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Commentary on: Menashe Schwed's "Argumentation as an ethical and political choice"

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In the following response to Menashe Schwed's insightful paper, I want to: echo what I see is one key point in slightly different terms; raise one question; and close with a reiteration of a second of the project's key points, together with a speculative extension.

Schwed's work is significant in that it asks those who have put forward conceptions of argument as a *practice* to take their own theories more seriously. Take Ralph Johnson's *Manifest Rationality* (2000) as an example.¹ Johnson invokes Alastair McIntyre's (1984) conception of a practice, that is, an activity which realizes an internal good, a good which also functions as the regulatory principle governing the activity. Thus argumentation, in Johnson's view, accomplishes or constitutes the internal good of manifest rationality, and the practice of argumentation ought to be oriented in all its aspects to achieve the good of manifest rationality.

What Schwed would invite Johnson (and others who similarly invoke a practice of argumentation) to take more seriously is McIntyre's insistence that practices are historically situated. For any given practice, there was a time that it didn't exist. It arose in particular circumstances, and will come to an end at some point as well.

If argumentation is a practice, it too must be deeply embedded in a tradition. It must have a historical origin which marks its contours. It must as Schwed puts it, "exist as a philosophical, cultural and social artifact, just as the rules of chess or abstract art do." And that I take to be a fairly provocative claim.

Within what historical circumstances did the practice of argumentation arise? Schwed sketches a story in which argumentation first emerges as a practice together with the origins of democracy in Greece. This transformation fostered conditions in which autonomous citizens had to work together to make collective decisions even in the face of enduring, irresolvable disagreements. Gone were the sanctions of the gods and any sense of a single, right way of proceeding; man was the only measure of things, and men (and women) were inevitably diverse. Democratic decision-making under these circumstances required a form of discourse through which diverse citizens could bind themselves together into a working polity.

¹ Further examples can be found in Dima Mohammed's comprehensive review of functionalist theories, in this volume.

I recognize and appreciate this origin myth--I recognize it because it is my own. Those of us who study rhetoric also look back to the invention of democracy in Athens as the environment in which our own art arose. And although I may be just being a booster for my own discipline, I think that rhetoric has claims superior to those of argumentation to being the central art of practical democracy.

The sophists, after all, were known as teachers of rhetoric, not as philosophers. While Protagoras himself claimed to be able to engage with Socrates in either short speeches (i.e., dialectic) or long speeches (i.e., rhetoric) when given the choice, he set out on a long speech--a *mythos*, a story, in fact, not an argument. The *dissoi logoi* or speeches on both sides of a question that Protagoras is credited with inventing are a rhetorical exercise, part of an extended curriculum that includes instruction in argumentation of course, but also instruction in appeals to emotion and character--*ethos* and *pathos*-- and the exploitation of the formal features of language to form a style appropriate to the occasion. On sum, the aim of the sophistic educational program was eloquence in a fullest sense, embracing but not reducible to argumentation in specific.

So one question to Schwed must be: Why can argumentation, not rhetoric, lay best claim to the classical democratic-humanistic tradition? Would identifying a different origin for argumentation--say, in the movement towards secularization in the Enlightenment--lead to a different conception of the art?

Finally, as Schwed points out, the practice of argumentation is at its base the transaction of un-overcomable disagreement. But as Schwed also points out, at the meta-level, argumentation theory is subject to the same, ever-enduring disagreements. As he says, theorists often project philosophical conceptions of epistemic merits onto the practice of argumentation---philosophical conceptions which carry with them all sorts of strengths and liabilities. We should indeed demand that any viable argumentation theory live up to the three principles of humanism he proposes--the ontological, epistemological, and ethical-political basic assumptions. But beyond this, we should not expect, Schwed argues, ever to resolve the meta-dispute over what makes an argument good.

So let me close with a speculation. If argumentation is a practice, then the practitioners presumably have a good idea of what they are doing. If so, then it might be possible to make some progress on our theories of argumentation by finding out what the practitioners themselves take to be the standards of argument goodness. The keynote address by Marianne Doury at this conference gave some examples of how empirical studies can reveal the norms actually in play within the practice of argumentation. Perhaps argumentation theorists should put aside disputes among epistemological conceptions for a while, and see where this kind of normative-descriptive work might lead?

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- MacIntyre, A. (1984). *After Virtue: A Study in Moral Theory*. Notre Dame, IN: Notre Dame University Press.