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David Zarefsky

Rhetorical Perspectives on Argumentation

Selected Essays by David Zarefsky

Springer

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For Isabella Louise
My first grandchild

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Introduction

Argumentation and Rhetoric

Since the middle of the twentieth century, argumentation has been a topic of growing scholarly interest. An interdisciplinary field of study, it is concerned generally with the relationship between statements offered as conclusions and other statements that provide the grounds for those conclusions. Put another way, argumentation is about the justification for statements. It asks what the grounds for accepting candidate conclusions are, what makes those grounds count as grounds, and how we know that they are grounds. It is concerned with how grounds are offered, supported, defended, and challenged.

Among the several disciplines taking renewed interest in argumentation, three are prominent: logic, dialectic, and rhetoric. Logic is concerned with matters of form, and hence with the formal properties of grounds and of the relationships between grounds and conclusions. What is it about the grounds that strengthens the force a claim otherwise would have? The logician will answer with reference to such formal factors as the distribution of end terms or the truth conditions of *modus ponens* and *modus tollens*. Whether any of the statements in an argument is true is generally not the logician's concern. The logician will judge as valid an argument on which, *if* the initial statements (premises) were true, then the conclusion would need to be true. Formal logicians are concerned with form without regard to context; informal logicians examine the form of an argument within a particular context.

Dialectic is concerned less with the formal features of statements than with the commitments people make to signal their acceptance of the statements. Paradigmatically, these commitments are obtained through dialogue. The interlocutors engage each other until they either reach agreement or they acknowledge that they will be unable to do so and instead "agree to disagree." Interaction between the arguers is necessary in order to establish the conclusion. For example, each

disputant, having expressed specific commitments, must defend a set of statements that is consistent with those commitments or else renounce the commitments as a result of the clearer perspective that the other has supplied. The formal feature that comes into play is consistency, but it is a characteristic not of statements themselves but of the relationships among them.

Both logic and dialectic can be systematized. That is, abstract models can be developed of the relationships among statements or among commitments. Abstract models of argumentation can be developed that are generalizable and thus permit analysis and assessment of arguments that are external to the specific case or that go beyond it. A set of statements with an undistributed middle term is always fallacious, for example, as is circular argument. The former failing is a matter of form and the latter involves interlocutors' commitments. They both fail to advance the argument or to increase the acceptability of the statement offered as a conclusion.

Rhetorical argument is somewhat different. It is concerned, most basically, with the relationship between arguments and audiences, and hence deals with how people are induced to believe a statement. The statements offered as conclusions are called *claims* because they put forward a claim on the audience's belief. This claim must be warranted by the grounds offered for it. In other words, acceptability of the grounds will increase the likelihood that an audience will accept the claim put forward in the conclusion. This is not simply a matter of persuasion by whatever methods work, however; it is an exercise of justification. A person accepts a claim not as a result of seduction or force, but because he or she believes that the claim is justified. One *is* persuaded, to be sure, but the means of persuasion is the act of justification. From the perspective of rhetoric, then, argumentation can be said to be the practice of justifying claims under conditions of uncertainty. The latter clause is a reminder of the Aristotelian dictum that people do not bother to engage in discussion about matters that can be considered certain. Rhetorical argumentation always is concerned with things that could be otherwise.

Aristotle regarded rhetoric as the faculty of discovering the available means of persuasion in the given case. The phrase "in the given case" reminds us that rhetoric is situated in particular contexts. For this reason, analyses of rhetorical argumentation often focus on specific cases, and the theory they develop is what lawyers call a "theory of the case"—an explanation of the case that reveals its underlying dynamics. Still, rhetorical situations are not unique; they often can be imagined as types of categories, with similar situations sharing similar features. Politicians called upon to defend their character, scientists refuting a rival hypothesis, or advocates addressing a complex moral issue, to cite a few examples, may engage in similar argumentative moves. That may be because the moves follow "naturally" from the situation or it may be because arguers emulate strategies and tactics that have proven successful in persuading audiences. Whatever the reason, scholars of rhetoric often examine particular cases but then, having illumined the case, point to more general application of their findings. They do not even aim for the systematic theory of the formal logicians, but they often do speak to issues broader than the case at hand.

Plan of the Book

This volume contains 20 essays about rhetorical perspectives on argumentation, written over the course of my career. The earliest essay was published in 1979 and the most recent in 2012. They are organized in four parts, proceeding from the most general to the most specific.

Part I concerns goals and objectives for studying argumentation from a rhetorical perspective. Chapter 1 explores how people build cases, structures of argument supporting a claim—one of the most common purposes of rhetorical argumentation. Chapter 2, drawn from my early work in competitive debate, describes the process of argumentation as analogous to testing a scientific hypothesis and suggests that arguing is a means for determining the probable truth of claims that cannot be verified empirically. Although the essay is written with competitive debate in mind, it applies more broadly to argumentation in general. I explore the idea further in Chap. 3, which considers the criticism of rhetorical performances as a kind of argumentation and inquires into the nature of knowledge claims made through such a critical exercise. Chapter 4 casts a broader net and considers what a culture shaped through argumentation would look like. It implies that in the act of arguing, we contribute toward the building of such a culture, and that this is a beneficial outcome. Finally, Chap. 5 considers how argumentation both develops and deploys "public reason," the reasoning about public affairs in which citizens engage and through which they create a civic culture.

Part II contains four essays about general approaches to the study of rhetorical argument. Chapter 6 returns to the distinction between argument as product and as process and suggests a third possibility: that argument is a point of view one takes and through which one frames social reality. Chapter 7 revisits the topic of argument fields, which dominated scholarly discussion during the late 1970s and early 1980s and for a time seemed to promise a standard for evaluating arguments in ordinary use, a midway point between the unrealistic standard of logical necessity and the caprice of vicious relativism. The concept of argument fields is still relevant, even if not currently fashionable. In Chap. 8, I turn to the concept of strategic maneuvering, introduced around 2000 by the pragma-dialecticians, who found in it the means by which arguers seek to gain rhetorical advantage while also meeting their dialectical obligations. I apply this concept specifically to political argumentation and investigate how strategic maneuvering occurs in that specific context. And in Chap. 9, I consider how the analogy between argumentation and jurisprudence developed by Stephen Toulmin and Chaim Perelman, among others, informs argumentation if it is taken seriously. These four essays explore different starting points or frames of reference for studying argumentation rhetorically.

In Part III the focus becomes more specific. The essays in this section are devoted to recurrent patterns or topics in rhetorical argumentation. Chapter 10 considers how definitions, often thought to be neutral exercises of clarification, in fact suggest and often contain arguments, and that there is such a thing as argument "by definition." Chapter 11 pursues this idea by exploring how persuasive definitions (a term

coined in the 1940s by Charles L. Stevenson) are used in strategic maneuvering. In Chap. 12 I illustrate a particular kind of argument *ad hominem*, the circumstantial. Rather than being an abusive personal attack, this form is an argument against a person by showing that that person's premises lead to conclusions that he or she would find unacceptable. I show how this kind of argument was deployed in the U.S. Supreme Court's decision in the 2000 case of *Bush v. Gore*, the decision that ended the recounts in Florida and effectively awarded the presidential election to George W. Bush. Chapter 13 examines the argument from ignorance, a form that generally is thought to be a fallacy, and elucidates how it can be a perfectly reasonable argument in some situations, as in public argument about terrorism, where it has the effect of shifting presumption. In Chap. 14 I take up the topic of arguing about values, which characterizes public argument about moral issues. I consider why it is so difficult and sketch ways in which it might proceed. Finally, in Chap. 15 I consider the topic of "deep disagreement," a situation in which it appears that there is no common ground between competing advocates, and suggest how a dispute might proceed even in the absence of common ground to which advocates ordinarily would appeal.

The final section of the book, Part IV, offers five case studies of rhetorical argumentation, suggesting the potential contribution to argumentation in general that can be made by intensive studies targeted on particular cases. Chapters 16 and 17 both concern the famous Lincoln-Douglas debates of 1858. In the former, I explicate the role of conspiracy arguments and speculate about why conspiracy charges sometimes are: "mainstreamed" and taken seriously. The latter essay considers the rhetorical dynamics of the fifth debate, at Galesburg, and shows how and why argumentative momentum shifted to Lincoln in that debate and how he used it to strengthen his position relative to Douglas in the remaining debates. In Chap. 18 I turn my attention to presidential rhetoric and consider how the president's ability to frame situations and define the nature of social reality are potent rhetorical resources. Chapter 19 focuses on a specific time, the late 1960s, in which the arguments of political liberals reached an impasse, caught as they were between radical and conservative positions. The final essay, Chap. 20, tries to apply the tools of pragma-dialectics, developed primarily for the study of dialectical argument, to rhetorical argument, in order to see whether pragma-dialectics is versatile enough for that task. Coauthored with Dima Mohammed, this essay uses the case of U.S. President Barack Obama's June 2009 address in Cairo in which he urged a new approach to U.S. relationships with the Muslim world.

Argumentation scholarship is nurtured in a network of conferences in which papers are read and discussed. Several of the papers in this volume originated as conference presentations. Even when revised for publication, they retain a degree of informality that marks the oral style. In most cases, I have opted to retain that note of orality in this version of the essays.

For the most part, the essays are reproduced here as originally published except for minor alterations in grammar, syntax, or style, and for the standardization of citations and references and certain conventions of style. This means, among other things, that relevant literature published after the original dates of each of these essays is usually

not cited. The essays should be taken as something of "period pieces" capturing the state of the scholarly conversation at a particular moment and the interventions particular rhetors made in that conversation. There are two exceptions. Chapter 1 was written originally to introduce a collection of essays. Without those essays here, the ending section of the chapter is simply not relevant. So I have excised it and replaced it with a new conclusion. And Chap. 19 seemed particularly dated because of the immense changes in U.S. political culture since the early 1980s, when this chapter was written. Accordingly, I have added a coda to bring the analysis up to date. Otherwise the essays stand essentially as they were originally written. Although there surely are instances in which I cannot imagine ever having said something or other, in general I am pleased with the essays, still think pretty much what I did when I wrote them, and believe that they have met the test of time reasonably well.

In Appreciation

Professor Ton van Haaften of the University of Leiden was the first to suggest that I produce a compilation of my essays on argumentation over the years. I was flattered by his suggestion and grateful for the confidence he placed in me, but I filed it away under the heading of "projects that I might undertake one of these days." But then, I was spurred to action by my good friend and colleague, Professor Frans van Eemeren of the University of Amsterdam, who not only encouraged me to undertake the project but told me that he wanted it for the Argumentation Library series published by Springer. A most cosmopolitan scholar of argumentation, Frans has a way of making things happen. He convinced me that publishing a volume such as this was a matter of some urgency for the development of argumentation studies worldwide. Like other scholars of argumentation around the world, I have benefited immensely from Frans's wisdom and from his friendship. Not only have I learned about pragma-dialectics, but I have learned the value of being part of an international network of scholars and I have benefited from his wide base of knowledge and the generosity of his advice.

Both Professor van Haaften and Professor Thomas Goodnight of the University of Southern California, a long-time colleague and close friend, read the proposal for this book, reread my original essays, and made helpful suggestions that have strengthened this work. My loving wife Nikki assisted greatly with the physical preparation of the book, which included re-entering into a word processing program some of the manuscripts that were proposed initially before the widespread use of the personal computer.

I was working on this manuscript when I received a telephone call from my son, informing me of the birth of Isabella Louise Zarefsky, my first grandchild. Most of the work on the book took place during the months when we were counting the days and eagerly awaiting her arrival. It is especially appropriate, therefore, that the book is dedicated to her, with the hope that someday she might want to know about the subjects that engaged her grandfather throughout his academic career.