

THE NEW RHETORIC

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I began working on what I now call the new rhetoric with only a vague idea of what it was about, with no intention to become a rhetorician.¹ As a logician, I was interested in the study of reasoning, especially reasoning about values. I wanted to develop a logic of value judgments.

The problem puzzled me. Given that a value judgment cannot appear in the conclusion of an argument unless there is a value judgment in at least one of the premises, and assuming an empiricist theory of knowledge, how do we obtain underived value judgments? How do we validate them, especially when controversial? They are not based on self-evidence, intention, or experience. Should we invoke revelation? Or say that they are but the expression of our wishes and emotions, thus purely subjective and irrational? Or could we find some rational method of tackling them?

I searched for answers to these questions, but the literature did not satisfy me. There had been studies on instrumental value judgments, that is, of value judgments that help us appraise the means, given the ends, as for example in Ed. Goblot, *La logique des jugements de valeur* (1927). But how should we evaluate these ends if not as means to further ends? That problem had been evaded.

To find an answer I chose to follow Gottlob Frege, who studied the laws of formal logic by analysing the reasoning of mathematicians. I began to analyse reasonings concerning the good and the bad, the just and the preferable, as they are found in the writings of philosophers, politicians, lawyers, and preachers. After years of such analytical work, jointly with Mrs. L. Olbrechts-Tyteca, we understood that, when people criticize and justify opinions or choices, they argue, give reasons *pro* and *con*, engage in controversy. The theory of argumentation, thus rediscovered, had been thoroughly studied by the Greek philosophers, under the name of dialectical reasoning: Aristotle devoted to it his *Topics*, his *Rhetoric*, and his treatise *On Sophistical Refutations*, but it was almost completely forgotten and ignored by modern logicians.

Dialectical reasoning, as opposed to the analytic reasoning of formal logic, is a discourse addressed to an audience; this audience may be a

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special one, made up of many people, one interlocutor, or the subject himself when he deliberates; or it may be universal, the ideal audience we address when we appeal to reason, be it God's perfect mind or the good sense shared by the community of men.

The point of a dialectical discourse is to convince the audience. To that end the speaker (or writer) must adapt himself to his audience. To persuade, he must start from premises accepted by his listeners (or readers). If he does not and assumes erroneously that the audience agrees with his premise, his argument is a faulty one, known as *petitio principii*, begging the question. A good example of *petitio principii* is the speech of Antiphon on the murder of Herodes: "I would have you know that I am much more deserving of your pity than of punishment. Punishment is indeed the due of the guilty, while pity is the due of those who are the subject of an unjust accusation."²

Antiphon begs the question when, pleading before his judges, he implies that he is the object of an unjust accusation. The judges, of course, cannot agree before deciding on the case.

Begging the question is not an error in formal logic, where the principle of identity (if p , then p), being a tautology, is always true. The *petitio principii* is not a logical error, but a mistaken argumentation. By ignoring the theory of argumentation, the logicians got a confused view of the *petitio principii*, as becomes evident by consulting, e.g., the recent American *Encyclopedia of Philosophy*. *Begging the question* is listed there with the fallacies (under 11°), that is, "arguments which seem to be valid but really are not" (Vol. 5, p. 64). But somewhere else we read: "An argument that begs the question, that uses the conclusion as one of the premises, is always formally valid. A conclusion cannot fail to follow from a set of premises that includes it. This is also a fallacy only in the extended sense that such an argument gives no support to its conclusion" (Vol. 3, p. 177). But how can one say both that an argument is formally valid and that it only *seems* to be valid? If it is a fallacy, it must be from a perspective different from that of formal validity. This perspective is that of argumentation, related not to truth but to assent.

There is another difference of paramount importance between argument and formal proof. The standard logical calculi are formulated in artificial languages in which any one sign has one, and only one, meaning; in natural languages the same word often has different meanings. Some

utterances would not even make sense if it were not for the ambiguity of the words. For example: "children are children". If we respect the speaker, we give him credit for saying something worth saying.³ If he states a seeming tautology (A is A) or contradiction (A is not A), we assume that the intended meaning is more interesting.

Some years ago relatives of mine were awaiting their son at the railroad station after years of separation. When he stepped from the train, his mother saw tears in her husband's eyes and said: "Now I see that not only is a mother a mother, but that a father is a father."

If the mother needed this special event to conclude that a father is a father, her conclusion must be more than a truism.

It is in the same light that we can understand some seeming contradictions, such as Heraclitus' "We step and do not step in the same river". This makes sense only if the word "same" has two different meanings.

Just as formal logic can result from the analysis of mathematical reasoning, the theory of argumentation can be developed from the study of legal reasoning. This illuminates the differences between a formal system, in which conclusions are formally deduced from premises, and a legal system where decisions must be justified. In a formal system conformity to given rules is of paramount importance: when no rule enables us to deduce a proposition or its negation, or if both a proposition and its negation can be deduced, then the system is either incomplete or inconsistent, and there is no remedy for this within the system. But a judge *has* to settle the case before him and cannot invoke a gap or an antinomy in the law. If the normal procedures of interpretation and deduction do not lead to a decision, he must nevertheless search for a reasonable solution of the case. He will, to that end, use some non-formal procedure, such as reasoning by analogy or stretching the meaning of certain words.

In daily life, we all encounter situations where, like the judge, we must make a decision and cannot postpone it indefinitely. Most such decisions are not the product of constraining reasoning, and may thus be controversial. This is why the logic of choice, the logic of practical reasoning, is also the logic of controversy.⁴ Whereas a formal proof is correct or incorrect, valid or invalid, an argumentation is strong or weak; arguments may be relevant or irrelevant, more or less convincing, but are never conclusive as are formally correct deductions.

In our treatise on argumentation, *The New Rhetoric*, we analysed some ninety different types of arguments (see the list on pp. 550-2). In a number

of them, the form of presentation is an integral part of the content: most figures of speech for example are but abridged and efficacious arguments.

Many problems are specific to argumentation and completely foreign to formal logic, such as the question of the burden of proof in law or ethics. Through legal presumptions, one of the parties in a court of law is given an advantage, namely that it is incumbent upon the other party to prove its case in order to win. Similarly, in the field of ethics, those who conform to accepted norms are presumed to have been normally right unless shown otherwise.

The new rhetoric does not aim at displacing or replacing formal logic, but at adding to it a field of reasoning that, up to now, has escaped all efforts at rationalization, namely, practical reasoning. Its domain is the study of critical thought, reasonable choice, and justified behaviour. It applies whenever action is linked to rationality.

We may formalize some of the arguments used in practical reasoning.⁵ Attempts have been made to develop programmes leading to the best decision on the basis of 'decision-functions'. This is done as a strategy towards pre-chosen ends referred to as 'the best solution'. But in the choice of these ends, we must use reasons that are themselves not amenable to formal treatment.

When we formalize an informal argument, we must eliminate ambiguities, define terms and state assumptions based on that which we consider relevant and reasonable. There will always remain some elements irreducible to a formal computation. Decision about those fundamental elements are preliminary to any operation. They have to be kept out of philosophical inquiry as purely emotional and subjective, unless we enlarge our concept of the reasonable and include considerations beyond the formal ones.

Analysis of the varieties of non-formal reasoning yields a tool for better evaluating philosophies like existentialism or pragmatism, and those that involve dialectical methods, as these all stress the importance of human existence, human action, and human history.

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NOTES

¹ See for more details: 'The new rhetoric, a theory of practical reasoning' in *The Great Ideas Today, 1970*, Encyclopaedia Britannica, 1970, pp. 273-312.

² See Perelman, Ch. and Olbrechts-Tyteca, L.: 1969, *The New Rhetoric—A Treatise on Argumentation*, Notre Dame University Press, p. 113.

³ See Perelman, Ch.: *The new rhetoric, a theory of practical reasoning*, p. 291.

⁴ See Giuliani, A.: 1966, *La controversia, contributo alla logica giuridica*, Pavia.

⁵ See Perelman, Ch.: 1968, 'Le raisonnement pratique' in R. Klibansky (ed.), *Contemporary Philosophy*, Florence, La Nuova Italia, Vol. 1, pp. 168–76.

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