

56.1

HOW DO WE APPLY REASON TO VALUES?

108
P414
n°43

CHAIM FEBELMAN

108
P414
n°43

BRUXELLES-UNIVERSITÉ

THE JOURNAL OF PHILOSOPHY, Vol. LII, No. 26,
December 22, 1955



THE JOURNAL OF PHILOSOPHY

HOW DO WE APPLY REASON TO VALUES?

BESIDES such propositions as those mathematical or factual statements upon which men easily enough come to agree, there are others which have been and continue to be the object of lasting debate. The debate is broken off from time to time, for want of participants, but seldom reaches an end based on a satisfactory agreement.

To explain this state of affairs, there are two classic approaches: the first supposing that the lack of agreement is due to some imperfection, confusion, or imprecision in the manner of formulating the problems; the second endeavoring to explain the discord of those supporting divergent opinions as being due to the intervention of some irrational element—special interests, passions, or other elements of a subjective character. For the rationalists, the lack of agreement stems from a technical defect, from the absence of a good method of conveying our thoughts; which implies that every problem is amenable, at least in principle, to a rational solution. Those who believe, on the contrary, that such a solution is not always possible, because of the irrational elements which intervene in the controversy, are led to establish a distinction between two kinds of enunciations: judgments of reality, upon which a general agreement is possible, and judgments of value, upon which such an agreement cannot be hoped for.

In this last perspective, any endeavor to construct a "logic of judgments of value" must try to keep from being involved in the elements of irrationality, lest they interfere with that logic which it is its purpose to erect, or at least to consider them as a constant, fixed by hypothesis. In the first case, one determines how far the common deductive schemata apply to judgments which cannot be considered as either true or false. In the second case, the problem consists in the determination of the value that has to be attributed to the means of realizing final values, which one supposes to be constant, and of the measure to which the causal link may bestow on the cause a part of the value conceded to the effect. But the whole method implies, by hypothesis, an agreement on all the items under examination; and so all the difficulties seem to be magically eliminated.

Don du Prof. Penhman - avril 1958.



I think that we cannot hope for any appreciable progress in the study of the manner in which we apply reason to values by supposing, *a priori*, that such reasoning conforms to the modes furnished by mathematical demonstration, or even by the inductive method. That which we, loosely enough, call the exercise of our reasoning faculties, is certainly not limited to the application of the deductive schemata of formal logic or even to the application of the rules of the inductive method. Actually, to reason is not only to demonstrate, it is also to deliberate and to argue. Our reasoning about values is essentially a process of argumentation. It occurs in the case of weighing for one's self the pros and the cons of a proposal, *i.e.*, in intimate deliberation; it occurs in the case of an attempt to persuade others; it occurs when we reason *in abstracto*, that is to say, when we try to convince everybody. That is the reason why, from our point of view, the manner in which we apply reason to values—I would even say the idea which we may have about values—cannot be understood without a general theory of argumentation.

An argument, contrary to a formal demonstration, is never compulsive—there is always something to say in favor of the opposite thesis. We cannot imagine two mathematicians starting out from the same coherent axiomatic system, with one demonstrating a theorem and the other its negation. But we can perfectly well conceive the possibility of two men of good faith arguing on opposing sides of a thesis, without either of them having the assurance of convincing the other. And the judge, who is bound to make a decision after hearing both parties, will very seldom arrive at it solely through experience or through a calculation which could be effectuated or controlled by a mechanical device. In fact, ratiocination about values is much more like a juridical argument than like a mathematical deduction, even if we take due account of the aspects in which it differs from the former. Indeed, in juridical argument, which strives to determine in what manner a legal system ought to be applied to a concrete situation, we have to find the reasons which can make one interpretation of the law seem to be the better one; but the law itself is imposed upon the parties: the only thing they can do is to argue against the rightness of its application. From this point of view, the juridical system resembles an axiomatic one, which provides the framework of ratiocination. There is, however, one fundamental difference: an axiomatic system is supposed to be unambiguous, an assumption which eliminates from the deductive technique every problem of interpretation; whereas, in the courts, the major problems arise from the obligation of the judge to interpret the law in

order to be able to apply it to new situations not foreseen by the legislator. If the law were perfectly unambiguous, no cause would be pleaded on juridical grounds; the whole controversy would concern only the determination of facts.

When argument is not about the interpretation of texts, as it is in law or in theology, the first problem is to tie our reasoning to some theses admitted by those to whom we address ourselves: the arguments must be adapted to the audience. It is not sufficient that the starting point be considered as true by the speaker; for, if the listeners do not admit that it is true, they might judge that the whole argument is built on a *petitio principii*, a begging of the question. The *petitio principii*, which has been considered for centuries as a fault in logic, is a fault in argument; for, if logic is reduced to a deduction starting from axioms previously enumerated, one cannot understand what meaning could be attributed in logic to the *petitio principii*. On the other hand, the adherence of minds, which is the starting point and the end of every argument, occurs with variable intensity. To increase the intensity of adherence is most important, because the theses to which we adhere may be in conflict, in concrete situations; it is for the most part in order to solve such conflicts, to orient our choices, to justify our preferences, that recourse to deliberation and to argument will take place.

Let us take a simple case, the one of the child that has been taught not to lie, and to obey its parents: what will it do if its father instructs it, in a particular situation, to tell a lie? Different solutions are possible; they will consist either in showing the superiority of one of the incompatible theses, or in their remolding. The outcome of the conflict cannot be foreseen with certainty, for deliberative and argumentative logic does not face us with the rigidity of deductive logic; the proofs are not as compelling here as in formal logic; they rather recall to mind those proofs which Aristotle calls dialectic proofs in his *Topics*, and which are used both in the discussion of first principles and in every attempt to persuade by argument. Let us note, referring to this, that there is an undeniable relationship between the theory and the practice of argument and *rhetoric*, as it was conceived by the Ancients.¹ In Greco-Roman antiquity rhetoric was the art of speaking in public in a persuasive manner. If our attention is centered on argument itself and not on the manner in which it is communicated by speech or by print, and if, on the other hand, we do not limit

¹ Cf. Chaim Perelman and L. Olbrechts Tyteca, *Rhétorique et Philosophie — Pour une théorie de l'argumentation*, Paris, Presses Universitaires de France, 1952.

the audience (that is, those we try to convince) to an ignorant mob gathered in the marketplace, but conceive the possibility of an infinite variety of audiences—starting from anyone who deliberates in secret up to the concrete universality (that is, the whole of mankind) such as we conceive it,—one sees that the rhetoric of the Ancients is a most special case with which our theory of argument will have to deal. What is essential in both conceptions is the notion of audience, which keeps us from forgetting that the matter at issue is to gain the adherence of minds.

But efficaciousness is not the sole measure of the value of an argument, for one may conceive that the argument which is most efficacious for an ignorant public might be deemed contemptible by the philosopher. So there is another element with which we shall have to reckon: it is the quality of the audience to which our speech is directed. To conceive an argument as objectively valid, it is sufficient to imagine, as Plato did in the *Phaedrus*, an argument capable of "convincing the Gods themselves." The most perfect human audience we imagine will be formed by reasonable human beings and will have to be incarnated in a model consisting of one being or a certain group of beings. To address such an audience, we could make use only of values which we consider universal, for we would assume that they would be admitted by this model-audience. So we might call "rational" every argument which follows, in the field of persuasion, Kant's categorical imperative, because it claims to make a case only for arguments which would be valid for a universal audience.

Universal values, insofar as they are abstract, such as justice, have most often the defect of being vague: their use, however, must assume that they be precise, and this can seldom be achieved while avoiding an arbitrary determination. On the other hand, if we take our stand on a concrete value, such as a particular being or a group of beings, it is important to show its universality—whence the importance in argument of such ideas as that of God or of the human race. But the way in which such a value is conceived may, once again, give rise to discussion. When the problem is to state with precision the meaning attached to the values in question, one finds very often the opposition "appearance-reality." One will put in opposition to a seeming liberty, a seeming justice, or a seeming democracy (which will also be called "false," "illusory," "verbal," "formal," or "legal") the real liberty, the real justice. The particular aspects to be retained or discarded in a concept referring to a positive or negative value will be the object of a decision, whose justification can be supplied only by argument. This justification will resort to argumentative schemata which

were hitherto not integrated in a logic of judgments of value, because, under the influence of utilitarianism, the scope of that logic was limited arbitrarily to the study of the relation, "means-end," although, in fact, no real argument about values can do without them. We can only point to some of those argumentative processes by way of example.²

Among the argumentative schemata, let us note first those which Aristotle has analyzed in the *Topics* and which are called "*common-places*": superiority of what is more lasting, what has more uses, what is more normal, what serves the greater number, what is a principle or condition, what is more general, or includes as a special case that to which it is compared. To these topics, which have a quantitative, classical, rationalistic turn, could be opposed others which belong to a qualitative, romantic, irrationalistic point of view, such as topics of the unique, the singular (peculiar), the precarious, the irremediable. Other schemata spring from the relationships existing between admitted positive or negative values and the values which one attempts to promote. Sometimes the relationships are those of means or obstacles; sometimes they spring from the fact that one value has or has not been sacrificed to another. The importance of the precedent in judicial proceedings comes from bringing together a new situation with one whose value has been formerly recognized.

The argument by model or by anti-model, that is, pointing to a being which we must try to resemble or from which we must, at all costs, differ, determines conduct as well as judgments. It is in this context that the argument from authority must be inserted, by which one tries to transfer the authority owned by a being to the judgments he may have uttered; one can see the tremendous importance of the human and social models (the utopias, for example) to which a given society refers. A great role is played in argument by the admitted hierarchies (men—animals, gods—men, adults—children, nobles—villains, freemen—slaves); by making use of the relationships existing between the persons and their acts one comes to put those acts in a hierarchical order consonant with the hierarchy of beings. This argument, which we will call "double hierarchy," can be used in all cases where there exists a relationship similar to that which we establish between a person and his acts: relationship between a group and its members, between a style and works of art, between an epoch and the events or institutions which characterize it, and, generally, between the substance and the acts which are its expression. The argument of

² Cf. Chaim Perelman, "Réflexions sur la justice," *Revue de l'Institut de Sociologie*, Bruxelles, 1951, 2.

double hierarchy is a particular form of the argument by analogy, in which the relation between the terms "A" and "B" is used to specify the relation between terms "C" and "D"; sometimes the analogy has only three different terms, "B" and "C" being rendered identical; sometimes the term "D" is unknown and the analogy should reveal it.

The experimental and analytical study of all the means of argument used in reasoning about values, which has been so dreadfully neglected in modern times, and some aspects of which were examined in the treatises of rhetoric and the Topics of the Ancients, deserves a renewed attention. It is this study which will enable us to evolve a conception of reason which would not be limited to the structures recognized by formal logic. Besides demonstrative and calculating reason, there exists a reason that deliberates and argues. Without a broadened vision of reason, which would enable us to understand what is meant by deciding and making an enlightened choice, a rational concept of liberty and human responsibility remains impossible. Besides the Cartesian conception of liberty, adherence to evidence, there is room for a concept of liberty-responsibility where, being face to face with arguments pro and con, neither of which is compelling, we decide that one side has more weight, and in doing so we take a final step. This liberty is the one of the man in action, of the judge in the law court, which entails an individual responsibility.

This broadening of our concept of reason, which no longer limits the rational to the analytical, opens a new field of study to the investigations of the logicians; it is the field of those reasons which, according to Pascal and according to contemporary logicians, reason does not know.

CHAIM PERELMAN

UNIVERSITY OF BRUSSELS

BOOK REVIEWS

The Life of David Hume. ERNEST C. MOSSNER. Austin: University of Texas Press, 1954. xx, 683 pp. \$7.50.

David Hume was once described by an eye-witness in the following terms:

The Powers of Physiognomy were baffled by his Countenance, neither cou'd the most skilful in that Science pretend to discover the smallest Trace of the Faculties of his Mind in the unmeaning Features of his Visage. His Face was broad and fat, his Mouth wide, and without any other Expression than that of Imbecility. His eyes vacant and spiritless, and the Corpulence of his