, I learnt that the best way to get along with his kind of people is to let them have their own way. (166)

Huck’s decision not to object to the pair’s fake identities highlights the notion that in America, identity is un-fixed. In the new country characterized by self-determinism, Twain supports such a concept of freedom. Matt Seybold argues that “the novel is, in many ways, a behavioral handbook for conning, replete with impersonations, seductions, larcenies, evasions of prosecution, and thoughtful justifications of each” (137). Essentially, in Huck, Twain mediates

the cultural values of American culture such as those satirized in the *Herald* and the rhetorical implications of anonymity and self-determinism.

The Duke and the King, however, end up being tarred and feathered for their exploits. Huck again reflects on the pair of con artists, stating “I was sorry for them poor pitiful rascals, it seemed like I couldn’t ever feel any hardness against them any more in the world. It was a dreadful thing to see. Human beings *can* be awful cruel to one another” (291). Twain presents a point of view in which the swindles of the confidence man are more acceptable than broader human cruelty. Likewise, the tar and feathering of the Duke and the King represent the notion that American culture, at large, rejects the rhetorical values embedded in the confidence man figure. This rejection is superficial, however, since the methods and ethics of the confidence man are deeply embedded in American culture.

Herman Melville’s *The Confidence-Man: His Masquerade* is the most pronounced and sophisticated exploration of the implications of the confidence man in American culture. Published eight years after Thompson’s arrest, Bergmann contends that the novel represents its inspiration and Melville’s interpretation of the Thompson case. In *The Confidence Man*, Melville presents a series of interwoven stories following a variety of characters aboard the *Fidèle*, a steamboat on the Mississippi River. Each character in some way performs the role of the confidence man figure, selling snake oil, raising money for fake causes, or swindling one another in cons not unlike Thompson’s gold watch scam. Lindberg describes the novel as Melville’s critique the instability of identity in American culture. In a society that has fully integrated the ethics of the confidence man, all interaction becomes a performance of identity. Lindberg writes that “even when the other person is not deliberately trying to disguise himself, there is a masquerade. Every appearance and gesture becomes a mask insofar as it constitutes only one

section of the character” (31). Wadlington situates the novel as anchored in the rhetorical concepts that underpin the confidence man. He argues that “[r]hetoric is the action of the book because it is the hero’s action; once we are attentive to this fact, the speculations of the hero’s fictive audience can rouse our curiosity about the motives and grounds of persuasion” (145). Thus, *The Confidence-Man* represents confidence, trust, or *ethos* as a persuasive methodology intrinsic to American culture.

Ethos is at the center of *The Confidence-Man* because of the juxtaposition Melville provides of appearance and identity. Kuhlmann calls the confidence man of the novel “a dramatic embodiment of the confusion between appearances and reality” (113). And in the novel, the confidence deconstructs this confusion by consistently introducing and unmaking the identities of other characters. Like Poe, Melville connects these values to human nature. Kuhlmann continues that “[b]y his power to manipulate the appearances worn by reality, he is able to embody the notion that inconsistency is an important characteristic of human personality” (114). The manipulation of appearances also ties into rhetorical notions of identity reminiscent of classical rhetorical theory. According to Lindberg, the confidence man “knows, as his opponents do not, that within the masquerade of social relations, ‘character’ is the creation of the moment, not the sustained personality of a lifetime” (40). The confidence man thus subverts classical notions of a fixed identity and demonstrates an awareness for the possibilities of *ethos* as a dynamic rhetorical structure. Melville’s central argument is that, ultimately, American society is an elaborate confidence game underpinned by the performativity of identity and credibility.

In *The Confidence-Man*, Melville introduces several distinct variations of the confidence man figure including the lamb-like man, Black Guinea, the man with the weed, the agent of the Seminole Widow and Orphan Asylum, the agent from the Black Rapids Coal Company, the

herb-doctor, the agent from the Philosophical Intelligence Office, and the Cosmopolitan. While each character provides unique perspectives on the functions of *ethos*, the figure that most resembles current conceptions of the confidence man figure while embodying recognizable qualities of the historical rhetor figure is the Cosmopolitan. The Cosmopolitan, more than perhaps any other character, is suited to the method of characterization reminiscent of other approaches to the rhetor figure. Thus, reducing the Cosmopolitan to his component character traits demonstrates a continuation of the tradition of the rhetor figure as an embodiment of cultural beliefs. Through self-fashioning and eloquence, the Cosmopolitan is the most overt embodiment of dissimulation and deceptive rhetorical practices related to the rhetoric of confidence. Kuhlmann defines the Cosmopolitan as a “conversationalist, convivialist, idealist, charmer of men” (119). Most notably, the characterization of the Cosmopolitan through other character’s reactions to him situates the confidence man figure within the tradition of the rhetor figure.

The Cosmopolitan appears at the halfway point in the novel, entering a philosophical conversation about trust and society. His entrance into the story emphasizes the eloquence of classical oratory. The Cosmopolitan enters the story for the first time “accompanied by a spicy volume of tobacco-smoke, out of which came a voice, sweet as a seraph’s” (135). Following his introduction, other participants in the conversation offer a series of descriptions of the Cosmopolitan both highlighting his relationship to the archetypal confidence man figure and the rhetorical underpinnings of the confidence game. Among the descriptors, he is called “Mr. Popinjay-of-the-world,” (138) “Jeremy Diddler No. 3,” (141) echoing Poe’s “Diddling,” and “Diogenes in disguise” (144). These comments are most notable because they define the

Cosmopolitan by relating him to other figures of self-fashioning in popinjay, deception through an allusion to Poe, or rhetoric and transience in a comparison to Diogenes the Cynic.

Melville's *The Confidence-Man* ultimately represents a mediation on trust and deception inherent to American culture and made evident by Thompson's gold watch swindle. While Melville grapples with themes of *ethos* and the instability of self, his characterization of the Cosmopolitan situates the work within the tradition of the rhetor figure. The three characterizations of the archetypal confidence man figure in this period in Jeremy Diddler, the Duke and the King, and the Cosmopolitan marks a transition from the vilified confidence men of Southwestern humor and conduct manual to a confidence man that is fully integrated into the ethical system of American society.

The Era of the Big Con

Just as Thompson's arrest influenced the interpretation and expression of the confidence man in American culture, a further account of the realities of the confidence man and the extent of swindles reshaped cultural notions of character and the rhetoric of confidence. In this case, however, rather than acting as a mechanism to recognize and rationalize elusive rhetorical structures, the confidence men in the early twentieth century redefined the archetype to one that is a celebration of the rhetoric of confidence as a pillar of the American Dream.

The era of the big con and the admiration for the confidence man was initiated by Maurer's *The Big Con: The Story of the Confidence Man*. While, at the time, many writers applauded Thompson's ingenuity, Maurer's characterization of that figure was so thorough and alluring that it shaped the trajectory of the archetype and contributed to a rhetorical landscape in which it became acceptable to enact the rhetoric of confidence. Like reports of Thompson's

arrest, Maurer's book marks a transitional moment in the tradition of the confidence man. Situated in the context of mid-twentieth century America, Maurer's depiction of con artists amplifies the rhetorical sophistication of the confidence man and further solidifies the archetypal qualities of the figure within cultural notions of the rhetor and ideals that would be elaborated upon by the American Dream.

As in the case of other rhetor figures, Maurer provides an outline of the qualities that characterize the confidence man. He begins by making the claim that “[o]f all the *grifters*, the confidence man is the aristocrat,” thus elevating the figure beyond interpretations as a criminal (14). The status Maurer assigns the confidence man also allows the reader to identify with the figure. The qualities of the confidence man are admirable like the ways satirical treatments of Thompson celebrated his ingenuity and wits. Maurer describes the confidence man as “suave, slick, capable” and removes the immorality from his actions by shifting responsibility to the “fundamental dishonesty of his victim” (14). Maurer also provides a rhetorical description of the confidence man and his schemes, which I evaluate in detail in the following chapter. He writes that “[f]irst, he inspires a firm belief in his own integrity. Second, he brings into play powerful and well-nigh irresistible forces to excite the cupidity of the mark. Then he allows the victim to make large sums of money by means of dealings which are explained to him as being dishonest—and hence a ‘sure thing.’” (14). Rhetoric, in this view, is a methodology of gaining trust – a rhetoric of confidence. The qualities of the confidence man and his rhetorical underpinnings thus create a portrait of a relatable and aspirational figure. Notions of self-determinism, opportunity, and ingenuity are central to the characterization of the confidence man figure, essentially situating that archetype, like the Courtier, as a rhetor figure representative of cultural beliefs and perspectives of rhetoric.

Because of the timing of Maurer's book within the history of criminal justice, the confidence man of *The Big Con* essentially defined the cultural perception of white-collar crime in the twentieth-century. Timothy Holmes outlines that history, describing sociologist and criminologist Edwin Sutherland's role in categorizing white-collar crime in relation to traditional approaches to criminality. Essentially, the perception of criminals as violent, destitute, or mentally ill permeated public consciousness and popular culture had no way of accounting for the deviating behavior of white-collar criminals that subverts cultural expectations of crime. While criminologists such as Sutherland theorized the motivations and methodologies of white-collar criminals, American popular culture, drawing from texts such as Maurer's *The Big Con*, filled in the gaps of societal knowledge by romanticizing the sophisticated white-collar criminal. Holmes argues the white-collar criminal's "depiction in the media to date only partially acknowledges the nature of white-collar crime, emphasizing only some characteristics of offenders" (5). As a reciprocal and instructive structure, popular culture integrated cultural assumptions about deception and rhetoric into the figure of the confidence man, making that figure a cultural representation of the possibilities of a rhetoric of confidence.

Depictions of the confidence man figure function as instructive in the ways that popular culture often situates the figure as a cultural ideal. Holmes argues that these depictions made the confidence man figure appear attractive and intelligent as "white-collar crime is often nonviolent, can be complex and based on guile and deception" (5). Beyond deception, con artist's methods are based in positive character attributes in the form "technical skills, quick reflexes, and social skills" (7). Overall, the depiction of con artists in popular culture embody cultural ideals of mobility and ingenuity in a sympathetic character, continuing the celebration of the confidence man figure and perspectives of rhetoric as a form deceptive self-presentation.

The cultural notions of the confidence man established by Maurer are realized in popular culture texts in the followed decades. The release of films such as *The Great Impostor* in 1960 and *The Sting* in 1973 establish a stable archetype of the confidence man in American popular culture that informs subsequent depictions while also solidifying the values and qualities associated with con artists. William R. Hunt explains this phenomenon in “The Endearing Rogue.” In his essay, Hunt argues that counterculture figures such as the confidence man appeal to American culture because they embody the ideals of the American national character:

To be an adventurer is to raise oneself above the ordinary restrictions of the law. One becomes an outlaw because his individuality demands fuller expression. Greed for life forces him to disregard the claims of others, and we understand that conflict too, even if we ourselves play the game more safely. Our own muted sense of alienation from society enables us to respond favorably to the outlaw’s attitude. We can also escape present frustrations by identifying with these men. They were underdogs—as all men are underdogs—but were not put down. They triumphed over formidable powers by the force of their wits, and so, with courage, might we! How could we help but envy those who, when faced with a dismal or perilous situation, took over and swept aside whatever stood between them and their goals? As opportunists to their finger tips, rogues act swiftly, with supreme confidence in their own destiny. (426)

Not only do con artists in popular culture embody the ideals of American character, but they do so in ways that encourages the audience to celebrate and identify with those qualities.

Fundamental to con artists, however, are the rhetorical structures that dominate their schemes and swindles. Embedded in a figure that embodies cultural ideals is the rhetoric of confidence

that shifts the definition of effective rhetoric in the mainstream consciousness away from logical reasoning toward the hidden manipulations of trust and appearance.

The most notable depiction of the con artist in popular culture following *The Big Con* is in Tony Curtis's *The Great Impostor*. Released in 1961, *The Great Impostor* depicts the exploits of real-life impostor Ferdinand Waldo Demara, who gained notoriety in the late 1950s as an impostor, impersonating doctors, monks, and law enforcement agents. The film adaptation of Demara's biography was followed by a series of television shows that explored the themes of imposture and situated these con artist figures as sympathetic heroes. The impostors and con artists in television shows such as *The Man from U.N.C.L.E.* and *The Saint* embodied the rhetorical qualities of the confidence man figure in accessible and sympathetic characterizations. *The Man from U.N.C.L.E.*'s Napoleon Solo works as a spy for a legitimate agency, yet uses the sophistication, ingenuity, and charm of the confidence man to achieve his ends. Likewise, *The Saint*'s Simon Templar represents a more conventional con artist figure yet lives by a strict moral code and uses his skill as an impostor to fight corruption and crime. These figures are examples of the ways that popular culture texts perpetuate the ideals outlined by Hunt within the rhetorical framework of the con artist's *ethos*. Solo and Templar applied a rhetoric of confidence through persuasive social skills and self-fashioning. Their abilities, as crime fighters, were the 'soft skills' of the con artists of *The Big Con*.

The Sting is the most significant film in establishing this stable archetype of the con artist in American popular culture because it situates the morality of previous work within the literal framework of the confidence game. Released in 1973, *The Sting* was heavily influenced by Maurer's *The Big Con*, borrowing names and schemes to elaborate on the criminal underworld of confidence men. In the film, the characters Johnny Hooker and Henry Gondorff, played by

Robert Redford and Paul Newman, stage a con called the Wire in order to take revenge on a corrupt mob boss. Like many depictions of the con artist in film, they are presented as sympathetic characters in contrast to the violent crime's associated with the antagonist Doyle Lonnegan. The most unique aspect of the film is the elaborate depiction of the confidence game. Detailing the stages of the con fleshes out the rhetoric of the confidence man and illustrates the possibilities of *ethos*, appearance, and confidence as the authoritative rhetorical strategy. The success of the film, winning seven Academy Awards, increased the recognition of the con artist in popular culture and furthered the notion of the confidence man as a representative rhetor figure.

The Sting marks the canonization of Maurer's *The Big Con* and the confidence man as a fixture in American popular culture. The success of the film establishes a stable archetype of the con artist as an endearing rogue figure that represents American ideals and the rhetoric of confidence that underpins notions of persuasion and *ethos*. Following *The Sting*, the central figure of the con artist remains the same, although contemporary adaptations have both further established the con artist as a rhetorical figure and introduced sophisticated ways of mediating American cultural ideals and deception rhetorical principles that complicate notions of self and trust.

Rethinking *Ethos* Through Variations of the Theme

Steven Spielberg's 2002 adaptation of *Catch Me If You Can* presents a conventional adaptation of the confidence resembling the archetype established by Maurer and *The Sting* but uses that archetype to introduce more sophisticated about how the rhetoric of confidence complicates identity. Spielberg's film focuses on the exploits of Abagnale as a counterfeiter and

serial impostor. Through the film, Abagnale relies on manipulation his appearance, applying social skills, and a sophisticated skill in deception to carry off his con. Rodanthi Tzanelli, Majid Yar, and Martin O'Brien summarize the relationship between *Catch Me If You Can* and the traditional archetype of the confidence man stating "[s]uspended between 'roguery' and 'romance', Spielberg's Abagnale both recapitulates and renews the USA's ambivalent relationship with one of its most enduring (and endearing) wayward sons, the Confidence Man" (102). What Abagnale really demonstrates is the value of the confidence man archetype as a mechanism for disrupting and theorizing notions of *ethos* and the problematic notion of a stable self.

As an impostor figure, Abagnale functionally demonstrates a rhetoric of confidence and introduces the possibilities of *ethos* as a dynamic and authoritative appeal. Holmes describes the impact of impostor figures such as Demara and Abagnale on popular culture, stating that "[b]oth demonstrated a high level of skill in deception and manipulation of the general public, businesses, and government institutions" (15). As a rhetor figure, Abagnale's application of these skills represents a rhetorical ideal that works to define mainstream perceptions of rhetoric. Like Thompson, Abagnale functions as a foil to legitimate businesses highlighting the dissimulation that permeates the rhetoric of everyday life.

In the film, Abagnale poses as an airline pilot by acquiring a uniform and learning the jargon of flight crews. Essentially, by appearing to be a pilot, Abagnale is a pilot. Tzanelli, Yar, and O'Brien discuss the relationship between appearances and identity, writing that "in the USA, who you are is ineluctably linked to who others think you are, and they determine this on the basis of what you appear to be" (104). Counter to classical approaches to *ethos*, identity in American culture is not based on inner virtue but appearance. The impostor as a rhetorical figure

highlights the instability of identity and the potential of *ethos* as a platform for persuasion that subverts traditional approaches to rhetoric. Describing the persuasiveness of Abagnale in the film, Tzanelli, Yar, and O'Brien go on to argue that "the conman manipulates the problematic boundary between legitimate and illegitimate techniques of self-presentation" (103). However, classifying techniques of self-presentation as legitimate or illegitimate subverts the idea of rhetoric as a tool or means of persuasion. While deceptive self-presentation might be socially unacceptable, self-presentation as rhetorical principle functions as a complex mediation of a rhetor's concept of self and the deliberate and indeliberate expression of self. The rhetoric of confidence and the impostor embodied in Abagnale represents an effective framework of persuasion that recognizes the realities of perception and the centrality of trust and confidence.

Recent adaptations of the confidence man, which often deviate from the archetype defined in *The Big Con* and *The Sting*, provide more sophisticated discussions of American culture and contemporary perspectives of rhetoric than a redefinition of character. Essentially, the confidence man serves as a mechanism to explore notions of persuasion as well as broader themes of trust. The con artist, using a familiar archetype, integrates and interrogates new ways of evaluating trust and *ethos* in everyday communication. These variations also adapt the confidence man archetype to more accurately reflect how *ethos* extends beyond traditional assumption and functions as an authoritative appeal.

In "Sympathy for the Con Man," Emily Harnett reviews three recent television shows that continue the tradition of the confidence man. In the article, she argues that *Sneaky Pete*, *The Catch*, and *Imposters* perpetuate the notion of the confidence man as the embodiment of the American ideal of self-determination "who, through sheer imagination, becomes any person of his choosing." However, the con artists of these shows go beyond representing ideals common to

the American character. They, in fact, extend the notions of *ethos* by complicating that familiar framework. In *Sneaky Pete*, Marius Josipovic infiltrates a family in upstate New York by impersonating a long-lost relative. Throughout the series, as Marius embeds himself more deeply into the family through his perception and improvisational abilities, he highlights the ways that the specificity of a performance and familiarity with an audience amplifies the rhetorical authority of *ethos*. *The Catch* and *Imposters* grapple with similar themes of familiarity. These shows, however, focus on the trust of intimate relationships. In each of these shows, the central character Mirielle Enos of *The Catch* and Ezra Bloom of *Imposters* reconcile their understanding of trust in the wake of being scammed by their significant others. By providing the perspective of the victim, these shows highlight the way that audiences evaluate and make decisions based on the truth value of an argument or rhetor.

Perhaps the most rhetorically sophisticated adaptation of the confidence man archetype appears in the television show *Better Call Saul*. As a rhetor figure, the protagonist of the series, Jimmy McGill, embodies notions of showmanship and performativity. Jimmy situates himself at the “problematic boundary between legitimate and illegitimate techniques of self-presentation” (Tzanelli, Yar, and O’Brien 130). In the show, Jimmy is a con artist who attempts to go legitimate by becoming a lawyer. In this role, he simultaneously embodies the illegitimate rhetoric of the confidence man and the legitimate rhetoric of an established profession. Both roles are markedly rhetorical and Jimmy’s oscillation between the two highlights the significance and centrality of the ethotic argument.

The central tension in first season is the conflict between Jimmy’s potential personas. He finds success in the synthesis of his identity as Slippin’ Jimmy, representative of the grifter archetype, and the lawyer archetype embodied in Howard Hamlin, which represents ethical

rhetoric. The tension between these competing personas and their ultimate synthesis represents the association between effective rhetoric and deception. Further, this synthesis suggests the corruption or shift of the rhetorical figure toward dishonest forms of rhetoric and self-fashioning. The rhetorical strategy found in this figure privileges *ethos*, imitation, and downplays or even subverts authenticity and honesty. Jimmy ultimately synthesizes these roles through self-fashioning, imitating the cultural attorney figure of Matlock as a persona through which he applies the showmanship of the confidence man. The synthesis of these personas and the success Jimmy finds as a result demonstrates the association of these notions in popular culture. Jimmy successfully pursues a legitimate career, for a benevolent purpose, by using deceptive, illegitimate forms of rhetoric and self-fashioning.

Ultimately, these variations on the rhetor figure embodied in the archetypal confidence man, represent a prevailing perspective of rhetoric as the manipulation of belief and appearances. The confidence man figure carries on the tradition of self-fashioning and the possibilities of gaining the confidence of an audience that pervade the history of rhetoric. The confidence man originated in American culture as a response to the anxieties surrounding anonymity and deception in the new country. That anonymity, however, became a part of the American national character and a symbol of self-determinism and opportunity. With the arrest of William Thompson and the actualization of the con artist – an actual criminal figure as opposed to the archetypal figure of the confidence man – American culture developed a more sophisticated relationship with the ideals represented in that character. As a mediating structure, the confidence man came to embody and convey the cultural ideas that characterize the American Dream.

Situating the confidence man as a rhetor figure advances the idea that there is a unique rhetoric of the confidence man. As a rhetorical figure situated entirely around trust, appearances, and charisma, the confidence man functions as an example of pure *ethos*. Throughout popular culture texts and in reality, con artists use their wits and ingenuity to fabricate a reality around their victims. With no authentic content or motivation, con artists craft scams, forgeries, and identities that convey the impression of authenticity. While rhetorical theory is diverse and intricate, the rhetoric of confidence is situated around the single notion of *ethos* – the available means of persuasion all function in support of the purpose of gaining the confidence of the audience.

In the next several chapters, I articulate the rhetoric of confidence and the ways that con artists extend the notion of *ethos* beyond conventional ideas of *arete*, *eunoia*, and *phronesis*. Beginning with the underlying rhetorical strategy of confidence games, which reduces the classical rhetorical canon of arrangement to a scheme of trust, I explore the different ways con artists, forgers, and impostors make use the rhetoric of confidence for their specific brands of crime.

CHAPTER 3: THE ETHOTIC SCHEME

The first and most significant dimension of a confidence game is the arrangement of the scheme itself. While confidence games have developed over time to new levels of sophistication among new technologies and to target new victims, the fundamental structure has largely remained the same. In *Classical Rhetoric for the Modern Student*, Edward P.J. Corbett states that the decisions that underly this structure concern “selecting, marshalling, and organizing [ideas or arguments] with a view to effecting the end of the discourse” (25). Classic scams such as the Spanish Prisoner, the Pigeon Drop, and the Pig in a Poke share a pattern of arrangement not unlike modern cons such as Ponzi Schemes and e-mail scams. The arrangement of these confidence games follows that same pattern of arrangement outlined in rhetorical theory with one clear distinction. The ‘end of the discourse’ is solely to gain the confidence of a victim, which is called the mark in the argot of con artists. Appeals to emotion and logical reasoning, which are largely fabricated by the con artist, function only to support the *ethos* of the con artist and the credibility of the scheme.

In rhetorical theory, the canon of arrangement has, throughout history, outlined the pattern of that underlies most persuasive communication. Originating in the works of Aristotle, Cicero, and Quintilian, the fundamental principles of the canon of arrangement has persisted throughout the history of rhetoric and remain evident in academic writing, legal discourse, and everyday communication. Being such a foundational concept, the canon of arrangement is likewise evident in the confidence game. Con artists, like any rhetor, seizes the attention of an audience, proposes an argument, provides a plan of development and evidence to support that

idea, and leads their victims to draw certain conclusions. Because of the peculiar nature of confidence schemes which lack actual authenticity yet still consistently gain the confidence of their audience, reevaluating the traditional approach to arrangement through the lens of a rhetoric of confidence reveals the authority of *ethos*. How *ethos* is woven into the underlying structure of confidence schemes also challenges traditional notions of rhetoric that situate *ethos* as an appeal situated in the character of the rhetor. Essentially, confidence games are singularly designed to promote and amplify the credibility of the scheme and lead marks to place their confidence in the operator. *Ethos* is a function of arrangement itself rather than a means of persuasion to be deployed within the argument.

In this chapter, I explore the overlap of the confidence game and classical approaches to arrangement. Through this examination, I interrogate the role of *ethos* in the process of arrangement and consider the implications of situating *ethos* as the authoritative appeal. Con artists' awareness of the need to gain the confidence of their marks creates a unique situation in which every detail of the rhetorical strategy leads to that conclusion. That strategy, which I call an ethotic scheme, is compelling due to the extent of its audience centricity and the implications of making rhetorical decisions related to arrangement solely to encourage trust. While rhetoricians have explored the processes and strategies that underpin arrangement, most have done so through a logical or psychological lens. Reducing the purpose of arrangement to one of gaining confidence, however, emphasizes the need to consider the positions of the audience. In turn, this attention to audience leads to a more sophisticated understanding of the role of *ethos*.

Just as I trace the thread of *ethos* through the rhetor figure in part one, in this chapter, I explore traditional approaches to arrangement and discuss how they persist throughout the history of rhetoric. Outlined in texts such as Aristotle's *On Rhetoric*, Cicero's *De Inventione*,

Quintilian's *The Orator's Education*, and the *Rhetorica ad Herennium*, the fundamental principles of arrangement have largely remained the same throughout history. Drawing on Maurer's history and analysis of the confidence game, I trace the parallels between classical approaches to arrangement and their counterparts in scams such as the Spanish Prisoner and the Ponzi Scheme. This process of overlaying the history of the confidence game on conventional argumentative structures creates opportunities to rethink the underlying principles of rhetoric through a lens of confidence and trust. Con artists' use of ethotic schemes identifies significant implications of situating the purpose of arrangement as gaining confidence. While many rhetoricians have sought to explore the complexities of persuasion in argumentative structures, reducing arrangement to an ethotic scheme simplifies those complexities and highlights the relationship between the rhetor and the audience. Ultimately, the ethotic scheme demonstrates how *ethos* extends beyond the character of the rhetor to fundamental rhetorical decision-making processes that underpin the strategy of the argument itself.

The Canon of Arrangement

The five canons of rhetoric represent the processes of preparing an argument for an audience. These five stages, which include invention, arrangement, style, memory, and delivery, are fundamental to rhetorical theory and are designed to provide the rhetor with a series of steps to generate a persuasive argument. Essentially, by proceeding in order through the canons, a rhetor defines an idea, outlines an argumentative structure, composes the argument and presents it to an audience. Being the second stage in the rhetorical process and after the stage of invention, arrangement represents the strategic framework that defines the argument. The goal of arrangement is to organize the argument in a way that best deploys the rhetorical appeals and

persuades the audience. Beginning in Aristotle's *On Rhetoric*, the strategies that define the rhetorical canon of arrangement have remained consistent throughout the history of rhetoric and are evident even in contemporary writing handbooks. While Aristotle identified four parts of an argument, which include the introduction, statement of an issue, argument, and conclusion, in *De Inventione*, Cicero would expand this model to six parts. Cicero proposes a model of arrangement that includes an exordium, narration, partition, confirmation, refutation, and conclusion (1.19).

The purpose of arrangement is to devise a strategy for engaging and persuading an audience by strategically deploying the means of persuasion. Essentially, arrangement functions as a mediating process in which the rhetor considers the audience's position and the most effective way to persuade that audience. Bizzell and Herzberg emphasize the idea that arrangement is adaptable and audience-dependent in their summary of the canon. The authors write that "[i]n the arrangement stage, the speaker considers the kind of discourse to be presented, the nature of the subject, and the characteristics of the audience, all of which guide decisions about the relative weight and placement of logical and emotional appeals. Arrangement itself is thus a form of nonlogical appeal" (6). In admitting that arrangement is 'nonlogical,' Bizzell and Herzberg recognize that arrangement must respond to the positions, values, and expectations of diverse audiences. Thus, the purpose of persuasion is to, as con artists demonstrate, gain the confidence of an audience based on that audience's subjective standard of proof. While Aristotle briefly outlines this notion and Bizzell and Herzberg allude to that standard of argumentation, making the authority of *ethos* explicit highlights the significance of audience. The rhetor must be aware of the effects of an argument on an audience and consider

how that audience feels about a subject, how they make reasoned decisions, and how they evaluate credibility.

The most notable discussion of argumentative structure in Toulmin's *The Uses of Argument* and Perelman and Olbrechts-Tyteca's *The New Rhetoric* come to a similar conclusion. While both texts set forward compelling models of arranging arguments to influence audiences, in *A Systematic Theory of Argumentation: The Pragma-dialectical Approach*, Frans van Eemeren and Rob Grootendorst conclude that "neither the theoretical approach of Toulmin nor that of Perelman and Olbrechts-Tyteca marks a real break with the classical tradition in argumentation theory" (46). Thus, both approaches reflect the theoretical framework that underpins both classical approaches to arrangement and the ethotic schemes of confidence games. However, while the emphasis in the models presented in *The Uses of Argument* and *New Rhetoric* rely on reason and logic, both approaches likewise highlight the significance of audience. Audience-centricity, as evidenced in the rhetoric of confidence and the decision-making processes of con artists, is the basis of effective persuasion and fundamentally dependent upon *ethos*.

In *The Uses of Argument*, Toulmin presents a schematic model of arrangement based on rationality. Toulmin's scheme is found in the relationship between data, claims, and warrants. The central appeal of Toulmin's model is in the audience's determination of logic rather than a highly subjective and unfixed notion of trust. Instead of the 'confidence game analogy' that underpins a rhetoric of confidence and the study taken up in this dissertation, Toulmin applies his own analogy in his analysis of persuasion and arrangement. While the rhetoric of the confidence game grapples the nature of confidence, trust, and *ethos*, Toulmin sets out in his introduction that in *The Uses of Argument*, "the nature of the rational process will be discussed with the

‘jurisprudential analogy’ in mind (8). Essentially, Toulmin develops a framework of logic to interrogate persuasion, which “is concerned with the soundness of the claims we make—with the solidity of the grounds we produce to support them, the firmness of the backing we provide for them” (7). To consider the influence of this approach and integrate the consideration for audience that underpins arrangement, Toulmin argues for a field-dependency model. Essentially, in this model, arguments must be designed and evaluated based on the expectations and conventions of experts in a given field and what those experts would determine to be logical, sound claims within the context of the field.

Perelman and Olbrechts-Tyteca follow a similar line of reasoning in *New Rhetoric*, contending a broader point that an argument’s success is evaluated based on its effectiveness in influencing an audience. In this approach, the rhetor chooses the arrangement of an argument based on the expectations and values of the audience. In *The New Rhetoric*, Perelman and Olbrechts-Tyteca outline a variety of complex, persuasive ‘argumentative structures’ designed to influence either ‘specific’ or ‘universal’ audiences. The authors present a more audience-centric approach to argumentation compared to Toulmin’s logically situated model. They write that “[i]n real argumentation, care must be taken to form a concept of the anticipated audience as close as possible to reality” (20). The authors argue for a model of rhetoric in which the rhetor begins with a notion of the audience and develops a strategy for arrangement in response. Implicit in both this model and in Toulmin’s field-dependency approach is the idea of responding to the audience by providing arguments they would find credible, thus gaining their confidence. However, the ethotic scheme makes such a concern explicit and centralizes *ethos* in the process of arrangement.

The Confidence Game

Rather than through the rigors of scholarship, confidence games grew sophisticated over time through the trial and error of larceny. Through this pragmatic process of invention and arrangement, confidence games have come to resemble the complex argumentative structures outlined in rhetorical theory. Like the field-dependency model or the argumentative structures of New Rhetoric, confidence games are conventional structures and highly adapted to suit the expectations and values of the audience. Maurer highlights the relationship between a consistent internal structure and audience-based flexibility in the confidence game developed from the increasing sophistication of one of the original big cons, the big store:

The invention of the big store reduced all big-con games to a broadly conventionalized pattern—leaving ample room for individual variations from the pattern to take care for individual idiosyncrasies among marks and to give grifters an opportunity to develop individual techniques—while at the same time it provided a standardized background against which certain methods, perfected by trial and error, were known to be successful.

(Maurer 20)

The various confidence games, ranging from short con games such as the Three-Card Monte to big cons such as the Wire and the Spanish Prisoner, are incredibly varied yet all follow the same fundamental structure.

The pattern of arrangement in the confidence game follows a consistent pattern that parallels the canon of arrangement yet is structured for the singular purpose of inspiring belief and gaining the confidence of the audience. The confidence game begins with the put-up. The put-up occurs when the con artist identifies and analyzes the potential victim which informs the construction of the argument. Following the put-up, the con artist engages with and presents the

argument to the mark in a series of steps including the play, the rope, the tale, the convincer, and the breakdown. Through the steps, the con artists move from establishing credibility, presenting the argument, outlining the stages of the scheme, providing proof of the outcome, and gaining the confidence of the mark. At the point when the mark is fully persuaded, the con moves beyond the rhetorical interaction with the audience to include the send, the touch, the blow-off, and the fix. The first two of these steps focus on obtaining the money from the mark, which is a forgone conclusion based on the breakdown. The final two stages of the con involve ensuring that the mark does not go to the police and bribing authorities to avoid prosecution if he or she does report the crime. Many of these steps – namely, the ones in which the con artist identifies and interacts with the mark – directly parallel the pattern of arrangement defined in the exordium, narration, division, confirmation, and conclusion. While a traditional division of arrangement, the refutation, does occur in the confidence game, the need to address counterarguments is not a theorized component of the confidence game. Most importantly, the overlap in these rhetorical stages highlights the centrality of *ethos* as a dominant rhetorical strategy. The confidence game applies the same fundamental processes of classical rhetoric, but through practical application for selfish purposes, con artists have honed the canon of arrangement for the single purpose of creating trust. Likewise, the confidence game demonstrates the theoretical value of reducing the purpose arrangement of gaining the confidence of the audience – an ethotic scheme.

Putting the Mark Up

If the purpose of a rhetorical argument is, ultimately, to guide the audience to place their confidence in the conclusions of the rhetor, then the relationship between the rhetor and the

audience should be a central concern. To make an effective and persuasive argument, it is thus centrally important for the rhetor to be aware of and adapt to the values, opinions, and beliefs of the intended audience. *Ethos*, as the authoritative appeal, relies on the rhetor's knowledge of the audience.

The character of the rhetor must be crafted as a response to or consequence of the beliefs of the audience. As Kinneavy and Warshauer argue, "the ethical appeal is a type of cultural appeal" (174-175). Especially as it applies to the *ethos* of the rhetor, audience analysis is fundamental to the rhetor figure. In every iteration, the rhetor figure embodies and exhibits the values of the audience. *Arete*, *eunoia*, and *phronesis* are not objective standards but are dependent on the values, interests, and beliefs of the audience. The audience, in this view, is represented in a discourse community. James Porter, in *Audience and Rhetoric: An Archaeological Composition of the Discourse Community*, defines a discourse community:

A discourse community is a local and temporary constraining system, defined by a body of texts (or more generally, practices) that are unified by a common focus. A discourse community is a textual system with stated and unstated conventions, a vital history, mechanisms for wielding power, institutional hierarchies, vested interests, and so on.
(106)

Thus, to effectively gain the confidence of and persuade an audience, the con artist must first be able to identify these practices, values, beliefs, and conventions and "of necessity adapt himself to it" (Perelman and Olbrechts-Tyteca 21). The process of identifying the audience – or putting the mark up – is discourse analysis. Through this analysis, the rhetor defines learns about the community and that process of discovery informs the rhetor's ability to engage the audience.

In putting the mark up, con artists follow the exact pattern. However, rather than identifying with and participating in the discourse community, con artists use this information to inform their persuasive practices. In *The Confidence Game: Why We Fall For It...Every Time*, Maria Konnikova defines the put up as “[t]he moment when a confidence artist investigates and chooses his prey. And it is, in more sense than one, the most crucial step of the entire operation” (57). Whereas Porter argues for using discourse analysis to define “an image the writer can imitate in preparing her own discourses” (112), Maurer explains that the con artist’s put up focuses on assessing the mark and determining “his intelligence, his interests, his business, and the amount of native larceny in his blood” (100). Essentially, this moment in the process is an act of discovery for the rhetor which allows him or her to communicate more effectively. However, from the con artist’s perspective of gaining the confidence of the mark, a rhetoric based on *ethos*, the focus is on discovering the most effective method of persuasion.

Within the prefabricated structure of the confidence game, con artists might broadly adapt to potential marks without necessarily targeting a specific victim. In *The Big Con*, Maurer includes a brief interview with a con artist that explains his method of putting the mark up. Since the con artist knows what type of con he intends to play, instead of tailoring his argument to the audience, he looks for the audience that would be most appropriate for his con:

All grifters try to educate themselves by reading a lot...I read to learn something, so when I bump into Mr. Bates I can hold my own with him on most any subject. If you are posing as a banker, for instance, you must know enough about banking to get away with it. I read the financial pages and the investment journals so I won’t slip up and rumble the mark. The same is true for any business I claim to be engaged in. Of course, I pick up a lot of it from just talking to people, but I have to read a lot too.” (qtd. in Maurer 187)

The perspective provided by this con artist echoes the notion of socialization outlined by Porter. The con artist here “discovers the episteme of the community by reading the community’s discourse, by observing its behaviors, and through them determining the classifying principles, rules of formation and exclusions, and so on” (Porter 112). Additionally, rather than focusing on a specific audience during the development of a unique argument, the con artist acquires knowledge of a general discourse that he can use to engage in certain discourse communities.

The reason for putting the mark up is to determine the type of argument to present. Like the methods of choosing an argumentative structure outlined in *The New Rhetoric*, confidence games are similarly adaptable. In *The Ponzi Scheme Puzzle: A History and Analysis of Con Artists and Victims*, Tamar Frankel states that “[c]on artists’ stories can be designed to match the experiences of the environment and understanding of potential victims” (27). While this often means that a con artist might choose a con based on the mark, it more often refers to the idea of making minor adjustments based on the character of the audience. Thus, the subsequent stages of the confidence game’s argumentative structure often depend on the values, beliefs, and inclinations of the target audience.

Playing the con for him

The first division of the pattern of arrangement outlined in classical rhetoric is the exordium, or prooemium. Functioning as an introduction to the rhetor’s argument and the character of the rhetor, the exordium is fundamental in establishing the credibility of both. In *The Orator’s Education*, Quintilian argues that “[t]he reason for a Prooemium is simply to prepare the hearer to be more favourably inclined towards us for the rest of the proceedings” (4.1). Thus, it is apparent that in the exordium, the rhetor already initiates an ethotic argument.

Perelman and Olbrechts-Tyteca draw a more specific connection between the exordium and *ethos*, stating that “[i]n his introduction, the speaker will seek to establish his competence, impartiality, and good character’ (496). In this definition, the authors demonstrate a direct correlation between the divisions of *ethos* outlined by Aristotle that include *phronesis*, *eunoia*, and *arete* as the rhetor establishes his or her credibility, goodwill, and virtue.

The process of gaining the confidence of the audience in the exordium further represents an ethotic scheme. In *De Inventione*, Cicero states that the process by which the rhetor gains this confidence is by making the audience “well disposed, attentive, and receptive” (1.20).

Essentially, the ethotic argument of the exordium extends beyond the character of the rhetor to the credibility of the argument itself. To effectively gain the audience’s attention and interest, they must immediately trust that the argument is worth entertaining. The significance of beginning with an ethotic argument demonstrates the notion that *ethos* functions as the authoritative appeal that underlie the entirety of the argument.

As set out by the need to begin the rhetorical process with discourse analysis – or putting the mark up – the expectations and beliefs of the audience determine the initial strategies of an ethotic argument. Perelman and Olbrechts-Tyteca argue that “[t]he exordium will always be adapted to the circumstances of the speech, to the speaker and to audience, to the matter being dealt with, and to possible opponents” (496). Besides the audience, the authors also identify the way *ethos* underpins all aspects of an argument. The exordium, in this view, extends to both the kairotic moment, the subject of the argument or *topoi*, and opposing viewpoints. Perelman and Olbrechts-Tyteca go onto argue that the way *ethos* extends to further aspects of the argument are through timeliness and the significance of the subject. In this interpretation, both the moment and

the subject possess characters. The rhetor, thus, enhances the credibility of the argument and himself or herself by appropriating the character and credibility of *kairos* and *topoi*.

The second stage of the confidence game, the play, represents the criminal equivalent of classical arrangement. The play is the stage of the confidence game in which the operator or a roper, whose job it is to seek out and lure marks, initiates contact with the mark. The immediate goal of the play as described by Maurer is “[g]aining the victim’s confidence,” (16) which the con artist accomplishes when he “inspires a firm belief in his own integrity” (14). Like Perelman and Olbrechts-Tyteca, Maurer’s description of the play parallels the underpinnings of *ethos* by supporting the con artist’s virtue. Konnikova elaborates on other dimensions of *ethos* when she describes the play as “the creation of empathy and rapport” (11). To render the audience attentive and receptive, the con artist creates common ground through an appeal to goodwill. Essentially, the emotional appeal, traditionally assigned to *pathos*, supports the *ethos* of the con artist.

A central strategy used by con artists in the play is reciprocity. Essentially, by placing his or her confidence in the mark, the mark is likely to reciprocate and become ‘well-disposed’ to the argument. Frankel summarizes such an exchange: “If I trust you, and trust you first, you should trust me” (43). Maurer provides an example of a con artist’s strategy of reciprocity. Elaborating on the idea presented by Frankel, Maurer describes a scenario in which the con artist might begin the play by approaching the mark and saying “I have come to you because you are an honest man and I know you can be trusted in a deal which will make you some money, but which must be handled by a man with both discretion and integrity” (263). This passage demonstrates the process outlined in classical rhetoric of making the audience well-disposed, attentive, and receptive. Complimenting the mark’s character parallels sophistic ethotic arguments apparent in Gorgias’s “Encomium of Helen” that focus on elevating the character of

an individual, thus giving the mark a positive attitude about the scheme. Introducing the subject of the argument – the possibility of making money – creates an enticing scenario and secures the attention of the mark. Finally, the use of secrets “also shows the con artist trusts the marks—a gesture that invites reciprocity” (Frankel 43).

The put up is essentially an exaggeration of the ethotic appeal that characterizes the exordium. The centrality of *ethos* to this division of arrangement supports the concept of the ethotic scheme as the position of the audience. Most importantly, overlaying the play, taken from the confidence game, onto the classical system of arrangement illustrates a method of narrowing the purpose of the exordium to one of *ethos* and gaining the confidence of the audience. Con artists, being entirely concerned only with gaining trust, have further refined the effectiveness of the exordium which is already a division of arrangement designed to create trust.

Roping the mark

The con artist’s first major departure from the classical approach the arrangement occurs when the rhetor must set forth the purpose of an argument. The second segment of arrangement, the division, is the point in the argument in which the rhetor sets forth the controlling idea or thesis. According to Kennedy, the narration is the moment in the argument that the rhetor “may set forth the whole case” (*Classical Rhetoric* 93). According to Cicero, the goal of the narration is to set forth a claim that is “brief, clear, and plausible” (*De Inventione* 1.28). At this stage of the argument, although the rhetor might still use pathetic appeals, the rhetor largely transitions from ethical to logical appeals and thus begins the process of arguing the case. However, the goals of brevity, clarity, and plausibility also function to maintain the confidence of the audience. This maintenance is most readily apparent in the way that con artists deploy the rope.

With the rope, the con artist similarly appears to transition to a logical argument. After securing the mark's attention and trust, the con artist begins the process of the confidence game itself by introducing the central idea of the scheme. In the rope, the con artist describes the central profit-making scheme to the mark, essentially letting the mark in on an opportunity for easy money. Konnikova argues that the rope represents the stage of the con in which the con artist introduces "logic and persuasion" (12). Maurer, however, argues for a continuation of the pathetic appeals to maintain the mark's investment in the *ethos* of the con artist and support the potential of the scheme. Maurer writes that in the rope, the con artist "brings into play powerful and well-nigh irresistible forces to excite the cupidity of the mark" (14). Functionally, this step serves to steer the mark to the 'insideman,' or central operator of the big con, but emotionally, the rope capitalizes on the trust established by the play to develop the credibility of the con.

The rope is also a consequence of the greater ethotic scheme of the con. Maurer provides an example of a typical rope, in which a roper would approach a mark and tell him: "If you will finance this matter, you can make yourself a handsome profit, with no chance of losing. It is a sure thing" (263). Evaluating the rope alongside the expectations of the narration, this statement is certainly both brief and clear. The con artist plainly sets forth a case concerning the opportunity for easy money. The plausibility of the rope, however, relies on the effectiveness of the ethotic scheme thus far. The con artist must know the mark well enough to consider if he or she would typically be interested in making such investments. In other cases, the con artist might rely on the mark's tendency to cheat, such as in the Three-Card Monte when the mark conspires with a shill to cheat the operator, or the mark's altruism, such as in the Magic Wallet scam in which the mark learns the tale after delivering a lost wallet to its owner. In each of these cases,

the rope is deployed in response to the values of the mark while it enhances the credibility of a fake reality.

The rope of the confidence game demonstrates how the conventional approach to a logical narration further supports the *ethos* of the rhetor. In an ethotic scheme, there is a gradual movement toward complete confidence in the scheme by compounded levels of trust at each stage. Capitalizing on either the credibility of the con artist or the common ground developed through reciprocity in the play, the emotional appeal of the rope furthers the mark's investment in the con while the logical appeal supports the credibility of a fake opportunity. The strategy of the rope demonstrates that the narration, too, must develop from the relationship between the rhetor and audience and continue to support the *ethos* of the rhetor. The idea of plausibility, which is central to Cicero's definition of the narration, relies on the notion that the audience is confident in the logical reasoning that supports the rhetor's assertion. Essentially, the rope in the confidence game makes the ways in which pathetic and logical appeals ultimately support the ethical basis of the scheme or argument.

Telling him the tale

The next stage of arrangement, the division or partition, is a continuation of the logical argument outlined in the narration. The division simply elaborates upon the assertion of the narration by outlining the argument in detail. Cicero describes the process as when the rhetor "renders the whole speech clear and perspicuous" (*De Inventione* 1.31). The level of clarity and the depth of material involved in the division distinguishes it from the brief, possibly emotional assertion of the narration. The centrality of logical reasoning in the division becomes apparent as Cicero continues that "the matters we intend to discuss are briefly set forth in a methodical way"

(1.31). Essentially, the division develops from the plausibility of the narration and serves to elaborate on the details that support that assertion.

The con artist's use of the tale follows that pattern of development. In the tale, the con artist outlines the steps involved in securing the promise of quick profits set forth in the rope. This is the point of the con in which the con artist lets the mark in on the scheme. An important aspect of the tale is that it continues to be tailored to the audience. Maurer writes that the tale is achieved by "[p]ermitting the insideman to show [the mark] how he can make a large amount of money dishonestly" (16). Thus, the mark must be thoroughly invested in the con – completely confident in the premise presented in the tale – in order to continue forward. While, like the narration or rope, the tale is largely logical in that it is a sequence of steps, it still relies on *ethos* and the credibility of the scam. Frankel elaborates on the strategic underpinnings of the seemingly logical division, explaining that "telling a story in detail enhances trustworthiness and gives an impression of trust" (48). The logic of the narration thus supports the overall credibility of the scheme.

The Spanish Prisoner is one of the most elaborate confidence games and the intricacy of the tale highlights the sophistication of the division within an ethotic scheme. The Spanish Prisoner takes place as the con artist sends a letter to the mark. In the letter, the con artist explains that he or she is in correspondence with a wealthy, perhaps royal individual falsely imprisoned. The typical premise asks the mark to provide the money to secure to individual's release, but some variations present an elaborate series of events that go beyond the logical reasoning on the division and appeals to the mark in ways that further the ethotic dimensions of the scheme. In "How the Spanish-Prisoner Swindle Works," Rufus Jarman describes the more evocative and compelling variations of the tale:

The letters always promise several exciting prospects: a journey south of the border; adventure in shadowed streets, shuttered cafés and picturesque patios; intrigue revolving around an unfortunate prisoner in a fortress like stronghold; a fortune in hidden money and the enchanting opportunity to rescue and protect a fair *señorita*, who is always beautiful and always eighteen years old. (29)

While rhetoricians argue that in the division “it is important to be brief, complete, and concise,” the Spanish Prisoner, as an example of an ethotic scheme, demonstrates the value of developing support for the *ethos* of the scam through intricate appeals to emotion even with a tenuously plausible story (Kennedy, *Classical Rhetoric* 93). The details of the tale distract from that plausibility while the emotional appeal of the story makes up for the lack of rationality. In the case of the Spanish Prisoner, there is no overt appeal to the credibility, virtue, or goodwill of the con artist – the scheme supports its own authenticity by appealing to the mark personally.

Though dramatic, the Spanish Prisoner highlights the notion that the traditionally logical narration can serve to support the *ethos* of the argument. As in the narration, the logical plausibility of the argument supports the credibility of the rhetor. In addition, the narration demonstrates how emotional appeals integrated into the intricate and evocative details of the division further support the ethotic scheme and guide the audience through the rhetor’s ideas to a conclusion of confidence.

Giving him the convincer

The proof or confirmation represents the most conventional notion of rhetorical argumentation. In this stage of the argument, the rhetor presents the evidence that supports the ideas presented in the division and the assertion of the narration. Cicero’s definition, however,

elaborates on how the proof supports the rhetor's position beyond presenting reasonable evidence. In *De Inventione*, Cicero argues that the "[c]onfirmation or proof is the part of the oration which by marshalling arguments lends credit, authority, and support to our case" (1.34). Cicero provides an interpretation of evidence that recognizes the centrality of trust and the authority of the rhetor. A possible assumption of the proof, especially in the case of forensic rhetoric, is that the evidence should logically support the position of the rhetor on its own merits. However, the confidence game's use of proof highlights the necessity of consistently supporting the plausibility of the scheme throughout the argument while placing emphasis not on the evidence itself but on the evidence as a means of gaining the audience's confidence and supporting a central conclusion.

In the confidence game, the con artist provides proof in the scheme during the convincer. In this stage, the con artist provides some evidence that convinces the mark that the scheme is valid and there he or she stands to make substantial profits. Konnikova's description of the convincer parallels the definition of proof in classical rhetoric as "the evidence and the way it will work to your benefit" (12). In many cons, the convincer comes in the form of allowing the mark to make some money before investing all their money in the final stage. Maurer describes such a process stating that after telling the mark the tell, the con artist "allows the victim to make large sums of money by means of dealing which are explained to him as being dishonest—and hence a 'sure thing'" (14). This "show of actual profits" supports the credibility of the con and the trustworthiness of the insideman (Konnikova 12). Profits serve as evidence in a number of confidence games to provide logical evidence of the scheme's effectiveness and in support of the con artist's credibility. In Ponzi schemes, when con artists offer to invest money on the mark's behalf and pay back dividends, "[e]ach payment brings added proof of the con artist's credibility,

strengthening the influence and weight of the previous payments and allaying suspicions about the source of the payments” (Frankel 39-40). Thus, in a confidence game, the convincer functions as evidence to logically persuade the mark to invest.

While the convincer typically comes in the form of profits, it is important to notice how all elements of the ethotic scheme serve as evidence of its authenticity. Essentially, in an ethotic scheme, both explicit and implicit details support the conclusion and function to gain the confidence of the audience. The Wire con is an example of a confidence game that makes use of both direct and indirect evidence. The Wire relies on an intricate performance that spans several settings and deploys an entire cast of actors. Taking place during the period that still made use of the telegraph, the basic premise of the Wire is that an insideman persuades the mark that he has a system for receiving the outcome of horse-races before the results of the race can be received by betting sites. The insideman persuades the mark to take advantage of that information by placing bets in an ultimately fake poolroom. During the con, the mark visits both a Western Union telegraph office to see how the operation works and the betting parlor itself to place a bet.

Throughout the Wire, the con artist relies on a range of details to support the authenticity of the scheme and persuade the mark. As Maurer describes in his definition of the convincer, the mark is often allowed to place a few winning bets before making the final, largest investment in the scam. The winnings thus serve as evidence of the effectiveness and plausibility of the scheme. However, the Wire is also an elaborately staged performance and every detail of that performance supports its credibility. The Wire takes place in two distinct settings, a “Western Union office, complete with operators, telegraph instruments, clerks and a ‘manager’” (Maurer 16) and “horse-poolroom with all the paraphernalia which would naturally be used in such a place—a ticker or telegraph instrument, tables and chairs, and large odds-board on which results

were chalked, a cigar counter, a bookmaker, etc., and a staff of shills who won and lost large sums of cash to stimulate the victim's desire for easy money (17). Besides the actual profits the mark can make from bets, every underlying detail of the confidence game also supports the logical underpinning of the scheme and the credibility of the con artist. These actors, props, and locations create the impression of legitimacy and authenticity. The con artist and the scheme are more trustworthy of a reasonable and persuasive rhetorical setting.

The complexity of the ethotic argument in the convincer hold several implications that extend evidence in a rhetorical setting beyond conventional notions of proof. The first is that, as in many divisions of arrangement, the logical appeal of evidence supports the *ethos* of the rhetor and the plausibility of the argument. In addition, the convincer highlights the notion that every aspect of the argument in some way serves as evidence of the rhetor's authority. In oratory, the speaker's appearance, performance, or the setting might effectively gain the audience's confidence. In writing, seemingly indeliberate rhetorical choices in tone, sentence structure, and format likewise support the credibility and authority of the writer. Overall, rethinking proof in an ethotic scheme broadens the implications for *ethos* and the ways a rhetor might consider establishing and supporting authority and credibility.

Giving him the breakdown

The final division of arrangement in the classical model is the conclusion. This stage of arrangement marks the transition back to pathetic appeals from logic. In this division, the logical argument concludes and the rhetor instead reasserts the controlling argument and makes a more personal appeal to the audience. In classical rhetoric, the conclusion is divided into two parts. The first is the "recapitulation and assemblage of facts" (Quintilian 6.1). Cicero elaborates on the

benefit of recapitulation, stating that the conclusion is “a passage in which matters that have been discussed in different places here and there throughout the speech are brought together in one place and arranged so as to be seen at a glance in order to refresh the memory of the audience” (*De Inventione* 1.98). Thus, the rhetor has concluded making a persuasive, logical argument and simply strives to summarize the thesis and supporting ideas objectively and concisely. The second part of the conclusion is a persuasive emotional appeal to the audience by “inciting the indignation against the opponent...or arousing of pity for the speaker” (Kennedy, *Classical Rhetoric* 94). Reflecting the exordium, the rhetor concludes by gaining the confidence of the audience by reintroducing a sophistic argument either elevating his or her character or diminishing an opponent’s. This conclusion anchored in the character of the rhetor suggests the significance of the ethotic scheme, but the conclusion of the confidence game illustrates the authority of confidence more completely in its complexity and the fact that it extends beyond the scope of a traditional argument.

The conclusion of the con artist’s interaction with the mark is divided across several steps. These steps include the breakdown, the send, the touch, and the blow-off. Unlike a classical conclusion, the focus of the con artist’s conclusion is not just a call to action, but the execution of the action itself. Maurer describes this series of events as “[d]etermining exactly how much [the mark] will invest...sending him home for this amount of money...and fleecing him” (16). The moment of persuasion, or when the mark places his or her confidence in the conclusions of the con artist, occurs during the breakdown. The send and the touch are unique in that they constitute a demonstration of that confidence. Konnikova describes this section of the confidence game as the moment “we tend to be so invested, emotionally and often physically, that we do most of the persuasion ourselves” (12). This interpretation implies that the mark has

gone beyond agreeing with the con artist's argument but accepting those conclusions as his or her own. Like the conclusion, while the con artist does not actively persuade the mark, the breakdown, the send, and the touch are evidence of the effectiveness of the ethotic scheme. The persuasiveness of confidence game, situated entirely around gaining the confidence of the audience, extends beyond the scope of the argument as the mark seeks out the opportunity to act on the argument and invest more money.

The final stage of the confidence game, the blow-off, parallels the emotional appeal of the classical conclusion. This step of the con involves "getting [the mark] out of the way as quietly as possible" (Maurer 16). Although this is most often an emotional appeal, this step of the con is not a sophistic argument centered around the character of the con artist. Instead, it is more often an attempt to frighten or excite the mark, ensuring that there is no attempt to recoup his or her money after being fleeced. A variation of the big store, the fight-store, provides a particularly compelling example of this appeal. In the fight-store, the roper would invite the mark into an underground boxing match and conspire with the mark to fix the fight. The mark would bet money on behalf of the roper along with his or her own money. The con artists would then stage the fight to make it appear as if one of the fighters was killed and in the ensuing frenzy, the mark would escape before the police arrive. The trauma of witnessing the death of a fighter combined with the fear of being arrested for illegal gambling would persuade the mark to leave his or her money behind. The final emotional appeal of the con relies again on the apparent authenticity of the scheme and the mark's confidence in the con artist's conclusions. However, the conclusion of the confidence game demonstrates the authority of a rhetoric of confidence as the con ends with the mark autonomously carrying out the con.

The Rhetoric of Confidence

While the confidence game essentially parallels the pattern of development outlined in classical rhetoric, the fact that con artists structure their schemes for the single purpose of gaining the confidence of an audience highlights the potential of *ethos* as the authoritative appeal. By reducing the ends of persuasion to confidence, con artists represent a unique opportunity to isolate and examine a pattern of arrangement situated around *ethos*. While many approaches to arrangement incorporate ethical appeals and perhaps imply the necessity of trust and credibility, the ethotic scheme of the confidence game makes the authority of *ethos* more apparent. In arguments that lack authentic evidence and are staged under false pretenses, both logical and emotional appeals are fabricated to support *ethos*. Fundamentally structured around the expectations of beliefs of the audience, the confidence game demonstrates the idea that trust is the single determining factor of persuasion.

The various parts of the confidence game – the put-up, the play, the rope, the tale, the convincer, the breakdown, the send, and the touch – represent interpretations of the classical model of arrangement through the lens of *ethos*. Essentially, certain divisions of the classical model including the exordium, narration, division, proof, and conclusion parallel the stages of the confidence game with the difference being that the confidence game is designed solely to gain the confidence of the audience. While these parts all resemble each other, the equivalent division in the confidence game highlights the ways that each part functions in support of *ethos*. The necessity of audience awareness is likewise more pronounced in the confidence game because of the direct connection between the con artist and the mark. All of the details of the confidence game situated to create trust overlay on classical approaches to arrangement and reveal ways that rhetors might arrange an argument to more effectively persuade an audience.

Besides establishing the authority of *ethos*, the rhetoric of the confidence game highlights the possibilities of *ethos* to extend beyond the character of the rhetor. Every detail of the confidence game functions to maintain the confidence of the mark. In confidence games such as the Wire, the con artist uses the setting and incidental details to support the credibility and authenticity of the scheme. These details represent normally indeliberate rhetorical processes, suggesting that expanding *ethos* to account for these possibilities allows the rhetor new insights into strategies of securing the confidence of an audience. As I explore in subsequent chapters, these implications extend to aesthetic concerns of the argument and to subtle ways the rhetor might create impressions on the audience. Overall, situating arrangement as an ethotic scheme both demonstrates the authority of *ethos* and the ways that it extends to all areas of an argument beyond the classical approach to the character of the rhetor.

CHAPTER 4: THE CHARACTER OF A TEXT

The forger occupies a distinct position in the rogues' gallery of con artists. Like the typical con artist, the forger's con relies on his or her ability to gain the confidence of the mark. But unlike most other con artists, the forger has a unique accomplice – the forgery. Many other con artists rely on forged props – paper hangers trade phony checks and impostors might have falsified identification – but to the forger, the forgery itself is the central component of the con. The forgery is not an accessory to the confidence game but the singular element of the con itself. It must be able to stand up to the scrutiny of the mark and make an argument for its own authenticity. In this chapter, I build on the discussion of *ethos* and authorship by examining the character of texts disassociated from their authors – a concept I define as the 'character of a text.'

Forgeries – whether Han van Meegeren's 'Vermeers' or Frank Abagnale's counterfeit checks – further complicate notions of *ethos* since forgers actively diminish their own authorial identities to amplify the character of the text itself, which is invented to establish false provenance. Through their appearance, texts make ethotic arguments detached from the character of the author. Analyzing forgeries – and the act of forgery – through this lens suggests that *ethos* extends beyond the rhetor's performance of character but to the text's performance of authenticity. Moreover, a forgery is defined by its relationship to the original and its methods of creation.

In this chapter, I examine the rhetorical and inventional strategies underpinning the creation of forgeries. In particular, art forgers such as Han van Meegeren, Mark Landis, Elmyr de Hory, and Ken Perenyi highlight the ways in which a text can be crafted to make an argument

for its own authenticity. While a great deal of scholarly attention has been paid toward evaluating the philosophy of forgery in art, rather than examining the effectiveness and reception of forged works, I am primarily concerned with the techniques used in the creation of forgeries that underpin the character of a text.

Essentially, forgeries can be defined in two dimensions, which include their relationship to the ‘original’ and the methods of their creation. The relationship to the ‘original’ ranges from exact copies to original works inspired by another body of work, typically the work of a famous artist. Likewise, the methods of creation range from sophisticated artistic techniques with carefully chosen materials to unskilled artistry using rudimentary materials. While the originality and technical skill may vary between forgeries and depending on forgers, any forgery can be persuasive and gain the confidence of its audience. In this chapter, I analyze the rhetorical strategies that contribute to a forgery’s apparent authenticity to identify how a text might be crafted to make that argument and, more significantly, argue that texts have an *ethos* distinct from the character of the author. The significance of this distinction is the notion that authors must pay consideration to aesthetic attributes of a text that contribute to an implicit ethotic argument.

The Rhetoric of Forgery

In terms of *ethos*, forgeries are complex in the ways they perform authenticity and function as rhetorical arguments. Denis Dutton, in “Authenticity in Art,” states that “[a] forgery is defined as a work of art whose history of production is misrepresented by someone (not necessarily the artist) to an audience (possibly to a potential buyer of the work), normally for financial gain” (258). As in other expressions of *ethos*, the audience is central to the creation of

the work. An interesting aspect of Dutton's definition is his emphasis on the character of the rhetor. In this definition, the rhetorical argument is embodied in the deliberate misrepresentation performed by 'someone.' However, in this definition, Dutton does not take into account the character of the forgery itself and its ability to argue for its own authenticity. A significant, even critical dimension of such a rhetorical transaction is the character of the text. Dutton marks a distinction between the character of the seller and the work that someone sells. In this distinction, I argue, there exists an ethotic argument that runs parallel to the *ethos* of the rhetor. While the two characters – that of the rhetor and that of the text – may collaborate, it is important to distinguish the ethotic argument of the text. That ethotic argument, like the ethotic scheme, exposes a dimension of *ethos* that deviates from traditional approaches to *ethos* as the text argues for its own authenticity through intrinsic, aesthetic features.

The notion of authenticity in art is an important distinction when considering how the character of a text functions as an ethotic argument. Dutton outlines this distinction, arguing that “[t]he way the authentic/inauthentic distinction sorts out is thus context-dependent to a high degree” (“Authenticity in Art” 258). The context, thus, is the rhetorical situation designed by the rhetor in which the text must make an argument regarding its own character. Dutton goes on to argue that even the ‘authentic/inauthentic distinction’ is an inadequate means to define authenticity. Dutton identifies two categories of authenticity – *nominal authenticity* and *expressive authenticity* – to further understand the nature of authenticity in art. The first, nominal authenticity, is “the correct identification of the origins, authorship, or provenance of an object” while expressive authenticity has to do with an “object’s character as a true expression of an individual’s or a society’s values and beliefs” (259). Essentially, this type of authenticity refers to the facts of the text or its provenance rather than its content. While the rhetor’s trying to pass

off a forgery might attempt to support the nominal authenticity of a text, the idiosyncratic character of the text is found in its ability to argue for itself. Thus, it is Dutton's second term, *expressive authenticity*, that defines the rhetoric of a forgery.

With *expressive authenticity*, Dutton recognizes both the character of the text and the relationship between that character and the audience. Dutton defines *expressive authenticity* as "an object's character as a true expression of an individual's or a society's values and beliefs" ("Authenticity in Art" 259). Like a con artist, who is concerned with creating an impression of character on a mark, a forged work must gain the confidence of an individual or society through a similar ability to express *ethos*. That expression is concerned with meeting the expectations of the audience. The forged work, thus, must indicate the performance of another rhetor's *ethos*. This expression of authenticity represents the ethotic argument of the rhetorical moment or the moment when an audience views, evaluates, and either believes the text or rejects its authenticity.

The first major determinant of a forgery's success is the degree of distance between itself and the original work. Art conservationist and forgery investigator, Sheldon Keck, defines forgeries by dividing them into four categories, which include copies, palimpsests, pastiches, and an unnamed fourth category that Gary Alan Fine call "original forgeries" (Fine 76). Each of these categories is marked by an increasing distance from the original. A copy, for instance, is an exact copy of an existing work. A palimpsest is a partial change to an existing work, such as adding a false signature. A pastiche is a new painting that borrows elements from one or more original work. Finally, original forgeries are new works created in the style of an existing painter. These works are original in that they are unique, new paintings but forgeries because they emulate a particular style to carry off the bluff of being the work of another artist.

The Character of a Text

The character of the text refers to the idea that the *ethos* of a text – whether it be an artwork or a phony check – is distinct from the ethos of its author. This idea marks a departure from traditional concepts of *ethos* as the expression of the character of the author in a defined rhetorical moment. What I call the character of the text, in a traditional context, might instead be viewed as implicit, unconscious markers of identity or simply arbitrary consequences of the rhetorical. However, the act of forgery demonstrates that the character of a text has the potential to be a thoughtfully crafted and deliberate expression of *ethos*, similar to the ethotic scheme. Unlike the ethotic scheme, the distinction between the character of the text and the character of the rhetor is important to the persuasiveness of the argument. When the rhetor is purported to also be the author of the argument, the character of the text acts as an unconscious indicator of the rhetor's character. When there is a distinction between the rhetor and the text, the character of the text makes an argument for its own authenticity or status as the object the rhetor claims it to be. In the case of an essay, the text might make an argument for its belonging in a certain discipline. A work of art argues for its belonging in an author's *oeuvre*. A phony check or bond likewise argues for its status as a financial document. Essentially, I contend that texts make arguments for their own authenticity and credibility and that argument can be both deliberately crafted and distinguished from the character of the rhetor.

An apparent form of forgery in the tradition of the con artist is often found in the counterfeiture that supports their confidence games. Frank Abagnale created fake checks by applying decals removed from toy Pan Am airplanes to real checks. Bernie Madoff falsified records imitating actual investment figures. Charles Ponzi fabricated receipts from the Securities Exchange Company (see fig. 1) to similarly create confidence in his scheme. Such notes, as

Tamar Frankel argues in *The Ponzi Scheme Puzzle: A History and Analysis of Con Artists and Victims* (2012), “reflected business expertise and commanded respect. Second, the notes were fashioned after a usual bank note, which signaled a solid, low-risk investment” (30). Each of these examples made arguments for their own authenticity as official documents. While these forgeries supported the credibility of the con artist, they made ethotic argument separate from that character.

In actuality, the character of a forgery such as a false check reflects the credibility of the audience’s notion of a financial institution. However, it does so by making a distinct argument within a defined rhetorical moment. While the character of a text is evident in such forgeries, the complexity forged artworks create additional opportunities to explore how *ethos* can be crafted by a rhetor. Forged paintings function in the same ways as counterfeit bank documents but the individualities of their characters and the complexity in their methods of creation are amplified by their history and complexity. As Gary Alan Fine writes in “Cheating History: The Rhetorics of Art Forgery” (1983), “The successful check forger has little leeway for creativity. However, art forgery is more complicated, as most forgeries are not copies” (76). Essentially, forgeries function in several dimensions which become more apparent with the increase of complexity and creativity that characterizes most forged paintings. The character of the text itself is determined by its relationship to the original, authentic work and the technical methods of its creation. Further, since the process of selling forged art is protracted, the relationship between the rhetor and the character of the text is often more intricate.

As described by Keck and Fine, there is a varying distinction in the relationship between a forgery and its authentic counterpart. This range includes forgeries from exact duplicates to thematic expressions that only imitate the original painter. The placement of a work on this

continuum marks an important rhetorical decision by the artist. An exact copy makes a stronger argument for its status of nominal authenticity through its resemblance to an extant work. However, copies are more easily exposed as a fake (“Plagiarism and Forgery” 504). The further the fake work is from the original on this continuum, the more difficult it is to detect. This distance, however, also increases the need for the character of the text to make a more compelling ethotic argument, which it does through various aesthetic elements. Since no matter how much another rhetor supports the work, which is common in selling art, the character of the text must stand up to some form of scrutiny.

In terms of aesthetics, the first concern of the character of the text is a surface-level expression of the *ethos* underpinned by the artist’s technical skills. In “Plagiarism and Forgery,” Dutton extends his definitions of authenticity in art and outlines the techniques that underpin art forgery. Dutton argues that “[s]tyle, of course, is of the greatest importance. A forger of painting needs to have an adequate grasp of period brush techniques, produce a typical subject matter for a specified target artist” (“Plagiarism and Forgery” 506). However, from the perspective of an ethotic argument, the impression of skill is more important than actual skill. Thus, style extends not to formal painterly skill but, instead, a technical skill in imitation. The emphasis in *ethos*, especially in the character of the text, is on appearance and the ability to apply technical proficiency to emulate the character of another rhetor.

Besides the technical skill, the content of the painting must be consistent with the audience’s expectations. Dutton continues that “[m]ost forgeries tend to be pastiche works: paintings or drawings which bring together miscellaneous elements from authentic paintings in a way that will allow them to fit comfortably into an accepted body of work” (“Plagiarism and Forgery” 506). For the character of a text to effectively persuade the audience, it must argue for

its status of authenticity by reflecting the expectations of the discourse. In counterfeiture, this might include specific language or typeface. Similarly, in painting, artists must incorporate motifs, figures, and themes that would not be out of place in the artists extant body of work.

Beyond the form and techniques that characterize an artist's work, incidental indicators of character also define and express the character of a text. While the style of a painting might effectively perform the *ethos* of another artist, there are additional markers of the character of a text completely removed from the character of the artist. These incidentals are made up of presumably un-crafted markers of authenticity. Dutton outlines many of these indicators, most of which are beyond the rhetorical decision-making processes of the original artist. He states that “[a]n old painting requires actual old canvas and a knowledge of old paint formulae...In the forging of drawings, a knowledge of ink formulae is required, along with a supply of suitable paper, usually taken from the end papers of old books. A good forger will carefully avoid any paints which would be anachronistic” (“Plagiarism and Forgery” 505). These incidentals also include the wear and patina that accompany the age of a work. Since many of these elements are beyond the control of the original artist, the notion of incidental markers of identity highlights how a text makes an argument for its own identity. As many forgers demonstrate, however, these subtle, implicit markers of identity can also be crafted to allow the text to give an impression of character.

While I am primarily concerned with the ways in which a text makes an argument for its own authenticity and character, it is also important to recognize that there exists a relationship between the character of the text and the author's *ethos*. In terms of forgery, the forgers or art dealers want to create distance between their identities and the characters of the forgeries themselves. However, these distinct identities still support one another. One way this relationship

manifests is in the provenance, or the argument for the nominal authenticity of a work. Dutton writes that “[o]nce a forged painting or drawing has been produced, the forger faces the difficult task of establishing a provenance for the work – a narrative about where the work came from and why it has remained undiscovered until now” (“Plagiarism and Forgery” 506). Here, the rhetor actively supports the credibility of the artwork by providing a history. Similarly, the apparent authenticity of a painting increases the credibility of an art dealer.

The character of text is also an issue of relationships in the ways that the *ethos* of forgeries interact with and support one another. In the case of forgeries, this system of credibility is evident in the way an accepted forgery increases the credibility of further forgeries. Nelson Goodman defines *precedent class* in *Languages of Art: An Approach to a Theory of Symbols* (1976) arguing that “every time a Van Meegeren was added to the corpus of pictures accepted as Vermeers, the criteria for acceptance were modified thereby” (111). Thus, once one text has effectively asserted its own authenticity, the case of the authenticity of other forgeries is strengthened as a result of their resemblance to one another. However, since, as rhetoricians such as Aristotle point out, *ethos* is confined to the rhetorical moment, the text must still be able to support its own argument for authenticity.

Viewing forgery and counterfeiture through a rhetorical lens reveals not only the value of interrogating character of a text but the methods that shape the expression of that character. In the framework of forgery defined by a work’s relationship to an original and the methods that underpin its creation, art forgers such Mark Landis and Han van Meegeren represent the extremes in the dimensions of forgery. Every forger must make sophisticated decisions regarding the placement of a work on the continuum of copies and original forgeries outlined in Keck’s categorization of forged paintings. Just as there is a continuum of originality, there is also

continuum of exactitude versus approximation regarding the methods of a forgery's creation. Some forgeries, for instance, are created using sophisticated technical skill while others are created simply to create an impression of authenticity that cannot stand up to intense scrutiny. The effectiveness of the character of a text is still, like all expressions of *ethos*, measured by an audience. In *F for Fake*, Orson Welles explores the nature of deception and attempts to define authenticity and fakeness. In an interview with art forger Elmyr de Hory, de Hory remarks that through his forgeries, he “exploded the infallibility of the art dealers and museum directors.” Essentially, the success of forgeries and the fact that many of them have fooled supposed expertise highlights the notion that *ethos* is subjective. Just as rhetoricians throughout history have defined *ethos* as the impression of character, art forgery furthers the notion that the impression of character can be shaped by the rhetor.

The *Ethos* of a Copy

The first way that a forgery argues for its own authenticity and character is through its relationship to an original, nominally authentic work. As Keck and Dutton describe, the relative distance from the original piece determines both the scrutiny required to attribute the work to an alleged artist and the likelihood of detecting that it is a forgery. Pastiche, or works that borrow and compile elements from original works without exactly copying, provide a balanced approach to the extremes embodied in copies and original forgeries. However, the significance of the character of a text is most evident in these extremes. In each extreme, the forger must balance the rhetorical strategies the underpin a forgery. An original forgery, for instance, makes a more complex argument for its authenticity since it requires much more scrutiny and, thus, requires

more technical precision. A copy, however, is much more easily attributable and, thus, requires a lower threshold of evidence.

Over three decades, Mark Landis produced more than one hundred forgeries of famous works and donated or attempted to donate them to at least fifty museums in twenty states. Landis is unique among art forgers because he is a rare example of a forger who produced direct copies of works rather than the more common pastiches or original forgeries. Born in Norfolk, Virginia in 1955, Landis developed a talent for copying early in life. His family constantly moved as a result of his father's position in NATO and Landis, who spent much of his time alone in hotels, often occupied himself by copying pictures from magazines. At the age of seventeen, Landis suffered a nervous breakdown following his father's death. As a result, he was admitted to the Menninger Clinic in Topeka, Kansas where he was diagnosed with schizophrenia. As an adult, Landis had a modest education in fine art. He briefly attended the Art Institute of Chicago in 1972, transferred to San Francisco Art Institute after a two-year hiatus, and withdrew entirely a year later. In San Francisco, Landis opened a small art gallery which he soon after closed. It is during this period that Landis began donating forgeries to art museums with some consistency (*Mark Landis Original*).

Essentially, Landis applied his talent for copying and appreciation for art to receive some attention from the art community and the gratification of donating artwork, even if it was based on deception. Unlike other forgers, who often seek a profit or carry some grudge against art critics, Landis's rationale for donating art was simple. In a 2015 interview with BBC's Jason Caffrey, Landis explains that "It was an impulse to impress my mother. I always admired the rich collectors on TV giving away pictures to museums." In addition, he enjoyed the respect and

treatment he was given by museums that accepted his art. Landis's commitment to forgery was thus less complex and mostly a consequence of what he calls his "memory trick."

Rather than focusing on any one artists or movement, as many forgers do, Landis created a seemingly random array of forgeries based on either personal curiosity or museum interest. His first forgeries were copies of photographs of American Indians he found in library books which he signed as the artist Maynard Dixon. In the case of some of Landis's first forgeries, such as the fake Maynard Dixons, the forgeries were created strictly to meet the expectations of an audience within a specific context. Landis explains the reasoning behind his first forgeries, stating that "I put Maynard Dixon's name on them because that's what the museums wanted...I knew the museums wanted cowboy pictures, so that's what I did" (qtd. in Caffrey). This rhetorical situation was largely the same across Landis's career as a forger. Landis's artistic process was to choose a work from an art book or catalog such as *Three Women* by Charles Curran, and create quick, effortless copies of the works that resemble the originals but would not likely hold up to any form of scrutiny.

Landis's explanation of his artistic process reflects this dedication. Overall, his technical approach to copying is informal. The lack of technical precision is also apparent in the fakes. In 2015, PBS created a webpage that allows users to compare Landis's fakes to the originals as a part of their POV project. The comparisons include *Three Women* by Charles Curran (see fig. 2), *Terrassiers, au Trocadéro* by Stanislas Lépine, and *A Woman Lying on a Chaise Lounge* by Jean Antoine Watteau. In each comparison, the dissimilarities are striking. Landis's copy of *Three Women* (see fig. 3), which he created by painting over a photocopy pasted to a wood panel, appears muddled and far darker compared to Curran's original. *Terrassiers, au Trocadéro* is similarly dark and the surface of Landis's *A Woman Lying on a Chaise Lounge* is entirely

different than Watteau's original. In any of these cases, it would not be difficult for an expert to dismiss Landis's donation as fake. However, as a direct copy, Landis's copies avoided detection through a lack of scrutiny.

The first basis of this lack of scrutiny was simply in the recognition of the work. Landis donated copies of works that would not require any rigorous identification. Landis typically copied artists of secondary standing that were still recognizable. Therefore, museum staffs would be unlikely to know the particulars of the composition of a work yet could identify it easily, especially since museums never paid for the work. As a result, the composition of the paintings did not need to be as technically sophisticated. To effectively argue for their authenticity in this context, the works simply needed to approximate a surface level resemblance to the original. Unlike forgers that make more complex forgeries, the authenticity, character, or *ethos* of the works was established based on surface inspections. Landis's methods reflect as much:

I know everybody's heard about forgers that do all these complicated things with chemicals and what-have-you...I don't have that kind of patience. I buy my supplies at Walmart or Woolworth – discount stores – and then I do it in an hour or two at most. If I can't get something done by the time a movie's over on TV, I'll give up on it. (qtd. in Caffrey)

Thus, the character of a text is defined by the qualities needed to meet the expectations of its audience. The threshold of authenticity, such as in the circumstances Landis created for his forgeries, a part of the reciprocal exchange between the text and its audience. In the case of Landis's copies, the works effectively met that threshold and asserted characters of authenticity.

As in all interpretations of *ethos*, the impression of character is essentially a consequence of the audience. The museums' expectations were defined by the aesthetic details of an existing

work. Whereas critics evaluating original works would be pressed to look for any indication that the painting might belong to an artist's extant body of work, a copy of a known work would not require that level of scrutiny if it has a passing resemblance. Landis defends his formal process and, as a result, highlights that *ethos* is an interpretation of character by an audience. In *Art and Craft* (2014), a documentary that follows Landis's process of creating and then donating his forgeries, Landis states that "[t]he Sotheby's would have said 'Black chalk, brown'—you know how those thing—'Black chalk, brown wash, red chalk.' I just use color pencils, you know, 'cause they can't tell." The point worth emphasizing about Landis's interpretation of the situation is the way he anticipates his audience and crafts his forgeries according to those expectations.

The relationship between the character of the text and its audience is especially apparent in Landis's forgeries because of the regularity of their acceptance by the art community. Matt Leininger, the former registrar for the Oklahoma City Museum, represents the viewpoint of the numerous museums, curators, scholars duped by Landis's fakes. As he shuffles through pictures of Landis's forgeries, he comments that "they look—they just look so good and so real. You know, the guy is a skilled artist" (*Art and Craft*). In this comment, Leininger is not evaluating the character of the author, necessarily, as he had to this point knows nothing about Landis a brief encounter when Landis donated to Leininger's museum. Instead, Leininger is responding to and describing his impression of the character of the forgeries. From his perspective as a registrar that would accept a donation, he determines that the forgeries "look so good," thus meeting his expectations for their appearance and as a result, they look "so real," or authentic. The case of Landis's copies demonstrates one extreme of a character of a text. Within the rhetorical situation and based on the biases of the audience, these forgeries were able to argue for their own

authenticity detached from the character of the actual author. The use of color, arrangement, and form function as expressions of *ethos* and gained the confidence of the audience within their defined rhetorical situations.

The Forger as Technician

The notion of the character of a text as an expression of character distinct from the *ethos* of the author is likewise apparent in the opposite extreme. Original forgeries present complexities of character beyond those of copies. While the characters of copies are based on surface-inspection and recognition, original forgeries make more drastic arguments for their authenticity. Original forgeries must assert their originality while also adhering to the qualities that define the *ethos* of another artist's work. Essentially, the forger must craft the text in a way that expresses the character of another author. The fact that the original artist is not involved in the creation of the original forgery demonstrates the authority of the character of a text and highlights the idea that that character exists detached from and parallel to the character of the author.

This concept of *ethos* is especially evident in the work of Han van Meegeren, a Dutch painter often considered the greatest forger of all time. Over a six-year career as an art forger, van Meegeren produced and sold eight original forgeries. Two of these were fakes of the work by Pieter de Hooch while the other six were made to resemble the paintings of Johannes Vermeer. His forgeries commanded both high prices and respect, essentially reshaping the field of art history through his 'contributions' to Vermeer's *oeuvre* that filled in gaps in the painter's career and confirmed theories of a religious movement. He was only exposed when he was first accused of collaborating with the Nazis for his involvement with the sale of Vermeer to

Hermann Goering. To defend himself from that accusation, he assisted the prosecution in his own trial for forgery by producing a new fake (Fine 81).

Unlike Landis, van Meegeren was a talented painter who sought a career as an artist before turning to forgery. Fine summarizes his reception in the art world, explaining that “critics who commented on his works praised their proficiency, while being unenthusiastic about what seemed a lack of innovation or passion” (81). This technical proficiency underpins the character of van Meegeren’s forgeries and sets him at the opposite end of the spectrum relative to Landis. As original forgeries, van Meegeren did not heavily borrow material from Vermeer. Instead, he focused on emulating the master’s style. Due to the increased scrutiny and the higher profile of his fakes, van Meegeren likewise applied a highly rigorous approach to the technical details of his paintings, effectively equipping them with the details that would allow them to assert their character as authentic Vermeers.

Van Meegeren’s most famous forgery, the *Christ at Emmaus* (1937) (see fig. 4), was uncharacteristic of Vermeer. Unlike most of Vermeer’s work, the *Christ at Emmaus* incorporated a religious theme. The thematic distance from Vermeer’s extant body of work, as scholars such as Keck and Fine point out, increased the potential of passing the painting off as authentic while also heightening the scrutiny involved in identifying and authenticating the work. As a celebrated Dutch painter, art critics were highly familiar with the features of Vermeer’s work and the history of his career. While this familiarity complicated the process of authenticating the work, it also presented van Meegeren with opportunities to thoroughly and persuasively craft the character of the text.

While uncharacteristic of Vermeer, the religious theme of the *Christ at Emmaus* was not unprecedented, Vermeer created one painting on a religious subject, *Christ in the house of*

Martha and Mary (1655) (see fig. 5). This seeming outlier in Vermeer's body of work led many art historians to theorize that he might have produced religious works in his early adulthood. Thus, by featuring a religious subject, the *Christ at Emmaus* argued for its credibility by responding to the biases of its audience. The composition of the piece also echoes Vermeer. Like *Christ in the House of Martha and Mary*, the *Christ at Emmaus* features an intimate scene of figures arranged around a table. The *Christ at Emmaus* also features detailed facial features, also a characteristic of Vermeer seen in pieces such as *Girl with a Pearl Earring* (1665) (see fig. 6). Thus, like Landis's copies, the *Christ at Emmaus* expressed its character as an authentic Vermeer by incorporating qualities that would be familiar to experts. The *Christ at Emmaus* essentially situates itself as a member of Vermeer's extant body of work.

However, because of the distance between the *Christ of Emmaus* and an original and the critical expertise, Vermeer had to pay close attention to the technical details of his forgery. While the subject-matter and composition might begin to persuade experts of the work's authenticity, experts are also prepared to scrutinize the character of a text in more detail, especially when that character is conspicuous. Generally, van Meegeren applied his proficiency and creativity as a trained artist to create a work that would aesthetically belong in Vermeer's *oeuvre*. To van Meegeren, the process of creation was an authentic expression. On his decision to paint the *Supper at Emmaus*, van Meegeren states "I decided to execute a painting entirely in my own manner and according to my own ideas of art, but using the colours employed in the seventeenth century" (Cole 97). Van Meegeren enacted a performance that defined the character of the text. It's detachment from van Meegeren as its actual author and Vermeer as its apparent author meant that the work would have to persuade its audience based on the characteristics evident in and expressed by the text itself.

However, van Meegeren went to great lengths to copy the productive details of Vermeer's work. Van Meegeren created pigments from lapis lazuli, gamboge, cochineal and cinnabar, and white lead to approximate Vermeer's color with period-appropriate materials (Cole 41). He also made his own badger-hair brushes in the style that Vermeer would have had access to during the seventeenth-century (Dutton, "Authenticity in Art" 261). Essentially, minute details of the *Supper at Emmaus* supported the *ethos* of the text and made the argument that this was an authentic seventeenth-century painting that, like any Vermeer, used a specific color palette made from materials available to the original artist. The character of van Meegeren's *Supper at Emmaus* was so well-developed that, aesthetically, it argued for its authenticity as a painting by Vermeer. The visual design and composition of the painting made an ethotic argument to the audience, responding to the expertise, prior knowledge, and biases of twentieth-century art experts. Unlike conventional approaches to *ethos* that concern the ways an author expresses virtue, goodwill, or expertise, van Meegeren's forgery gained the confidence of art dealers and critics by establishing credibility through a plausible subject and accurate formal composition.

Incidental Expressions of *Ethos*

While the relationship to an original text or body of work and the methods of composition represent deliberate expressions of *ethos*, the character of a text also develops an ethotic argument through unintentional expressions of character. Like Castiglione's concept of *sprezzatura*, these unconscious markers of a text's character are consequences of the text's creation rather than the results of an author's decision-making process. In *The Art of the Steal: How to Protect Yourself and Your Business from Fraud, America's #1 Crime* (2002), Abagnale outlines strategies for identifying forged checks based on his experience as a forger and

consultant to law enforcement. Abagnale, who refined with methods of check forgery to become one of the most sophisticated known counterfeiters, describes these incidental expressions of character when he describes how to spot a phony check:

Most forged checks don't have perforated edges. Real checks do. The only exception to this rule are United States Government Treasury checks. Forgers could create checks with perforated edges, but few bother as it's expensive. When forgers buy check paper, they usually buy standard 8.5x11" sheets. They print out three checks on a sheet of paper and then cut them apart (with a paper trimmer). When you're handed one of their checks, there is no perforated edge anywhere on the check. It's smooth on all four sides. That's usually a dead giveaway that it's a forgery. (*The Art of the Steal* 43)

In the case of these checks, the perforated edge would typically represent a detail of the check's character beyond the control of the 'author,' or the financial institution. The forger, or the author concerned with crafting a text that can argue for its own authenticity, must, however, be aware of these incidental details.

Like the composition of a text, the incidental indicators of a text's authenticity act as ethotic arguments and expressions of character, supporting the potential of *ethos* as an aesthetic concern beyond the expression of the author's character. In art forgery, the significance of these details is more pronounced as the audience is more equipped to notice and accept these details as evidence of authenticity. Alec Wilkinson outlines some of the art forger's concerns in "The Giveaway" (2013), stating that "[f]orgers who hope to get rich have to find materials from the period of the original work, in order to fool the forensic analysts; they have to know which varnishes and powders will make new paint appear to be old, and how to draw hairline cracks on the surface with needles." Van Meegeren integrated this incidental evidence of the *Supper at*

Emmaus's character into the work by recycling the canvas of an actual seventeenth-century painting and developing a way to produce a craquelure, or "the fine web of surface cracking characteristics of old paintings" (Dutton, "Authenticity in Art" 261). These cracks develop over time as a consequence of age. Basically, these cracks were far beyond the control of Vermeer because they did not develop until long after his death. Even Landis was aware of how these details would impact the reception of his forgeries, 'aging' the wood panel on which he painted *Three Women* by staining it with coffee (*Art and Craft*).

Of all art forgers, Ken Perenyi developed perhaps the most sophisticated process of integrating incidental indicators of character into his work. Beginning in the 1970s and continuing for thirty years, Perenyi painted and sold what he calls 'genuine fakes' of work by artists including James Buttersworth and Martin Johnson Heade. In his memoir, *Caveat Emptor* (2012), describes his attention to the incidental details of his fakes, explaining that his "objective was not to *simulate* the effects of age on my paintings but rather to *duplicate* the effects of age" (186). This process included developing a method of heating paintings create cracks, reusing varnish stripped from antique paintings, and fitting the works in frames using nineteenth-century nails (263-264). In describing a process for intentionally damaging a work, Perenyi draws a connection between the *ethos* of the paintings and their audience. Perenyi writes that "for the benefit of any connoisseurs who fancied themselves forensic experts, I added two small patches, cut from antique canvas, to the back of the painting" (263). Perenyi even went as far as faking fly droppings, or 'flyspecks,' that would accumulate on improperly stored and maintained paintings.

As a forger, Perenyi sold his work to Christie's and Sotheby's without providing provenance. Essentially, these auction houses purchased Perenyi's painting because they had confidence in the character and authenticity of the works established on their own merit.

Perenyi's success and his process of aging his paintings demonstrate both the authority of *ethos* and the notion that an author can support the *ethos* of a text by thoughtfully crafting even seemingly indeliberate expressions of character. Overall, the ways that texts argue for their own authenticity are complex but certainly distinct from traditional ethotic arguments focused on enhancing the character of a rhetor or diminishing the character of others. The character of a text is located in the implied, unconscious expressions of *ethos* of the text itself, separate from the character of the rhetor.

A Forger's *Ethos* and the Character of a Text

While the character of the text is distinct from the character of the rhetor, the two can support the *ethos* of one another. Placing the character of a text alongside the character of the rhetor further distinguishes the two because, in that relationship, rhetors recognize the distance between themselves and the text. In a conventional argument, this sense of distance is apparent in the notion of *sprezzatura*. Essentially, these expressions of *ethos* are apparently unconscious and indeliberate consequences of the rhetor's character. The text takes on and exhibits qualities of the rhetor. Discoursal language is evidence of the credibility of the text. Arrangement indicates a purpose, setting, or context.

In the case of art forgers, the distinction between the rhetor and the character of the text is apparent in the attention forgers pay to supporting the *ethos* of their works. The most common way forgers enact this support is through provenance. By providing documentation or even a plausible history of a text, forgers help their paintings establish their own authenticity. Van Meegeren, for instance, would claim that a painting "had come into his hands from an old Italian family that had fallen on hard times and wanted to dispose of the painting under strict

confidentiality” (Dutton, “Authenticity in Art” 261). Landis would similarly create stories that supported the authenticity of his copies, providing a “back story about how he had this art collection and supposedly family wealth, promising money for endowments” (Caffrey). In addition, Landis would fabricate “auction receipts and labels that he affixed to his works” (Wilkinson). To establish the authenticity of the paintings, art dealers and museum directors relied on their confidence in the aesthetics of painting, the plausibility of its provenance, and the character of the seller.

Art forger Elmyr de Hory demonstrates the potential of a rhetor to support the *ethos* of a text. In the period following World War II, de Hory traveled through Europe and America selling fake works of artists such as Pablo Picasso, Amedeo Modigliani, and Henri Renoir. Like van Meegeren, de Hory was an artist in his own right but likewise unsuccessful. Besides the quality of his painting, an encounter with a gallery owner demonstrates that the character of the painter is important to the character of the painting. The relationship between the character of the painter and the value of a painting is evident in Clifford Irving’s biography of de Hory, *FAKE! The Story of Elmyr de Hory, the Greatest Art Forger of Our Time*, when the author describes de Hory’s attempt to sell his own work:

“Are you the painter?” one of the gallery owners asked him.

“Yes, of course. Why?”

“Look at you. You don’t *look* like a painter” (Irving 58)

Essentially, the value of the work is directly related to the audience’s notion of the author. Thus, when selling a forgery, both the seller and the work must support the notion that the work was created by another painter.

Much of de Hory's success as a forger was founded on his ability to increase the credibility and enhance the *ethos* of his forgeries by his association with them. In post-war Europe, de Hory relied on a common, yet plausible, story. Irving describes how de Hory "would walk into a gallery, establish his credentials as first a connoisseur and second a refugee aristocrat" (Irving 50). To further support this story, de Hory also invented several pseudonyms, or what Irving calls *noms de vendeur*. De Hory adopted names Hoffman and Herzog when selling works, which were the names of famous Hungarian families with known art collections (Irving 41). Thus, the character of rhetor operates in a collaborative sense with the *ethos* of the text itself.

The collaboration between two distinct aspects of characters demonstrates that *ethos* extends beyond the character of the rhetor. Art forgery presents an exaggeration of this model because of the intentionality of that distinction. However, the concept of the character of a text applies to any argument. The unconscious markers of credibility and authenticity separate from the rhetor's expression of virtue, goodwill, or expertise and woven into the design and aesthetic qualities of the text allow texts to argue for their own authority detached from the implied authority of the rhetor. While these distinct notions of character – the character of a text and the character of an author – support one another, it is important to understand the distinction between the two and the relevance of that distinction to rhetorical theory. Expanding rhetorical notions of *ethos* to integrate an aesthetic and implicit dimension of *ethos* broadens the ways we might interpret arguments and the significance of *ethos* as a means of persuasion. Likewise, just as forgers recognize and deliberately craft texts to support their own credibility, we might consider how to composition with a sense of intentionality.

CHAPTER 5: THE IMITATIVE SELF

While the previous chapters have concerned ways of approaching *ethos* from perspectives that deviate from traditional approaches to *ethos*, this chapter reevaluates that traditional understanding of *ethos* through the lens of the confidence game and the con artist's unique approach to character. Fundamentally, *ethos* concerns the rhetor's expression of character within the rhetorical moment to gain the confidence of the audience. *Ethos* is mediated by the relationship between the audience and the rhetor and, specifically, the rhetor's ability to express good virtue, goodwill, and good sense. Con artists and impostors use *ethos* similarly, except in the confidence game, the centrality and authority of *ethos* are amplified. The con artist's ability to manage the impressions of the audience and gain their confidence determines the effectiveness of the argument. Another distinctive quality of the *ethos* of the con artist is the notion of deception. While rhetoricians admit that rhetors may emphasize and diminish certain qualities to gain the confidence of an audience, in the case of the confidence game, it is typically assumed that the character of the rhetor is completely fabricated as a means of persuasion. The final quality and the central concern of this chapter is the idea that the expression of *ethos* is mediated by the notion of imitation as individuals constantly impersonate others to identify with and persuade audiences effectively.

The concept of imitation is not unfamiliar in the history of rhetoric. Quintilian, in *The Orator's Education*, describes the process of emulating the oratory style and ethotic qualities of other rhetors as a method for developing good character. In *The Book of the Courtier*, Castiglione presents ideas of self-fashioning and dissimulation that echo the subtle, deceptive

qualities of the impostor. And during the Elocution Movement, rhetoricians explored ways of emulating and imitation behaviors to enhance the means of persuasion. Imitation, in the case of the confidence game, has a much more literal connotation. Rather than learning through a process of emulating effective style, the impostor focuses on accurately impersonating another person to mislead the audience. Such an exaggerated approach to imitation, however, is still fundamentally rhetorical and reveals ways that we might rethink *ethos* and identity both rhetorically and culturally.

In *Fast Talk and Flush Times*, Lenz argues that impostors raise questions about identity, language, and perception. A rhetorical perspective of the impostor is situated at the intersection of these questions. Lenz essentially presents a rhetorical movement from self-conceptualization, self-presentation, and the impression of self to an audience. In this chapter, I take up these questions and explore the rhetorical processes of impression management that define impostors by evaluating deceptive self-presentation as a mechanism for developing *ethos*. The performativity of self-presentation underpins our everyday interactions. However, many of these acts are seemingly unconscious and put within the view that those everyday performances reflect some sense of fixed, authentic identity further obscures the possibilities of *ethos* as a deliberate and adaptable appeal. Impostors, on the other hand, embody a meta-awareness for these processes of self-invention and presentation. Impostors craft and enact performances tailored to the expectations of an audience to gain their confidence and, typically, profit from the encounter. While many scholars have described approaches to self-presentation, few have explored the extents of self-presentation as a rhetorical strategy represented by imposture.

In this chapter, I pick up on and extend those conversations to integrate the complexities and rhetorical potential found in impostors. Thus far, I have presented a view of rhetoric and

ethos through the analogy of the confidence game. To further this perspective to the impostor, I begin by reinterpreting the dramaturgical metaphor that underpins Erving Goffman's *The Presentation of Self in Everyday Life* from the perspective of the impostor. Many scholars have similarly extended Goffman's ideas to describe strategies for identity construction and to categorize and define impostors. In this chapter, I use that framework of self-presentation and the psychological and sociological underpinnings of imposture to consider the implications of imposture on rhetorical theory. Particularly, the methods of identity construction that underpin imposture support the rhetoric of confidence by demonstrating the rhetorical potential of *ethos* as its authority as the central appeal. Using the vocabulary of strategic self-presentation and impression management outlined by scholars such as Goffman and Jones, I reevaluate the concept of *ethos* as an authentic expression of the character of the rhetor. By exploring the overlap between *ethos* and approaches to impostors in psychology and sociology, I argue that imitation functions as a mediating structure that might inform rhetorical decision-making processes.

To effectively extend this conversation beyond sincere and authentic presentations of self, I analyze the experience of Frank Abagnale, which he describes in *Catch Me If You Can*, *The Art of the Steal*, and several interviews and presentations. As a renowned impostor and public figure, Abagnale effectively presents the methods and rationale of an impostor. Unlike many reports of impostors, Abagnale presents a first-hand account that is rhetorically valuable in that he can provide a clear connection between his performance as an impostor and the cognitive processes that underpin that performance. As an objective impostor, Abagnale's identity is entirely detached from the personas he invents in *Catch Me If You Can*, and the lack of ambiguity makes both the authority of *ethos* and the possibilities of deceptive self-presentation

abundantly clear. Essentially, he functions as a radical expression of *ethos* which lends itself to analysis and is suited to the scope of this project.

The ways impostors deviate from conventional approaches to identity and self-presentation ultimately highlights ways we might expand our understanding of *ethos*. In this chapter, rather than theorizing new ways that *ethos* might extend beyond the character of the rhetor, I instead focus on how traditional approaches to *ethos* defined in the character of the rhetor might function more broadly than previously thought. Expanding the performance of character to the notion of the imitative self recognizes both the rhetorical decision-making processes of performance and the potential for misrepresentation. In addition, the potential divide between the rhetor and the audience's impression of the rhetor reveals that a process of imitation informs performances of self. Situating self-presentation as a deliberate rhetorical process separate from the notion of an authentic self means that we must extend the scope of *ethos* in rhetorical theory to incorporate the ways that character functions as a persuasive mechanism in the rhetoric of confidence through a concept of the imitative self.

The Presentation of Self

Erving Goffman's *The Presentation of Self in Everyday Life* is the most significant exploration of *ethos* and impression management that parallels my analogy of the confidence game. In *The Presentation of Self in Everyday Life*, Goffman presents an elaborate analogy that translates everyday experience and communication into the vocabulary of theater. This dramaturgical model of social interaction and self-presentation is based on the maintenance of trust as individuals enact performances to gain the trust of the audience, create an impression of their identities, and make sure that their performances appear authentic. In his model, Goffman

argues that the world is a stage, and, on that stage, individuals are actors that perform roles that are appropriate to the social constraints of the interaction and crafted for the setting and audience. *Ethos*, in this view, is the expression of a dramatized, but ultimately authentic notion of self, which is likewise a product of social interaction.

The significance of *ethos* in Goffman's analogy is apparent in the relationship between the performer and the character. According to Goffman, the performer is internal reasoning that informs the creation of a performance. In the text, Goffman describes a performer as "a harried fabricator of impressions involved in the all-too-human task of staging a performance" (252). In contrast to the performer, the character is the "figure, typically a fine one, whose spirit, strength, and other sterling qualities the performance was designed to evoke" (Goffman 252). Essentially, the performer functions as a mediating structure that embodies the individual's decision-making processes. The expression of an individual's character manifests in what Goffman calls a performance, which he defines as "all the activity of a given participant on a given occasion which serves to influence in any way any of the other participants" (15). Goffman's use of 'all activity' in this definition is critical in that it extends beyond the deliberate performance of an individual to all aspects of 'a given occasion.' Goffman echoes traditional approaches to *ethos* when he states that "[i]n our society the character one performs and one's self are somewhat equated, and this self-as-character is usually seen as something housed within the body of its possessor" (252). While performer and character are effectively the products of social interaction, Goffman recognizes in this passage a sense of fixed identity expressed in the self-as-character or the mediation of the performer's decision making and an authentic self.

The performance of self likewise reflects Goffman's dramaturgical analogy by emphasizing both clear, verbal expressions of identity and the implied marks of identity of a

costume. Goffman's definition of performance integrates both explicit and implicit expressions of character. Goffman defines this contrast between these expressions by categorizing them as "the expression that he gives and the expression that he gives off" (2). The expression a person gives includes the deliberate communication of information that defines a character, or "communication in the traditional and narrow sense" (2). The term gives off "involves a wide range of action that others can treat as symptomatic of the actor, the expectation being that the action was performed for reasons other than the information conveyed in this way" (2). The expressions that a person gives off are like the subtle clues and incidental details that define the character of a text as I describe in the previous chapter and are typically assumed to be unconscious markers of authenticity.

Aside from the direct communication of identity, the ways that these expressions manifest in performance appear in what Goffman describes as dramatic realization and appearance. In the dramatic realization of an idealized self, "the individual typically infuses his activity with signs which dramatically highlight and portray confirmatory acts that might otherwise remain unapparent or obscure" (30). According to Goffman, "'[a]pppearance' may be taken up to refer to those stimuli which function at the time to tell us of the performer's social statuses" (24) While both of these dimension of a performance might often be indeliberate, Goffman recognizes that actors are calculating and can give off an expression intentionally.

While Goffman recognizes the potential for strategic self-presentation and manipulation in *The Presentation of Self in Everyday Life*, his approach to performance is largely based on social interaction. In terms of deliberate expression, Goffman writes that "[s]ometimes the individual will act in a thoroughly calculating manner, expressing himself in a given way solely in order to give the kind of impression to others that is likely to evoke from them a specific

response he is concerned to obtain” (6). However, Goffman also contends that an individual’s performance “is a product of a scene that comes off, and is not a cause of it” (252). Thus, while the performer enacts some agency in crafting the performance, Goffman’s interpretation is largely through the lens of social interaction.

Other authors have picked up on Goffman’s lack of attention to the manipulative implications of his dramaturgical metaphor. Edward E. Jones and Thane S. Pittman, in “Toward a General Theory of Strategic Self-Presentation,” point out that in Goffman’s analysis of the dramaturgical model, “[a]ttempts on the part of the actor to shape others’ impressions of his personality received only secondary emphasis” (232). Mark R. Leary and Robin M. Kowalski explore that point a bit further in “Impression Management: A Literature Review and Two-Component Model,” arguing that because of his interest in the construction of social reality, “Goffman tended to dismiss the importance of inner psychological factors in symbolic social interactions in favor of external factors that are ‘impressed’ on the individual from without” (35). This point is especially important to the notion of imitative self as metacognitive awareness of the decision-making processes that underly the performance of *ethos* is central to understanding and expanding on the scope of character in rhetorical theory.

To extend Goffman’s argument and integrate the notion of the hidden manipulator, Jones, and Pittman define strategic self-presentation. The authors define strategic manipulation as “those features of behavior affected by power augmentation motives designed to elicit or shape others’ attributions of the actor’s dispositions” (233). In their theory of strategic self-presentation and building upon Jones’s earlier work in *Ingratiation*, Jones and Pittman are concerned with the strategies with which individuals can create impressions of themselves for their benefit. The authors define the strategies of strategic self-presentation as ingratiation, intimidation, self-

promotion, exemplification, and supplication. Ingratiation, self-promotion, and exemplification are all similar in that these strategies represent the actor crafting his or her performance to gain the confidence of the audience resemble the divisions of *ethos*. Like *arete*, exemplification is the amplification of qualities to make the actor appear virtuous. Like *eunoia*, ingratiation involves making oneself attractive to a specific audience through common ground and goodwill. Like *phronesis*, self-promotion is the demonstration of competence or mastery. The way Jones and Pittman's psychological approach to self-presentation overlaps with rhetorical theory reveals the diversity in the ways *ethos* functions persuasively.

Other scholars in social psychology have expanded the definition of self-presentation to integrate the capacity for strategic self-presentation. In their two-component model of self-presentation that focuses on the interaction between identity motivation and identity construction, Leary and Kowalski use the term impression management to refer "to the process by which individuals attempt to control the impressions others form of them" (34). In "Social Identity Performance: Extending the Strategic Side of SIDE," Oliver Klein, Russel Spears, and Stephen Reicher make the intentionality of self-presentation even more apparent. They use the term identity performance to describe "the purposeful expression (or suppression) of behaviors relevant to those norms conventionally associated with a salient social identity" (30). In the article, the authors take care to emphasize the terms 'purposeful,' 'relevant,' 'conventional,' and 'social identity' to highlight that identity performance is a calculated performance tailored to a specific audience rather than an individual expression of identity. The emphasis in this definition clearly distinguishes between the character of the individual and the expression of *ethos* as a deliberate rhetorical appeal. Essentially, scholars that have emphasized the potential for

manipulation have recognized a distance between the idea of self-presentation and the idea of an authentic self.

At the intersection of Goffman's idea of the performer and the possibilities for strategic self-presentation is the notion of the phenomenal self. In *Foundations of Social Psychology*, Jones and H.B. Gerard argue that the strategies that underpin strategic self-presentation are mediated by a concept of self that the authors describe as the phenomenal self, which is "a person's awareness, arising out of intersections with his environment, of his own beliefs, values, attitudes, the links between them, and their implications for his behavior" (716). The phenomenal self represents the metacognitive awareness at the center of the impostor's strategy of self-presentation. Basically, Jones and Gerard expand on Goffman's definition of performer to describe the strategic process of interacting with and persuading an audience. However, like Goffman, social psychologists including Jones and Gerard still attribute the construction to cultural and social ideals. Whereas the phenomenal self and the idealized self-as-character enact performances that enhance the *ethos* of the individual, impostors essentially appropriate the *ethos* of a fabricated identity entirely detached from their authentic selves. This distinction is particularly apparent when extending Goffman's dramaturgical metaphor beyond the theatre and to the confidence game as a persuasive performance.

The Confidence Game and Impostors

Rethinking Goffman's dramaturgical metaphor through the lens of the confidence game extends many of the ideas of self-presentation defined in social psychology to incorporate the possibilities of misrepresentation and imitation. Luc Santé, in his introduction to Maurer's *The Big Con: The Story of the Confidence Man*, states that "[t]he big con can also be considered as a

form of theater...staged with minute naturalistic illusionism for an audience of one, who is moreover enlisted as part of the cast” (Santé xi). Maurer later elaborates on this idea, adding that “[b]ig-time confidence games are in reality only carefully rehearsed plays in which every member of the cast except the mark knows his part perfectly” (Maurer 101). Whereas Santé emphasizes the notion of illusionism or deception in the confidence game, Maurer makes a more direct connection between the confidence game and theater. In Maurer’s view, con artists are actors that perform within a strict framework of the confidence game or an ethotic scheme. The scheme, which is designed to gain the confidence of the mark, relies on the cynical performances of the con artists. When describing the performances of con artists, Maurer states that “a con man must have a good deal of genuine acting ability. He must be able to make anyone like him, confide in him, trust him. He must sense immediately what aspect of his personality will be most appealing to his victim, then assume that pose and hold it consistently” (143). Like Goffman’s culturally generated sense of idealization, the con artist’s performance is a consequence of the audience’s beliefs. The fact that con artists stage literal performances, however, implies precision and cynicism in the performance that goes beyond Goffman’s interpretation of an idealized self-as-character and Jones and Gerard’s phenomenal self.

The strategies that underpin impostors’ performances parallel many of the theories of self-presentation with the distinction that the performances of impostors are specifically designed to impersonate another person or profession. Sonia Mary Cole, in *Counterfeit*, likens imposture to the forgery of identity. Just as I argue in the previous chapter that forgeries make arguments for their own authenticity based on their resemblance to an original and the precision in their creation, impostors similarly craft personas that make arguments for the authenticity of that feigned identity. Matthew J. Hornsey and Jolanda Jetten argue that “[i]mpostors might be

threatening, devious, selfish, or destructive, but ultimately they all remind us that life is a performance, with all the excitement, anarchy and possibility that implies” (“Impostors within Groups” 176). Those performances, however, are radical interpretations of the extents of *ethos* and, as such, present a unique opportunity to interrogate the rhetorical dimensions of *ethos* that might be misrepresented or fabricated. In “Not Being What You Claim to Be: Impostors as Sources of Group Threat,” Hornsey and Jetten describe the anxiety surrounding impostors and how they disrupt social interactions in discourse communities. The authors provide a compelling definition of impostors that distinguishes them from other groups that are considered deviant such as ‘black sheep.’ They write that impostors are unique “they advertise their identity publicly at the same time as disguising their non-normative behaviour from others” (641). The degree of dissimulation in the performances of impostors reveals a metacognitive awareness of the process of crafting and enacting identity. This awareness extends other definitions of self-presentation because impostors must integrate outside qualities into their performances rather than striving to enhance or suppress intrinsic qualities of their authentic notions of self.

It is necessary to define identity construction strategies that support impostors’ performance to thoroughly understand the implications of the performances of impostors and motivations that underpin their strategies. In “Impostors within Groups: The Psychology of Claiming to be Something You Are Not,” Hornsey and Jetten categorize and define various types of impostors. They separate impostors into two categories which include objective and eye-of-the-beholder impostors. While eye-of-the-beholder imposture is ambiguous and often unprovable, objective impostors represent the conventional definition of imposture and a model relevant to the notion of *ethos* as a deliberate performance. Among conventional impostors, the authors identify five types including shape shifters who cross boundaries of sex, race, or class,

corner cutters who cross professional boundaries, Trojan horses who pass as a member of a group to cause it damage, closet dwellers who conceal stigmatized qualities, and history thieves who misrepresent their past for personal gain. There are also varying degrees of ambiguity and complexities among these types. Often impostors will have unclear motives, or their cases will overlap with extra-rhetorical concepts of race, gender, or social stigma. However, Abagnale, as an example of the corner cutter impostor, has unambiguous motives, a clear strategy for self-presentation, and clearly fits within the framework of the confidence game which underpins the scope of this project.

Whereas Hornsey and Jetten categorize and define impostors by their relations to in-groups, other scholars have outlined the methods that support the construction of false identities. In their two-component model of impression management, Leary and Kowalski argue that impression management is composed of two subprocesses which include impression motivation, or the “degree to which people are motivated to control how others perceive them” (38). The motivations the authors describe include social and material outcomes, self-esteem maintenance, and the development of identity. In the case of impostors, particularly within the analogy of the confidence game at the center of this project, the primary motivating factor is material outcome. While one-dimensional, the directness of impostors’ motivations makes the con artist’s purpose of gaining the confidence of an audience clear. Not having to interpret or infer the motivations of an impostor enables a clear rhetorical analysis of the function of *ethos* in an argument.

Within that framework, the impostor’s motivations are also mediated by factors that affect the construction of identity. The authors elaborate on the second component of their model when they describe impression construction. Impression construction, in this view, is determined by “the person’s self-concept, his or her desired (and undesired) identities, the constraints of the

role in which the individual finds himself or herself, the target's values, and the person's perceptions of how he or she is regarded currently" (38). Situating the motives of the impostor within the factors that affect identity construction likewise makes the impostor's strategy for self-presentation more apparent. Simply, impostors are compelled to choose the most appropriate process of identity construction to gain the confidence of the audience.

The process of identity construction determines the individual's impression content. Essentially, impression content includes the variables that shape identity and how and individual expresses identity. Leary and Kowalski identify five primary determinants of impression content. These determinants include two intrapersonal variables, self-concept and desired identity, which the authors locate as central to the individual's concept of self. In the case of the impostor, a purely rhetorical figure, the three interpersonal determinants are the concepts an individual must emphasize to shape the impression of the audience. These determinants include role constraints, target values, and current or potential self-image. Role constraints refer to maintaining a performance that is consistent with the performer's apparent role. Impostors must avoid out-of-role behaviors that would contradict the role they intend to express. These role constraints are dictated by what Leary and Kowalski define as a prototype-matching process. This process, they argue, occurs when "[p]eople try to make their social images conform as closely as possible to prototypic characteristics of the role they are playing" (41). Thus, the impostor strives to impersonate or embody the characteristics of a broad representative figure rather than a specific person. The concept of target values concerns the preferences and values of the audience and how those values shape the construction of self.

The authors also define determining factors related to dissimulation and deception. Regarding misrepresentation, the authors state that when performers try to create impressions

consistent with the audience but inconsistent with their self-concept, “they are particularly interested in obtaining information about the target” (41). Essentially, the performing individual must rely on an ability to notice details about the target audience and integrate those values into their performance. Current or potential self-image focuses on the notion of reciprocity. In this model, individuals may notice the response of the audience and adapt to more accurately perform the intended social image.

Overall, the vocabulary that defines the dramaturgical analogy of social interaction and the calculated decision-making processes that underpin strategic self-presentation may not be sufficient to account for the deviant expressions of self of impostor. However, the methods and determinants that underpin impression management and identity construction provide a framework for elaborating on those processes. In this model of self-presentation, the complexity and distinctiveness of the impostor’s awareness for crafting and enacting performances become apparent. Impostors such as Abagnale demonstrate the potential of the imitative self as a mediating structure that enables the rhetor to detach the performance of *ethos* from an authentic self to effectively imitate another. The case of Abagnale, an impostor motivated by social and material outcomes that takes advantage of impersonation a prototypical figure through appearance and performance highlights the need to rethink *ethos*. It is thus important to make what has been an implied interpretation of character an explicit theory of *ethos* that extends beyond the character or identity of the rhetor to the notion of imitative self.

The Skywayman

From 1963 to 1969, beginning when he was fifteen years old, Abagnale successfully impersonated numerous professions to enable his criminal career as a check forger. In his several

books and interviews, Abagnale describes the process of researching, crafting, and performing the role of an airline pilot for Pan American World Airways. While the process of taking on this persona is significant to the understanding of *ethos*, Abagnale also highlights how impressionable people can be in the face of external signs of status” (Hornsey and Jetten, “Impostors within Groups” 163). Essentially, Abagnale’s success as an impostor presents the ideal opportunity to analyze the possibilities of *ethos* as a persuasive model and the ways in which audiences are persuaded to place their confidence in the performances of others. Situating Abagnale and his rationalization for his crimes within the framework of social psychology – including concepts such as strategic self-presentation, impression management, and identity construction – further reveals that identity and *ethos* is a deliberate performance that is, in many ways, detached from the authentic identity of the rhetor.

Though Abagnale presents his motivation for impersonating an airline pilot very plainly, the complex functions of *ethos* beyond the character of the rhetor become more apparent. Essentially, his motivation to gain social and material outcomes highlights the separation between his authentic self and the performed role of an airline pilot. In addition, as a check forger, Abagnale’s performance supports the ethotic scheme and the character of the fake checks he passes off as authentic.

Abagnale’s first motivation which he does not make explicit, but I argue is apparent in the account of his fraud is the social outcome of gaining respect. Reflecting on his decision to impersonate a pilot, Abagnale states that “[a]irline pilots are men to be admired and respected. Men to be trusted. Men of means. And you don’t expect an airline pilot to be a local resident. Or a check swindler” (*Catch Me If You Can* 27). In this passage, Abagnale highlights the admirable qualities he associates with airline pilots. Leary and Kowalski write that “[c]onveying the right

impression increases the likelihood that one will acquire the desired outcomes...such as approval, friendship, assistance, power, and so on” (37). In his impersonation of an airline pilot, Abagnale creates the impression of sharing these qualities. As a result, Abagnale reveals a disparity between his authentic self-concept and his desired identity. The divide between these selves becomes more apparent when Abagnale describes himself without the pilot uniform. He writes “[t]he uniform brought me respect and dignity. Without it on, at times, I felt useless and dejected” (*Catch Me If You Can* 46). In the first segment of the passage, Abagnale refers to the impression he makes on others when he wears the uniform. However, Abagnale goes on to describe how his authentic self-concept. In Abagnale’s experience as an impostor, performing another identity changes his intrapersonal concept of self. He assigns this value to the uniform itself, explaining that “[t]here is enchantment in a uniform, especially one that marks the wearer as a person of rare skills, courage or achievement” (45). Abagnale thus describes the character of the uniform – a concept of *ethos* similar to the character of a text. His appearance – or his mask – takes on a sense of *ethos* of its own which he enables and supports through his performance.

In addition to how Abagnale’s uniform supports an argument for his authenticity, Abagnale’s performance supports the authenticity of his counterfeit checks in his second motive of material outcomes. Abagnale’s primary rationale for impersonating a pilot is to appropriate the credibility of the profession (*Art of the Steal* 6). However, more complex functions of the imitative self stand out in the way he explains his performance in *The Art of the Steal*:

Another big difference is, thirty-five years ago you had to be a con man with a con man’s idiosyncratic personality. You had to be facile. You had to be persuasive, with good improvisational skills, and you needed icy self-control. You were taking something and

replicating it, not perfectly. And you had to make someone believe it was the real thing, make them believe it sufficiently that they would cash it. (20)

Similar to the ways forgers support the authenticity of a work through false provenance, Abagnale's performance as a pilot supports the credibility of his fake checks. However, in this passage, Abagnale also outlines the imitative self. When he describes the skills and qualities of the 'con man's idiosyncratic personality,' he reveals that he plays a dual role while impersonating a pilot. In addition to the expressive performance of a pilot, Abagnale also consistently mediates the performance with his concept of imitative self. Rather than becoming a pilot or enacting an idealized performance of a phenomenal self, the identity that Abagnale performs is wholly disconnected from his authentic self-concept as an impostor.

Besides the ways his motivations underpin the imitative self, the adaptation and consistent development of Abagnale's impersonation of an airline pilot further emphasize the functions of the imitative self. Fundamentally, Abagnale's performance is the result of a prototype-matching process. Abagnale does not impersonate a specific person. Instead, he performs the role of a specific profession. The notion of prototype-matching highlights the decision-making processes that underpin strategic self-presentation. Abagnale chose a well-defined figure and developed a performance to meet the role constraints of the figure, even though they were unrelated to his authentic identity.

Further, Abagnale is aware of the determining factors of identity construction and uses those factors as a strategy for developing his performance. Essentially, he identifies his potential self-image using the determinant of target values. Those target values develop from his impression of pilots as cultural figures, shaped in part by the moment he watched a flight crew, "enmeshed in the net of their glamour" (*Catch Me If You Can* 27). The glamour Abagnale

associates with the flight crew represents the target values embodied in the prototypical pilot. Through an abstract and exaggerated process of discourse analysis, Abagnale develops awareness for the ways he can tailor his performance to achieve his motives.

An additional determining factor that serves as a recursive process for Abagnale's performance is the notion of current or potential self-image. Essentially, current or potential self-image represents a process in which the performer assesses the way the audience responds to the performance and adapts accordingly. Abagnale uses this determinant through a combination of improvisation and research. At one point in *Catch Me If You Can*, the determinant of current or potential self-image appears in a passage that depicts the process of disruption and adaptation. After first acquiring a pilot's uniform, Abagnale would wear it in public to acclimate to the performance and occasionally interact with 'fellow' pilots. While at an airport coffee shop, a pilot approaches Abagnale and asks him what equipment he is on. Unfamiliar with the term, Abagnale gives the pilot a wrong answer and the pilot's "eyes went frosty and a guarded look crossed his features" (*Catch Me If You Can* 47). The divide between Abagnale's current imitative self and his potential self-image as a pilot disrupted the interaction. Abagnale then asks the next airline employee he encounters the same questions, filling the gap in his knowledge and further developing an authentic imitation of the pilot prototype.

The processes and strategies deployed by Abagnale in his impersonation of a pilot thus reveal the ways in which imitation mediates an individual's performance. Though Abagnale accomplishes his impersonation primarily using appearance, each aspect of his performance carries implications toward *ethos* and the imitative self. The uniform represents a distinct identity and works to support both Abagnale's authority and the credibility of his fake checks. This relationship reveals ways that subtle, seemingly unconscious indicators of identity make ethotic

arguments and appearances, like texts, argue for their own authenticity. Most significantly, Abagnale's process of researching and adapting his performance represents a metacognitive awareness for the rhetorical process of performance. This awareness extends to the concept of the imitative self in which a rhetor might make decisions about performance that deviate from traditional notions of *ethos* and character.

The Rhetoric of Impostors

As an impostor figure within a clear framework of motives and identity construction, Abagnale embodies the strategies of self-presentation most closely related to *ethos* and the rhetoric of confidence. His performance as a pilot, among other professions, functions as an exaggeration of Goffman's dramaturgical metaphor that provides a clear model for the authority of *ethos* and the rhetoric of confidence. In extending that metaphor, Abagnale also demonstrates the potential of strategic self-presentation described by Jones and Pittman that situates the performer as a calculating and hidden manipulator of social interactions. However, Abagnale's meta-awareness demonstrated in his impersonation, imitation, and adaptation subverts most approaches to the actor's decision-making processes such as Goffman's performer and Jones and Gerard's phenomenal self. Such vocabulary is insufficient to account for the complex processes that underpin cynical performances.

Extending Goffman's dramaturgical metaphor beyond the social interactionist viewpoint of *The Presentation of Self in Everyday Life* creates opportunities to interrogate the determinants of identity construction and strategic self-presentation. While Goffman presents a framework that, in many ways, parallels the analogy of this project, the cynical perspective provided by the impostor allows for a greater understanding of the possibilities of *ethos* beyond an authentic

expression of self. Approaches to social psychology that do integrate the idea of a self as hidden manipulator similarly do not account for the rhetorical strategy of imitation. Even strategies such as ingratiation rely on a performer's notion of an authentic identity. In this view, performance and adaptation is a process of enhancing or emphasizing certain qualities intrinsic to an individual's self-concept. However, integrating imitation as a strategy of identity construction expands the definition of *ethos* and recognizes the metacognitive processes that underpin the creation of a performance.

Functionally, Abagnale's impersonation of a pilot is actually two distinct performances. The first is Abagnale's process of prototype matching in which he defines, researches, and strives to fulfill the subjective criteria that define the pilot figure. The second performance is embodied in the decision-making processes that support that performance. The rhetorical meta-awareness that allows Abagnale to notice and adapt his performance represents a separate mediating structure detached from Abagnale's performance of 'self.' This imitative self informs Abagnale's performance and allows him to consistently adapt and build upon his performance, always aware of his position as an impostor. The imitative self thus functions as a mediating structure that allows for the expansion of *ethos* beyond the character of the rhetor and creates the possibility that *ethos* can be fabricated based on processes of imitation and continual adaptation.

CONCLUSION: CONFIDENCE IN THE POST-TRUTH ERA

While schemes, swindles, and confidence games described in this project may seem antiquated, the fundamental principles that underpin the rhetoric of confidence are universal and at work today. The confidence game in a narrow sense has persisted into the twenty-first century. Schemes such as the Nigerian Prince scheme, Romance Scams, and Catfishing, which all represent reinterpretations of classical cons such as the Spanish Prisoner, have followed us into the digital age. Maurer concludes *The Big Con* by considering the future of the grift. He writes that “[c]onfidence games are cyclic phenomena. They appear, rise to a peak of effectiveness, then drop into obscurity. But they have yet to disappear altogether. Sooner or later they are revived, refurbished to fit the times, and used to trim some sucker who has never heard of them” (313). Even though he speculates that con artists would continue to innovate and improve upon the con, it is unlikely that he could imagine the extents that deception could reach in the digital age.

Abagnale provides an impostor’s perspective in *The Art of the Steal*: “One of the things that always amuses me is that back when I was on the other side of the law, it was harder to commit fraud than it is now. You’d think it would be the opposite. And five years from now it will be easier than it is today. And that’s because of one word—technology” (18). The ways we use technology and, in many ways, live through technology have changed the fundamental notion of trust and deception in everyday life. Konnikova writes that “[t]he con is the oldest game there is. But it’s also one that is remarkably well suited to the modern age. If anything, the whirlwind advance of technology heralds a new golden age of the grift. Cons thrive in times of

transition and fast change, when new things are happening and old ways of looking at the world no longer suffice” (9). Konnikova’s assessment of the confidence game is relevant more than ever. Today, however, con artist’s strategies of dishonesty, trickery, and dissimulation are no longer limited to the confidence game. In the post-truth era, the confidence game, rather than being confined to a scheme, is the framework of everyday life.

Post-Truth *Ethos*

The rhetoric of confidence is the defining rhetorical theory of the post-truth era. The Oxford Dictionaries web site’s definition of post-truth parallels the underlying principles of the confidence game. The Oxford Dictionaries defines post-truth as “an adjective...relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief” (“Word of the Year 2016 is...”). In current practice, the same guiding principles of the confidence game, in which logic is fabricated to gain the confidence of the audience, underscore post-truth rhetoric. Bruce McComiskey elaborates on the values of logical appeals in post-truth rhetoric, emphasizing strategic dimensions that resemble the rhetoric of confidence. The author argues that “[i]n its current usage, post-truth signifies a state in which language lacks any reference to facts, truths, and realities. When language has no reference to facts, truths, or realities, it becomes a purely strategic medium” (6). Reducing post-truth rhetoric to a strategy highlights the implications of the confidence game as a method of inquiry. The confidence game is thus a productive lens for grappling with rhetoric in the post-truth era.

Like in the confidence game, *ethos* functions as the authoritative appeal in post-truth rhetoric. Trust now dominates the rhetorical landscape in the world of social media, fake news,

and demagoguery. McComiskey echoes this point, arguing that “in the topsy-turvy world of post-truth rhetoric, ethos and pathos have themselves become effective sources of arguments, and logos is actually denigrated” (20). Specifically, the concept of character is central to the ethotic scheme of post-truth rhetoric. McComiskey defines post-truth *ethos* as “the performance of credibility whether that credibility is real or fake” (22). Thoughtfully engaging with post-truth rhetoric thus entails deconstructing the performance of character to interpret motivations. The framework of the rhetoric of confidence that situates *ethos* as the authoritative appeal and integrates the possibilities of dissimulation is thus equipped to disrupt post-truth rhetoric

The ways the rhetoric of confidence reevaluates and extends the notion of *ethos* beyond traditional approaches to the means of persuasion carries the most significant implications in the post-truth era to digital rhetoric. Barbara Warnick argues that rather than evaluating credibility in the character or background of the author, “users are more influenced by other factors, such as professionalism of design, usability, relevance and usefulness of the site content, motivation, and other factors that operate as signs of trustworthiness and expertise” (262). Essentially, the character of the text incorporated into the visual design and user interface influences users. In this way, web sites argue for their own credibility and persuade users based on these aesthetic indicators of authenticity. Several scholars have developed taxonomies to address the issues of *ethos* and credibility online. Todd Frobish adds verbal and design competence as a fourth element of the traditional definition of *ethos* recognizing the influence of aesthetics on gaining the confidence of a user. Natasha Dwyer argues that users should analyze web sites in three dimensions, including continuity or reputation, competence and the display of expertise, and the motivations of the producer. Brian Bailey, Laura Gurak, and Joseph Konstan provide a more detailed taxonomy for evaluating *ethos* online outlining a series of trust sources, or impressions a

site might make to gain the user's trust, and dimensions of trust, or the visual indicators that produce an impression. Each of these approaches to online *ethos* function as methods of inquiry not unlike the rhetoric of confidence. Likewise, they all begin in an assumption that digital deception pervades all online interaction.

The possibilities of deception online complicate notions of identity and conventional expressions of *ethos*. Jeffrey T. Hancock highlights the scope of this problem in "Digital Deception: The Practice of Lying in the Digital Age," arguing that "[w]ith the advent of modern information and communication technologies, most notably the Internet, we have all the power of the gods, at least with regard to deception" (109). Defining digital deception as "the intentional control of information in a technologically mediated message to create a false belief in the receiver of the message," Hancock echoes post-truth concerns of *ethos* intrinsic to belief. Hancock highlights that digital deception can take the form of faking identities or faking the content of communication. These distinct paths to deception parallel two common concerns of post-truth rhetoric in social media deception and fake news.

Social Media, Fake News, and the Rhetoric of the Demagogue

In 2018, an article from *New Knowledge* reported on findings that the Russian-state supported Internet Research Agency (IRA) conducted an extensive disinformation campaign through social media platforms designed around diminishing trust between political and social groups to influence the 2016 presidential election. The strategies of these campaigns included creating fake social media accounts to emulate affinity groups and pushing content "to manipulate and influence Americans, exploiting social and political divisions" (DiResta et al.). The overall goal of the IRA resembles a sophistic argument in its methods. Through the

circulation of misinformation, the IRA enhanced the identification within affinity groups while diminishing the credibility of opposing arguments within those communities. The mission of the IRA's interference embodies the concept of the ethotic scheme.

Many scholars have described the extents and implications of fake news and misinformation in the post-truth era. McComiskey argues that “[f]ake news is an insidious form of post-truth rhetoric, and social media exponentially increases the problems of misinformation and narrow-mindedness” (19). In a study to understand how users receive and circulate news through social media platforms such as Facebook, the authors of “News Recommendations Social Media Opinion Leaders: Effects on Media Trust and Information Seeking” argue that Facebook users are more likely to trust information shared by a friend and users evaluate credibility of that news based on the perceived credibility of the friend that shares it, not the source itself (Turcotte et al.). Ruth Marcus argues that “[i]n this post-truth universe, institutions—news media, the intelligence community—are drained of all credibility.” Effectively, users end up concluding that everything they encounter on the internet is fake. Max Read equates this phenomenon with a hypothesis described as “the Inversion,” in which so much of the internet is fake “systems for detecting fraudulent traffic would begin to regard bot traffic as real and human traffic as fake.” The difficulty in distinguishing fake content from real highlights the necessity of expanding rhetorical theory to account for such dramatic circumstances. Interrogating rhetoric designed to deceive, such as in the confidence game, creates a space in which we can develop mechanisms for disrupting the circulation of fake news by teaching students how to analyze and recognize digital deception.

The political rhetoric of Donald Trump dominates most of the conversations of post-truth rhetoric. Trump embodies the post-truth notion of denigrating logic in favor of emotion and

belief and emulates the rhetoric of fake news in his own political rhetoric. An article from the *Washington Post* states that by February 17, 2019, just over two years into his presidency, Trump has made 8,718 false or misleading claims. Trump's rhetoric is purely ethotic, focused entirely on gaining the confidence of his base with no regard for logical consistency. McComiskey argues that "[u]sing post-truth ethos (at the expense of logos), Trump projects not his personality traits for others to judge but whatever personality traits will win the rhetorical day. Trump is a first-rate actor in the post-truth world of made up credibility" (22).

The Rhetoric of Confidence

Rethinking *ethos* through the analogy of the confidence game ultimately provides a lens for disrupting current issues surrounding effective persuasion and the landscape in which trust and credibility are unfixed and highly subjective. The rhetorical effectiveness of the confidence game suggests the need to extending notions of *ethos* beyond traditional concepts of character and credibility. Current concerns of social media, fake news, and political rhetoric highlight the need for rethinking *ethos* as the rhetoric that characterizes the post-truth era. The potentials for deception online far exceed the dangers of the confidence game. But the underlying similarities between the two suggest that by analyzing the rhetorical structures that support confidence scams, forgeries, and imposture, we can develop an effective heuristic for analyzing and engaging with the rhetoric of trickery that pervades the internet and mass media.

Viewing rhetorical theory through the lens of the rhetoric of confidence centralizes *ethos* and recognizes the extent and authority of the ethotic argument. Generally, the rhetoric of the confidence game and post-truth rhetoric are parallel persuasive structures. They feature similar methodologies in the privileging of *ethos* and similar outcomes in affecting misrepresentation

and deception. However, the confidence game presents a pure example of ethotic deception and has been thoroughly recorded and scrutinized. Reframing the confidence game as a rhetorical argument rather than a criminal act isolates its strategies for deception that overlap with the ongoing, rhetorically complex post-truth era.

The first dimension of the rhetoric of confidence, the ethotic scheme, explores the implications of situating *ethos* as the central purpose of arrangement. As outlined in “Chapter 3: The Confidence Game and the Ethotic Scheme,” con artists deploy a highly structured scheme that reflects the division of arrangement outlined in the classical era. However, the purpose of the confidence game is only to gain the confidence of its audience. In that model, the value of logic is diminished in that the con artist fabricates it for the singular purpose of creating trust. Each division of arrangement thus emphasizes the appeals to emotion and the creation of trust through appeals centered in the integrity of the con artist, goodwill between the grifter and the mark, or the plausibility of the scam.

Within post-truth rhetoric, the ethotic scheme can account for the strategies for circulating misinformation online. In the example of the IRA, authors of the “The Tactics & Tropes of the Internet Research Agency” examine the strategies of misinformation used by the IRA. The central outcome of those strategies is to manipulate the beliefs of rivaling audiences through the deployment of *ethos* as a rhetorical strategy. Each component of the campaign, including social media posts and circulation of meme images, function to enhance the credibility of preferred material, diminish the credibility of material that might contradict the preferred opinion, and encourage group affinity and tribalism. It is necessary to analyze as an ethotic scheme and recognize the centrality of *ethos* and its authority as a rhetorical strategy to interpret the extent of the influence the IRA campaign has had.

While the ethotic scheme is suited to interpreting the overarching rhetorical strategies in the post-truth era, the character of the text, outlined in “Chapter 4: A Forger’s Ethos and the Character of a Text,” is suited to interrogate the content of misinformation directly. The character of a text recognizes the notion that a text can have ethotic qualities distinct from the character of the author. In forgeries, this concept is evident in the strategic design of the fake works that allow them to argue for their own authenticity in isolation. Essentially, the character of the text enables us to interpret aesthetic and seemingly indeliberate components of a text as ethotic arguments.

As scholars such as Warnick and Frobish point out, in online communication, the visual design of websites is often more persuasive than conventional markers of credibility. Users view the elements of design as evidence of expertise, credibility, and competence. In the post-truth era, this allows the creators of fake news to attract and persuade audiences under false pretenses. The textual components of user interfaces, visual design, and multimodality, although nonlogical elements, function persuasively by arguing for the credibility of the information and the authenticity of the site. Similarly, the recurring designs of memes situate ideas within a familiar visual framework. The framework or format of the meme itself thus functions as an ethotic argument that situates the content of the meme within an established rhetorical domain. The format likewise promotes circulation within those communities. In these cases, users evaluate the character of the text rather than its source or the *ethos* of its author.

The notion of authorship or identity itself is especially complicated in the post-truth era, and the imitative self dominates the construction of identity online. In “The Rhetoric of Impostors and the Imitative Self,” analyzing the self-presentation strategies of an impostor reveals the possibilities of strategic self-presentation completely removed from the self-concept

of the rhetor. Frank Abagnale outlines a strategy of self-presentation in which he appropriates the persona of a prototypical figure to fabricate the *ethos* of authority. He utilizes an array of constructive strategies, manipulating appearances, language, and behavior to craft an inauthentic performance and deceptive expression of identity.

Within the framework of digital rhetoric, the IRA demonstrates the potential of the imitative self. One of the major allegations against the IRA was that the agency created fake social media profiles to establish credible online personas and circulate misinformation. The affordances of technology and the internet further complicate identity and amplify the strategies of impostors such as Abagnale to an extreme. Figures such as Abagnale represent a reductive and applicable heuristic of interrogating identity. Knowing the methods through which identity can be imitated and performed provides a mechanism for developing an awareness of the complexities of digital *ethos*. Outside of the digital landscape of the post-truth era, figures such as Trump highlight the authority of *ethos* in current public rhetoric. Much of the analysis in this project depends on the notion that the confidence man figure embodies current perceptions of rhetoric. Trump verifies that notion and even furthers it through his complete rejection of *logos*. We must expand rhetorical theory – and the theorization of *ethos* in particular – to account for Trump’s deviant rhetorical practices.

Accordingly, the rhetoric of confidence represents an approach to *ethos* uniquely suited to disrupt and interrogate the current rhetorical landscape defined in the post-truth era. The analogy of the confidence game provides the framework for rethinking the boundaries of *ethos*. It is clear in both the rhetoric of confidence and the post-truth circulation of ideas that when situated as the authoritative appeal and the outcome of argumentation, *ethos* can destabilize traditional notions of rhetorical theory and enable deception. Future implications of this study include elaborating

upon the scope of *ethos* in post-truth rhetoric. This project marks the development of an analytical framework and method of inquiry designed to enable more constructive discussions of the functions of *ethos* and the complexities of post-truth rhetoric. While this project provides an overview of the system of analysis which I call the rhetoric of confidence, each dimension of that framework – the ethotic scheme, the character of a text, and the imitative self – carries its own implications toward critical thinking as well as composition. In the following section, “Epilogue: Academic Writing as Confidence Game,” I explore some of the implications this theory has toward composition pedagogy and critical inquiry. Ultimately, this project serves as a starting point to initiate the conversation about the authority of *ethos* in rhetorical theory.

EPILOGUE: ACADEMIC WRITING AS CONFIDENCE GAME

To cow (v. intrans.) or the act of cowing:

To list data (or perform operations) without awareness of, or comment upon, the contexts, frames of reference, or points of observation which determine the origin, nature, and meaning of the data (or procedures). To write on the assumption that “a fact is a fact.” To present evidence of hard work as a substitute for understanding, without any intent to deceive.

To bull (v. intrans.) or the act of bulling:

To discourse upon the contexts, frames of reference and points of observation which would determine the origin, nature, and meaning of data if one had any. To present evidence of an understanding of form in the hope that the reader may be deceived into supposing a familiarity with content.

William Perry, “Examsmanship and the Liberal Arts: A Study in Educational Epistemology” (1963)

In “Examsmanship and the Liberal Arts: A Study in Educational Epistemology” (1963), William Perry tells the story of a student, referred to only as Mr. Metzger, who sits for an exam in a class which he is not enrolled in and has never attended. With nothing but the title of a book, a vague prompt, and some assumptions about the author’s background, Metzger earns an A- on

the essay. In his account of the controversy, Perry reveals many aspects the student's rhetorical strategy, which he later defines as 'bull':

The essay question had offered a choice of two books, Margaret Mead's 'And Keep Your Powder Dry' or Geoffrey Gorer's 'The American People.' Metzger reported that having read neither of them, he had chosen the second 'because the title gave me some notion as to what the book might be about.' On the test, two critical comments were offered on each book, one favorable, one unfavorable. The students were asked to 'discuss.' Metzger conceded that he had played safe in throwing his lot with the more laudatory of the two comments, 'but I did not forget to be balanced.' (4)

Perry characterizes his 'hero-villain,' "the Abominable Mr. Metzger," as a rare example of 'pure bull' in contrast to more conventional approaches to knowledge-making which he locates in the term 'cow.' Perry's definitions of these terms resemble dictionary entries in their detail and represent a continuum of knowledge. Through a rhetorical lens – and with an even more specific consideration of *ethos* – these terms resemble the difference between the virtuous rhetoric of classical rhetoric and the contemporary archetypal confidence man. Metzger, as an example of pure bull, functions as the confidence man and illustrates the potential of trust and confidence in an academic setting. By "present[ing] evidence of an understanding of form," Metzger effectively causes the grader to place their confidence in Metzger's "familiarity with content" (7).

As a confidence man figure, Metzger displays all the elements of a rhetoric of confidence to make the grader trust in his knowledge of the text. Metzger's ethotic scheme comes from choice to focus on providing a mostly balanced discussion of the two comments provided in the prompt. Through his arrangement, Metzger emphasizes a central concept of 'cultural relativity'

and provides a clear exigence by suggesting Gorer's work contributes objective "insights into the nature of our culture" (5). Metzger even concludes with an emotional appeal to the reader, using the cliché, yet lofty, expression: "We are thus much the richer." The character of the text itself is evident in aesthetic detail ranging from the authenticity of an exam blue-book to Metzger's use of specialized vocabulary. Metzger also effectively adopts the persona of an impostor by using that vocabulary but, more importantly, by situating assumed topics of Gorer's work relative to his own cultural experience, "[d]rawing in part from memories of table-talk on cultural relativity and in part from creative logic" thus crafting an authorial *ethos* (4-5).

Through this story of Metzger's confidence game, Perry explores the gap between conventional academic expectations and the potential of bull as a framework for effective communication. In his essay, Perry elevates the notion of bull and makes the argument that the act of bulling is an important aspect of knowledge. Perry celebrates 'the arts of gamesmanship' as an example of critical thinking. He concludes that the ability to perform authority, while morally questionable, is rhetorically effective. Rather than focusing on surface details or "facts that are facts," bulling allows students to define and explore greater crucial frameworks of relevancies. Thus, the rhetoric of confidence found in the underpinnings of the rhetoric of con artists, forgers, and impostors serves as an important starting point for developing critical inquiry. While it seems counterintuitive to teach students how to perform as con artists, as Perry puts it, "[w]e can hardly allow a mistaken sense of fraudulence to undermine our students' achievements." The confidence game as a method of inquiry serves to highlight the ways author's secure the trust of the audience. This methodology is applicable and transferable to students as a framework for composition and for critical thinking and analysis.

In many ways, academic writing is an elaborate performance – perhaps even a confidence game. Significant and often overlooked dimensions of effective academic writing include the possibilities of crafting a text that engages and gains the confidence of the reader and the writer’s performance of authorial personas appropriate to the rhetorical situation within that text. Essentially, reevaluating composition through the lens of the confidence game leads us to the central concern of a rhetoric of confidence: How does writing instruction change when we situate the purpose of writing as gaining the confidence of one’s audience? In this chapter, I interrogate that question and the performativity of academic writing by narrowly focusing on *ethos* and a rhetoric of confidence as a model of composition.

Adapting the rhetoric of confidence to the writing classroom reveals similarities to existing writing pedagogies as well as the ways we might overlook the character of the author and the relationship between the writer and the audience. Essentially, the rhetoric of confidence places the entirety of the emphasis in academic writing on *ethos* – specifically, concerns including trust as the authoritative appeal, the writer’s relationship to the audience, and the awareness of the ways the character of both the author and the text affect that relationship. In this chapter, I describe the rhetoric of confidence through the lens of composition and writing instruction to highlight the similarities between the rhetorical underpinnings of confidence games, forgeries, and imposture and academic writing. In their reflections – excerpts of which I include here – students often point to such lessons as fundamental to their development as writers, suggesting the pedagogical value of treating writing as performance. Specifically, students begin to imagine how they might become con artists themselves, enacting a rhetoric of confidence to appropriately consider their audience and craft persuasive, ambitious arguments. The context of composition pedagogy provides opportunities to adapt fundamental concepts of a

rhetoric of confidence to writing in ways that are not necessarily evident in a strict rhetorical analysis of the confidence game. Similarly, the affordances and rhetorical concerns of con artists disrupts conventional notions of the writing process by narrowing the focus to a single rhetorical appeal.

Just as Perry furthers the notion of performativity in his discussion of “the act of bulling,” I explore how we might integrate ‘bull’ into the curriculum of the composition classroom. Many scholars have explored similar ideas in composition theory, including David Bartholomae, Linda Flower and John Hayes, and Kathleen Blake Yancey, Liane Robertson, and Kara Taczak. In “A Cognitive Process Theory of Writing,” Flower and Hayes centralize the need for metacognitive awareness in the writing process, arguing that students should be aware of the decision-making processes that underpin writing. Yancey, Robertson, and Taczak take a similar view that integrates an awareness for the greater relevance of writing skills and how they transfer between writing situations. Metacognition is the lynchpin of these approaches to composition. While models of composition pedagogy such as Writing Across the Curriculum and Writing in the Disciplines integrate notions of performance and identity, I argue for situating *ethos*, identity, and performance as central to the writing process – essentially, the rhetoric of confidence might function as a fundamental rhetorical paradigm rather than a composing process.

In this chapter, I present a model of composition pedagogy that applies a framework of performativity and identity in response to Perry’s discussion of bull. In writing courses focused on interrogating the rhetoric of trickery, hoaxes, and confidence scams, I centralize the implications of *ethos* and challenge students to similarly design and enact personas tailored to their rhetorical situations, paralleling the grifter and mimicking the discourse of academic rhetorical domains. In previous chapters, I outlined three dimensions of a rhetoric of confidence

and the ways those categories – the ethotic scheme, character of a text, and imitative self – guide the success of con artists and underpin contemporary cultural deceptions. However, in this chapter, I treat the rhetoric of confidence as a productive process rather than an analytical framework. In their reflections, students often point to such lessons as fundamental to their development as writers, suggesting the pedagogical value of treating writing as performance. Specifically, students begin to imagine how they might become con artists themselves, enacting a rhetoric of confidence to appropriately consider their audience and craft persuasive, ambitious arguments.

The Role of Confidence in Writing Instruction

In many current approaches to composition pedagogy, *ethos* is a central point of discussion. Relating to notions of self, voice, and identity, *ethos*, according to S. Michael Halloran, is a “starting point for thinking about the teaching of writing” (60). However, the reasons behind developing the “style or manner appropriate to audience” becomes much more apparent when we situate *ethos* as the authoritative appeal and consider how decisions concerning the voice of the author affect persuasiveness of an argument (Swearingen 135). In the confidence game, the con artists’ concepts of *ethos* are accompanied by their sophisticated ability to recognize and reflect on their rhetorical decision making. These concepts of rhetorical meta-awareness and metacognition likewise have received much attention in the tradition of composition studies.

Ethos in writing instruction, especially in the way it overlaps with the confidence game, is often treated as performing authority. David Bartholomae describes the need for students to

appropriate the language and specialized discourse of academic writing “to carry off the bluff” (5), while Robert Brooke argues that:

When a student (or any writer) successfully learns something about writing by imitation, it is by imitating another person, and not a text or process. Writers learn to write by imitating other writers, by trying to act like writers they respect. The forms, texts, processes are in themselves less important as models to be imitated than the personalities, or identities, of the writers who produce them.” (Brooke 23)

However, I would argue that while the character of the author is central to understanding the role of *ethos* in writing, the “forms, texts, and processes” involved in shaping and expressing the character of the author is an aspect of *ethos* worth considering as demonstrated in the sophistication of confidence games. In *Writing and Identity: The Discoursal Construction of Self in Academic Writing*, Roz Ivanič develops a framework for understanding how writers craft authorial personas by drawing on the dramaturgical analogy Erving Goffman describes in *The Presentation of Self in Everyday Life* (1956). Specifically, Ivanič argues the distinction between writer-as-performer and writer-as-character. Essentially, one being the mediating persona and the other, the persona on display to the reader.

In her discussion of Goffman’s analogy, Ivanič introduces an opportunity to expand our approach to *ethos* when she describes an element of Goffman’s dramaturgical analogy that applies to the character of the speaker. In describing how an individual “intentionally or unintentionally expresses himself,” Goffman states that these expressions come in two forms: “the expression that he *gives*, and the expression that he *gives off*” (Goffman 2). Ivanič argues that “writers are usually unaware that they are ‘giving off’ an impression of themselves,” but since both Goffman and Ivanič recognize that those unintentional expressions impact the

impression of character, I would argue that it is necessary to consider how we might develop a meta-awareness of those expressions in the same way that con artists craft deceptive personas.

While the common approach to *ethos* tied to the character of the author is relevant to the rhetoric of confidence, the success and sophistication of con artists demonstrate that *ethos* extends beyond the character of the rhetor. Overall, con artists manipulate *ethos* and gain the confidence of their marks in three distinct dimensions. The first, which is more closely related to Goffman's term *give*, is the way they craft identities that allow them to gain the confidence of the mark. The other dimensions include the process or arrangement of the scheme itself and fabricated 'texts' involved in counterfeiture and forgery. These qualities are implicit, seemingly unintentional expressions of character in the con artist and important components of their success which intersect with the experiences of writers.

The Ethotic Scheme

The implications of the question of what changes when we reduce the purpose of writing to gaining the confidence of the reader begins with viewing academic writing as an ethotic scheme. The term 'ethotic scheme' refers to the persuasive strategies that become apparent when we reexamine the rhetorical canon of arrangement through the lens of *ethos* and confidence. The topic of trust is assumed in any writing pedagogy and deliberately built into pedagogies that emphasize audience. However, situating the ethotic scheme as a framework for writing highlights that relationship and causes students to notice opportunities to develop persuasiveness in their writing processes. In a sense, asking students to gain the confidence of their audience more fully integrates the notion that they are in conversation with their audience with the need to be persuasive. Essentially, the ethotic scheme is a transferable paradigm that allows students to

see the connections between their rhetorical decision-making and their abilities to persuade an audience.

The principles of the ethotic scheme are already fundamental to composition and the rhetorical canon of rhetoric. As a heuristic, the ethotic scheme is concerned with interrogating the rhetorical decision-making processes that underpin the broader rhetorical strategies of a text. However, the lens of the ethotic scheme narrows the purpose of academic writing to a single question of whether the author will gain the confidence of the reader. This lens simplifies – and arguably oversimplifies – complex concepts that act as barriers to students just entering academic discourse. Suddenly, students might realize the significance of grabbing their readers’ attention with emotional appeals, clearly and thoroughly walking through their thought processes, and simply including parenthetical citations.

Focusing on a single purpose also gives the ethotic scheme flexibility and adaptability. Unlike many approaches to arrangement that present strict models and organizational patterns, the ethotic scheme is a guiding principle determined by the discourse community. Just as “[c]on artists’ stories can be designed to match the experiences of the environment and understanding of potential victims,” academic arguments must also be adapted to their purposes (Frankel 27). In other overviews of arrangement, scholars such as George Kennedy and James Kinneavy demonstrate that arrangement can be adapted and restructured for various purposes – just as the con artist consistently makes changes to the structure of a scheme, writers may also make omissions and additions to best support their ethos. Overall, the diversity in confidence schemes and the fact that arrangement is dependent on audience and purpose challenge students to closely consider the decisions they make during the writing process and how those decisions help gain the confidence of the audience.

The Character of a Text

While the ethotic scheme simply asks students to become more aware of how their large-order rhetorical decisions affect the persuasiveness of an argument, the character of a text is a much more unfamiliar concept in composition studies. The aesthetic conventions of academic writing often feel arbitrary, especially to students, and the sentence-level elements are often associated with concepts of voice or tone rather than any implicit appeal by the text itself. However, writing conventions often indicate the purpose, authenticity, and discipline of the text and the language students use is often not their own. From the use of discursual vocabulary to the ways students integrate outside sources, there are several instances in which the text makes an argument that is distinct from the character of the author. Like with the ethotic scheme, the character of a text is an opportunity for students to notice the implications of their decision-making processes. Being able to notice these implications is important to students for two reasons. First, it allows them to rationalize seemingly arbitrary parameters for academic writing. Second, noticing the defining features of an academic text effectively allows students to craft an ‘original forgery’ of such a text and create an authentically scholarly argument themselves. The metacognitive practices of reproducing the scholarly academic writing process dismantles some of the perceived barriers of entry to an unfamiliar discourse community and provide the writers with a framework within which they can confidently express their ideas.

The relationship between the forgery and the original is still important in a pedagogical model of the rhetoric of confidence, but producing a forgery raises new concerns. The focus of forgery in an academic setting is not to create copies but to emulate the qualities that define scholarly writing. The purpose from the perspective of writing is to produce an ‘original forgery.’ Gary Alan Fine and Sheldon Keck illustrate in their definitions of forgery, original

forgeries are not in the same vein of conventional forgeries. In an original forgery, the artist crafts the original piece to create the impression of authenticity rather than a copy. Essentially, it is mimicry of the aesthetic, stylistic qualities that defined a text's authenticity within a defined discourse community. In terms of an original forgery for an academic text, the question is whether the text is an authentic reflection of the expectations and conventions of the discourse community.

Aline Saarinen perhaps highlights the central concern of academic writing as original forgery when she poses the question: "If a fake is so expert that even after the most thorough and trustworthy examination its authenticity is still open to doubt, is it or is it not as satisfactory a work of art as if it were unequivocally genuine?" (Saarinen 14). The central concern that the character of the text addresses is the notion of authenticity and a student's question of whether their writing is scholarly. In order to effectively gain the confidence of the audience, the author must have confidence in the text. In *The Act of Creation* (1964), Arthur Koestler contends that "if van Meegeren can paint Vermeers as good as Vermeer himself" and those paintings are no less beautiful and produce as much aesthetic pleasure as the original, then there is no reason to remove them from a museum (401). This argument for authenticity even in a forgery demonstrates that if they craft an essay that has all the qualities of a scholarly argument, deploys the specialized language of the field, engages its *kairotic* moment, and incorporates both defined writing conventions of citation models and common conventions of style and arrangement, then they produced an effectively scholarly piece of writing. Rudolf Arnheim describes the act of duplicating in his article, "On Duplications," stating that "all works of art are basically duplicates of one another in that they are all engaged in the same task" (245). Essentially, the act of

participation in a discourse is a form of duplication as writers consistently produce texts that reflect their disciplines, purposes, and audiences.

Authenticity, in this view, then becomes a matter of carefully crafting a text to fit within the established norms of a discourse community. In *Languages of Art* (1976), Nelson Goodman points out that the forgeries are assessed and authenticated relative to an artist's extant *oeuvre*. There is no objective measure for the authenticity of an essay except the question of whether it effectively incorporates and responds to the standards dictated by the relevant discourse community. Han van Meegeren's fake 'Vermeer' *Supper at Emmaus* (1937), for instance, met such a standard. By using seventeenth century pigments, oils to create hardness, antiquated badger-hair brushes, and recycled canvases, as well as a mastery of Dutch painting, van Meegeren created a credible and persuasive original forgery of Johannes Vermeer. In the same way, a writer that recognizes and incorporates organizational conventions, credible outside research, common discursal knowledge, and specialized vocabulary will create a piece of writing that argues for its belonging within a discourse community.

An important element of original forgeries is their originality and how that originality becomes authentic. Goodman argues that good forgeries become part of the "precedent class," meaning that they are effectively part of the body of work used to authenticate other works. Van Meegeren, for instance, effectively added his characteristic heavy chestnut eyes and religious themes to Vermeer's *oeuvre* – he made an original contribution to an established body. Similarly, writers are not strictly held to the expectations of a discourse – originality does have a place in academic writing.

The Imitative Self

While the approach to rhetoric of confidence present thus far highlights dimensions of *ethos* typically overlooked, the character of the author remains its most important aspect. Fundamentally, an ethotic approach to rhetoric hinges on the audience placing their confidence in the character of the rhetor. The ethotic scheme and the character of a text are rhetorical strategies that support that final measure of confidence. However, the rhetoric of the confidence game complicates traditional approaches to *ethos* from the standpoint of writing. While the *ethos* of the author is often discussed as a relatively fixed expression of identity or a cultivated authorial persona, con artists demonstrate that the performance of character is deliberately crafted and even fabricated with a defined rhetorical situation based on the appropriation and self-fashioning.

Many composition scholars have recognized the performativity of academic writing. Most significantly, Bartholomae describes the process of students imitating figures of authority in academia:

To speak with authority they have to speak not only in another's voice but through another's code; and they not only have to do this, they have to speak in the voice and through the codes of those of us with power and wisdom; and they not only have to do this, they have to do it before they know what they are doing. (17)

The imitative self enables that performance by allowing students to notice that they are not only performing a particular voice, but actively imitating that voice – acting as an academic impostor.

The most significant discussion of *ethos* as a set of crafted personas is in Roz Ivanič's *Writing and Identity: The Discoursal Construction of Self in Academic Writing* (1998). In her book, Ivanič defines the varying personas students enact within the writing process. These

personas include the autobiographical self, the discorsal self, and the self as author. These personas exist on a continuum of distance relative to the author and the audience. The autobiographical self is the authentic expression of the authors identity, furthest from the author's concept of audience, while the discorsal self is a product of the conventions of the target discourse community, detached from the autobiographical self.

Borrowing the dramaturgical analogy from Goffman, Ivanič outlines the ways that these senses of self are mediated and deployed during the writing process. Specifically, Ivanič draws on Goffman's figures of performer and character to describe the way writers craft and enact various writing personas. Ivanič writes that the "writer-as-performer's task of creating a writer-as-character: negotiating among alternative possible ways of being positioned by those discourses s/he has available" (21). However, as I argue in chapter 6, the rhetors sense of performance and, thus, the resulting character, is informed by a notion of imitation as the rhetor appropriates or crafts inauthentic personas.

The difference offered by a rhetoric of confidence is that it emphasizes the deception fundamental to creating authorial personas. Perry's Mr. Metzger, for instance, did actually adopt an authorial persona – he simply imitated that role one within the boundaries of a rhetorical moment to gain the confidence of the grader. The distinction between the writer-as-performer and the imitative self is simply in the specific attention paid to the notion of imitation that is not explicit in Goffman's *performer* or Ivanič's interpretation of writer-as-performer.

The best analogue for the significance of imitative self or, perhaps, writer-as-impostor is in literary forgery. In a literary forgery, the literary forger effectively performs or impersonates the authorial voice of another author. In these cases, the forgery is not a performance of the author's character but an act of imposture. Sonia Marie Cole describes literary forgery as a

unique domain of deception and, in *Counterfeit* (1957), distinguishes it from more traditional approaches to forgery by emphasizing the performativity:

To be successful, a forger needs more than the mechanical ability to imitate the handwriting of his victim ; he must take into account peculiarities of style, composition, grammar and spelling, as well as paying particular attention to contemporary allusion.

Not only this : the forger must literally assume the personality of the man he imitates—as does a great actor, or a person under hypnosis. (Cole 47)

In her description of literary forgery, Cole outlines a list of details a writer might focus on in order to effectively carry off the bluff of belonging in a particular discourse community. Within an academic context, this forgery would not constitute plagiarism as the writer is simply emulating the style, tone, and authority of another author.

Academic Cons and Hoaxes

In 1996, an article titled “Transgressing the Boundaries: Toward a Transformative Hermeneutics of Quantum Gravity” appeared in the academic journal *Social Text*. Almost simultaneously, Alan Sokal published a letter titled “Revelation: A Physicist Experiments with Cultural Studies” in *Lingua Fracta* outing himself as the perpetrator of a hoax, stating that he wrote “Transgressing the Boundaries” as a parody in response to “an apparent decline in the standards of rigor in certain precincts of the academic humanities” (Sokal 49). Since then, there have been numerous such hoaxes, including “The Conceptual Penis as a Social Construct: A Sokal-Style Hoax on Gender Studies” and the prolonged “Grievance Studies,” aimed at exposing perceived issues with the quality of academic discourse.

Situating academia in the context of the confidence game, Konnikova describes the case of social psychologist Diedrik Stapel, who in 2012 was found to have falsified or fabricated data included in over fifty-five academic publications. In 2014, after analyzing Stapel's body of work to identify any trends that might expose fakery in academia, they discovered that "the deceitful papers used far more words related to the nature of the work itself—how and what you measure—and to the accuracy of the results. If there's not much substance, you 'paper' more: you elaborate, you paint beautiful prose poems, and you distract from lack of substance" (Konnikova 41). The academic hoaxes from authors like Sokal intentionally lack substance as a means to prove their points.

While the focus of this project is to develop a theory for understanding the possibilities and significance of *ethos*, situating this project as the basis for composition theory necessitates discussing the ethics of called academic writing a confidence game. While the ethotic scheme, character of a text, and imitative self that make up the rhetoric of confidence function as a method of inquiry and, perhaps, mechanism of developing writing practices, they represent frameworks for investigating or entering unfamiliar writing situations. In the terms of Perry, these hoaxes are examples for pure bull. Perry, however, discusses the application of confronting bull and considering the relationship between frameworks that lack substance and substance that lack frameworks. The rhetoric of confidence allows students to develop a meta-awareness for the place of bulling in the academic model of writing.

In addition, confronting trickery directly and as a class community opens up the opportunity for interrogating and discussing the ethics of bullshit. As students demonstrate in their reflections, which I discuss in the following section, the lens of the confidence game empowers them with a new way to analyze the rhetoric of everyday life and a mechanism for

developing the confidence to assert their ambitious ideas within the intimidating academic discourse.

As I discuss in the previous chapter, the post-truth rhetoric that pervades all corners of our lives presents new challenges to critical thinking and thoughtful communication. In his discussion of post-truth rhetoric, McComiskey summarizes the benefits of engaging with deception and dissimulation:

I believe that we need to confront post-truth rhetoric head-on. Bullshit must be held to a standard of evidence that it cannot survive. Fake news must be held to a standard of truth that it cannot withstand. Ethos and pathos at the expense of logos must be held to a standard of reasoning that they cannot endure. And the Trump effect must be countered with ethical rhetorical standards that prevent the future development of bullshit, fake news, and ethos and pathos at the expense of logos. (44)

My perspective on this issue is that in domesticating post-truth rhetoric by isolating it in the confidence game, students can thoughtfully engage with and critique the rhetoric of trickery without the distraction of the complexities of the digital age. This reductive approach serves as a paradigm that they can apply to new situations and transfer between writing situations.

Student Perspectives on a Rhetoric of Confidence: Looking Askance

In *Looking Askance*, Michael Leja describes the air of humbug that defined American at the beginning of the twentieth-century:

To function successfully, even to survive, every inhabitant of the modern city, every target of competitive marketing, every participant in the new mass culture, every beneficiary of

modern science and technology, every believer in spiritual realms had to process visual experiences with some measure of suspicion, caution, and guile. (1)

The habit of ‘looking askance’ that developed in this period as a response to the increasing pervasiveness of deception, fraud, and swindles in the wake of Thompson’s arrest and P.T. Barnum’s rise to fame equates to the concept of critical analyticity that underpins composition studies.

For several semesters, I have taught courses on the rhetoric of the confidence game, asking students to interrogate the rhetorical underpinnings of scams and forgeries. Through the semester, they reflect on the tricks and techniques of con artists through a rhetorical lens and learn to approach arguments with a sense of analyticity. Each semester, students apply that sense of critical inquiry to the arguments they encounter in everyday life in the form of advertisements, artwork, social media, news media, and politics. Through this process, students developed strategies for actively questioning the content they interact with rather acting as passive consumers. At the conclusion of each semester, students write a reflective essay in which they describe their experience in the course and how the rhetoric of the confidence man has shaped the way they think or write. In one reflective essay, a student describes the benefits of looking askance and notices the ways that media functions persuasively by equating everyday arguments to the confidence game:

In writing my third essay, I discovered that something as simple as marketing for a movie can turn out to be an enormous scam that can charge the public at large an unthinkable sum of money to see a movie that in all honesty, just isn’t good. The fact that someone’s advertising can be good enough to convince what feels like the whole world to see a subpar movie, and then maybe even con them into believing they enjoyed it,

demonstrates the importance of being able to use rhetoric. This, of course, is not the only example of the grift present in everyday life, but it exemplifies the fact that con artistry exists in some way in every facet of life, even if it is exceedingly small. In the future, knowing this fact will mean so much, because I will not be so trusting and naïve as to assume that everything I see on the surface is true. This course has taught me to examine my own writing, the writing of others, and the manipulated media that is put into the common forum for signs of complexity and manipulation. This life skill will help me recognize elements of the confidence game in other people's work, which will in turn help me employ them in my own work. As a result, I will become much more rhetorically effective in everything I present to the world.

This student demonstrates how the application of a simple paradigm of trickery developed from the confidence game extends to complex and multidimensional arguments that thread through advertising, media, and community. The confidence game is especially suited to my teaching philosophy because I am primarily interested in the notion of meta-awareness. I believe that effective communication is centered in understanding the processes that underpin rhetorical decision making. This student applies that sense of meta-awareness not just to the con of advertising but in her engagement with academic writing.

Student Perspectives on a Rhetoric of Confidence: Laying Down a Positive Con

Besides the sense of critical inquiry developed from the skepticism of 'looking askance,' the confidence game also serves as a handbook for persuasion. Rather than learning to scam their readers, students can learn from the con artist how to evaluate an audience, adapt an argument to meet their expectations, and write with an awareness for the effects their words have on their

readers. In *The Big Con*, Maurer describes the intuition that guides the con artist's rhetorical strategies:

In all seriousness, however, the most important qualification for a roper—so important, in fact, that he would starve without it—is what is known in the underworld as ‘grift sense’...It appears to be a faculty which the grifter is acutely aware of when he needs it; a something that ‘clicks’ within him, telling him when he meets a mark that he can beat, enabling him to sense at once whether or not the man is good for a play and to chart the mark's probable reactions to the game; it guides him materially in eliciting the proper response from his victim, and ‘tells’ him how to handle the particular man in question. (Maurer 141-142)

While ‘grift sense’ is a mystery to con artists, through thoughtful writing practices and an awareness of the demands of the rhetorical situation, students can learn to notice the ways in which they can craft persuasive arguments tailored to the task of engaging and persuading an audience. Making seemingly intuitive writing practices deliberate rhetorical decisions empowers students to be critical of their own writing processes and develop effective writing practices. In the same reflection, this student notices the significance of a thoughtfully constructed argument by considering why people fall victim to the con artist's scams.

Upon seeing the theme of this class, I thought, “How odd.” In my time in CA 102, we have studied the complexity of the archetypal con artist from almost every angle. In doing so, I have learned the motives of a con artist and how he manages to be rhetorically effective in every situation. I have learned the process by which every con artist undertakes a scam and the reasons why an abundance of marks still let their guards down and are persuaded to the con artist's way of thinking. Similarly, I have learned that the

motive of a writer should be to effectively persuade the audience to his point and to use rhetoric to establish and explain his argument. I have learned to better my writing by making use of good organizational skills to create a clearly defined plan of convincing the audience of the argument. I have learned to understand and capitalize on the audience's beliefs in order to gain their trust and then persuade them of the truth of my argument. Most importantly, I have learned that these processes echo each other, and that studying the motives of a con artist is a beneficial practice because it encourages rhetorical effectiveness and a desire to gain trust of the reader, which in turn makes one's writing more engaging and persuasive.

Like earlier in the reflection, this student finds a direct correlation between her analysis of the confidence game and her writing practices. The skills she identifies as transferable relate to organizational pattern and discourse analysis. All of these practices are mediated through the notion of trust. Essentially, evaluating the confidence game as an ethotic scheme highlighted for this student the fundamental notion that writing is a communicative act between an author and her audience. The effectiveness of the confidence game simply acts as a demonstration of the viability of a pattern of arrangement crafted to meet the expectations of the audience. Her belief that gaining the confidence of her audience functions as a basis to "persuade them of the truth of my argument" demonstrates that the confidence game is merely a framework for developing reasonable ideas.

Toward a Rhetoric of Confidence

The pedagogical underpinnings of confidence games and forgery are already apparent in composition theory. But this approach to writing as a confidence game or original forgery

further the meta-awareness of the writing process through the question of confidence. Essentially, reducing the purpose of writing to one of creating confidence emphasizes the relationship between audience and author that many students overlook. Situating the writing process and the identity of the author as a consequence of the discourse removes the uncertainty and ambiguity of handbooks and writer-based instruction. Overall, teaching students to bull simply provides them with the framework to confidently and ambitiously develop their own ideas. Within the post-truth landscape that characterizes their everyday interactions, our students already live in an elaborate confidence game. Interrogating the rhetoric of trickery directly equips students with the critical skills to avoid falling into those traps. In addition, the meta-awareness that accompanies the critical engagement with the confidence game enables students to more thoughtfully evaluate the rhetoric that pervades all corners of their lives.

As a framework for composition, the rhetoric of confidence has several practical applications. Treating academic writing as an ethotic scheme challenges students to closely consider their audience. Every decision in the writing process serves to enhance the *ethos* of the author and guide the audience to place their confidence in the central thesis. This awareness permeates every decision of the writing process from large order concerns of structure, to sentence-level details of clarity, and the credibility of evidence. Situating writing as a consequence of or conversation with an audience imbues the process with contextual relevance. Rather than arbitrarily completing an assignment, the writer knows that they must thoughtfully engage, keep the attention of, and persuade an audience with distinct backgrounds and beliefs.

Treating the academic essay as an aesthetic text likewise heightens students' sense of noticing. Like putting on a uniform and walking into an airport, paying attention to the detail that makes a scholarly text scholarly empowers students to confidently assert their ideas. Crafting an

‘original forgery,’ in a sense, legitimizes the writing product and makes the process of engaging in a critical conversation less cumbersome or intimidating. As literary forgers, students also have the opportunity to emulate the authority of other authors and inform the development of their own authorial voices. Treating the imitative self as a mediating structure removes the anxiety of having to discover their own authorial voices and allows them to, instead, craft a persona. Like the ethotic scheme, the distinction is subtle, but the paradigm of the confidence game reframes the writing process in a way that encourages accessibility.

The rhetoric of confidence is ultimately a method of inquiry that provides a promotes the development of critical thinking and writing processes that demonstrate the students’ awareness of the rhetorical underpinnings of academic engagement. The confidence game and the scams of grifters and impostors is a mechanism to explore the question of effective communication. Situating the confidence game at an extreme on the continuum of cow and bull isolates and simplifies the rhetorical structures that underpin all communication. In this model, students learn how to think about arguments and what questions to ask. Teaching the grift demystifies the writing process and pulls back the curtain on effective writing and communication. Essentially, academic writing is a confidence game we all play – students simply have to learn the rules.

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APPENDIX



Fig. 1. Ponzi, Charles. *Counterfeit Receipt*. Photo from the Albin O. Kuhn Library & Gallery, University of Maryland, Baltimore County.
<http://archive.boston.com/news/globe/magazine/galleries/2005/0306/ponzi?pg=2>.



Fig. 2. Curran, Charles Courtney. *Three Women*. 1894.
<http://archive.pov.org/artandcraft/compare-art-originals-forgeries>. Accessed 30 March 2019.



Fig. 3. Landis, Mark. *Three Women*. <http://archive.pov.org/artandcraft/compare-art-originals-forgeries>. Accessed 30 March 2019.



Fig. 4. Van Meegeren, Han. *Supper at Emmaus*. 1937, Museum Boijmans Van Beuningen, Rotterdam, <https://www.boijmans.nl/en/collection/artworks/101464/the-men-at-emmaus>.



Fig. 5. Vermeer, Johannes. *Christ in the House of Martha and Mary*. 1655, Scottish National Gallery, Edinburgh, https://www.nationalgalleries.org/art-and-artists/5539/christ-house-martha-and-mary?artists%5B21266%5D=21266&search_set_offset=0.



Fig. 6. Vermeer, Johannes. *The Girl with the Pearl Earring*. 1665, Mauritshuis, The Hague, Netherlands, <https://www.mauritshuis.nl/en/explore/the-collection/artworks/girl-with-a-pearl-earring-670/>.



Samford University

Institutional Review Board

Project Approval Form

Identification and Certification of Research Projects Involving Human Subjects

The Institutional Review Board (IRB) must complete this form for all applications for research and training grants, program projects and center grants, demonstration grants, fellowships, traineeships, awards, and other proposals which might involve the use of human research subjects independent of source of funding.

This form does not apply to applications for grants limited to the support of construction, alterations and renovations, or research resources.

PRINCIPAL INVESTIGATOR:

PROJECT TITLE:

CHECK ALL THAT APPLY:

This is a training grant. The Institutional Review Board (IRB) must review each research project involving human subjects proposed by trainees separately.

This application includes research involving human subjects.

The IRB has reviewed and approved this application on _____ in accordance with Samford University's assurance approved by the United States Public Health Service. The project will be subject to annual continuing review as provided in that assurance.

This project received expedited review.

This project received full board review.

This application may include research involving human subjects. Review is pending by the IRB as provided by Samford's assurance. Completion of review will be certified by issuance of another APPROVAL FORM as soon as possible.

Exemption from subject informed consent based on number(s): 1 2 3 4 5 6

Date

IRB Committee Member

IRB Application #