

Ways of Being Reasonable: Perelman and the Philosophers

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Part I: Philosophy and Perelman

Introduction:

If the audience of argumentation, in terms of which its success is in part measured, is the audience that the arguer intends to influence, then on a certain level the project of the New Rhetoric appears unsuccessful. Because the audience for whom Perelman (with Olbrechts-Tyteca) expressly wrote was the audience least captivated by his ideas. Writing as a philosopher for philosophers, Perelman strove to provide “for the sake of the logicians, a philosophical defense in favor of an enlarged conception of proof and reason”; “to show that philosophers cannot do without a rhetorical conception of reason” (Perelman, 1979:42). Emerging from the intricacies of Frege’s logic and against the backdrop of positivism’s arid thought, he looked to establish what at the time seemed at odds with the direction in which philosophical thought was flowing—a logic of value.

Still, the work did not exactly fall “deadborn from the press,”¹ receiving some acclaim in Europe and, subsequently, in the United States. But it is what might be thought of as ‘main-stream philosophy’, arguably the intended audience, which seems to have been more muted in its response. Here, I am interested in the nature of that reception, what might be gathered from it, and some of the things that Perelman offered (and still offers) to the philosophical enterprise. The philosophical world, after all, with its circles speaking different languages (Perelman, 1965:135) is not exactly a homogenous whole, like-minded in its principal (and principle) positions. It welcomes a multitude of inconsistent ideas, and there ought to be a place for *The New Rhetoric*.²

Tom Conley notes the favorable reception the book received in Europe in 1958 and its unexpected (by Perelman) welcome in the United States.³ The philosophical component of that reception has been rehearsed elsewhere, not least by some of the principals involved (Johnstone Jr. 1978; Perelman, 1989). But even Henry Johnstone Jr.’s early interaction with Perelman’s ideas challenged their central component, wondering, for example, “whether there is really any promise after all in the attempt to define philosophical argumentation in terms of rhetoric” (1978:91).

Conley further adds a note of surprise that the New Rhetoric was “praised even in Britain, in a review by Peter Strawson in *Mind*, a journal dominated by the “ordinary language philosophy” current in Cambridge and Oxford” (1990:297). The surprise, though, may be itself surprising. As Alan Gross and Ray Dearin aptly remind us, Perelman was first and foremost a philosopher: “His writings stress the interrelationships

¹ As David Hume wrote of his *Treatise* (Hume, “My Own Life,” 1955:4).

² I will use italics when referring to the 1958/1968 text, and non-italics when referring to the general project of that name.

³ Here, I am primarily interested in the reception from English and American philosophers. But we should not forget the extent of Perelman’s recognition by philosophers on the continent, seen variously in such things as his contribution to the *festschrift* for Gadamer’s seventieth birthday (Bubner, 1970) and Ricoeur’s (2000) interest in the universal audience.

between rhetoric and philosophy at every turn, and anyone who essays to understand his rhetorical views must first examine the metaphysical axioms upon which they are based” (2003:14). We might, then, expect other conceivably like-minded philosophers to be attracted to that aspect of his endeavors.

I. Perelman and the philosophers.

At least at Oxford, ordinary language philosophy was dominated by the figure of J.L. Austin, another philosopher with roots in the work of Frege. Among other connections, Austin translated Frege’s *Die Grundlagen der Arithmetik*.⁴ By the time of his association with ordinary language philosophy Austin had, like Perelman, traveled a long way from such roots.⁵ In the late 1940s, Austin organized a series of Saturday morning gatherings that attracted some significant younger Oxford philosophers, including Grice, Strawson, R.M. Hare, Herbert Hart, and Geoffrey Warnock, several of whom would later comment on Perelman’s work. This group would analyze texts and, more extensively, study features of language and the way it was ordinarily used.⁶ They would, for example, draw up lists of words and then analyze their uses, categorizing them and trying to decide which uses were appropriate in which contexts. As Grice (1986) would later describe ‘ordinary language philosophy’,⁷ it was interested in generally received opinion about language in the way the ancient Greeks were interested in the *legomena* (‘what is spoken’). This involved not just an interest in the analysis of language, but with how people generally talked about the world. It was, for Grice, an important part (but only a part) of the philosopher’s task to analyze, describe or characterize the ordinary uses of certain expressions (1989:172).

The review in *Mind* was written by Strawson, an active member of Austin’s group and a student of Grice. We should observe, of course, that Strawson’s review of the over seven-hundred-page French-language book consisted of barely a page in the journal. Calling it an “admirably civilized book” for its humane and anti-dogmatic tone, Strawson suggests that its scope is so wide that there is little use of language that does not fall within its purview (1959). Given Strawson’s own interest in language use, it is hard to imagine that he would not have viewed the authors as fellow-travelers to some extent. Hence, the praise should not be as surprising as Conley suggests. However, one odd point in the review concerns the sense of ‘argument’ that is involved in Perelman and Olbrechts-Tyteca’s project. He writes that beyond their claim to provide a theory of argumentation, “they are in fact concerned with all discursive means of securing adherence to theses or points of view or ways of looking at things, whether or not such theses or views are presented as the conclusions of arguments” (420). Apparently,

⁴ G.Frege, (1950) *The Foundation of Arithmetic: A Logico-mathematical Enquiry into the Concept of Number*. J.L. Austin (trans.). Oxford: Basil Blackwell.

⁵ In fact, some commentators see Frege as a candidate for the title of ‘father’ of ordinary language philosophy (Chapman, 2005:34); although this must be set against Frege’s efforts to produce a formalized language of pure thought (See Frege, 1979:252).

⁶ Much of this discussion of the Oxford Group is drawn from Siobhan Chapman’s biography of Paul Grice (2005). Another thread of interest in ordinary language philosophy would be traced to Cambridge and the group around Wittgenstein (See Hanfling, 2000).

⁷ Which he admits to being hard to categorize and to have been approached in different ways by various philosophers within the group (1989:171).

Strawson holds to a more traditional sense of what counts as argumentation than do Perelman and Olbrechts-Tyteca. But still, his approval of their venture would indicate that he has moved from the earlier position of his *Introduction to Logical Theory* (1952), where arguing shares a common purpose with inferring and proving or “connecting truths with truths” (13) in a traditionally valid scheme.

Strawson’s later work adopts an interest in what he loosely calls “pragmatics” (1974:vii), that which seems left over in language studies from logic and syntax-semantics, and he shows an appreciation of the audience-perspective when allowing a variety of responses to the same identity statement (53; 55). Perhaps it is in recognition of this and the appreciative review that Perelman adds to his account of ‘analysis’ in the *Realm of Rhetoric* (1982:63) a discussion of Strawson’s treatment of the bald king of France example that was absent from the *New Rhetoric*. Here, Strawson’s disagreement with Russell over the meaning of “the king of France is bald” if there is no king of France when the phrase is uttered (for Russell it is false; for Strawson it lacks application) serves Perelman as an example of how ‘analysis’ can be regarded as a quasi-logical argument when it depends on the conventions expected by the audience.

The reaction of other Oxford philosophers to Perelman’s work was mixed. To take two examples: H.L. Hart was a positive endorser of the work, J.L. Mackie far less enthusiastic. The first was a member of Austin’s group, Mackie was not. But it is Mackie (1974) who makes the rather surprising claim that he was expounding an approach equivalent to (not similar to; equivalent to) Perelman’s own, at least with respect to the fallacies, or at least with respect to one fallacy (I am restricting the claim as charitably as possible).

Mackie is reviewing Yehoshua Bar-Hillel’s (1971) edited collection *Pragmatics of Natural Language*, in which Perelman had published a very short paper titled “The New Rhetoric”. This is a version of the paper common to many publications and conferences at the time, wherein Perelman strove to promote the ideas of the New Rhetoric by summarizing their essential points. Mackie notes as much, referring to Perelman’s “extensive work published elsewhere under this title,” although it is not clear that Mackie has consulted any of that work. Still, he judges the project of collecting the requirements of dialectical argument addressed to an audience rather than those of a formal logic as “an approach both sound and important” (84). But he then proceeds to accuse Perelman of committing a “howler”⁸ by making a mistake in the very subject he is trying to develop. Mackie is referring to Perelman’s remarks on the *petitio principii* or begging the question, the account of which (in generally the same language) can be found in several works.⁹ In his essay, Perelman illustrates his claim that logicians confuse accounts of the *petitio* when they ignore the theory of argumentation by citing two articles from *The Encyclopedia of Philosophy* and asking “how can one say both that an argument is formally valid and that it only *seems* to be valid?” (Perelman, 1971:146). The “howler” in this is that Perelman has overlooked the fact that the two articles have different authors and thus there is no ‘one’ who is uttering these incompatible claims.

⁸ A glaring and amusing blunder.

⁹ We find it, for example, in the “parent” text of *The New Rhetoric* (112-14) as well as in the popularizing discussions of *The Realm of Rhetoric* (22-24) and the text to which Mackie is referring: “The New Rhetoric” (1971) Note, though, that not all versions of the papers that bear this title include discussions of the *petitio principii*; Perelman (1963) being a case in point.

More to the point (or the point as Mackie sees it), the author of one of those articles is Mackie himself and he is quick to take umbrage at the insinuation since he believes that “far from ignoring the theory of argumentation, [he] was expounding, under the heading ‘Fallacies in Discourse’, an approach equivalent to Perelman’s own” (1974:84).

It seems odd that Perelman would make so fundamental a mistake as attributing to one author what belongs to two. And so the case would appear to warrant examination, if only to further show how philosophers (in this case, Mackie) were understanding Perelman’s project. It is, after all, a serious suggestion, that there were ‘equivalent’ approaches being developed on both sides of the channel.

Perelman’s account of the *petitio* is quite clear: it is the error of being unconcerned with the audience’s adherence to the premises of the discourse. Since we are concerned not with the entailment of a conclusion by its premise, we must distinguish the truth of a thesis from the adherence to it. Even if a premise were true, to assume that it would be accepted and proceed on that assumption is to beg the question. In the “offending” article, Perelman seems most interested to point out the general problem that this argument scheme is considered a fallacy under the traditional definition of appearing valid when it is not, and yet is actually valid since the premise entails the conclusion. But in fact, he could also be seen to be identifying in Mackie’s account exactly the mistake that Mackie is denying—of a single person inconsistently asserting both that the *petitio* is formally valid and that it only seems to be valid. We can consider both Mackie’s general approach in ‘Fallacies in Discourse’ and his specific account of the *petitio* in reviewing how similar it is to Perelman’s project.

Mackie defines his category of fallacies in discourse as faults that are “not mistakes in reasoning from premises, or evidence, to a conclusion but are to be condemned on some other ground” (1967:169). He includes here such things as inconsistency, circularity, prejudice, irrelevance and unfair interrogation, a group that appears to lack any common thread. Yet when he turns to this group, a dominant characteristic of the set is their formal nature. Inconsistency, for example, “is a formal feature and can be formally checked” (176). Only when he turns to the *ignoratio elenchi* does he note the importance of context, and nowhere does any particular concern with audience arise. So in its basic framework, Mackie’s treatment of the fallacies of discourse does not seem to resemble any theory of argumentation that might be deemed equivalent to Perelman’s own. More importantly, though, the same can be said for the specific treatment of *petitio principii*. In its basic definition, Mackie presents it in exactly the terms that Perelman associates with the logician: “An argument that begs the question,” writes Mackie, “that uses the conclusion as one of the premises, is always formally valid. A conclusion cannot fail to follow from a set of premises that includes it” (177). He then proceeds to explain one kind of *petitio* that arises when two propositions are defended each by reference to the other, noting the difficulty of detecting the fallacy when the circle is larger and more complex. Why is this, we might ask? Because “the propositions that have been proved from one another appear to have been conclusively established” (ibid.; my emphasis). That is, surely, that they seem to be valid, but no evidence other than the two propositions has been provided. Now, technically, Mackie can avoid the contradiction by allowing that in one sense all circular arguments are indeed formally valid; and in another sense, they appear to be valid when they are not. He is also committed to the agreement that the fallaciousness lies outside of the formal validity. But

on a charitable reading (more charitable than Mackie provided), this was the extent of Perelman's concern. From that concern he then wanted to shift attention to what indeed was the underlying problem, and how that inescapably involved an audience and the theory of argumentation. On balance, then, it is difficult to see the grounds for Mackie's claim that his approach (whether to the fallacies of discourse in general or the *petitio* specifically) is equivalent to Perelman's. What it does, rather, indicate is a further failure to fully appreciate what Perelman's approach involved.

Oxford-group member H.L.A. Hart was a more sympathetic reader of Perelman, one who, on the testimony of his introduction to the collection of Perelman's papers on justice (1963) was also familiar with the New Rhetoric project. Hart is able, for example, to tie together Perelman's work on justice and argument by stressing the importance of 'reasoning about values' and how such reasoning must stand against "logical demonstration or inductive generalization or the apprehension of self-evident truths" (1963:x). He further fully appreciates the role that the Rule of Justice must play in such reasoning and that audiences have a history of precedents on which they draw in making judgments.¹⁰ One cannot help but think that Hart would have recognized in Perelman's procedure of enumerating and then analyzing the uses of the term 'justice' then in force (Perelman, 1963:6-10) a methodology similar to that which he had shared with Austin and members of the Saturday Morning Group.

These "connections" are more suggestive than apparent. They are what *could* have emerged, if the philosophers then working on related themes had wanted to take up Perelman's ideas. That they did not is a clearer matter of historical record. But it is equally clear they many philosophers active at the time were not averse to Perelman's project and shared it at least in spirit.

That there should have been greater uptake is apparent in other ways. Writing about Nicholas Rescher's (1966) study of recent trends in logic, Bar-Hillel (1970) appears aghast that neither linguists nor logicians have seemed inclined to take up the task of seriously treating argumentation in natural languages and that Perelman and his associates do not seem to have had any impact on the matter. Most "amazing," to Bar-Hillel, is that Perelman's "school" is not even mentioned in Rescher's "map," "and this in a paper published in a journal appearing under the auspices of the Belgian school of logic" (1970:355, fn2).

However, Bar-Hillel's own work on argumentation is itself strangely unaffected by Perelman's ideas; ideas with which Bar-Hillel was well acquainted having heard Perelman speak at several conferences and included his work in books he had edited. But when it came to argumentation, it seems, Bar-Hillel wore the hat of a linguist. The problem of evaluating arguments in a natural language involved, first, determining "which statements, if any, have been referred to," and secondly, "to formulate these statements in a "normal" (philosophical, universal) language in some canonical form. After 2,300 years of formal logic, we are still infinitely remote from having a clear idea of what such a language should look like" (1970:204). Granted, Bar-Hillel restricts himself here to deductive argument, recognizing that the vast majority are non-deductive.

¹⁰ This without fully endorsing the concept, the shortcomings of which he has discussed elsewhere (Hart, 1961:155), where he credited Perelman with one of the best modern expressions of the idea of justice. Still, we might imagine some influence of Perelman's work between the writing of the project that resulted in (1961) and the presentation of Perelman's ideas in (1963).

But his approach makes no reference at all to the different direction encouraged by Perelman, which makes the chastising of Rescher for a similar omission somewhat odd. Feeling that argumentation has been betrayed by the logicians (207), the direction that Bar-Hillel pursues suggests he was left unpersuaded by at least one logician who hoped very much not to betray it.

While Rescher was one philosopher who overlooked the work of Perelman, Johnstone did not, and at least paid it the honor of deeming it worthy of serious critique. Johnstone's criticisms, first developed before the full appearance of the *New Rhetoric*, are well known but deserve some attention here because they help to explain the reluctance of philosophers to whole-heartedly embrace Perelman's project.

Johnstone's early reactions seem characteristic of the wary approach that philosophers have tended to take toward rhetoric. Perelman is appreciative of this, noting that it was a habit of philosophers of that era to scorn rhetoric (1989:239). Philosophers, after all, would be loath to bring about consent through methods that have been concealed from the audience (a common suspicion of rhetoric). In this vein also, Johnstone judges that the theory of argumentation makes less of a contribution to philosophy than it does to rhetoric (1979:90). Philosophy, for example, does not consider the speaker's personality to be an issue. Moreover, in a 1954 paper, Johnstone raises concerns about the universal audience that will continue to vex him. It seems odd to him that arguments should be addressed to Reason, as if in the abstract. Philosophical arguments are addressed to specific audiences and Reason is the means of their expression (1979:91). Later, it will be the very notion of centering the account around 'audience' that is put in question. In fact, argues Johnstone, the organizing principle of *The New Rhetoric* is not audience but technique. And since the project fails to distinguish between hearers and readers, between oral and written arguments, there is a commensurate failure to deal with audiences as social phenomena (102-03). And since, further, there is no apparent way to test the uptake of the universal audience (103-04), then, all these things considered, there was no need to mention audiences at all (106). We lose the need to mention particular audiences once we drop mention of the universal audience. And that audience, Johnstone surmises, was only there because Perelman and Olbrechts-Tyteca thought they needed a philosophical underpinning to the rhetorical body of their work (106).

Elsewhere, Johnstone's concern is with the practicalities of a universal audience. How, he asks, could humanity even constitute an audience and what would a philosopher aim to accomplish by addressing it? (1965:147). Those not moved by the philosopher's argument would be marginalized as irrational, and so the "universal" audience would be reduced to a specialized audience of the arguer's own choosing. Then: "what does it mean to "convince" a model that one has invented?" (Ibid.) Moreover, the nature of philosophical argument as Johnstone understands it¹¹ is rooted in disagreements, and accordingly it challenges the idea that philosophers do address a universal audience. He ends that particular exploration by questioning whether reason must involve universality "in the way it has usually been supposed to" (148), since truths reached by reasoning that is acceptable to all rational beings would be empty truths.

Johnstone has other valuable criticisms to contribute: that the *New Rhetoric* seems divided on whether rhetoric is a technique or a mode of truth (Johnstone's conclusions support the former), and the problem of the quasi-logical arguments

¹¹ And had explored it in (1959).

assuming that audiences already understand formal validity, since they recognize the quasi-logical arguments because of their similarity to valid forms.¹² These have been mentioned before, but they are worth rehearsing because they speak to the central question before us: the philosophical reception of the New Rhetoric.

Notwithstanding the important problems that Johnstone provides for an agenda that pursues Perelman's project, it is clear that the Perelmanian influence was central to warming Johnstone to the prospects of rhetoric's contribution to argumentation. While maintaining the distinction between a valid argument and one that has a rhetorical function, Johnstone allows that rhetoric is necessary, since the human being is "a persuading and persuaded animal. But this involves a shift in the understanding of rhetoric to capture and express the evocative function of philosophical argumentation" (1978:137).

In general, it seems that no philosopher can come to grips with the value of Perelman's project without also embracing his idea of rhetoric. Significantly, it is such a reference that is missing from the bulk of the philosophical reactions that I have canvassed here. While recognizing value in the idea of an argumentation that proceeds outside the perimeters of formal reasoning, the complementary acknowledgement of the role that rhetoric must play in this is largely absent.

Such seems apparent from the 1958 conference that took place in France and that brought together a group of philosophers from the Continent interested in linguistic philosophy and a contingent of key Oxford ordinary language philosophers.¹³ In his review of the conference Proceedings, Charles Taylor (1964) called it the record of a dialogue that failed, identifying the two philosophical worlds that were brought together as, for short, "Anglo-Saxon" and "Continental." The Continental contingent was mostly adherents of phenomenology, although Taylor singles out "Professor Perelman from Brussels" as one who "stood closer to the empiricist tradition" (133). Taylor judges that the two sides knew too little about each other to engage in a worthwhile dialogue. He places the blame largely on the "Oxonians" who appeared to lack the will for dialogue, in part because they had little of substance to offer the "Continentalists'" questions about matters of method. In fact, as Taylor notes (134), a deeper disagreement seemed to exist regarding the extent to which the legitimate domain of philosophy included matters of empirical inquiry (such as psychology or history) that exceeded questions of language alone. In other words, the disagreement was over the purview of philosophy itself. This is where the nature of Perelman's idea of philosophy suggests itself as an impediment to others understanding the full extent of his proposals.

Part II Perelman and Philosophy

¹² As we will see in Part III, this is a more interesting problem than has been allowed, since it involves two senses of validity at work in audiences. Of course, in advocating a logic of argumentation, Perelman never suggested that the principles of demonstrative reasoning would cease to be operative.

¹³ According to the Proceedings of the conference (*Cahiers de Royaumont: La Philosophie Analytique*, 1962) papers were presented by Leslie Beck, Jean Wahl, J.O. Urmson, B. Williams, Gilbert Ryle, Peter Strawson, W.V. Quine, L. Apostel, E.W. Beth, J.L. Austin and R.M. Hare. Other attendees took part in the discussions, and this group included Perelman, as well as Ayer, Nowell-Smith and Maurice Merleau-Ponty.

What Perelman shares with innovative philosophers on both sides of the divide imagined by Taylor is a refusal to see philosophy as a body of fixed ideas, an accumulation of truths that should inform future inquiry. Philosophy is a way of thinking and speaking, a discourse addressed to the world. It is, as the close of the *Realm of Rhetoric* would propose, a subject that embraces all that falls outside of science and whose proper method is argumentation (1982:160). As Nathan Rotenstreich observes of *The New Rhetoric*, “Philosophy is always underway” (1972:12).

Earlier, Perelman had effected a dissociation on the concept ‘philosophy’. While not of the distinctive appearance/reality variety that he and Olbrechts-Tyteca find to characterize the history of philosophy, it no less breaks the links that join independent elements and brings about a “profound change in the conceptual data that are used as the basis of argument” (1969:412). Perelman’s Term II¹⁴ he calls “regressive” or “open” philosophy, as opposed to “first philosophy” out of which it is drawn and against which it is set.

Against the fixed metaphysical systems of “first philosophy” with their search for a necessary reality, a self-evident concept, from which to begin, Perelman sets the “open philosophy” that he calls “regressive” (1949/2003:191). It also studies the fundamental propositions concerning being, knowledge and action, but it differs in the weight given to the starting points: “Regressive philosophy considers its axioms, its criteria, and its rules as resulting from a factual situation, and it gives them a validity measured by verifiable facts” (191). But unlike first philosophy that may see itself aimed uniquely at knowing the real, regressive philosophy aspires to an ontology that is able to guide action (Perelman, 1979:103).

The value of regressive philosophy arises in a sense from the very limitations of first philosophy. For once having established a system of absolute truths, the first philosopher must then explain how *disagreement* emerges in the domain of knowledge or action (193). First philosophy imagines its own otherness, which it devalues. Perelman inverts that value system.

Drawing from Gonsseth’s (1947) four principles of dialectic (wholeness, duality, reusability, and responsibility), Perelman recognizes a form of argumentation, prefigured in ancient rhetoric: a rhetorical argumentation “that treats not the true, but the preferable, and which one might consider as the logic of value judgments” (198). While Gonsseth’s four principles that characterize regressive philosophy themselves point to a series of problems related to their undecidedness, those problems contribute a research program.

Regressive philosophy sees all knowledge as incomplete and subject to the revision of later experience, hence its stress on openness. “It opposes progressive knowledge to perfect knowledge, it opposes dialectical knowledge to dogmatic knowledge” (203). It is, indeed, “always underway.” And it is the philosophy of the New Rhetoric. And this openness itself gives rise to the need for a philosophic pluralism (Perelman, 1979:103).

It is the character of disagreement that encourages this philosophic pluralism. Without agreement, we must accept a pluralism and different scale of values, and this in turn makes fruitful the dialogues that emerge in which opposing views can be expressed (1949/2003:115). This pluralistic attitude tells against the dominant aspirations of first

¹⁴ For a discussion of the process of dissociation whereby Term II is drawn from Term I see Perelman and Olbrechts-Tyteca (1969:416ff.) and Perelman (1982:126-37).

philosophy, since “having as its starting point the concrete human being engaged in social relationships and groups of all kinds, philosophical pluralism refrains from granting to any individual or group, no matter who they are, the exorbitant privilege of setting up a single criterion for what is valid and what is appropriate” (1979:71). It provides human solutions, rather than final solutions. It provides solutions that are open to change in recognition of the problems created by human coexistence. All this under the sign of reasonableness. But the concept of reason at stake here is a complex one, since in his promotion of philosophical pluralism Perelman also appeals to a universal idea. The appeal to reason is an appeal to the agreement of (and here the recommendations appear to vary) “all men who are not disqualified as members of this universal audience” (1979:70); that is, excluding for legitimate reasons “those which are not part of it” (Perelman & Olbrechts-Tyteca, 1969:31);¹⁵ “an audience attuned to reason” (1979:57); or “those who are disposed to hear [the philosopher] and are capable of following his argumentation” (1982:17).

One way or another, “the philosopher must argue in such a manner that his discourse can achieve the adhesion of the universal audience” (1979:58), because the quality of a discourse cannot be judged by its efficacy alone, but also by the quality of the audience on which it is efficacious. These are matters, of course, that have concerned philosophers like Johnstone, and which we will explore below.

Perelman’s philosophy is, then, pluralistic and open, and promotes a logic of value judgments through an emphasis on what is preferable rather than what is true. Moreover, and again in terms that distance Perelman from his contemporaries, the philosophical enterprise itself is understandable because of its rhetorical nature (1979:50). The primacy of audience remedies that post-Cartesian omission that afflicts philosophy (which contributed to rhetoric’s decline in the eyes of philosophers—1982:152). Philosophical argumentation is a new rhetoric, made new by the circumstances of its revival and the tasks to which it is set. And the philosopher is a rhetorician (Perelman, 1989:244). The domain of rhetoric embraces every discourse that does not claim the impersonal validity of first philosophy, since “[o]ne hardly needs a discourse to submit to what is present or what imposes itself naturally” (Perelman, 1979:103). But in this regard, the new rhetoric is at its core still *philosophical* argumentation. It serves philosophical purposes, conveys philosophical ideas, and is primarily addressed to a philosophical audience. And again as such, it cannot avoid the universalizing tendencies of its past. What characterizes philosophical discourse is that it is aimed at all reasonable people.

III The Reasonable.

If Perelman’s philosophy is unrecognizable to many of his contemporaries, and thus unattractive to them, it is in part because his vision of the future and the possibilities of philosophical discourse involve a recovery from the past of a tradition they might not have felt a part of. Aristotle is a breeding ground for much contemporary thinking, but his

¹⁵ “There can only be adherence to this idea of excluding individuals from the human community if the number and intellectual value of those banned are not so high as to make such a procedure ridiculous” (*The New Rhetoric*, 33).

discussions of rhetoric are rarely the texts of choice. Even though Grice and Strawson co-taught courses on Aristotle at Oxford (Chapman, 2005:49-50), they were interested in the linguistic richness of the *Organon* and not the rhetorical insights into civic discourse, features of which may have been thought to transgress the philosophical boundaries into psychology and history.

One of Perelman's many interesting claims is that he amplifies and extends Aristotle (1982:4). And he does this in ways that match the ideas to the contemporary settings that beckon Perelman. The philosophical discourses of rhetorical argumentation, while acknowledging a barely visible epideictic core, speak to a wider range of audiences, including those for written texts, and speak in more expansive ways beyond the short discourses that an Aristotelian audience was judged to be able to follow.

But Perelman's empirical philosophy remains thoroughly Aristotelian in its essential sensibilities. Consider Aristotle's analysis of the Platonic Form of the Good (and of Forms generally). What, he asks, is the good of the Good? We cannot know it, and if we could, we cannot use it. We do not see such universals; we see the particulars, and the universal only appears incidentally in the particular. The physician does not 'see' health, but a patient. And seeing enough patients the physician will come over time to accumulate the experience that enables a more general judgment to be made (*Nicomachean Ethics*, Bk I, Chapter 6). In turn, through the natural reciprocities of the process that allows the knower to grow with the knowledge acquired, the practitioner (physician or otherwise) will become better: better at recognizing, and judging, and acting. That is, knowledge of particulars is not sufficient; the appreciative accumulation of the universal is crucial to success, whatever that success may involve.

Aristotle's rhetorical philosopher, like Perelman, is just such an empiricist, accumulating knowledge of audiences, given through the reciprocities that such experiences provide. S/he does not see the universal except incidentally, but recognizes all the time that it is there operative in the particulars. Here, the particulars in question are audiences—vehicles of reason and emotion. One comes to know what is reasonable, as well as to understand the emotions, through experiencing particular audiences which express them. Johnstone was concerned by the value of arguments addressed to an abstract reason. But for Perelman (as for Aristotle) there is no abstract reason, only particular expressions of it from which a general understanding can be drawn. To appeal to an audience is to appeal to it both in its particular and universal modes. We "invent" this universal insofar as it is a product of our experience, of what we know of the audiences we confront. It is not, to borrow further Aristotelian terminology, an *entechnic* feature of the argumentative situation, fully under the control of the arguer, but part of the *atechnic* given. Still, its expression or depiction depends on the arguer who invokes it by addressing it, by addressing the way that audience understands and conforms to the reasonable. The universal audience of the philosophers, traditionally conveyed, seems empty of content, while arguments addressed to it must possess a self-evident character that has an absolute and timeless validity. Such Cartesian certitude binds all. Call this our Term I Universal Audience, fully, if confusedly, expressed in *The New Rhetoric* (32). From any appreciation of Perelman's project, we can see how incompatible this concept appears such that it necessitates a break within the original unity of the concepts involved and a new Term II constructed. *This* universal audience corrects the failings of that from which it is dissociated. It is not absolute, it is not timeless, and it does not possess a self-

evident character. It is relative to the particular audience, time and place, to the argumentative situation, for which it is relevant.

In this regard, we see a central feature of Perelman's account as an amplification of the Aristotelian. Other features are more apparent as extensions, pushing the dialectic further into contemporary situations. A prime case here is the concept of 'adherence', a concept so central to the project of the *New Rhetoric*, and yet one that still begs for the clarity of philosophical analysis, especially in light of the ways that Strawson and Mackie seem to have misunderstood it. It is an important concept, one that, contrary to Johnstone's claim, contributes as much to philosophy as it does to rhetoric. Because the concept of 'adherence' speaks to problems that have long perplexed philosophers, and continue to do so.

We are told in *The New Rhetoric* that all argumentation aims at gaining the adherence of minds and in this way assumes an intellectual contact (14). Earlier, the criterion is set out in distinction to that of demonstration:

...the object of the theory of argumentation is the study of the discursive techniques allowing us to *induce or to increase the mind's adherence to the theses presented for its assent*. What is characteristic of the adherence of minds is its variable intensity: nothing constrains us to limit our study to a particular degree of adherence characterized by self-evidence, and nothing permits us to consider *a priori* the degrees of adherence to a thesis as proportional to its probability and to identify self-evidence with truth. It is good practice not to confuse, at the beginning, those aspects of reasoning relative to truth and those relative to adherence, but to study them separately, even though we might have to examine later their possible interference or correspondence. Only on this condition is it possible to develop a theory of argumentation with any philosophical scope. (4)

Hence, 'adherence' is a state or characteristic of minds and appears by degrees, from lesser to greater intensity. It is the degree of agreement or assent to a thesis.

Here, adherence is the aim of argumentation. But at a different level, it is the starting point. The whole structure of the argumentation has no other basis, we are told, "than a factor of psychological nature, the adherence of the hearers" (1969:104). This adherence is presumed to exist and is built upon. It is the level of agreement of basic premises, those premises which need no further support and can be taken as given.¹⁶ Thus, initially, an arguer employs techniques to recognize adherence, looking for "tokens" of its presence (105), although in many cases we may have no better guide than the presumptions of social inertia.

'Adherence' is attachment to ideas. But the metaphor of the mind as a core structure to which things (theses) are *adhered* with varying degrees of *stick* and intensity is an odd one. In fact, Goodwin (1995) defines 'adherence' as the sticking of a person and a proposition, and then explores the ways such 'sticking' can issue in conviction.¹⁷ By contrast, Mieczyslaw Maneli (1994) defines 'adherence' as a decision on the audience's

¹⁶ In all models of argumentation, the status of basic premises and what justifies them as basic is a significant problem. For a discussion of this in informal logic, for example, see Freeman (2005).

¹⁷ Goodwin sees an essential problem in Perelman's account: he wants to show a relationship between adherence and conviction that will characterize philosophical discourse, but, suggests Goodwin, philosophers seem not to be aiming at convictions in anyone. I suspect this is indeed the kind of dissonance that has prevented philosophers generally from taking up Perelman's ideas. But the problem lies not in the account, as I attempt to show below, but in the understanding of it.

part to cooperate with the speaker at some foreseeable time (52). No change of perspective is required, or any deeply felt opinion, and no sense of ‘sticking’. But perhaps we should not be too distracted by this metaphor. Our experience tells us that people agree with us and that that agreement may be strong or weak, may be strengthened and may fall away completely (there’s the metaphor again!). If we can build our argumentation on agreements and move the audience through a process of reasoning to new agreements,¹⁸ those new agreements are likely to be firmer, more durable, than if we build the argumentation on weaker structures like assumption or speculation. We look for tokens of this agreement in all kinds of behavior, not just in what people say, but how they spend their money and the social uniforms they wear and the books they read and the newspapers they carry, and so on. Aristotle understood the importance of adherence to basic premises and the visible tokens of their presence in his theory of *topoi*—lines of argument ‘seen’ by the arguer and drawn on insofar as it can be expected that the audience will also ‘see’ them since they share a fund of basic agreements on which argumentation can be built. The importance of these *topoi* if successfully chosen is, as Perelman notes (1979:159) that they justify choices without in turn having to be justified. In Perelman, the *topoi* are converted to the Latin *loci*, thus reinforcing the physicality of the ideas involved, laid out in the geography of the mind.

And Aristotle’s *topoi* also include those that relate to *pathos*, seen, for example, in his discussion of calmness: “Clearly, then, those wishing to instill calmness [in an audience] should speak from these *topoi*...” (*Rhetoric*, Book II, Ch.3, 1380b). This claim should take us back to look more carefully at the Perelmanian concept of adherence. Indeed, adherence begins as a state of the mind, as an intellectual contact, but as it develops it encompasses the entire person and is no longer just the intellectual connection of its origin. The aim is not purely intellectual adherence, but the inciting of an action or creating a disposition to act, since the uptake need not be immediate (1982:13). We may think of this incitement and creation as aims *in addition* to adherence. But it is more plausible to see them as part of adherence. Perelman is not interested simply in adherence to abstract ideas, but also to values (1982:19; 1979:159). Hence, the centrality of the epideictic genre. Without such adherence, he writes, discourses directed at proving an action “cannot find the lever to move or inspire their listeners” (Ibid). The deepest adherence involves a change of character (consistent with the ethical prescriptions of an Aristotelian virtue theory rooted in character development) where people are disposed (though not guaranteed) to behave in certain ways. This adaptation to beliefs and values is surely the strongest sense of adherence we might imagine and will issue in the choices and actions that we associate with conviction.¹⁹ At the other end of the spectrum we might envision a weaker adherence captured in no more than an appreciation of another’s point of view. This, too, depending on the circumstances, could be a successful outcome of argumentation.

So we move from one set of adherences to another set of adherences, one that already exists in the audience to another that is brought to exist. But having looked for

¹⁸ “Thus each argument exhibits stages, marked out by the agreements that should be reached” (*New Rhetoric*, 110)

¹⁹ Thus, I do not agree with Goodwin’s claim that convictions are not reducible to strong adherences (1995:223). On the other hand, her point that Perelman’s account lacks the richness that would discriminate between the treatments involved for different levels of adherence remains a problem.

tokens of the first, we may be more concerned to find measurable tokens of the second, since this involves the determination of the strength of arguments and its relationship to the nature of adherence in the Perelmanian scheme. This is a puzzle that Perelman and Olbrechts-Tyteca themselves present to us. On the one hand, it looks as if adherence should be measured by the actions of the audience, as those actions *and* audience are intended by the arguer.²⁰ Hence, Perelman and Olbrechts-Tyteca speak of ongoing argumentation until the desired action is actually performed (1969:49). And thus adherence can be measured by how audiences behave: what obstacles they overcome, what sacrifices they make, and so on.²¹ But this, as the authors concede, leads to a hazard: since the adherence can always be reinforced, we cannot be sure *when* to measure the effectiveness of the argumentation. If audience uptake is the only criterion, we may be premature in judging the quality of the argumentation or left unable to decide. After all, if adherence involves creating a *disposition* to act, then until circumstances call for the appropriate actions we cannot measure the extent of the argumentation's effectiveness.

This focus on the effectiveness of argumentation as the sole criterion of strength can obscure the full weight of Perelman and Olbrechts-Tyteca's proposals and lead to the kind of dismissive judgments we see from some of the New Rhetoric's critics. Such a focus overlooks the way this issue is brought to the fore in one of the key questions of *The New Rhetoric*: "Is a strong argument an *effective* argument which gains the adherence of the audience, or is it a *valid* argument, which ought to gain it?" (463). Just posing the question in this way puts us outside the chronology of argumentative events where we are left waiting for the tokens of efficacy. Here, we might appraise the argumentation as it develops in terms of how well the arguer has mustered the elements that should bring about adherence (but does not guarantee it), given what is known of the audience. Here, we can work with a notion of validity. Johnstone called for some way to test the uptake of the universal audience, and in its apparent absence judged the appeal to audience otiose. But Perelman provides the test in the recourse to validity. Not 'validity' as it has been understood in formal logic. That concept has revealed an incompatibility with the goals of argumentation such that we look now for a Term II replacement. Such a distinction is predicated in the identification of quasi-logical arguments. As Johnstone rightly observed, quasi-logical arguments assume that audiences already understand formal validity in order to see the similarity. But this is not so much a problem as a confirmation that there is a parallel sense of validity alive in audiences attuned to the exigencies of argumentation. It does not preclude formal validity, the power of which Perelman has never denied. It just restricts formal validity to its domain and renders it a Type I term from which the type II is drawn.

Still, how do we reconcile efficacy with validity in argument evaluation? As the question is put to us, is the strong argument the one that persuades or the one that must convince every reasonable mind? These questions are directed at the audience and since

²⁰ This is a philosophical problem in Perelman's account, but not one we can pursue here. The intentions of an agent are hidden from public view, so suggesting, for example, that the audience for an argument is those the arguer *intended* to influence is clearly problematic. A possible solution lies in the degree that the audience comes into play in deciding what an arguer intends (Perelman, 1982:90).

²¹ Consider, for example, the obstacles and sacrifices that have to be made in some parts of the world by people who have been persuaded that they should go out and vote.

the New Rhetoric is nothing if not self-referential, that audience is expected to contribute to the answer.

Here, also the relationship of the particular and universal audiences is brought back with the question of strength. And as with so many features of this account, they cannot be extricated from each other; each feeds the other in answer to the puzzle. We will always be intrigued by the prospects of efficacy, by the kinds of uptake on the part of audiences by which effectiveness is measured. Further clues to how this uptake can occur appear in the concept of the fluid audience that changes through the process of argumentation, “*to the degree that speech is effective*” (Perelman, 1982:149). I emphasize this phrase because it captures the measure involved; one sees in the interaction with the audience the impact of the argumentation—through the points raised; those resisted; where repetition and emphasis are required, and other points are skirted over because the audience has quickly ceded them. Argumentation is a process of change (for *both* the audience and arguer, although Perelman’s account is concerned first and foremost with the former). So efficacy is *experienced* in the collaborative exchanges between arguer and audiences. The arguer’s responses are to the successes and failures of the attempts at efficacy. Persuasion, rarely an all-or-nothing matter, develops in the give and take of argumentative exchanges, with each participant contributing.

But what, then, of validity? This perhaps is the more crucial concept, with its heavy philosophical history hanging around it like a shroud. There is, and can be, no rationalist model of validity working here in a project marked at every turn by its anti-Cartesian sentiments. In an early paper, McKerrow (1977), influenced by Scult’s (1976) interpretation of the universal audience, groups Perelman with other theorists who assume arguments justify rather than verify their claims. The sense of validity he sees operative, is the sense in which the universal audience validates rhetorical transactions (1977:137). But the understanding of the universal audience here sees it as deeply impersonal—a dispassionate object which “will dispense answers to my queries about the efficacy of my argument” (138). Perelman, however, conjures up, if only implicitly, the idea of a *personal* validity by speaking explicitly of the way in which the realm of rhetoric embraces every discourse that “does not claim an impersonal validity” (1982:162). This validity is the Term II that we seek. In what is, as Taylor reminds us, an empiricist terrain, the valid argument will also be experienced. Unlike the isolated arguments of a demonstration, argumentation always has a history. The community of reasoners that judges the strength of an argument has reasoned before, and those decisions will influence future decisions, just as they are recoverable in an empirical analysis. When Perelman and Olbrechts-Tyteca suggest that strength must be appraised by the rule of justice, this is the idea that comes to the fore: That arguments are directed at audiences who have a history, who do not emerge anew at each step, but draw on their past judgments in making the next one. While the efficacy of the argument affects them now; the validity stands apart from this, and draws on their past and is projected into their future. No claim is made to an impersonal validity here. But the appreciation can be made that any audience reasoning through *just this situation*, with this history at this time, with these values and beliefs, would find this outcome reasonable. This validity, this layer of confirmation that reinforces the persuasive choice by universalizing it in this way can be anticipated by the arguer who knows well the audience involved, can be experienced by the audience, and can be evaluated in the aftermath of the argumentation. The validity

can be anticipated; the validity can be experienced; the validity can be evaluated. In sum, it provides that second important aspect of the criterion of strength. To judge Perelman's account as one interested only in the effectiveness of argumentation fails to appreciate the whole picture.

Arguments, then, are experienced within communities that have their different measures of strength; their ways of being reasonable. That disagreements arise over the reasonable is empirically evident. That is why the need for argumentation exists. What supports the above interpretations are the statements made on the reasonable. There is no better way to understand these and related statements: "what is reasonable must be able to be a precedent which can inspire everyone in analogous circumstances, and from this comes the value of the generalization or the universalization which is characteristic of the reasonable" (1979:119). Ways of being reasonable involve generalizations of our experience to an audience that, for want of a better term, is universal. We may ask whether this move is necessary: given the uniqueness of argumentative situations, no others will experience those that we experience, so judging *as if* they might is an empty gesture (or judgment). The universalizing move aligns us with an audience that does not exist apart from the particular situation, and hence is imagined. But it is a way of seeing the universal in the particular, of seeing reason at work. Like the Aristotelian recognition of the universal, we can abstract the idea of what it means to be reasonable so as to recognize it in other communities and reasoners. Reasonableness becomes a source for future decisions and a check on self-interested decisions that cannot be justified more generally. Nor does it guarantee unanimity of thought. History is replete with examples of opposing arguments that draw allegiance from people we would judge to be reasonable. Insofar as they "express thoughtful and recognized ways of thinking...they are both reasonable" (1979:113). It is the manner in which we hold our disagreements that is influenced by successful argumentation seen in these terms—respectfully, thoughtfully, and with an openness to other perspectives. Persuasion is too often seen to involve the imposition of theses on other people. But in the expanded sense that we have seen 'adherence' at work in this account, we can be moved to actions that equivocate (in the best possible way) on the meaning of 'acceptance', we can accept without accepting, we can adhere to the reasonableness of the view presented without adopting the reasons for ourselves. In this way also there is the prospect, the promise, of reason (as it is instantiated in reasoners) moving, expanding and changing.

Conclusion:

Such a judgment of acceptance is perhaps the best way to sum up the early philosophical responses to the New Rhetoric. The reasonableness of what is proposed is acknowledged and welcomed, even while the positions and procedures are not adopted or fully appreciated. Standing in the way, perhaps, is the philosopher's "innate" resistance to matters rhetorical. But that too is changing: one of the more significant advances we might recognize in philosophical circles over the last fifty years is the serious recovery of rhetorical themes and concepts. If Perelman's work has not been a major cause of that recovery, it at least supports it such that it stands as a resource and inspiration for the future. Ignoring this work involves a risk of failing to recognize the very real contributions that Perelman has made to the community in which he felt most

comfortable, and that he sought to persuade—contributions like those we have explored here through the series of insightful dissociations he made to the dialectic on basic premises and problems of argument evaluation.

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