ISSA Proceedings 1998 – A General Theory Of Public Argumentation: Death And Rebirth?

For some time, coteries of philosophers, rhetoricians, social theorists, and various other students of public reasoning have thought and written about the possibility of resurrecting the presumably dead practice of rational public argumentation. They have sought, in the words of James Crosswhite (1996: 70), "not to expose [public arguments] for the wretched things they are, but to reveal the intrinsic hopes carried by the practice of argument." They have pursued optimistic answers to questions that Michel Foucault (1993:18-19, qted. in Crosswaite 1996:13) asserts have been central to philosophy and critical thought since the eighteenth century: "What is this Reason that we use? What are its historical effects?

What are its limits, and what are its dangers? How can we exist as rational beings, fortunately committed to practicing a rationality that is unfortunately crisscrossed by intrinsic dangers?" More specifically, I have argued (1998) that most western general theories of argumentation have been grounded in understandings of specific relationships between knowers and the known:

* ideas as the contents of minds

* evidence as external to minds

* inference as grounded in both mental and linguistic operations, that is, as reflective of mental activity yet materialized in particular kinds of language use.

Those three epistemological assumptions were the foundations of the philosophy of science and then public argument theory that grew up in the nineteenth century (see Fuller 1993: esp. ch. 1), making argumentative discourse – a kind of logical talk – the link between the knower and the known, and hence the mechanism for reasoned decision making as it ought to occur in the worlds of all knowers from all eras of human existence.

Such assumptions have been under attack at least since Kant sought to collapse the Cartesian dichtomy between knowing and being and since Nietzsche declared

the end of philosophy. Following World War I, there were concerted drives to save public, rational argumentation by eliminating fallacious reasoning (Lasswell 1928), by neutralizing and concretizing interpersonal talk**[i]**, and by making the verifiability principle a weapon for distinguishing between sense and non-sense in all arenas of human affairs (e.g., Ayer 1936/1962).

The attacks on general theories of public argumentation took on radically different forms following World War II. If the post-World War I queries tended to emphasize cognitive deficiencies in rational thought, the post-World War II assaults featured social and political, which is to say contextualized, analyses of flawed rationality and discursivity. At the Alta conference last year (Gronbeck 1998), I reviewed five lines of interrogation of general theories:

1. the anti-foundational attack, which asserts that totalized thought systems of any kind have lost their power because human conflicts are localized and grounded in idiosyncratic cultural practices;

2. the moves to segment knowledge and hence reasoning demographically, as Carol Gilligan (1982) did when demonstrating fundamental differences between male and female moral reasoning;

3. the idea that some kinds of knowledge are not accessible to everyone because of variability in life experiences especially by people differently raced, gendered, experienced, and acculturated;

4. arguments concerning all knowledge practices being ultimately political because differentiations in knowledge produce differentiations in power; and

5. the (especially French) postmodern assault on the idea of evidence (from the Latin *e-videre*) as grounded in The Seen in an electronic era when The Seen is unremittingly manipulable and hence falsifiable.

I do not wish to review those arguments, but, rather, examine three sorts of responses that can be given to them, to test the attacks and, then, to see if it still is possible to posit a general theory of argumentation that is adaptable to both public and more technical (academic) sorts of argumentation. I will take us back to three presumably general theories of argumentation – those offered by Stephen Toulmin, Chaïm Perelman and the Belgian School, and Frans van Eemeren and the Amsterdam School – in order to examine these classic visions for possible counter-attacks to those who find no hope for a unitary conception of argumentation. I have selected these three because they represent not only tested visions but, more important, because when taken together they provide us with

epistemic, rhetorical , and linguistic responses to assaults, which is to say, responses featuring the very dimensions of the Enlightenment theory that made a serviceable general theory of argumentation possible in the first place. After I've reviewed the three positions, I'll offer a few observations about the adequacy of such thinking as counter-attacks to public argumentation's current detractors.

1. Toulmin: Field-Variant Modes of Rationality
Stephen Toulmin's 1958 publication of *The Uses of Argument* (1958/1964: 1-6) forced students of logic – and hence both technical and everyday argument – to confront explicitly the sources of power underlying inferential thinking: is logic to be understood apodeictically, as a series of inviolable laws controlling assertions about conceptual relationships, or psychologically, as a reflection of the most correct sort of cognitive activity, or sociologically, as a technology groups of people have stipulated as recipes for special kinds of communication? He then neatly sidestepped that overwhelming question by saying that it was too reductionist. We must not ask what logic is in an essentialist way, but, rather, what is the process by which human beings reason together, that is, "the procedures and categories by using which claims-in-general can be argued for and settled" (p. 7)? It was such a focus on process, Toulmin argued, that would allow him to bring together the *apodeixis* (or force-of-proof) with the *episteme* (or science of knowing) in a unitary conception of arguing. The process of arguing, to Toulmin, comprehends both mechanisms of logical force with conceptualizations of substantive arenas for decision making.

Such ideas led Toulmin away from thought about logical theory as such and toward a focus on logical or argumentative practice. And the heart of argumentative practice, he said, was the claim: that which is to be not simply asserted but a series of "grounds (backing, data, facts, evidence, considerations, features) on which the merits of the assertion are to depend" (p. 11). Logical theory or form cannot dictate how we argue; rather, what we are trying to argue dictates the sorts of forms required for sound arguments.

This is not to say, however, that the what-we-are-arguing makes argumentation wholly relative to situation or what Toulmin calls the field of dispute. Rather, he says, the question is, "What things about the form and merits of our arguments are *field-invariant* and what things are *field-dependent*" (15)?
To answer that question, he first examined the little words – modals and adverbs of qualification – that appear often in arguments: words such "can" and "cannot,"

"may" and "may not," "probably," "unless," and the like. Such words, which express possibilities and impossibilities, proprieties and improprieties, are central to the argumentative process. One of Toulmin's primary claims was that the *force* of such words is more or less invariable; whenever someone says that something is "impossible," the word connotes a strong denial of possibility. Yet, he continued, the *criteria* one uses to define impossibility varies from field to field; impossibility is measured one way in mechanics (e.g., "A human being cannot lift a ton singlehandedly"), another way in parenting (e.g., "You cannot go visit your friend today"), a third way in linguistics (e.g., "You cannot have a male sister"). It is, then, the search for criteria-of-assessment that marks a key variation in argumentative strategies from field to field.

His second principal approach to the matter of field-variance is captured in his so-called layout of arguments. While the central terms of that layout – claim, data, warrant, backing, qualifications, and reservations – have been taught in basic communication textbooks since the early 1960s**[ii]**, Toulmin's rationle for constructing the layout has received little attention. His move to the six-part layout of arguments is predicated on the assumption that jurisprudence rather than traditional logic should be our primary model for argumentation if only because
1. it is most awkward, even extraordinarily difficult, to add qualifications to the universal premises of the syllogism and
2. the great variety of inferences that are needed for multiple kinds of arguments simply cannot be accommodated by traditional deductive machinery. Better still, the six-term layout allows critics to examine far more dimensions of rational decision making than do syllogisms with their narrow grounds for assessing validity. And finally, what the layout can do ultimately is feature backings for warrants – the deep assumptions or rules that govern correct reasoning in various fields. Backings for theological arguments are radically different from backings for statistical or jurisprudential arguments, for example. Field variance is most clearly visible in backing for warrants.
Once again, the notion of backing for warrants, that is, for inferential processes, takes Toulmin beyond the analyticity of formal logical inferences and into inferential processes arising out of particular substances or fields of human operation. He asks that we abandon the "Principle of the Syllogism" (128ff.) because arguments usually should be tested in three ways: not only with the tautology test of traditional logic but also the verification test of its statements

and self-evidence test of commonsensical relations between and among its statements (esp. 131). Often in argumentation, for that matter, "proper" warrants are not only used in traditional ways but sometimes even must be established; in some fields, that is, audiences must be taught new ways of inferring conclusions appropriate to the subject matter.

The bottom line in Stephen Toulmin's *The Uses of Argument* is captured in a single exhortation: "the need for a *rapprochement* between logic and epistemology, which will become not two subjects but one only" (254), which for him involves not only philosophical inquiry but also "the reintroduction of historical, empirical, and even – in a sense – anthropological considerations into the subject which philosophers have prided themselves on purifying, more than all other branches of philosophy, of any but *a priori* arguments" (ibid.). I will comment on such a goal at the end of this paper.

2. The Belgian School: The New Rhetorical Model
Writing about the same time as Stephen Toulmin were the Belgians Chaïm Perelman and Lucie Olbrechts-Tyteca. They were struggling to delegitimate the traditional logicians' incarceration of rationality deduction as tools for reasoning in the post-Freudian age, yet they wished to accomplish these tasks without destroying the rigor and control of those *artis cognescendi*. Thus they launched their attacks on logical formalism, mere facticity as compelling of human action, the belief-opinion gap, and psychologism, all the while avering that "we have no wish to limit the study of argumentation to one adapted to a public of ignoramuses" (1958/1969: 7).

More specifically, Perelman and Olbrechts-Tyteca announce that "The domain of argumentation is that of the credible, the plausible, and the probable" (1). By "the credible" they refer to that which flows from acceptable human sources to perceiving minds; by the plausible, that which conforms to the experience of audiences; and by the probable, that which is likely true. The domain of argumentation thus is depicted as that of human conceptions of the world rather than features of the external world itself.

Yet, they nonetheless warn against treating argumentation "as a branch of psychology" (9). That is, an audience's adherence to knowledge claims is not to be understood as attitudinal alignment or valuative correspondence, in part because the study of such effects cannot explain how or why arguments work, in part because argumentative force varies contextually, i.e., from science to law to philosophy. Adherence is to be grounded, not in psychological surrender, but in

understandings of language formations. Language formations govern Perelman and Olbrechts-Tyteca's effort to sort argumentative techniques into classes: quasi-logical arguments rely on linguistically manifest reasoning mechanisms; reality-based arguments, on the correspondence between language use and the outside world; associative arguments, on cognitive mappings of that world via relational concepts reflecting organizational relationships between aspects of interior or exterior life; and dissociative arguments, representing the disjunctive or dialectical separations of ideas as they are articulated in language. Perelman and Olbrechts-Tyteca argue that thinking occurs through, and not just in, argumentative-linguistic structures. Hence, a mentalist concept such as "idea" is collapsed into or made visible within the languages used to make it capable of being shared with others. Notice the moves that they have made. In seeking to avoid both logical formalisms and psychological subjectivities and in preferring talk about the construction of rather than the rehearsal of facticity in arguments, Perelman and Olbrects-Tyteca are closing the gap that John Locke (1695/1975) built into relationships between the knower and the known as well as between language and ideas. As well, like Toulmin, they recognize that the lifeworld is divisible into such varied arenas as the scientific, the legal, and the philosophical, and that human beings inhabit varied psychological and sociological realms. Because audiences can be mixed, arguers must learn to employ "a multiplicity of arguments" (22), except when dealing with "an incompetent mob" (25).

Yet, not every discourse-of-influencing has equal value to all others. They stipulate the following: "We are going to apply the term *persuasive* to argumentation that only claims validity for a particular audience, and the term *convincing* to argumentation that presumes to gain the adherence of every rational being" (28). After making this distinction – a part of rhetorical theory in the form they are offering it at least since Richard Whately (1828/1963) – Perelman and Olbrechts-Tyteca use it to define three audiences for whom conviction based on argumentation is possible: their famed universal audience, an interlocuter or single hearer, and oneself (30, 31-45). They generally accept the views

1. that arguers deliberating with themselves are able to guarantee their own "value and sincerity" (41);

2. that arguers with opponents, insofar as they engage in discussion rather than self-interested debate, will meet the "duty of dialogue" that is our Platonic inheritance (56); and

3. that the universal audience is the ultimate totalization of reason or argumentative rationality, an article of faith in actual audiences' abilities to elevate their rational and moral sensibilities upon occasion so as to demand the best from a disputant and their commitment to not let argumentation be destroyed by skeptics and fanatics (31-35, 62). All the distinctions that result from separating persuading and convincing, finally, are understood by Perelman and Olbrechts-Tyteca to be "unprecise and in practice must remain so" (29).

Here, then, is a general theory of argumentation focused on both the rhetoric- and language-using habits of peoples as well as their abilities to make reasoned judgments in particular circumstances. Inferences themselves are to be found in language use, though the actual achievement of audience depends upon rhetorically sound selections of particular arguments as laid out in the classification scheme. The bulk of Perelman and Olbrechts-Tyteca's book is description of the various arguments with advice on when and how to use them strategically.

3. The Amsterdam School: The New Dialectical Model
Setting themselves against "The New Rhetoric" model of the Belgians are members of the University of Amsterdam's program in Discourse and Argumentation Studies (DASA). I will work in this paper primarily from a single source, Frans van Eemeren's keynote address given to the 1987 Conference on Argumentation at Alta, Utah, entitled "Argumentation Studies' Five Estates" (1987) because its purview is the broadest I can find from a member of the Amsterdam School and because van Eemeren talked in the first-person plural "we" in the address, giving it the feeling of a collective manifesto.

His central task in this work is to distinguish the so-called "New Dialectic" from Perelman's rhetorical projects. He identifies the general project as one grounded in "Normal Pragmatics" or "the required integration of normal idealizaion and empirical description perspectives on discourse" (p. 9). He pursues the distinction between the Belgian and the Amsterdam projects through five so-called estates, with each estate "a subject of research in its own right which is a necessary component of a full argumentation school" (10). The five estates include

1. the philosophical estate, where "the fundamentals" of "any scholarly dispute" are subject to "reflection" (11);
2. the theoretical estate, where ideal models of the argumentative process are constructed (13-14);
3. the reconstruction estate, wherein particular viewpoints toward those ideal

models are fashioned (14-16);

4. the empirical estate, wherein particular argumentative practices in various arenas are examined (16-17); and

5. the practical estate, or the place where pedagogies for teaching well-grounded argumentative practice are constructed (17-20).

Working with a pair of concepts they loosed from Toulmin, the idea of anthropological and critical approaches to the study of argumentation, the Amsterdamers construct two versions of the five estates comprising the realm of argumentation theory: the Belgian school is depicted as developing from an "*anthropological-relativist* perspective on reasonableness," and the Amsterdam school, from a "*critical-rationalist* perspective" (11, 12). The Belgians' effort to ground their theory of argumentation in audience assent or adherence is sharply contrasted in van Eeemeren's keynote address to the Amsterdamers' desire to ground their theory, not in geometrically inspired logics, but "modern logic," which they find flexible enough to "be made dialogical (which syllogistic logic was explicitly not intended to be)" (12, 13). More explicitly still, he proceeds to center their version of modern logic in speech acts wherein language uses are to be understood in their "contexts, terms and expressions" that are meaningful in "their social function, and at the same time [in] their specific meaning" (13).

Such a distinction, in turn, leads them to contrast the Belgians' ultimate court of argumentative appeal, "agreement with the standards prevailing among the people in whose cultural community the argumentation takes place," with theirs, "agreement with discussion rules which are instrumental in resolving a dispute and which are acceptable to the parties concerned" (*ibid*.). Such rules, of course, are to be found articulated in speech acts committed by particular disputants in particular situations. From there, the fundamental philosophical differences they see between themselves and followers of Perelman, they move through the other estates making similar contrasts that I can only suggest in a short paper:

1. Arguers working within the rhetorical school must understand particular audience's "stock of knowledge about [its] systems of beliefs" vis-à-vis those working within the dialectical school, who work from "an ideal model of a critical discussion and a code of conduct for the performance of speech acts" (19).

2. So far as modeling particular arguments is concerned, the rhetorical school examines past performances to discover the habitual rhetorical patterns used in a society, while the dialectical school examines the dialectical tensions existing in

disagreements, looking for reconstructions of discourses that will resolve the dispute.

3. Empirically, rhetorical disputants examine past disputes to see which sorts of rhetorical patterns worked with particular sorts of audiences, i.e., persuasiveness, while dialectical disputants try to understand language usage well enough to realistically assess what reflective interlocuters will demand in argumentative exchanges, i.e., convincingness.**[iii]**

4. Practically, rhetorically oriented arguers work from models of previous argumentative successes to see what has worked in a society, while dialectically oriented arguers are more reflective, studying "the dispute-resolving capacity of argumentation and the need for dialogue in order to be really convincing" (18).
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DASA's attitudes toward the rhetorical school are laid out clearly under this heading: The discussion rules, however, do not provide a simple trick that merely has to be learned by heart to be applied successfully in practice…. Argumentation is not an abstract nor a mechanical process, but a verbal and social activity aimed at convincing another person of one's points of view by systematically conquering his doubts (19).

The "discussion rules" and "a code of conduct" are the foundational commitments of the pragma-dialecticians of Amsterdam. Similar to the various so-called felicity conditions discussed by American students of speech acts, the ideas of discussion rules and codes of conduct construct a sociolinguistic basis for argumentation, that is, a series of socially sanctioned rules for interpersonal language use. The rules are not to be found in language per se, as in, for example, Toulmin's examination of the force of certain modal verbs and qualifying adverbs. Rather, they are to be found in social agreements about how members of some collectivity wish to conduct their business. And thus, van Eemeren argues, "argumentation should be studied and taught as a specimen of normal communication and interaction between language users" (19).

4. The Rebirth of Public Argumentation?

It now is time to return to the post-World War II assaults upon general theories of especially public argumentation. Recall the Enlightenment's projects that urge us to understand that external facts are used to validate the internal lifeworld, that truth is to be understood empirically but in terms of universal generalizations, that language is capable of being studied independent of the human ideas to which it supposedly gives expression and can ground generally valid forms of

reasoning, and that the visual is the dominant sense by which human beings access the external world and hence truth. These tenets of modernism in general produced a theory of public argumentation whereby validity was assessed formally and truth was determined with empirically testable relationships between premises and conclusions. The post-World War II assault upon such a model of argumentation, in contrast, challenged the idea of formal validity, replacing it with an experientially based concept of reasoning, and the idea of a reality separable from our experience of the lifeworld, replacing the notion of so-called brute reality with an emphasis upon so-called social reality. Thus, the anti-modernist attacks came as a firestorm, grounding validity and truth in life experience – but life experience understood within dominating social categories, that is, life as constructed on the basis of gender, race, social economic status, age, disability, and any other category by which groups of a society's citizens might classify themselves and find significance in their experiences. Can a general theory of public argumentation be saved after such a conflagaration?

Toulmin, the Belgians, and the DASA scholars share some tactics when attempting to defend a positive answer to that question. All three become situationists to one degree or another; Toulmin talks of field variance, Perelman and Olbrects-Tyteca (1958/1969: 19), of "*the ensemble of those whom the speaker wishes to influence by his argumentation*," and van Eemeren, of contexts. To be sure, they see situations in quite different ways: Toulmin, as arenas-of-talk governed by expectations, Perelman, as places where particular sets of auditors reside, and van Eemeren, as social agreements wherein discussion rules and codes of conduct are specified.

Yet, all three recognize that the universalism that seemed to echo through so many discussions of rhetoric and logic in the Enlightenment must be sacrificed if a general theory of public argumentation is to stand.

But, one might ask, if a sense of universalism is gone, what's "general" or generalizable about the resulting theory of argumentation? To this question we get three quite different answers from the three schools. Toulmin provides two answers: a general language of reasoning that suggests the rational force of certain kinds of discourses and a series of required types of discourse captured in his layout of argument (even if the content of those discourses vary from field to field). Thus, to Toulmin, thinking itself and the language of thought are generalizable within a collectivity; thus, a general theory of argumentation can be found in epistemic and linguistic principles. Perelman provides a patently

rhetorical answer to the question, suggesting that general principles for testing argumentative reasoning lie within the idea of the universal audience. In fact what is constant in all argumentative practice is the need to create adherence in situated human beings; again, adherence is not simply a matter of psychological assent, but, rather, a matter of constructing discourses within the domain of the credible, the plausible, and the probable – but as those notions are understood by particular audiences. Perelman's generalizable theory is tied, as he says by the end of *The New Rhetoric* (1958/1969: 513), to "the language of a community, be this a community bound by biological ties, or by the practice of a common discipline or technique." A version of communitarianism is what Perelman offers as a base for a general theory of argumentation. To van Eemeren, such a ground moves too close to a kind of relativism, so the DASA scholars expand their understanding of the social to includes rules for both language use and social expectations. That is, they find adherence to sociolinguistic concepts of speech acts the true foundation for a general theory of dialogic conversational engagement of others. Pragma-dialectics or normative pragmatics is grounded a generalizable theory of "the institutions of social life" (1987: 20).

In eschewing universalism yet seeking a version of generalizability, therefore, all three schools reviewed in this paper return us to the fundamental requirements of any large-scale theory of human community: the epistemic-linguistic study one finds in Toulmin, Perelman's emphasis upon shared, intersubjectively validated relationships between individuals, and van Eemeren's dialogical-linguistic study of speech acts. In spite of their differences, all three schools reaffirm the centrality of epistemic, social, and linguistic dimensions to argumentation.

No one of the post-World War II schools of argumentation reviewed here, however, is adequate to the challenge of post-positivist, anti-totalizing, culturally radical, postmodernist, ideological thought. The Amsterdam school's adherence to the five estates as realms or areas within which any argument theory must have commitments to be complete is innovative and potentially powerful, yet the relatively little time and space devoted to serious epistemological justification means that the assaults upon totalizing concepts, masculinist understandings of reasoning, and apolitical conceptions of convincingness can stand. What is needed within the school is the strong attention to epistemology that came through in Toulmin's early (1958/1964) and later (1972) work on epistemic communities, as well as Perelman and Olbrechts-Tyteca's work on understanding the power of socially situated experience as conditioning of argumentation's force.

Additionally, argumentation needs to be become sensitive to what is now called medium theory (e.g., Deibert 1977) to pursue the varied forms in which argumentas can be presented, not only linguistically but also acoustically and visually; only then will the postmodern assault on visuality and evidence be met head-on. Work on a general theory of public argumentation in the face of post-World War II attacks on it must continue, though it assuredly can build upon the strong bases provided by Toulmin, Perelman and Olbrechts-Tyteca, and the Amsterdam school, whose pioneering work deserves our continued attention.

NOTES

i. I am thinking here of the rise of the General Semantics movement, inspired by Alfred Korzybski's Science and Sanity (1933) and I. A. Richards' The Philosophy of Rhetoric (1936/1964, p. 7), where he defined rhetoric as "the study of misunderstanding and its remedies." Training in the neutral, concrete, overwhelmingly descriptive use of language and reasoning spread across the U.S. in the form of General Semantics workshops, and scholarship proporting to validate that training appeared in two journals, General Semantics Bulletin and the more scholarly Etc.

ii. So far as I know, the first textbook to teach the Toulmin layout was a debate book, Douglas Ehninger and Wayne Brockriede, Decision by Debate (1963).

iii. Cf. Perelman and Olbrechts-Tyteca on the distinction between persuasion and conviction being suggested here. While van Eemeren does not evoke the universal audience in offering the distinction, his discussion of "reflection" comes close to suggesting it.

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