

Introduction

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Since its first publication in French in 1958, *The New Rhetoric. A Treatise on Argumentation* (Perelman and Olbrechts-Tyteca 1969) (NR) has had a seminal influence not only on philosophy and argumentation, but also on various other disciplinary fields where its insights have been used to develop new lines of inquiry. Some collected works in honor of Chaim Perelman, such as *Practical Reasoning in Human Affairs* edited by Golden and Pilotta (1986) and *Chaim Perelman et la Pensée contemporaine* edited by Haarscher (1994), have appeared over the years, but since the beginning of the twenty-first century books on Perelman have been published with increasing frequency. Among these are Schmetz's (2000) *L'argumentation selon Perelman*, Koren and Amossy's (2002) edited volume, *Après Perelman, Quelles politiques pour les Nouvelles Rhétoriques?*, Gross and Dearin's (2003) *Chaim Perelman* and the collection edited by Meyer (2004), *Perelman. Le renouveau de la rhétorique*.¹ Upon the fiftieth anniversary of Perelman and Olbrechts-Tyteca's magisterial work, we have sought to re-evaluate its contribution to the renewal of rhetoric and argumentation studies in the late twentieth- and early twenty-first centuries. In January 2008, an international conference was held, organized by ADARR (Analyse du discours, Argumentation, rhétorique,) at

¹ Other titles include: *Northern Kentucky Law Review* 12:3, 1985; Dearin (1989) ed.; Oliveira (2004) ed.; Kopperschmidt (2006) ed.

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Tel-Aviv University, in order to consider the interesting developments the NR has allowed within its original framework, but also to assess new vectors of its influence in areas such as language studies, communication, and political science. Special attention was paid to contemporary issues, including the new difficulties faced today by the language of Human Rights, the necessity to take into account the ethical dimensions of verbal exchanges, the changes caused by the media's new technologies, and the consequences of the actual use of political discourse in our democratic era. The participants emphasized theoretical as well as social issues which they examined either within the boundaries of the NR, with the help of its concepts and tools, or in alternative frameworks that sometimes led to significant extensions and reformulations of the borrowed elements. Rather than being the proceedings of the conference, the present special issue, *Perelman and Beyond. Current Issues in Argumentation Studies*, is the result of the fruitful debates that took place between the scholars, coming from different scientific and cultural backgrounds, who participated in the Tel Aviv meeting.

The first section of this issue deals with theoretical questions concerning the relationship between argumentation, rhetoric, and pragmatics (Leff, Amossy). This question is further explored in the second part which deals with the argumentativity of figures of speech (Plantin, Snoeck Henkemans). The third part is devoted to the uses and values of the Perelmanian notion of "pseudo-argument" (Haarscher, Danblon), whereas the next section investigates factuality and assertion in scientific and political contexts (Livnat, Kochin). The challenge to Perelman's paradigms of argumentation offered by Kochin's emphasis on assertion rather than argument is extended along different lines in the fifth part of the issue (Frogel, Yanoshevsky). The importance of the logic of values elaborated by Perelman is stressed by the concluding essay on the ethics of discourse (Koren).

One of the objectives of this special issue is to examine the fruitfulness of the NR on various topics lying at the heart of argumentation studies. Among them, we privilege its contribution to our understanding of types of arguments and rhetorical figures, on the one hand, and, on the other hand, its relationship to fundamental dimensions of Perelman's thought such as the redefinition of fact or the elaboration of a logic of values.

The Perelmanian notion of pseudo-argument reveals its richness in various fields, as well as its capacity to serve different, if not opposed, purposes. While serving as an instrument of denunciation in Haarscher's philosophy of law (Perelman's privileged field of specialization), Danblon's essay also reveals the positive value of the concept. Balanced against the manipulative aspects of pseudo-argument within the paradigm of the enemy (Haarscher on Creationists), Danblon's theory allows us to regard pseudo-argument as an effective and legitimate tool for persuasion, even if the speaker herself does not believe in the argument she is making. The *ad hominem* argument, taken up by Michael Leff, shows both its importance in a theory of argumentation where persons play a central role and the incompleteness of its treatment in Perelman's intriguing redefinitions. Thanks to a full development of the concept in close connection with another founding principle of the NR, namely, the indissoluble link between act and person in argument, Leff is able to lay the

foundation for a renewed conception of argument and argumentation from the perspective of rhetorical analysis.

In the same way, the NR's handling of figures is at the basis Plantin's and Snoek Henkeman's essays. Both assess Perelman's refusal to restrict figures to mere ornamentation and his emphasis on their long neglected argumentative functions. They also praise his decision to present them as substantiating the concepts of choice, presence, and communion. Plantin analyzes in detail the NR's treatment of figures in order to show how they lay the foundation for a "semantic of argumentative discourse," thus demonstrating its contribution to linguistic investigation. Snoek Henkemans, analyzing *praeteritio*, a figure of speech that does not appear in the NR's index, works within the pragma-dialectical normative framework, with its recent insistence on strategic maneuvering. Clearly, a theory of argumentation subordinating rhetorical moves to dialectics cannot but largely diverge from Perelman's work where rhetoric appears as synonymous with argumentation. Thus, while some of the contributors draw directly on Perelman, extending his own areas of inquiry, others show how he contributed to different theoretical frameworks and to other disciplines.

This is what Zohat Livnat chooses to do when she tries to apply the argumentative perspective to the concept of scientific fact. She draws on the NR's understanding of fact as characterized by the agreement of the universal audience. However, she shows that in scientific communities, this agreement is dependent on a "disciplinary rationality", including shared knowledge and acceptance of disciplinary norms. Consequently, in the context of scientific writing, Livnat replaces Perelman's concept of universal audience with that of "disciplinary community." The speaker tries to convince an audience according to what she believes to be its norms, and from this perspective, it follows that the basis of factuality, as indicated in the NR, is not static but rather dynamic (as is also shown by Latour and Woolgar), because it may change through dialogue within the community.

Roselyne Koren, too, draws the consequences of Perelman's work into her own field. She reveals the importance of his "logic of values" to linguistics, and more specifically to the French tradition of discourse analysis. According to her, the NR helps to legitimize and reinforce the study of discourse's axiological dimension. This paradigm opens consideration of ethical issues from a scientific perspective. Koren insists that the NR is not a mere taxonomy of arguments, but rather a bold attempt at integrating into a coherent framework such notions as autonomy, responsibility, commitment or taking a stance on controversial matters. When using Perelman's logic of values in her own discipline, she shows how the strong and exclusive emphasis on the speaker's accountability for referential truth has continued to prevent linguists from investigating the speaker's accountability in respect to values, a matter no less important than accountability for truth. Koren emphasizes Perelman's insistence on the fact that these two obligations—the factual and the axiological—interact and should be associated.

Another issue raised by this collective enterprise is to understand how, evolving from Perelman's work, various and sometimes alternative ways of understanding argumentation in its relation to rhetoric have been recently developed. Some of

these developments are grounded in the respective disciplines to which each author in the collection belongs. Thus Michael Leff presents an approach feeding on rhetorical analysis rather than on argumentation theory and extends the rhetorical bias much beyond Perelman's own initiative (though by no way in contradiction to the latter's premises). While paying his respects to the *Treatise of argumentation*, he makes clear that the search for argumentative schemes and a taxonomy of arguments should be augmented by an in-depth exploration of actual texts. His claim is that while Perelman illuminates the role of the speaker in argument, he does so only by reference to abstract techniques and fails to acknowledge the necessity of case studies to understand argumentative discourse "in the complex, situated context of its actual use." Ruth Amossy adopts a similar point of view in her more radical re-conceptualization of argumentation (the first formulation of which appeared in her book, *Argumentation dans le discours* (Amossy 2006 [2000]). Drawing on French discourse analysis, she pleads for an extended definition where argumentativity is seen as an inherent feature of discourse that needs to be analyzed as part of the overall functioning of discourse. In this respect, argumentation is no longer restricted to discourses that aim to achieve adherence to an explicit thesis, nor is it limited to persuasive genres. Although only some kinds of discourses have an "argumentative aim," all discourses have an "argumentative dimension", eliciting questions about or orienting the audience's ways of seeing, understanding, and evaluating the surrounding world. Thus redefined, argumentative analysis allows us to show how argumentation actually functions within discourse. This accounts for the need to integrate argumentation, rhetoric, and discourse—as well as the necessity to recur, as Leff would have it, to the exploration of examples in situ.

Whereas Amossy draws upon the NR's views on argumentation and re-orientes them in her own discursive and pragmatic direction, Danblon (2005), in the wake of her previous work (*La fonction persuasive., Anthropologie du discours rhétorique: origines et actualité*, 2006), borrows from anthropology and psychology. She turns to cognitive theories in order to elaborate a particular notion of persuasion. After first reviewing the anthropological notion of counter-intuitive beliefs, i.e., beliefs that do not fit empirical experience, she explains how they can allow for what she calls "as if" arguments, which she posits as a more suitable formulation of Perelman's pseudo-arguments. In arguments of this kind, "a shared convention" allows an orator and his audience to "act 'as if' a wishful idea—i.e. a motivational representation—is a real belief." Thus the speaker's use of an argument that he or she does not actually believe is not necessarily equated with manipulation. The element of fictional convention manifest to both parties engaged in a common action maintains the "as if" argument in the range of persuasion. This view extends the notion of argumentation beyond its general scope—and although Danblon finds its roots in Perelman's comments, it clearly paves the way for a study not only of the epideictic, but also of ritual and therapeutic discourses in which a new twist is given to rationality.

While all the above mentioned essays consider that their reconceptualizations follow from the spirit of the NR and attempt to more fully realize its potential, other papers challenge the NR's views on argumentation. They do so either by refuting some of its premises, or by looking into practices where divergent ways of

persuasive communication emerge. Thus Shai Frogel questions the very premises of the NR's approach to truth, and its validity in the field of philosophy. Rejecting the idea that philosophers look for universal agreement as a basis for establishing what is reasonable,² Frogel claims that they are looking for and should only look for truth. This contestation of the very basis of the Perelmanian enterprise implies a revision of the idea of the universal audience. Philosophical argumentation considered to be rational when appealing to the universal audience is here replaced by a search for truth through an agreement with oneself. This agreement, that stands "above and beyond the agreement of any other addressee" calls for a Nietzschean "will to truth" understood as "the will not to deceive, not even myself." Interestingly enough, Frogel's position is quite close to Reboul's conception of Aristotelian dialectics: "The philosopher is facing an ever renascent and ever unsatisfied adversary : himself" (Reboul 1991: 45). Insofar as he faithfully adheres to the philosophical ideal of truth as opposed to the plausible and the acceptable, Frogel deliberately diverges from the model that Perelman elaborated in order to maintain the possibility of reason in the plurality of the contemporary world.

Without discussing Perelman's premises, Michael Kochin also suggests a very different conception of argumentation mainly derived from the study of public discourse. Working in the field of political science, Kochin presents assertion as the only effective and relevant strategy as far as political persuasion is concerned. Since in public debate a full disclosure of reasons is impossible, there is no point in elaborating an argument, since that would only weaken one's position by showing that it has to be justified: rather, one ought to use assertion, defined as "drawing conclusions, or leaving the audience to draw conclusions, from factual assertions that are new to the audience." This paradoxical conception of argumentation, minimizing the role of drawing conclusions from premises shared with the audience, circumvents Perelman's approach based on the necessity to reach a reasonable answer through discussion. Forsaking altogether an argumentation based on deductive rationality, Kochin gives precedence to ethos over logos in public life. According to him, the most important thing is to show that one can be a good leader or decision-maker.

Another conception of persuasive communication is developed by Galia Yanoshevsky, not through a theoretical challenge to the NR, but rather through a concrete analysis of what happens to its concepts in the framework of the new rules of communication set by Internet. Drawing on the NR's description of the various kinds of audiences and their roles, she selects argumentation "before a single hearer" as best suited to Internet audience during presidential elections. She shows then that rational argumentation is replaced by communicative devices calling for participation and involvement. The pseudo-dialogue or conversation that ensues aims at triggering a feeling of proximity and of connivance rather than at reaching an agreement on the basis of a common search for the reasonable. Far from being contested, the original Perelmanian model is used to shed light on a specific case of political communication. Her essay reveals how the new modes of communication actually give birth to alternative ways of persuasion in the public sphere. Here

² On the rational and the reasonable, see Perelman (1979).

again, it is contemporary political discourse that leads to a re-elaboration of what argumentation actually is when considered in practice and to a reexamination of the ideal of rationality held up by Perelman.

In all cases, the NR appears as the cornerstone on which new theoretical aspects of argumentation are built. Let us add a remark on the structure of this special issue. Beyond the order conferred upon the essays, it appears that cross-reading and confronting their treatment of major issues allows for alternative, interesting configurations. The papers can indeed be read following various axes, all essential for argumentation theory. The differences or disagreements, if not the contradictions, between the various positions expressed within and across disciplines, stimulate reflection and highlight some of the current debates in argumentation. In this respect, some aspects gain importance, such as the relationship between the taxonomy of arguments and argumentative analysis, persuading vs. convincing, the status of ethos in argumentative discourse, the nature and role of the audience, the questions of factuality and truth, the ethical dimension of argumentation, and its fundamental discursive and dialogical dimension.

Let us mention just a few challenging cross-readings. The idea of the audience's centrality in argumentation, and its role for a renewed understanding of rationality, is no doubt one of Perelman's major contributions. Thus Amossy relies on Perelman's conception of reasonableness when she explores the role played by the audience in the co-construction of the reasonable as performed by and in actual argumentative exchanges. This co-construction is understood as the basis of factuality by Livnat, who sees the disciplinary community as the very foundation of scientific rationality. While emphasizing the interactional aspect of argumentation, both essays ground the possibility of rationality in an audience defined in social and institutional terms rather than as a universal audience understood as any and all reasonable auditors without consideration of time and space. For Frogel, his rejection of Perelman's conception of rationality as reasonableness leads to the idea that the philosopher is her own addressee in her inner search for truth, and that no other audience really counts. The relationship between audience and irrationality is also diversely explored by the various essays. Kochin considers that in political discourse, adaptation to the audience entails giving preference to factual assertion over rational argument and promotes ethos rather than logos, without viewing this orientation as a failure of reason. Yanoshevsky shows how political communication through the Internet selects an addressee defined as a "single hearer" in a way that replaces rational argumentation by connivance. Drawing on Perelman's notions of "adaptation to the audience", Haarscher investigates a deviant way to exploit this basic precept—namely, the orator's capacity to mimic the rationality of the adversary, in this case to adopt democratic key-concepts in an effort to undermine them. The religious rejection of the Darwinian evolution works from "within the system," while "subtly distorting the process of reasoning" in an attempt to permit the teaching of a non-scientific conception of Creation. Danblon shows, on the contrary, how adapting to the audience without reliance on shared premises and accepted principles of reason, can elicit the recognition of a radical otherness and allows for another kind of rationality in persuasion.

Factuality, objectivity, and the search for truth constitute another crucial axis, highlighting the NR's redefinition of "fact" and its status in argumentation. Livnat draws on Perelman's refusal to consider that there can be an intrinsic definition of fact, and he maintains that factuality rests on the agreement of the audience and is thus co-constructed by a given scientific community. The Perelmanian considerations on fact thus allow her to throw a new light on the existence of tensions in scientific discourse, showing that epistemic stands are linked to both rhetorical and institutional effects. Distancing himself from Perelman, Kochin presents a completely different approach in which the reasonable is understood as taking account of relevant facts and principles: more than arguments, new factual assertions are crucial to persuasion, and the most effective way for an orator to use fact is to let them speak for themselves. From this perspective, Kochin rejects both the NR's redefinition of facts as constructs (and not as objective data), and Perelman's alleged distrust for self-evidence—a Cartesian conception negating, according to him, all possibility of argumentation. It is interesting to confront these views with the Perelmanian analysis of an example offered by Koren. She offers a rhetorical critical analysis of an editorial entitled "Self-evident facts" and shows how factual assertions imposed on the reader by a political journalist endowed with a strong ethos surreptitiously mask implicit value judgments. Once again, we can see that Perelman's pioneer and complex treatment of fact and self-evidence, as well as his pluralistic approach to truth, lies at the heart of an inquiry where philosophical as well as ethical issues are at stake.

Last, but not least, this special issue puts a special emphasis on the constitutive role of language in argumentation. The close reading of selected discourses by Leff, Amossy or Koren bear witness to the fact that texts do not merely exemplify types of arguments or decontextualized uses of figures. From their point of view, argumentation has to be understood in concrete verbal exchanges. Whereas Leff mainly draws upon a rich rhetorical tradition to achieve "thick descriptions of rhetorical practice," Amossy and Koren recur to contemporary discourse analysis to offer an in-depth description of political, journalistic or literary discourse, thus highlighting their social and ethical dimensions. The emphasis on the linguistic fabric of argumentative discourse is complemented by the importance given to its dialogical and interactional nature—an aspect developed not only in Amossy's argumentation in discourse, but also in Livnat's analysis of scientific essays. Showing how the NR's rhetorical insights can be exploited and developed in various trends of language studies, this special issue also pays tribute to Perelman's contribution, from his own philosophical perspective, to the study of language. This point of view is amply and richly demonstrated by Plantin's analysis of the NR's treatment of figures, where he shows how it provides us with what can be defined as the first description of the "semantic level of argumentative discourse."

These concise remarks illustrate just a few of the cross-readings enabled by this collective work devoted to the NR. Like other tributes to this seminal book (including an international conferences held in 2008 in Oregon, USA and in Coimbra, Portugal), but in its own peculiar way, this special issue mainly tries to explore the new venues opened by the 1958 *Treatise on Argumentation* and to

present the extensions and re-elaborations, as well as the lively discussions, it still elicits 50 years after its original publication.

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