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ON VIEWING RHETORIC AS EPISTEMIC

ROBERT L. SCOTT

The common justification of rhetoric as "making the truth effective" courts an attitude which has nearly always viewed rhetoric as the harlot of the arts. "Truth," of course, can be taken in several senses. If one takes it as prior and immutable, then one has no use for rhetoric except to address inferiors. If one takes it as contingent, then perhaps one ought avoid the term altogether or at least re-examine the familiar justification, since it implies truth as somehow existing prior to persuasion.

Every beginning is against nature; the beginning is a leap and nature does not make leaps.

Pierre Thévenaz[1]

Rhetoric is among the oldest of the arts of Western civilization. As the familiar tradition informs us, it sprung up in the fifth century B.C. during the aftermath of democratic revolts in several Greek *poleis* on the island of Sicily. But professing rhetoric seems always eventually to lead to embarrassment. In Plato's dialogue, Socrates' questions soon silence Gorgias leaving young Polus to inquire, "Then what do you think rhetoric is?" In one way or another Socrates' answer has had a way of echoing through history.

At best good men grant rhetoric a slight role but grudgingly. A few years ago, Arthur Larson, cast in the role of rhetorician by virtue of his appointment as Director of the United States Information Agency, found himself trying to explain the importance of his mission to a Senate subcommittee. There creeps throughout the testimony the feeling that undertaking to persuade others is not quite right. Recall that Socrates remarks in responding to Polus that Gorgias has not made his profession altogether clear,[2] and consider Senator Fulbright's statement to Larson: "Well, this is a very interesting subject. I would not want to minimize the difficulty, either, by simply saying that you have not made it clear. Certainly all members of Congress have struggled with it. . . . It is a very difficult thing to sit here in peacetime and feel that it is constructive."[3]

Fulbright's remark goes to the heart of the matter. Invoking those well known arguments of Aristotle's from the opening chapter of his *Rhetoric* do no good for clearly the art of persuasion is granted sufferance only on the grounds that men are not as they ought to be. Were all men able as some men are to reason soundly from true

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1 "The Question of the Radical Point of Departure in Descartes and Husserl," in *What Is Phenomenology? and Other Essays,* edited with an introduction by James M. Edie, trans. by James M. Edie, Charles Courtney, and Paul Brockelman (Chicago, 1962), p. 96.

2 Plato, *Gorgias* 463.

3 *Hearing Before the Subcommittee of the Committee on Appropriations United States Senate, Eighty-fifth Congress, First Session on H. R. 6871, Making Appropriations for the Departments of State and Justice, the Judiciary and Related Agencies for the Fiscal Year Ending June 30, 1958,* p. 530.

premises, then rhetoric would be superfluous.

The assumption that has spanned the centuries from that dialogue in Athens to the one in Washington, D. C., is that men can possess truth. If indeed one can, in the sense that "truth" is ordinarily taken, then rhetoric is of limited value. If some men can possess truth, and others understand truth, then what need the former do but present truth to the latter? Only in unusual circumstances, for example, as Fulbright's statement implies, in time of war, or for those incapable of responding to right reason, may rhetoric be sanctioned.

Accepting the notion that truth exists, may be known, and communicated leads logically to the position that there should be only two modes of discourse: a neutral presenting of data among equals and a persuasive leading of inferiors by the capable. The attitude with which this position may be espoused can vary from benevolent to cynical, but it is certainly undemocratic. Still the contemporary rhetorician is prone to accept the assumption, to say, in effect, "My art is simply one which is useful in making the truth effective in practical affairs," scarcely conscious of the irony inherent in his statement.

It is absurd, of course, to typify in a few paragraphs the attitude that has dominated rhetoric. But inasmuch as my purpose is to set forth a different position as a starting point for rhetoric, a longer consideration would be inappropriate. My undertaking can be described as philosophizing about rhetoric. The result will not be the discovery of a fresh starting point; I merely hope to clarify through a fresh analysis a way which has always been open and sometimes chosen, but seldom in a clear, incisive manner.

Obviously I take as a sufficient meaning for "philosophy" that indicated by Maurice Natanson who sees it as a study of beginnings, which is to say that every discipline starts with some assumptions and that it is the business of philosophy to discover those assumptions and to study their meanings.[4]

My point of departure will be drawn from the work of Stephen Toulmin. Interestingly, Toulmin's book, *The Uses of Argument*, has had a remarkably potent influence on rhetorical theory and teaching in this decade, but rhetoricians have borrowed from the third chapter of that book, "The Layout of Arguments," tending to ignore the larger concern of which that analysis is a part.

I

Plato's Socrates confronted Gorgias with a choice: "Shall we, then, assume two kinds of persuasion, the one producing belief without certainty, the other knowledge?"[5] The choice seems simple enough, but the grounds involved need examining.

The terms "certainty" and "knowledge" confront one with what has become known as epistemology. It is to a fundamental inquiry about epistemology that Stephen Toulmin directs his analysis in the book mentioned. He argues that the question "How do I know?" is an ambiguous one. In one sense it seems to ask, "How do my senses work?" and is a physio-psychological question. As such, it requires the compilation of data which can be analyzed in an empirical fashion—*a posteriori*. This is not, however, the fashion in which epistemologists have worked. Their methods have been speculative or

4 "Rhetoric and Philosophical Argumentation," *Quarterly Journal of Speech*, XLVIII (February, 1962), 28.

5 *Gorgias* 454.

at least abstract and *a priori*. The goal has been to obtain some standard or standards to satisfy the question, "How can I be certain of my conclusions?"

Toulmin suggests that we can set aside the psychological aspects of the central question, "How do I know?" This is not to say that these aspects are unimportant; it simply is a maneuver to allow us to concentrate on the philosophical aspects; he sees these as logical.

The quest for certainty presents a question which is often begged simply by entering into epistemological discussion. The question may be posed, "What do you mean by *certain?*" To say, "I am certain that the sun will rise tomorrow," may be to make a common statement which will probably not elicit argument, unless one is engaged in an epistemological discussion. (The fact that this example is often used in logic textbooks is evidence supporting Toulmin's disposition to see epistemology, considered philosophically, as basically an inquiry into logic.) But to say, "The sun will not rise tomorrow," does not contradict the grounds on which most people feel certain that the sun will rise. Our conclusion, based on experience, does not follow necessarily from true premises. This is to say that we are *not* certain by the standard required.

The only sort of arguments which will answer the demands of certainty made in epistemological speculation are those arguments which Toulmin calls analytic. It is questionable (although Toulmin does not put the matter in this fashion) whether or not analytic arguments should be called arguments at all since the word "argument" suggests the drawing of conclusions which are somehow fresh, new, unknown or unaccepted otherwise. Consider Toulmin's model analytic argument:

> Anne is Jack's sister;
> All Jack's sisters have red hair;
> So Anne has red hair.[6]

The conclusion of this argument, Toulmin says quite rightly, might better be introduced with the phrase "in other words" rather than "so" or "therefore." If the argument is to be analytic, the premise, "All Jack's sisters have red hair," can only be asserted in the presence of his sisters, including Anne.

Toulmin contrasts analytic arguments with arguments he calls substantial. He claims that analytic arguments, which have been taken to be the model to which philosophic arguments ought be held, are rare. I am inclined to believe that they are non-existent, that is, that they can be indicated only with special sorts of notational systems which can never make existential claims. In terms of Toulmin's example, if one is not in the presence of Anne, then the conclusion makes a claim about a present condition on the basis of past experience, i.e., all Jack's sisters *had* red hair when last we saw them. To deny the conclusion is not to contradict the truth of the premises. If one is in Anne's presence, then no argument is necessary.

The famous illustrative syllogism concerning Socrates' mortality is ambiguous. If the major premise, "All men are mortal," is taken as a statement about our past experience, then the argument is not analytic; as a matter of fact, the argument turns out to be quite like that one from which we conclude that the sun will rise tomorrow. On the other hand, if we take the premise to be one defining what we mean in part by "man," then I would have to say that we have no argument; Toulmin would say, at least, that we have no substantial argument. In the case

6 See *Uses of Argument* (Cambridge, 1958), pp. 123-130; 222-223.

of taking the premise to be a definition, we could define men as being purple, and our argument is as good analytically. The rejoinder, "But men are not purple," appeals to a non-analytic criterion.

As Toulmin sees them, substantial arguments involve some sort of type shift, that is, the conclusion contains an element not present in the premises, e.g., "cause" or "other minds." The type shift Toulmin concentrates on, and one which in my opinion is crucial, is the shift in time. In substantial arguments a shift in time always occurs. If a shift in time does not occur, then one is simply reporting what is present, not arguing. That one is able to report, that is, share his perceptions with others, may be called into question if the analytic ideal is taken as the criterion for knowing.[7]

The observations thus far made lead us to believe that analytic arguments must be tenseless; they cannot exist in time.[8] The certainty demanded must arise from what has been true, is true, and shall be true, which is to say that it must be settled once and for all—immutable, changeless. Can there be substantial truths, that is, statements with content, not empty, which can be used in analytic argument? If so, then they must be stated in time and cannot be stated in time. Technically this is the conclusion of a *reductio ad absurdum*. The possibility of such truths can be rejected on formal grounds.

Although the possibility may be rejected formally, one may accept the conclusion labeled as invalid. One may not follow the reasoning or not accept the grounds. These possible responses underscore the use of the word "truth" in the foregoing paragraph. Once might argue that "truth" is not coincident with the analytic ideal. It is possible but difficult to use the word without the freight of the analytic ideal. This strong tendency to associate one with the other should make us suspicious of a rhetoric which claims to be based on truth.

By "truth" one may mean some set of generally accepted social norms, experience, or even matters of faith as reference points in working out the contingencies in which men find themselves. In such cases the word might be better avoided, for in it the breath of the fanatic hangs threatening to transmute the term to one of crushing certainty. If truth is somehow both prior and substantial, then problems need not be worked out but only classified and disposed of. Unwittingly, one may commit himself to a rhetoric which tolerates only equals, that is, those who understand his "truths" and consequently the conclusions drawn from them; such a rhetoric approaches those who are not able to take its "truths" at face value as inferiors to be treated as such.

The attractiveness of the analytic ideal, ordinarily only dimly grasped but nonetheless powerfully active in the rhetoric of those who deem truth as prior and enabling, lies in the smuggling of the sense of certainty into human affairs.

II

In order to press further into the possibilities presented by rejecting prior and enabling truth as the epistemological basis for a rhetoric, I shall make several observations about the adaptations of Toulmin's concepts by contemporary rhetorical theorists. The earliest and most thorough use of his concepts has been made by Douglas Ehn-

7 "If a genuine claim to knowledge must be backed by an analytic argument, then there can be no authentic claim to knowledge in such fields as these. The future, the past, other minds, ethics, even material objects: about all of these we ought, strictly speaking, to admit that we *know* nothing." *Ibid.*, p. 231.

8 Cf. *ibid.*, p. 235.

inger and Wayne Brockriede.[9] They have adapted Toulmin's form for "laying out" argument, holding it to be a more clear and complete pattern than the traditional syllogism, without pushing further into the philosophic issues for which Toulmin's scheme of analysis is preparatory. In this respect, Ehninger and Brockriede do not differ from others who have used Toulmin's "layout" in speech textbooks.

One might argue that these further issues are irrelevant to the interests of rhetorical theorists, although one of the purposes of this paper is to show that such a position is untenable. Furthermore, Ehninger and Brockriede take care to indicate a point of view toward debate which might be well described as a philosophical foundation for their treatment of rhetorical concepts. Although there is no evidence that their treatment owes anything to Toulmin, their description of debate as cooperative critical inquiry[10] is nonetheless congruent with some of the implications of his criticism of analytic argument as he applies it to epistemology.

When Ehninger and Brockriede describe debate as cooperative critical inquiry, they may be interpreted as taking a radical departure from the typical point of view. If debate is critical inquiry, then it is not simply an effort to make a preconceived position effective. It would be absurd for anyone who begins with the attitude that he possesses truth, in the sense in which I began this essay, to embark on any genuine enterprise of cooperative critical inquiry. Of course these statements do not mean that Ehninger and Brockriede reject investigation before speaking or the use by speakers of experience, references to social norms, or even to articles of faith. What these statements do suggest is that truth is not prior and immutable but is contingent. Insofar as we can say that there is truth in human affairs, it is in time; it can be the result of a process of interaction at a given moment. Thus rhetoric may be viewed not as a matter of giving effectiveness to truth but of creating truth.

Ehninger and Brockriede's debate-as-cooperative-critical-inquiry is one vantage point from which to see rhetoric as epistemic. This notion is most coherent when it is taken as *normative* rather than as *descriptive*. When so taken, it calls for a commitment to a standard and several matters become clear: one may be committed and, being human, fall short of the standard; further, one may make use of the attributes associated with the standard without at all being committed to it.

I have already suggested that Ehninger and Brockriede may err in not examining their philosophic position in light of the disclosures toward which Stephen Toulmin leads. I am now arguing that they err in presenting their fundamental position as *descriptive* of debate. A confusion arises from their attempt to describe the process of debate (the title of their second chapter is "The Process of Debate") as the "rationale of debate as an instrument for settling inferential questions critically."[11] As a description this statement is plainly contrary to much of our experience; we commonly use the

9 *Decision by Debate* (New York, 1963). Also Wayne Brockriede and Douglas Ehninger, "Toulmin on Argument: An Interpretation and Application," *Quarterly Journal of Speech,* XLVI (February, 1960), 44-53.

10 See *Decision by Debate,* preface and chapter two. See also, Douglas Ehninger, "Decision by Debate: A Re-Examination," *Quarterly Journal of Speech,* XLV (October, 1959), 282-287.

11 *Decision by Debate,* p. 15.

word "debate" to refer to situations in which anything but cooperative critical inquiry is occurring. The confusion may be cleared away if we recognize that Ehninger and Brockriede's ideal is *one* of the uses of the process of debate to which men may be committed. They do argue that the process tends to assure this use, but that it *tends toward* rather than *determines* such a use is clear. As a matter of fact, the authors modify their statements at times, e.g., "the highest tradition of debate,"[12] and are driven finally to explain that "any control, internal or external, may, of course, be circumvented, or debate may be so ineptly practiced that much of its effectiveness is lost. Such failure, however, is human and is not to be charged against debate as a method."[13] But just as the failure is not to be charged against the method neither should the success, i.e., debate at its "highest tradition," be attributed to the process itself rather than the human commitment and the energy and skill to make that commitment meaningful.

The direction of analysis, from Toulmin through Ehninger and Brockriede, leads to the conclusion that there is no possibility in matters relevant to human interaction to determine truth in any *a priori* way, that truth can arise only from cooperative critical inquiry. Men may have recourse to some universal ideas in which they are willing to affirm their faith, but these must enter into the contingencies of time and place and will not give rise to products which are certain.

III

This analysis has led toward the tragic view of life: man who desires certainty understands that he cannot be certain and, moreover, that he must act in dissonant circumstances. One of the great symbols of man, Faust, sits in his chamber at the point of suicide early in Goethe's drama. He is vastly learned in all four of the great professions, but he is certain only that he cannot be certain.[14]

Later Faust sits translating the Bible. He is working on the beginning of the Gospel according to St. John. The troublesome word is *logos,* which he renders as "word," then "mind," then "power," then "act."[15]

The word *logos* and its derivatives have long had a suggestion of divinity about them. For the ancient Greeks, it was often an expression for "universal mind"; and it retains something of this sense in Plato. Man could know because he was identified with the substance of God, that is, the universal mind. From the universal mind (*logos*), man's mind (*logos*) can reason (*logos*) to bring forth speech (*logos*). The wonderful ambiguity of *logos* retains the identity, that is, truth.

All of this may be quite right, the Greek Sophist Protagoras said in effect, but I have no way of knowing that it is.[16] All I have is experiences, and my experiences, being finite, cannot reveal the infinite to me. The argument of the

12 *Ibid.,* p. viii.
13 *Ibid.,* p. 17.

14 My paraphrase is intended to underscore the argument I have been making. Walter Kaufmann translates:

> Called Master of Arts, and Doctor to boot,
> For ten years almost I confute
> And up and down, wherever it goes,
> I drag my students by the nose—
> And see that for all our science and art
> We can know nothing. It burns my heart.

(Goethe's *Faust,* ll. 360-365. Garden City, New York, 1962).

15 *Wort!* . . . . *Sinn!* . . . . *Kraft!* . . . . *Tat!* (ll. 1225-1237.)

16 See Mario Untersteiner, *The Sophists,* trans. Kathleen Freeman (Oxford, 1954), pp. 27-28.

Greek sophist Gorgias for his famous three propositions (nothing is; if anything is, it cannot be known; if anything is and can be known, it cannot be communicated)[17] may be interpreted as an attempt to show that man can be certain of no absolute standard. We may be aware of the attributes of our experiences, but there is no way for us to recognize any attribute which is essential among experiences. (Gorgias' inquiry was into the reality of that primary attribute, *being* itself.) There may be some quality (value, norm, standard) which identifies all experiences with all others, or some with some others, but we cannot make such identifications with absolute certainty.

In human affairs, ours is a world of conflicting claims. Not only may one person contradict another, but a single person may find himself called upon to believe or act when his knowledge gives rise to directives which are dissonant. He may be caught, for example, in a conflict of duty toward his family and his country. As a father, he may reason that he ought keep a well-paying job to provide for the material necessities of his children and by his presence help guide them during their immaturity. As a citizen, he may reason that he is obligated to lower his income and remove his presence from his home to serve in the armed forces. He may decide that his duty to country must take precedence and even that in following the demands of that duty he will in many ways serve his family, but although he is able to make such a decision, the rightness of the decision does not obviate the responsibilities generated by the rejected claim.

The illustrative example can be easily modified into other quite common sets of circumstances: a draft board considering a particular case, arguments concerning the policy of the draft, or even war as a particular or general policy. All these questions must be settled by specific men in specific circumstances. Even taking uncritically the dictates of some past solution is to take that solution in a particular circumstance.

The sophists facing their experiences found consistently not *logos* (in this context we might read "a simple explanation" or "a solitary moral imperative") but *dissoi logoi*, that is, contradictory claims.[18] From another point of view, Stephen Toulmin gives a similar suggestion: "Practice forces us to recognize that general ethical truths can aspire at best to hold good in the absence of effective counter-claims: conflicts of duty are an inescapable feature of the moral life."[19]

My argument is not that one has the choice to act on prior truth or to act to create truth. One may act assuming that the truth is fixed and that his persuasion, for example, is simply carrying out the dictates of that truth, but he will be deceiving himself. Pierre Thévenaz' statement summarizes this point of view: "The phenomenon of expression cannot be reduced to *logos*; it is both more fundamental and more general. Man acts and speaks *before he knows*. Or, better, it is *by acting* and *in action* that he is enabled *to know*."[20]

IV

The attractiveness of the notion that first one must know the truth and that persuasion at its best is simply making the truth effective rests in large part on man's desire to be ethical. "How can I assure myself that my actions are good?" is the question with which he nags

17 *Ibid.*, pp. 146-156.

18 *Ibid., passim.*

19 Toulmin, p. 117.

20 "What Is Phenomenology?" *op. cit.*, p. 33.

himself. The question is a good one. The position I have argued is not one that sets it aside but one that holds that the question cannot be answered in the abstract and that whatever principles one holds are only guides in acting consistently with moral demands.

The point of view that holds that man cannot be certain but must act in the face of uncertainty to create situational truth entails three ethical guidelines: toleration, will, and responsibility. I shall suggest why these principles follow from the point of view set forth.

If one can be certain, then one needs no commands or urgings (either from oneself or from others) to act. Failure to act can only be a sign of a momentary misunderstanding or of a flawed intellect. In either case, there is no good reason to tolerate disagreement. As a matter of fact, if one can be certain, tolerating deviations from the demands of certainty may itself be deemed evil.

On the other hand, uncertainty, taking truth as a toehold to climb into the yet-to-be-created rather than as a program to unfold regardless of the circumstances, demands toleration. It would be inconsistent with one's starting point and one's quest to act otherwise. When one's undertaking involves the belief and action of others, one spoils his own potentiality for *knowing*, by Thévenaz' criterion at least, if one fails to respect the integrity of the expression and action of others.

This demand, the *sine qua non* of a democratic state, is called by Karl Popper one of "the most important principles of humanitarian and equalitarian ethics." His phrasing of the principle is "tolerance towards all who are not intolerant and who do not propagate intolerance."[21]

21 *The Open Society and Its Enemies: Volume I, The Spell of Plato* (New York, 1963), p. 235.

If one cannot be certain, however, then one must either withdraw from the conflicts of life or find some way to act in the face of these conflicts. He must say with Gorgias, "I know the irreconcilable conflicts, and yet I act."[22] That man can so act, he knows from experience. What is true for that man does not exist prior to but in the working out of its own expression. Although this working out may not always involve attempts to communicate with others, such attempts are commonly involved, and thus we disclose again the potentiality for rhetoric to be epistemic. Inaction, failure to take on the burden of participating in the development of contingent truth, ought be considered ethical failure.

If one can act with certainty of truth then any effects of that action can be viewed as inevitable, that is, determined by the principles for which the individual is simply the instrument; the individual acting is not responsible for the pain, for example, that his actions may bring to himself or to others. The man who views himself as the instrument of the state, or of history, or of certain truth of any sort puts himself beyond ethical demands, for he says, in effect, "It is not I who am responsible."

On the contrary, one who acts without certainty must embrace the

22 Untersteiner, pp. 181-182. "If Gorgias speaks of the many virtues and not of absolute virtue, he did not deny 'the formal concept of a supreme ethical law'; rather, Gorgias' ethical concept was intended especially to overcome the rigidity of an absolute concept which historical experience also had shown to be contradictory. To make virtue possible in the active turmoil of life, Gorgias detaches it from the empyrean of an abstraction overruled by the incessant reproduction of the antitheses, and makes it relative. In the face of all idealistic dogmatism he stands for the inner turmoil of a tragic decision which gives so profound a meaning to life."

responsibility for making his acts the best possible. He must recognize the conflicts of the circumstances that he is in, maximizing the potential good and accepting responsibility for the inevitable harm. If the person acts in circumstances in which harm is not an ever-present potential, then he is not confronted by ethical questions. Such circumstances are apt to be rare in human interaction. Looking to the future in making ethical decisions, we must be prepared to look to the past. "Certainly nothing can justify or condemn means except results," John Dewey has argued. "But we must include consequences impartially. . . . It is willful folly to fasten upon some single end or consequence [or intention] which is liked and to permit the view of that to blot from perception all other undesired and undesirable consequences."[23] To act with intentions for good consequences, but to accept the responsibilities for all the consequences in so far as they can be known is part of what being ethical must mean. " 'That which was' is the name of the stone he cannot move," The Soothsayer tells Zarathustra of man. To redeem the past, man must learn "to recreate all 'it was' into 'thus I willed it.' "[24]

Perhaps a final example is necessary. Consider a story from his youth told by the Italian novelist Ignazio Silone.[25] Briefly, he and other village boys were taken to a puppet show by their parish priest. During the performance a devil-puppet suddenly turned to ask the children where a child-puppet was hiding. Rather than reporting "under the bed," the children lied. The priest was upset, for lying was contrary to the precepts he had taught them. His demands for truth were not met. "But," the children protested, "the truth is that there was the devil on one side and a child on the other. We wanted to help the child."

At best (or least) truth must be seen as dual: the demands of the precepts one adheres to and the demands of the circumstances in which one must act. The children had to act and acted to maximize the good potential in the situation. In chastising the children, as he did, the priest had to act also. He also had to make what he could of the situation as well as of his precepts. One may doubt that insisting repeatedly only that "a lie is always a lie," in the face of the children's question, "Ought we to have told the devil where the child was hiding, yes or no?" as Silone reports, the priest did make maximum the good and minimum the harm potential in the situation.

Man must consider truth not as something fixed and final but as something to be created moment by moment in the circumstances in which he finds himself and with which he must cope. Man may plot his course by fixed stars but he does not possess those stars; he only proceeds, more or less effectively, on his course. Furthermore, man has learned that his stars are fixed only in a relative sense.

In human affairs, then, rhetoric, perceived in the frame herein discussed, is a way of knowing; it is epistemic. The uncertainty of this way may seem too threatening to many. But the other way of looking at the world offers no legitimate role to rhetoric; if one would accept that way, then one may be called upon to act consistently with it.

23 *Human Nature and Conduct* (New York, 1922), pp. 228-229.

24 *Thus Spoke Zarathustra,* Part II. See *The Portable Nietzsche,* trans. Walter Kaufmann (New York, 1954), p. 251.

25 See *The God that Failed,* ed. Richard Crossman (New York, 1952), pp. 84-86.