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Victor Ferry develops a powerful case for the claim that a rhetorical approach offers a more realistic view of argumentative virtues than a normative approach does, and he also presents us with a challenging claim that that the ancient *dissoi logoi* provide us with a way to cultivate those virtues.

He begins by noting that it is not difficult to get people to agree about a short list of argumentative virtues, and he mentions here the self-regarding virtues of "keeping an open mind" and "having a sense of proportion" as well as the more other-directed virtues of "being communicative" and "having intellectual empathy." But, as Perelman and Olbrechts-Tyteca would say, it is one thing to share a set of values; it is quite another to place those values into a hierarchy in the same way. Ferry argues that a disagreement on such a hierarchy becomes evident when focusing on the particular skills called for by the argumentative technique of dissociation, and that it is here that the rhetorical and normative camps part ways.

The new rhetorical approach of Perelman and Olbrechts-Tyteca develops the notion of dissociation in a practical context of needing to address an incompatibility that arises when a concept is no longer precise enough to do the work it is being asked to do. So different meanings unified indifferently in the concept are separated, and the concept is divided in a way that allows for the problem to be solved—at least to the satisfaction of some audience. As Ferry helpfully points out, this idea is developed in the context of *The New Rhetoric*'s understanding of how notions are regularly clarified and obscured in the process of argumentation—and its striking claim that there could be no argumentation in *The New Rhetoric*'s sense if this were not the case. The goal is not to get concepts to match natural kinds or to specify the necessary and sufficient conditions for something's falling under a concept, but rather to allow for different parties to come to agreement, to adhere to a thesis.

One interesting feature of Ferry's account is that, according to him, "agreement on the dissociated notion will not only be a matter of semantics: it will also depend on the ability of the arguer to justify it for a given audience." It seems to me, however, that there are at least some situations in which pointing out the semantic conflicts in a notion could be sufficient and not need further argument. If I say "happiness is not the only happiness because 'happiness' means both a life of pleasure and a life of fulfillment," then simply pointing out the semantic differences here could be sufficient to persuade an interlocutor to begin to use "happiness" and "fulfillment" in order to keep the concepts distinct.

And yet though it is no doubt true that further arguments can strengthen the dissociation, it is difficult to tell what counts as strengthening. Consider the examples of arguments for the dissociation of just war from unjustified aggression. The first example is: "A non-violent movement could not have halted Hitler's army." Let's set aside the objection that this may not be true; let's just assume that it is true. How does it follow from this that war as a concept is not useful, that we must distinguish between just war and unjustified aggression? It seems to be because we assume that our concept of war must enable the violent halting of Hitler's army. If it does not, it needs some reconstructing. So it appears that the "argument" for the dissociation is simply the successful application of the dissociation to a problem whose solution is already known.

Ferry concludes that a successful dissociation requires: a practical problem that needs to be solved, some semantic work on a concept to remove incompatibilities, and rhetorical skills to justify the dissociation. Note that all three of what Ferry calls "criteria" could be recast as skills or abilities: (1) the ability to perceive that there is a problem and to recognize that it is the kind of problem that can be addressed through conceptual work, (2) a capability for making relevant and useful semantic distinctions and for constructing new concepts, (3) rhetorical skills for inventing arguments that justify the dissociation. This being capable of dissociation begins to look a little like a skill tilted toward a virtue.

Ferry finds the rhetorical approach to be more useful than the normative approach because the normative approach has a limited sense of the aims of dissociative moves. The aim is simple clarity and precision; the more, the better. The rhetorical approach is pragmatic in that it takes clarity to be relative to context and purpose. From that point of view, the experience of perfect conceptual clarity is the product of a lack of imagination. Context and purpose and audience and argumentation itself put stress on concepts and show that they are malleable. We restrict the range of notions but we also extend it. We use concepts in new situations. We need the imprecision of "freedom" and "justice" in order to create desirable social change. So, says Ferry, if rigorous precision and clarity are at the top of the hierarchy for the normative approach, then a certain flexible approach to managing semantic variations would be in the first rank for the rhetorical approach.

Since I agree with almost everything Ferry says here, let me move quickly to his practical recommendation that we follow the *dissoi logoi* and teach students to argue from both sides. Here he notes that teaching a purely critical, refutational manner of reasoning can lead students to believe that reasoning is simply finding something wrong with arguments—and that they can, of course, find something wrong with any non-trivial argument. This leaves reasoning a fairly small and negative role—not much help in making reasonable judgments and decisions, except about how bad some arguments are. He proposes that teaching students to argue both sides of an issue would help them to develop the virtue of intellectual empathy, being intellectually empathetic. Such empathy might contribute to a disposition to be persuaded, and so training in argument would not produce only a disposition to be critical and skeptical.

Ferry's remarks put me in mind of Socrates' worry in the *Theaetetus* that young Theaetetus might be prone to misology if the older Theodorus and Socrates

himself become over-critical of his arguments. And misology, a distaste for arguments, seems to be what a purely refutational approach to teaching argumentation could lead to. However, on the positive side, they also put me in mind of Hans-Georg Gadamer's dictum that to truly understand someone else's reasoning is to be at least in part convinced by it. This is similar to the intellectual empathy that Ferry describes—to imagine what it is like to believe in the way one's opponent believes and also to imagine not being thereby entirely irrational.

Ferry believes that learning to argue from both sides could create intellectual empathy and address the shortcoming of teaching purely refutational critical thinking, and he may well be right to believe this. Learning to argue from both sides has been recommended by many—from the writer of the *dissoi logoi* through Cicero to contemporary lawyers preparing for trial. I have used this approach with my own students, and they have sometimes reported that it was quite a learning experience—that they did, in fact, change their minds about the issue after having to write an essay arguing from the opposing side.

However, I would also like to go further than this and propose a more thoroughly rhetorical approach to teaching argumentation. I believe that we should heed Giambattista Vico's early 18th century warning about critical thinking and his recommendation that we return to teaching the invention of arguments along the lines of the ancient topoi or loci. As Vico put the case: "In our days . . . philosophical criticism alone is honored. The art of 'topics' . . . is utterly disregarded. . . . This is harmful, since the invention of arguments is by nature prior to the judgment of their validity . . . so in teaching, invention should be given priority over philosophical criticism" (1990, p. 14).

The invention of arguments is prior because there are no arguments to criticize if no arguments have been invented. And the teaching of purely critical thinking is harmful both because it creates potential misologists and also because the need is for better arguments. If one has only the arguments that others have produced, one might not be looking at all of the relevant arguments—and so not at the stronger ones. Generating all the relevant arguments requires the art of invention, which produces not only the virtue of being intellectually empathetic but also the rhetorical virtue of copiousness—in this case, inventing arguments on many sides of the issue and so seeing from all sides. The value of criticism depends on the comprehensiveness of the set of arguments with which it is faced.

After all, there are issues that permit more than an argument for and an argument against. The art of invention and the art of using the stasis questions allow one to approach an issue by developing lots of different kinds of questions—questions of fact, definition, value, cause and effect, policy, and so on. And the skills associated with the *topoi* allow one to generate lots of different positions and arguments. Let's take one of the *topoi* or argument scheme complexes from *The New Rhetoric*, the very one Victor Ferry offers us: dissociation and the philosophical pairs it produces.

Perelman and Olbrechts-Tyteca describe a number of argumentative moves one can make within the complex of moves made possible by dissociation. To give a very brief account of some of them: the inexactness and invented character of the new dissociated term is a vulnerability and a source of arguments that attack the

viability of the distinction. Once a distinction of this sort of made, it is always possible to deny it, to insist on the original unity that has been divided. The general counter-argument will be that the distinction between the terms solves important problems. Those who attack the dissociation on the basis of the vagueness of the criterion are left to wrestle with the original incompatibility. However, there are many kinds of arguments available to those who would oppose the dissociation. One could propose a different dissociation, a different pair that also addresses the incompatibility. One could quantify the difference between the two terms, and so reject a qualitative conceptual difference between them. Another move against the distinction would be to reverse the hierarchy the distinction creates, and to make the first term the criterion, the term of value. This move affirms the distinction, but usually changes the meanings of the terms. Additional arguments may be found by splitting the second term itself into a philosophical pair as a better way to address the incompatibility or refine the criterion of value. This is a process that could have no end.

These are only a few of the general moves they describe, and they can be taught, with examples, and practiced by students, with coaching from teachers. Pursuing this project would be a way to take Victor Ferry's general idea a little further, but I think it would be keeping with the general spirit of the practical recommendation: to cultivate the intellectual virtues needed for genuine argumentation—intellectual empathy, yes, but also imaginative empathy that is expanded by an ability to invent arguments copiously.

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