

# ISSA Proceedings 2006 - The Domain Of Rhetorical Argumentation



Several contemporary argumentation theorists have tried to define a relationship with rhetoric, or even to integrate rhetoric in their theories. This is of course a welcome development seen from a rhetorician's point of view. However, I am going to argue that these theories miss important insights because they tend to define rhetorical

argumentation too narrowly.

Typically, they define it with reference to the attitude that the arguer takes to arguing; being rhetorical means that one aims to win. In defining rhetoric this way, they overlook the fact that rhetorical argumentation as conceived by its leading thinkers, notably Aristotle, is defined with reference to a particular *domain of issues*. As a result, rhetorical argumentation has particular properties and a particular set of rules.

These properties which follow from the essential identity of rhetorical argumentation are the ones that modern theorists single out, mistakenly, as its essential features.

I will comment on three important contemporary theories of argumentation. I shall consider them in ascending order of their "friendliness" towards rhetoric.

First, there is Ralph Johnson's theory as set forth, primarily, in *Manifest Rationality* (Johnson, 2000). Johnson is one of the originators of "Informal logic" and has made valuable contributions to theory, focusing on the "dialectical" aspect of rhetoric; particularly well known is his distinction between the "illative core" and the "dialectical tier" of argumentation. I wish to emphasize that I see these contributions as highly needed and insightful; however, in this paper I concentrate on Johnson's attempt to define the difference between the rhetorical view of argumentation and the Informal Logic that he represents; here, I think Johnson's theory is inadequate.

He sees three main differences between the two views. First, Rhetoric emphasizes "the need to take into account the role of Ethos and Pathos. To be effectively rational, rhetoric will insist that the argument takes account of the human

environment and that it, as well, connects with human sentiment. Informal Logic, on the other hand, sees the *telos* of rational persuasion as governed especially by Logos" (269). Secondly, "Rhetoric will not generally require a dialectical tier in the argument" (270). And thirdly, "Informal Logic should tend to favor the truth requirement over the acceptability requirement, whereas rhetoric will, I believe, take the reverse view" (271). So let us call a spade a spade: "rhetorical" argumentation as Johnson sees it involves a willingness to set aside truth for the sake of acceptance by the audience, i.e., for efficiency.

This view is arguably tantamount to saying that rhetoric is (at least partly) defined by an unethical attitude; what matters in the present context is mainly that Johnson sees rhetorical argumentation as defined by the *arguer's attitude* rather than by a distinctive domain.

Secondly, I will take a look at some of the recent writings of Frans van Eemeren and Peter Houtlosser, dealing with the integration of rhetoric into argumentation theory (van Eemeren & Houtlosser 1999, 2000, 2001, 2002). What we see here is a stage in the development of the pragma-dialectical theory. With a background in "speech act" philosophy and a belief in the rational resolution of disputes that has much in common with Habermas, this school has taken an increasingly friendly stance towards rhetoric, and one that seems a good deal friendlier than Johnson's. But essentially they take the same view as in Johnson's third point: they see rhetoric as persuasive efforts aimed at "winning", i.e., at resolving a difference of opinion in *one's own favour*. As a result of this wish in the arguer to "win", rhetorical argumentation involves what they call "Strategic Manoeuvring", which manifests itself in three respects: 1) topical selectivity, 2) audience adaptation, and 3) presentational devices.

These three points clearly capture important aspects of rhetoric. But because they equate rhetorical argumentation with Strategic Manoeuvring, driven by the motive of winning, van Eemeren & Houtlosser, like Johnson, neglect how the dominant tradition in rhetoric itself tends to define rhetorical argumentation not in terms of the arguer's attitude or resources, but in terms of the *domain* covered. And in doing so they risk being caught on the horns of a dilemma: they envisage the peaceful coexistence of two ultimately irreconcilable motives. On the one hand, there is the bedrock belief of pragma-dialectics, the dialectical obligation to resolve a difference of opinion; and this entails an obligation for at least one of the debaters, possibly for both, to retract or modify their original standpoint. On

the other hand, there is the motive, in the “rhetorical” arguer as defined by van Eemeren and Houtlosser, to resolve the difference of opinion in his own favour. It is obvious that if the two parties in a discussion both come to their common dialectical enterprise with a “rhetorical” attitude, defined as a wish to win, then in at least one of them the dialectical motive and the rhetorical motive will clash. Hence, van Eemeren and Houtlosser’s attempt to show how arguers may “meet their dialectical obligations without sacrificing their rhetorical aims” (1999, 481) is, I suggest, doomed to failure. They emphasize that the Strategic Manoeuvring by the rhetorical arguer must not be “derailed”; both parties must be committed to “maintaining certain standard of reasonableness” (2001, 151). But even without any derailment, we can predict a collision of two unstoppable trains here.

This is because van Eemeren and Houtlosser do not, any more than Johnson, see rhetorical argumentation as belonging to a certain domain of issues. Instead, they have a general model of argumentation which predicts that if all the rules of reasonableness are followed, consensus should ensue. Then how can both parties remain rhetorical in the sense that they wish to win? This question their theory cannot answer. They face this dilemma because they are unaware that rhetorical argumentation is rooted in a domain of issues regulated by other rules than dialectic.

The same is true of our third contemporary theory, that of Christopher Tindale (1999, 2004). His is by far the most rhetoric-friendly of the three theories we consider here. In fact, his view is that only a rhetorical theory of argumentation can be adequate. He states: “as a central human activity, argumentation is essentially rhetorical in ways that far exceed methodology alone” (19). Essential features of what Tindale understands by a rhetorical approach include the notion of “addressivity”, i.e., the idea that argumentation essentially relates to and involves its audience; it is always, as he phrases it, “in audience”. Similarly, it is always “in language”, addressing and anticipating its audience in every linguistic choice that is made

While Johnson and the Pragma-dialecticians broadly agree to see argumentation in its entirety as a dialectical enterprise, Tindale sees argumentation, in its entirety, as fundamentally rhetorical. But like Johnson and van Eemeren & Houtlosser, Tindale fails to acknowledge that there might be a particular domain of issues that is natural or particular to rhetorical argumentation. Like them, he believes that one general theory accounts equally well for all kinds of argumentation, regardless of domain.

By contrast, the most important thinkers in the rhetorical tradition itself *do see* rhetorical argumentation as rooted in a certain domain of issues. This domain is that of action: rhetorical argumentation is rooted in deliberation about choice, i.e., choices between alternative courses of action.

First and foremost among rhetorical thinkers is Aristotle. In the *Rhetoric* as well as in several other writings, particularly those on ethical and political subjects, Aristotle develops a theory centered on the notion of *deliberation*. In these writings, we find dozens of passages in which Aristotle analyzes its distinctive nature. Deliberation is what we do with Rhetoric; the two terms are in effect co-extensive.

In all his references to deliberation Aristotle consistently uses words derived from the word for will, determination, council or decision (*boulê*). The verb, in the infinitive, is *bouleuein/bouleuesthai* (debate, deliberate).

The key formulations in the *Rhetoric* are the following: “we debate about things that seem to be capable of admitting two possibilities” (Kennedy’s translation); “we only deliberate about things which seem to admit of issuing in two ways” (Freese’s translation) [*bouleuometha de peri tôn phainomenôn endechesthai amphoterôs echein*] (1357a). What this means is brought out in the following passage, which makes it clear that the stipulation about things which admit of issuing in two ways does not refer to all those things in the world on which people may argue and have two opinions, but only to those things that we may either choose to do or choose not to do:

As to whatever necessarily exists or will exist or is impossible to be or to have come about, on these matters there is no deliberation. ... the subjects of deliberation are clear; and these are whatever, by their nature, are within our power and of which the inception lies with us (1359a).

The ethical works, which set forth Aristotle’s teachings on virtue and character, are even more explicit in demarcating the activity of deliberation and the issues on which we may deliberate. The main passage is probably this from the *Nicomachean Ethics*, Book III, iii (1112a; Rackham’s translation):

As for Deliberation, do people deliberate about everything – are all things possible objects of deliberation –, or are there some things about which deliberation is impossible? The term ‘object of deliberation’ presumably must not be taken to include things about which a fool or a madman might deliberate, but to mean what a sensible person would deliberate about.

Well then, nobody deliberates about things eternal, such as the order of the universe, or the incommensurability of the diagonal and the side, of a square. Nor yet about things that change but follow a regular process, whether from necessity or by nature or through some other cause: such phenomena for instance as the solstices and the sunrise. Nor about irregular occurrences, such as droughts and rains. Nor about the results of chance, such as finding a hidden treasure. The reason why we do not deliberate about these things is that none of them can be effected by our agency. We deliberate about things that are in our control and are attainable by action (which are in fact the only things that still remain to be considered; for Nature, Necessity, and Chance, with the addition of Intelligence and human agency generally, exhaust the generally accepted list of causes). But we do not deliberate about all human affairs without exception either: for example, no Lacedaemonian deliberates about the best form of government for *Scythia*; but any particular set of men deliberates about the things attainable by their own actions.

The *Eudemian Ethics*, a work that partly overlaps with and partly elaborates on themes discussed in the *Nicomachean Ethics*, supplements this description: of things that can both be and not be, some are such that it is possible to deliberate about them, but about others it is not possible. Some things can either be or not be but their coming into being does not rest with us, but in some cases is due to the operation of nature and in others to other causes; and about these things nobody would deliberate unless in ignorance of the facts. But with some things not only their existence or non-existence is possible, but also for human beings to deliberate about them; and these are all the things that it rests with us to do or not to do. Hence we do not deliberate about affairs in India, or about how to square the circle; for affairs in India do not rest with us, whereas the objects of choice and things practicable are among things resting with us, and squaring the circle is entirely impracticable (1226a) ... we deliberate about everything that we choose, although of course we do not choose everything that we deliberate about (1226b; Rackham's translation).

This passage repeats some of the stipulations from the *Rhetoric*, but here the issues that we may deliberate about are even more explicitly restricted to things that we may or may not *choose to do*.

It is significant that Aristotle uses the first person plural, in the middle voice (bouleuometha), for the things that we may deliberate about. It is

characteristically something that “we” do reflexively, with each other, something done together. Similarly, his word for the deliberative genre (*sumbouleutikon*) is a form derived from *bouleuein*, with an added *sum-*, which means that what we do is deliberate together.

Deliberation is central to Aristotle’s ethical and political doctrines; through deliberate choices humans and citizens show their character. Accordingly, the deliberative genre is central to his theory of rhetoric, in fact it represents all of rhetoric; the words and stipulations Aristotle uses in defining the deliberative genre are the same that he uses for all of rhetoric and all three genres taken together.

To this discussion of the domain of rhetorical argumentation in Aristotle, we might add references to the rhetorical theories of Anaximenes of Lampsacus (author of the *Rhetoric for Alexander*), Cicero, Hermogenes, Boethius, thinkers from the Renaissance such as Agricola, Erasmus of Rotterdam, Thomas Wilson, or from modern times such as George Campbell, Hugh Blair, or Chaïm Perelman. This is the dominant tradition in rhetoric. It sees rhetorical argumentation as rooted in the domain of choice of regarding courses of action. We may say that this is a crucial insight, perhaps *the* fundamental insight in rhetorical thinking. This is the insight that modern argumentation theorists, who want dialogue or even integration with rhetoric, seem to ignore.

Why is this important? Because we have seen that deliberation is a distinctive domain in human argumentation with particular characteristics that are not captured by a general theory. Hence, any general theory of argumentation which fails to account for this distinctive domain (such as the theories we reviewed at the beginning) is incomplete. It overlooks the following facts:

In deliberation we do not argue about truth, nor about probability, not about opinions, but about choice. As Aristotle has it, “Choice (*proairesis*) is not true or false” (*Eudemian Ethics* 1226a).

Because rhetorical argumentation is about choice, it has a structure that is different from, and more complex than, argumentation about propositions. When we discuss whether a certain proposition is true or false, or even whether it probable, we essentially discuss *one* property of it; our discussion is in that sense *one-dimensional*. Hence we may in principle have a compelling argument for (or against) the proposition. But when we deliberate over a proposal, i.e., whether to choose a certain course of action, there will be many properties that may be

predicated of it; for all of these we may discuss their truth or falsity (or their relevance, or their probability), and they may all influence our choice. These properties may belong to many different dimensions in the sense that they are not “convertible” into each other, or into any common measure. For example, a given proposal may be *honourable*; but it may also be very *costly*. We may describe this by saying that Choice is *multi-dimensional*, and properties belonging to the different dimensions are *incommensurable* (on these concepts, see Kock 2003).

As one example of a typical issue in the domain of rhetorical argumentation we may take at brief look at crime legislation. Two important dimensions in this debate which can never be converted into the same common measure are, on the one hand, the minimization of crime, and on the other, the just punishment of crime, i.e., punishment as retribution. Especially if these two do not go together all the way, which outweighs the other? This is the sort of issue where we do not discuss truth or even probability, but where we deliberate about choice. In addition, the debate on crime legislation is also full of issues like the following: How much crime is there really? Do “three strikes” and other “tough on crime” policies really deter? Do rehabilitation programs actually rehabilitate? In these debates, truth or probability is what we look for. The example illustrates the distinct natures of the two domains. Or take another of the perennial deliberative issues: going to war. Even if we could agree on the economic cost of a given war, how do we weigh it against the benefits that the war in question is supposed to bring? And how do we calculate the cost in human lives?

So, in deliberation, there will be a plurality of considerations or dimensions that will and should enter into the debate. For each of these considerations taken in itself, debaters may have opinions that may be shown to be more or less true, or at least probable. But the fact remains that the various relevant considerations in such an issue belong to different dimensions, in the sense that none of these considerations, e.g., cost in human lives, can be reduced to one of the others, e.g., economic cost; nor is there a “common denominator”, a “covering” unit into which all the relevant considerations may be converted, or, in a phrase from Stuart Mill, a “common umpire” to which all the considerations may be referred, yielding an objective calculation of what the pros and cons add up to, and which side adds up to most.

It also follows from the multidimensional structure of deliberation that there will generally be legitimate (relevant) arguments both for and against a given choice.

Moreover, there is no objective way to add up the pros and cons in a given issue, no way to determine or calculate objectively which is the right choice (if there were, we would not have a choice).

Hence, deliberating arguers may legitimately support (and continue to support) opposite choices. Arguers speaking for opposite choices are not obliged to resolve their difference of opinion. They are of course obliged to follow rules of reasonableness in arguing, and pragma-dialectics has taken the lead in trying to formulate such rules. But even if all conceivable rules of reasonableness are followed, which they seldom are, the nature of the domain of rhetorical argumentation is such that consensus will probably not ensue.

Finally, from the lack of a way to calculate objectively the relative weight of the pros and the cons follows that each individual in the audience (each judge/voter ... ) must subjectively assess the strength of the arguments for and against a given choice.

These are some of the crucial differences which set the domain of deliberation apart from the domain of issues where we discuss propositions. The whole discipline of rhetoric is based on a recognition of the distinctive nature of deliberation. It was for this domain that Aristotle developed rhetorical theory. This is the domain for which all the resources of rhetorical argumentation exist, and for which they are necessary. Yet the distinctiveness of this domain is one crucial insight that contemporary argumentation theories, despite all their willingness to integrate rhetoric, have failed to explore.

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