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Commentary on: A. Ohler's "Rationality in Argumentation"

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Amy Ohler offers another in the growing list of commentaries on and critiques of Ralph Johnson's adventure at the dialectic tier. No other concept in the recent literature on argumentation has attracted so much notice, and one virtue of Ohler's paper is that she pinpoints a basic reason for all this concern. When considered with any care, Johnson's theory forces us to grapple with fundamental questions about the role and nature of rationality in argumentation. Ohler rightly stresses this issue, and through her critique of Johnson, she challenges us to think more clearly about what rational argument means in the current post-lapsarian state of our scholarship. On her view, Johnson is asking us nothing less than how we can conceive argumentative rationality after the fall of the formal deductive model has lead to us to inquire into more practical standards for evaluating arguments.

Although detailed and often subtle, Ohler's argument is not difficult to follow in general terms, and its gist can be summarized rather briefly: Johnson, Ohler explains, defines rationality as the giving and receiving of reasons, and this position justifies the view that to qualify as rational an argument must have an illative core (i.e., a structure of reasons and conclusion). But, Ohler continues, this view is inadequate to establish the dialectical tier as necessary for rationality, since this "specification of rationality" fails to account for the responses to objections and alternative positions that occur at the dialectical tier. In Johnson scheme, rationality at the dialectical level seems necessary only "because of its inclusion of more reasons at play," and Ohler thinks it implausible to believe that we can gauge rationality on a purely quantitative ground. Something must be specified about the quality of argument at the dialectical level, and for this purpose, we need a conception richer than the structural criterion of giving and receiving of reasons.

As a corrective to this problem, Ohler endorses Perelman's conception of the "reasonable" as the ground for rational argumentation. The reasonable, she notes, specifically encompasses situated historical and contextual aspects of argument, and thus the reasonable counts as rational that which is acceptable to a given community at some particular time and place. By its very nature, then, this conception must take into account the views of the audience, and rationality at the dialectical tier is warranted because the adjustment of arguments to objections and alternative positions is inherently connected to the realm of the reasonable—a realm in which appeals to the views of others constitute a necessary feature of rational argumentation.

The tone of Ohler's paper indicates that she regards her intervention as a friendly amendment to Johnson's project. Her intent is to preserve the concept of the dialectical tier by using "Perelman's ideas" as a "supplement" that gives "further justification of Johnson's claims." Yet, I doubt that Johnson would accept this characterization. As I read him, he wants to invoke "manifest rationality" as a criterion for argumentative products at two different levels. At the illative level, rationality is manifest in the structure of reasons and conclusion, while at the dialectical level, rationality is manifest

as a response to objections and alternatives. These are two different standards of rationality that correspond to distinct, but equally important, aspects of argumentation. Hence, Johnson might well argue that Ohler errs when she associates his general conception of rationality with his criterion for the illative core.

To put this point in other and more general terms, Ohler seems to take a position not unlike Christopher Tindale (1999), who would enfold the logical and dialectical aspects of argumentation within Perelman's version of a socially and contextually sensitive rhetoric. Johnson resists this absorption of the dialectical into the rhetorical by developing a fundamentally dialectical criterion for argumentative interaction. Dialectical arguments are rational neither in respect to their core structure nor in relation to the social context in which they occur, but they are rational in respect to the manifest and intrinsic characteristic of dialectical argument, which is its oppositional status (i.e., its status as a response to another position).

This tendency to purify the conception of dialectical rationality emerges most clearly when Johnson distinguishes argumentation from rhetoric: "What separates rhetoric from argumentation is that the latter is bound by the requirement of manifest rationality. The arguer cannot ignore objections to his argument, even if it is not known how to forestall them, because it would not appear to be rational and so it would violate the requirement of manifest rationality. The rhetor is under no such constraint: If ignoring the objection will lead to a more effective communication, and if doing so is rational, then the objection can be ignored.... Manifest rationality explains why the arguer must respond even to criticisms that are believed (or known) to be misguided. If the arguer were obligated only by the dictates of rationality (rather than manifest rationality), then this person can well afford to ignore criticism, as indeed the rhetor can. It is in this matter of dealing with criticisms, then, that the arguer and the rhetor part company" (Johnson 2000, 163-64). This position may strike us as curious, and Ohler is not the only commentator who believes that it lands Johnson in troubled waters, but before we evaluate these distinctions, we ought to recognize them for what they are. Johnson obviously uses them to insulate his notion of dialectical rationality from any rhetorical tincture, and thus the invocation of "reasonableness" does not supplement Johnson's conception of argumentative rationality but presents a substantially different alternative to it.

As Ohler notes, Johnson separates the rhetor and the arguer but holds that both engage in a rational activity. Hence, he must accept different conceptions of rationality, and if we push a little on the rhetorical side of the fence, it would appear that at least three forms of rationality might enter into an assessment of an argumentative product. First, we have the intrinsic rationality that Johnson calls "manifest"—rationality that is and appears to be used for its own sake. Secondly, we have the kind of rationality that Johnson implicitly assigns to rhetoric—rationality not used for its own sake but to achieve some extrinsic purpose. This is the instrumental rationality of the orator who calculates how to produce a desired response in an audience. Ohler's notion of reasonableness presents a third option that designates a rationality intended to promote effective deliberation by engaging the context and audience. We might consider this option, derived from Perelman's New Rhetoric as a "social rationality" that does not seek to achieve a self-contained rational purity or a self-interested extrinsic end but aims to sustain the community as a locus of arguing subjects. This is a pliable form of rationality

that preserves the possibility of deliberative argument as it accommodates to audiences and changing circumstances.

Having set out this list of options, I believe that we can recast Ohler's critique and make it more directly responsive to Johnson's theory of dialectical rationality. While the recognition of and response to opposing views is a necessary condition for such rationality, it is not a sufficient condition. Johnson restricts his attention to the necessary condition and refuses to acknowledge that the presence of opposition brings with it an unavoidable social component; objections and alternatives exist only in a social space, and, Ohlers argues—quite rightly in my opinion—that a theory of dialectic must encompass the social dimension of argumentation if it is to provide normative criteria adequate to the type of rationality demanded by dialectical practice. For this reason, she turns to the "reasonable" and Perelman's conception of grounded, social rationality. Significantly, however, she does not use the term "rhetoric," and perhaps this omission indicates a reluctance to connect her contextual rationality with the instrumentalism associated with rhetoric. But I believe that this connection is also unavoidable and that an adequate notion of rationality at the dialectical tier must somehow balance manifest, social, and instrumental concerns. This point is far too complex to support in detail here, but let me conclude with a brief illustration drawn from Martin Luther King's "Letter from Birmingham Jail."

One of King's major arguments deals with an objection raised against his direct action campaign in Birmingham. King has been accused of inconsistency because while he maintains that respect for law requires compliance with the Supreme Court decision outlawing segregation in public schools, he also advocates violating the laws of Alabama that apply to other forms of segregation. And so the question is: "How can you advocate breaking some laws and obeying others" (1992, 89). Demonstrating a sensitivity to what Johnson calls manifest rationality, King acknowledges that the objection is "certainly a legitimate concern" and answers it by making a distinction between just and unjust laws. Violation of an unjust law is justifiable, and King maintains that segregation laws are unjust. He offers several arguments to support this view, one of which begins with the premise that "an unjust law is a code inflicted upon a minority which that minority has no part in enacting or creating because they did not have the unhampered right to vote." King adds that Blacks in Alabama are a minority that has been denied the right to vote, and so it follows subjecting them to segregation laws is undemocratic and unjust.

This argument is a straightforward illustration of how the dialectical tier operates in practice. But by Johnson's standards the argument is not rational. The first premise is subject to the following objection: Certain groups of people are incapable of exercising the franchise reasonably, and so other more responsible citizens ought to govern them. Applied to racial issues, this premise is an ugly manifestation of white supremacy, but when King made his argument there were (and sadly there still are) people who would endorse it. King believes that this objection is false and misguided, and he has good reason to believe that his target audience of white moderates also finds it repugnant, and he does not address it. By Johnson's criteria, however, King's failure to acknowledge and reply to the objection renders the argument dialectically inadequate.

Ohler wants to avoid such uncomfortable and impractical judgments by turning to the social criterion of reasonableness, and this move seems sensible, if not actually necessary, but, as she acknowledges, this criterion in and of itself offers "very little by

way of guidance in what to include or exclude as part of the dialectical tier." Guidance in such cases, I maintain, must always depend upon the case at hand, and as King's Letter illustrates, such grounded judgments about the reasonable are not easily separated from instrumental considerations. The arguer's purposes always enter into the calculation of what is rational since rationality itself arises from the semi-choate domain of social knowledge, and its configuration is, at least in some part, a construction of the arguer and a reflection his or her interests and purposes. Thus, in his Letter, King has urgent business to transact through argument, and he must select and express his reasons in conformity with his objectives. Premises are stated, emphasized, or omitted in respect to the persuasive work that they must do, and more generally, the tone and texture of the discourse responds to these needs. Hence, when King, at the outset of the Letter, pledges to proceed in "patient and reasonable terms," even this commitment to reasonableness functions instrumentally; he displays an attitude appropriate to a moderate white audience that has sympathy for some of his principles but worries about apparently unreasonable or radical actions that might be used to effect their realization. The persona King constructs works to allay this fear, and it is itself a manifestation of rationality conditioned by the immediate rhetorical needs of the situation. In short, if we judge rationality by a social criterion, we cannot avoid the strategic and instrumental considerations that enter into argumentative practice as it occurs in actual situations.

The tendency of modern thought is to separate intrinsic and instrumental rationality, but this distinction is not inevitable, and classical notions of argument, guided in large part by considerations of prudentia and decorum, indicate that the two can be brought into a constructive relationship with one another. The recovery of such socially responsive and contextually mobile concepts of argument should help us to conceive forms of rationality that are sufficiently rich and complex to provide normative standards at the dialectical level. This task, I believe, requires attention to all three dimensions of dialectical reasoning—its manifest status as reasons given in an oppositional context, its placement within a social world of reasonable belief, and its function as an instrument for effecting persuasion about contingent issues.

References

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