

ISSA Proceedings 2010 - Moral Argumentation From A Rhetorical Point Of View



Practical thinking is a tricky business. Its aim will never be fulfilled unless influence on practical *attitudes* is gained. These attitudes, though, are no neat propositional structures, as is sometimes suggested. Whether or not a living human being is willing to act in a certain way is determined by dispositions that are non-codified, non-transparent, habitual, embodied and emotional. To reflect upon such attitudes is roughly as complex as reflecting upon the agent's moral identity.

This poses some problems for *moral argumentation*. In practical matters, justifying practical beliefs as "true" is not enough. The motivational dimension cannot be ignored. This is the original field of classical *rhetoric*. Rhetorical methods are not designed to examine theoretical truths but for the purpose of practical decision making. This is why rhetoric and ethics have always been closely related. The aristotelian doctrine of *lógos*, *páthos* and *êthos* reminds us of the fact that speech is persuasive not due to its rationality only but also due to the "moral character" of the speaker and the emotional dispositions of the audience. The adoption of a practical attitude cannot be reached by deduction alone. It takes more to persuade and motivate a human being to act in a certain way.

This being the case, one should think that any conception of moral argumentation reduced to rational argumentation in a narrow sense will be incomplete. However, such conceptions of moral argumentation seem to be wide spread. One of the basic assumptions of cognitivist - and roughly, Kantian - ethics is that moral argumentation has to be built on reason alone, on "*rational discourse*", as representatives of discourse ethics like Habermas would prefer to say. Any reference to emotions, then, has to be regarded as "merely rhetorical".

In this contribution, I will ask for possibilities to reconcile the logical and the rhetorical dimension of moral argumentation. In particular, I will discuss how *expressive speech* can have a place in rational moral argumentation. Here, the important question will be how such speech can be part of moral *argumentation*

and more than just emotional talk. I will first sketch what function *logical reasoning* is supposed to have in moral argumentation and why philosophy is often focused on this dimension (1). In a second step I will ask in how far we usually take rhetoric – in this case, expressive speech – to be relevant for morality (2). Third, I will try to outline a conception of moral argumentation that includes logic *and* articulations of perspectives (3).

1. Cognitivism

The first question will be: *Why is moral argumentation in philosophy so often regarded as a kind of rational argumentation more or less in the style of truth based reasoning?*

The answer is, of course, not that philosophers assume that every-day moral communication is in actual fact “rational” in this narrow sense. The interpretation of moral argumentation as a kind of rational argumentation has *normative* sense. The idea – that we may call the cognitivist intuition – is this: By bringing out the logic of every-day moral communication one can set free its normative content. Logical reconstruction shows us what general moral principles are applied and what norms must be considered as binding in the context of the normative systems supported. So the rationality of moral argumentation is not so much discovered but rather *elaborated*.

Justifying a normative claim, then, can only mean: showing that this claim satisfies the basic normative principles or showing how it fits into the presupposed system of norms. Ethical reflection turns into an attempt to ascribe some truth-value-like quality to normative claims. This, to be sure, does not mean that the peculiarities of moral debates are not accounted for. Of course claiming certain facts differs from claiming certain norms to be valid (and since Hume this difference is normally taken very strict). So normative logic is not epistemic but deontic. And the logical principles applied differ as well: e.g., principles of universability play a central role since the consistency of a normative system seems to depend on it. But despite these differences normative claims are treated as claims that transport a content that can be compared to the factual content of a descriptive statement. Sometimes this quality is called “rightness” or the “cognitive content” of moral claims: Just like descriptive claims are true if they correspond to certain facts, so normative claims can be true or “right”, if they express certain valid norms, i.e., a normative content that every “rational” person will accept (Habermas 1999).

One might say that this approach ignores the pluralism of the modern globalized world. But quite the contrary cognitivists argue that cognitivism is *especially* attractive in face of pluralism. Given a multitude of values and “ideas of the good life”, it seems to be the task of philosophical ethics to find a moral fundament independent of particular standpoints. Under the conditions of pluralism, *many* ethical perspectives have to be reconciled; and this cannot be established by falling back on *particular* ethical perspectives. What is needed is an “overlapping consensus” as John Rawls calls it (Rawls 1971). So the cognitivist approach that seems to be reductionist at first sight turns out to be the only option left in face of pluralism.

2. Ethical perspectives

Of course, all this does *not* mean that particular ethical perspectives just disappear. It is obvious *that* moral argumentation includes articulations of such perspectives, e. g., expressive speech. But the question has to be: *How can such expressive speech be legitimately introduced into the kind of moral argumentation that philosophy tries to establish?* Modern ethics seems to call for a cognitivist approach and this in turn seems to call for some sort of formal reasoning. Consequently, it might appear that moral argumentation has to be interpreted from a general standpoint. The idea might be that rational argumentation has come to an end as soon as, e. g., expressive - and “emotional” - speech comes into play. So the task is to show how such “perspectival” speech can have *argumentative* function.

To pave the way for an answer I will ask on what occasions we have *no* problems to accept the relevance of articulations of perspectives. Where do we usually locate such speech in moral contexts? I think the above-mentioned “ideas of the good” give us a hint. What I have in mind is this: Such speech has its natural place where human beings are *initiated* into a certain ethical practice. In order to communicate an “idea of the good” or a particular ethical perspective we have to use different means than logical arguments. - Let me explain.

It is a wide-spread neoaristotelian move in contemporary moral philosophy to focus on practice and character rather than on norms and rules. From this virtue ethical point of view the morality of a person is not constituted by the normative statements she rationally accepts or by the rules she is willing to obey but by the *practice* she is engaged in. A person’s moral identity is constituted by habits or dispositions instantiated in his or her *action*, and not just by “supporting claims”.

Given this perspective, a moral judgment can no longer be a matter of cognition alone; it must be a matter of practical wisdom and perception – the kind of competence that Aristotle has called *phrónêsis*. Acquiring a certain ethical practice goes along with acquiring a certain way of *seeing*. Here, moral judgment is highly contextual. On particular occasions you do not have neutral perceptions of “what is the case” in the first step and moral reflections in the second step (which *then* can be based on “pure normative reasoning” of some sort). In fact, the two dimensions are entangled: moral judging, here, means perceiving a situation in a certain way. From this point of view, morality is a capacity to deal with multiple particular contexts in the right way; and a person satisfying this criterion has virtue.

But it is clear that the notion of “rightness” here is restricted to particular practices. The criteria of what counts as right are the criteria of particular communities and their “life forms” (as Wittgenstein calls it). This lack of universal validity is the central difference between the morally right and the ethically good: At first sight, the character-based approach apparently does not answer to the normative question of ethics at all. It rather tells us how the moral life of human beings really looks like.

Now, I do not want to start a discussion on virtue ethics here, but what is crucial to my argument is this: There is obviously no way of arguing in favor of an ethical practice or way of “moral seeing” *by logical reasoning*. Instead, the value of an ethical practice – as a practice having its purpose in itself – would have to be shown. John McDowell has elaborated this thought by referring to Wittgenstein’s reflections on rule-following. His example is, quite naturally, the case of *moral education*: When we are initiated into a way of moral perception we do not learn to act according to rules. McDowell writes: “In moral upbringing what one learns is [...] to see situations in a special light, as constituting reasons for acting (McDowell 1978, p. 21). The decisive aspect of such a process of teaching such a way of moral seeing is expressed in the formula: “See it like this!” It is not a matter of saying what is “right” but of showing what is the *point* of it. There is no question if certain claims are justified. The aim is to make someone see what it means to consider something as valuable or “good” – what it is to take a certain ethical perspective. On such occasions one will apply “helpful juxtapositions of cases, descriptions with carefully chosen terms and carefully placed emphasis, and the like” (McDowell 1978, p. 21). In a process of this kind there is no

guarantee that the aim is reached. "That, together with the importance of rhetorical skills to their successful deployment, sets them apart from the sorts of thing we typically regard as paradigms of argument." (McDowell 1978, p. 22). Perhaps one might even say: To explain a particular ethical perspective it takes *everything but* argument.

3. Argumentation and articulation

Let us come back to the central question: *How can articulations of ethical perspectives be part of "rational" moral argumentation as preferred by philosophers?* What we need is a conception of moral argumentation that accounts for both kinds of speech. On the one hand: logical persuasion, i.e., justifying claims as valid normative claims (which implies arguing from a moral standpoint that has *overcome* individual perspectives). On the other hand: articulations of ethical perspectives which implies expressing ways of "moral seeing" or particular "ideas of the good" (as familiar from moral education). How can these two elements *at once* be part of moral argumentation? I will try to at least outline an answer.

The reason why particular ethical perspectives cannot be ignored for moral argumentation is, of course, very simple: *Moral conflicts are conflicts of ethical perspectives.* The fact that normative ethics, especially the Kantian tradition, recommends a general moral standpoint to solve moral conflicts implies the thought that in case of moral conflict such a standpoint is lost. In other words, usually the moral conflict will rest *on the very fact* that there is no common *ethical* basis but opposing "ideas of the good". Moral argumentation, then, starts with the collision of particular ethical perspectives and its aim is to reconcile these perspectives.

Still, from a strict cognitivist standpoint the "perspectival" aspect of moral claims has no cognitive content. According to the cognitivist a claim has cognitive content insofar as it overcomes perspectivity and expresses a possible general law. It is "rational" only if it fulfills the criteria of a formal procedure. Now one might say that this account is already given from a general moral point of view; the cognitivist takes, so to speak, the *standpoint of the solution* whereas the standpoints of the persons *involved* in the moral conflict are excluded. From *this* standpoint, however, the particular perspective and the universal claim are never separated. The point is: For the speaker, articulations of his or her very own ethical perspective will simply be utterances of "what is right". The addressee, in

turn, will not interpret the other one's statements as showing him the way to a new idea of the good (i.e., he does not take the perspective of a disciple in moral education). In case of moral conflict, he will understand his opponent's utterances as articulations of a particular standpoint that is unacceptable in some respect. In short, *participants* in a moral argument will take each other's utterances either as articulations of universal rules (i.e., as right) or as articulations of a mere perspective (i.e., as wrong). More precisely, they will take *their own* utterances as articulations of universal rules (as right) and their opponents' utterances as articulations of mere perspectives (as wrong).

If this is right, what can we answer to the question how *expressive speech* can have a place in moral argumentation (interpreted as reduced to logical reasoning for the sake of argument)? At least, we have a first clue: The normative claims to be justified in the course of argument and the articulations of ethical perspectives could be one and the same. From the standpoint of the participants, normative claims do not necessarily have to be performed as normative claims in the first place. The speakers might just intend to express what their perspectives are like and then get involved in a normative argument. It is tempting to think that an actor who makes a normative claim must have known about the norm all from the beginning as if he had a stock of "rules" that he "follows" in his life. But the virtue ethics discussion reminds us that a practical attitude is not codified by nature. Expressing such an attitude - expressing an ethical perspective - is a *creative* act. The rules of action (the "maxims", in Kant's terminology) are not given as "ready made norms". To put them to test of universability they have to be formulated.

Charles Taylor's conception of *articulation*, inspired by Herder and Humboldt (Taylor 1980), can help to clarify this point. Taylor reminds us that expressing attitudes, is not something like describing "inner facts". It does not mean to speak about things very hard to describe. Neither does it mean to "make explicit" rules. Just like ethical practice is not codified by nature, attitudes do not appear in sentential form. In this sense, attitudes are non-propositional; they have to be articulated: "articulations are attempts to formulate what is initially inchoate, or confused, or badly formulated" (Taylor 1977, p. 36). In this process, there is no constant object that is *represented*. When persons express their practical attitudes they rather *fix* what they want to *accept as right*. Taylor puts it this way: "To give a certain articulation is to shape our sense of what we desire or what we hold important in a certain way" (Taylor 1977, p. 36). To accept such an

articulation, then, does not mean to accept a “rendering” as correct. It means accepting a certain interpretation as an adequate self interpretation (Taylor 1977, p. 37ff.).

What is the general picture that emerges? What in moral philosophy is sometimes called “cognitive content”, i.e., the content of the utterance *as far as it can be generalized* is only one side of the matter. Indeed, every utterance that appears as a normative claim in moral argumentation may *at the same time* be an expression of a particular perspective. We might call this the “ethical” or “expressive content” of the statement. But indeed, the term “content” might be misleading already since the articulation of ethical perspectives is not representational but productive speech, i.e., part of the *formation* of practical attitudes. Moral argumentation, in general, seems to include both dimensions: the *production* and the critical *evaluation* of norms. Attitudes are made public by expressive speech acts for the purpose of formation and further development. In other words, moral argumentation might be regarded as a process of *intersubjective attitude formation by means of critical evaluation*.

If this is right, then expressive speech and normative reasoning might in many cases be *irreducibly entangled*. In fact, the distinction between making normative claims and expressing one’s very own perspective might not even be a *factual* distinction. It depends on the *perspective* that is taken if an utterance is interpreted as a normative claim or as an expressive act. What is interpreted as a normative claim from the perspective of a *third* person might be the articulation of a *first* person’s perspective who *expresses* his or her ethical standpoint. In this case, excluding expressive speech from moral discourse would mean to exclude this perspective. But this, in turn, would obviously amount to eliminate the ethical subject matter itself.

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