

Comments on 'Rhetoric and Dialectic from the Standpoint of Normative Pragmatics'

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When faced with a topic like 'dialectic and rhetoric,' the student of rhetoric is, I suppose, by trained incapacity disposed to view it as 'dialectic *versus* rhetoric' and to take up arms in defense of her much-maligned Dame. The pleasures and payoffs of zealous advocacy, after all, have not waned even through 2,500 years. Unfortunately, I find myself in the uncomfortable position of agreeing with my adversary's proposal for union, or at least detente, between the dialectical and rhetorical inquiries into argumentation. I want to begin, therefore, by reiterating five theses Jacobs has nailed up for us, before closing with what I see as the major area of continued difference in viewpoints.

Thesis 1. The common thrust of both rhetorical and dialectical inquiries into argumentation – what provides discipline to the nondiscipline of argumentation studies – is as Jacobs says our shared commitment 'to come to grips with real messages in theoretically productive ways.' Our work must be stubbornly loyal to the 'real messages,' always complex and situated; our work must also be 'theoretically productive,' aiming for precise and increasingly comprehensive conceptualizations.

Thesis 2. Argument itself is however only one subset or aspect of the 'real messages' we ought to be examining. Since in Gricean terms all communication works by inducing the auditor to make specific inferences, it is tempting to reconstruct any communicative act as an argument with an inherent and (moreover) sound inferential structure. When, for example, Willard's hotel doorman scowls at the bum who wants to enter, the bum is supposed to infer that he should get out of there; it is tempting to say that that's the doorman's 'implicit' and 'nonverbal' argument (1983, p. 53). But this temptation must be resisted. The doorman has not made an argument. 'Arguments' as Jacobs puts it, are only those 'fundamentally linguistic entities that express in a special way propositions that stand in particular inferential relations to one another.' So not all discourse is argument, much less good argument, nor should it be interpreted as argument.

Thesis 3. Nevertheless, careful attention to nonargumentative aspects of discourse is vital for argumentation studies, because nonargumentative



discourse creates the conditions in which arguments are appropriately received and perform their functions. This is an insight that has been increasingly well-formulated by all those examining the actual transactions in which arguments tend to occur. Jacobs in this paper has renewed Aristotle's view that emotion may be vital in defining the issues in deliberation; the pragma-dialectical school has for long attended to the speech acts surrounding argumentation at the various stages of a rational discussion (e.g., van Eemeren and Grootendorst, 1984); Kauffeld has been examining the strategies speakers use to create the ethical terrain in which arguments are owed and will be attended to (1998); and Leff (forthcoming) examines how the classical figures of speech can serve to position a particular viewpoint among its competitors. Our attention as argumentation studiers – whether of dialectical or rhetorical bent – must thus be on 'argument-plus': arguments, plus the discourse that makes argument possible.

Thesis 4. Our aim must be to account for the force of 'argument-plus': for why a speaker can reasonably expect her arguments, plus the discourse that envelops them, to accomplish her purposes. Argumentative discourse has force, furthermore, not primarily because of the institutional context in which it occurs, nor because of social or cultural norms, nor because of a symbolic force inherent in language itself, but rather because the speaker so designs what she does as to offer, as Jacobs says, a 'manifest rationale for persuasion' to her auditor. She makes some set of changes to the world – arranging for the printing, for example, of a page of words with a very large headline. She expects that her auditor will recognize what she is doing in making these changes, and furthermore that through this recognition, he will have a reason for responding in the way she desires. The goal of the student of argumentation must be to reconstruct the 'why' of such a transaction: that is, to account for the force of a particular instance of 'argument-plus' in pragmatic terms.

I suppose my responsibilities as an advocate for the rhetorical side requires me to point out that this, what could be called the 'pragmatic methodology' thesis, is going to be significantly more controversial than the first three. Since I endorse the thesis, however, I want instead to point to one of its significant internal weakness. As Jacobs demonstrates, many contemporary argumentative messages do not seem to provide any 'manifest rationale for persuasion;' rather, recognizing what the speaker is manifestly doing – say in an 'Oil of Olay' advertisement – seems to give no particular reason for buying the product. The advertiser has only *presented* the product *as* serviceable, not actually *asserted* (much less defended) its serviceability. In Jacobs' reconstruction, therefore, it is only if the auditor *mistakes* the advertisement that he may be persuaded. Nevertheless, presumably parsimonious advertisers continue to pay for advertisements, and further politicians wanting to persuade continue to adopt the related techniques of 'spin,' and yet further, the argumentativity

of language itself may force us always to insinuate more than we actually say.¹ My suspicion is that this cluster of techniques – ‘openly presenting something as something,’ ‘talking as if something were something,’ ‘making something out to be something,’ ‘spinning something into something’ – provides a ‘manifest rationale for persuasion’ not yet discovered. Finding it is a major task for any pragmatic inquiry into argumentation.

Thesis 5. The first four theses posit that studying the pragmatics of actual ‘argument-plus’ discourse can be a program of inquiry shared by rhetoric and dialectic. Both rhetoric and dialectic can further agree that the study of argument must have a normative dimension as well. Rhetoric, with its alleged tendency toward replacing normative evaluation with a standard of success, might be seen as resisting this thesis. But even the rhetorician can’t get on without norms. It is easy to see that auditors of arguments often feel angry, exasperated, aggrieved, resentful; often take themselves to have been insulted, imposed upon, deceived, intimidated, overborne; and often respond by complaining, protesting, accusing, or simply by getting up and leaving. Even if a rhetorical approach to argumentation judged only whether a discourse was maximally adapted to some auditors, it would still have to take into account the fact that the auditors possess and act on strong normative sensibilities. Argumentative discourse is ineliminably ‘normed.’

But by what norms? Here is where I think the rhetorical and dialectical approaches will begin to diverge. Jacobs, representing the dialectical approach, adopts a normative overview of argument as reasonable discussion, aimed at warranted assent, proceeding largely cooperatively.² This view now at least needs a defense, because it is not the only live possibility. Walton (1998) has already proposed a dialectics recognizing multiple dialogue types with multiple goals and multiple evaluative standards. And there is at least one additional normative overview available, one arising within the rhetorical tradition.

Begin with the evidence of ordinary argumentative practice. Do we always criticize arguers for not cooperating in the argumentative discussion? Do we only praise them for cooperating? For that is what would suggest that we ordinarily hold to the normative view proposed by the dialecticians; that is, it would show those cooperative norms to be ‘inter-subjectively’ or ‘conventionally’ valid (Barth and Krabbe, 1982). Do we always criticize arguers for being uncooperative? No.

Consider the arguing at trials in common law countries – the sort of forensic rhetoric that has been a particularly vigorous subject of inquiry within the rhetorical tradition since antiquity. Do we criticize the accused for not cooperating with the argumentative process that follows her accusation? No. We do not require her to actively defend her standpoint; the presumption of innocence relieves her of that burden. We do not require her to help out those prosecuting her by volunteering information; indeed, we grant her an explicit privilege against incriminating herself, so she can’t be forced to cooperate. We do not require her to avoid ambiguity in her

arguments; instead, she's allowed to wiggle and finesse as much as she can get away with. And we do not require her to assent to a verdict against her; even when she is demonstrated to be guilty beyond a reasonable doubt, she is still allowed to maintain her innocence. In short, the accused gets to violate without criticism at least pragma-dialectical rules 2, 9 and 10 (e.g., van Eemeren and Grootendorst, 1992).

Or consider another familiar argumentative situation: the scholarly colloquium, as represented by this series of papers. Would I be praised if, after the discussion, I suddenly announced my conversion to the dialectical view? I suspect not (except by those I would be joining); rather, I would be criticized for not thinking through my position beforehand. I shouldn't have been wasting my colleagues' time by presenting a view that couldn't stand up through even a day of debate. Or again: do we expect politicians or professional political advocates to give in in the face of argument? No, we generally criticize such people for switching parties, and often praise the loyal opposition, even when we think them demonstrably wrong.

In forensic, scholarly and political arguments, we do not seem to expect the arguers to be cooperative; rather, we expect them to exhibit *zeal*: to represent their positions 'zealously within the bounds of the law,' as the American Bar Association's ethics code puts it. Argumentative zeal is indeed oriented toward effectiveness, as the traditional charge against rhetoric would have it, since the zealous advocate does want to defend her position as successfully as possible. But zeal is not just effectiveness; rather, argumentative zeal is grounded in a view of 'argument-plus' that is just as idealized as the cooperative, dialectical view.

The dialectical view imagines a mutually constructive interchange of reasons among open-minded, reasonable beings, aimed at verifying a common truth. This is indeed an attractive picture.

The rhetorical view imagines self-reliant citizens, making up their own minds on questions of civic concern – autonomously, that is, not heteronomously – and resolutely living up to their beliefs, even under adversity. Within this view, argument becomes the way that citizens can address each other, respectful of each others' autonomy, with the goal of coordinating action. In this view, arguing is not a cooperative activity, nor a competitive one, but rather what decision theorists have called *strategic*. Arguments are one of the vital means, perhaps the most vital means, enabling a citizen to pursue her projects in an environment made up of her equals. And this too is attractive.

In many instances, dialectical norms of cooperation and rhetorical norms of zeal will suggest similar evaluations of argumentative practice. Tobacco companies will get criticized by both views, for example, and both will require us to implement strong protections for free speech. But in other cases the two views will diverge. Consider Jacobs' final example, the advertiser's guarantee. The dialectical view can take this at best as a way to make up for a sorry lack of cooperativeness among the partici-

pants, who ought rather to be helpfully trusting what each other says. The rhetorical view, in contrast, can take the guarantee to be a powerful way self-reliant citizens influence each other's actions, and may even suspect that the force of 'argument-plus' paradigmatically depends on similar undertakings and impositions of responsibility (Kauffeld, 1995; Goodwin, forthcoming).

The program of normative pragmatics laid out by Jacobs, with its commitment to coming 'to grips with real messages in theoretically productive ways,' its view of argument as only one aspect of these 'real messages,' its interest in all those other aspects which make argument possible, its adoption of a pragmatic methodology, and its insistence on normative evaluation, opens a wide space for cooperation, or coordination, among all the different approaches to argumentation. If those in the rhetorical and dialectical traditions continue to differ on the nature of the norms involved, that will only make pursuing this common program more exciting – at least to the rhetoricians.

NOTES

¹ See Zagar (1998, 1995), 'radical argumentativism's' most persistent proponent to the Anglophone world. It is, as he points out, difficult to say 'It is 8 o'clock' without further insinuating [So you'd better hurry up] or [So I've got plenty of time].

² I reluctantly follow Jacobs and many others by using 'normative' here to refer to any sort of ethical evaluation of argumentative practice, an evaluation that would doubtless invoke not only norms strictly speaking, but also principles, obligations, ideal exemplars, calculations of good and ill consequences, virtues and many other items from our ordinary ethical repertoire.

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