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Where do you place your argument?

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Where do you place your argument? The Toulmin model revisited and revised from a rhetorical topical perspective

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Abstract: Toulmin's logical approach to argumentation affects the purpose and design of his argument model. The author argues that, even though the model has proven useful and influential in the rhetorical tradition, it misses the most central aspects of persuasive argumentation and the rhetorical role of the topics. The author outlines a rhetorical argument model that takes the metaphor of places seriously and shows the process of building a persuasive argument guided by different types of topical places.

Keywords: argument building process, common ground, dialectic, logic, proof, rhetoric, rhetorical argument model, the topics, Toulmin's argument model, standpoint

1. Introduction

It didn't take long for the rhetoricians to adopt the argument model Stephen E. Toulmin presents in *The Uses of Argument* from 1958. Brockriede and Ehninger's introductory article two years later in *Quarterly Journal of Speech* paved the way by claiming the "superiority of the Toulmin model in describing and testing arguments" (Brockriede & Ehninger, p. 46). The following rhetorical tradition has agreed and incorporated Toulmin's model in theoretical articles and practical textbooks on rhetorical argumentation and debate to an extent that makes the author of *Rhetoric in the European Tradition* conclude: "Over the years, *The Uses of Argument* came to dominate the literature on debate and argumentation almost completely" (Conley, p. 295).

Why is it that this ostracized logician has become an integrated part of the rhetorical canon? What is so appealing about Toulmin's thoughts on argumentation, in general, and his argument model, in particular, to rhetoricians? The answer is simple, yet far-reaching. What made him a pariah in the field of logic is what made him persuasive among rhetoricians: his practical approach to the field of argumentation.

Rhetoric understood as an art, a classical *techne*, is essentially a practical activity guided by prescriptive how-to advices and hands-on instructions (cf. Kennedy, p. 19). Not surprisingly, then, a book titled *The Uses of Argument* would trigger rhetorical interest. Brockriede and Ehninger point to this when they claim that Toulmin's structural model provides "a practical replacement" to the syllogism that "promises to be of greater use in laying out rhetorical arguments for dissection and testing than the methods of traditional logic." (Brockriede & Ehninger, p. 47) Anyone who has taught a course on argumentation, persuasive speech or debate knows that the argument model presented in *The Uses* is in fact useful when the students are to analyze and evaluate arguments in a public debate or want to critically test their own main argument in a speech, text or debate. The model's diagrammed structure with lines and an arrow visualizes different argumentative functions, logical relations and inferential steps far better than the linear syllogism. The vocabulary of claim, data and warrant is intuitive, and it captures the different logical functions of a practical argument more precisely than the syllogistic equivalents minor premise, major premise and conclusion. And finally, the three additional elements backing, rebuttal and qualifier grant the uncertainty and opposition of real-life arguments a legitimate and visible place that is absent in the simpler syllogistic structure.

The rebuttal and the qualifier at the same time point to an epistemological understanding of the practical that can help explain Toulmin's appeal to rhetoricians. When Toulmin accept probability and field-dependence, he speaks the language of rhetoric. His claim that "Warrants are of different kinds, and may confer different degrees of force on the conclusion they justify" (Toulmin, 1958, p. 100) resonates well with an academic discipline that has always operated in the practical and probable domain of *endoxa*, dealing with choices and actions and "things that are for the most part capable of being other than they are" (Aristotle, *Rhetoric*, 1357a). Context matters to Toulmin as it does to rhetoricians, and his epistemological ambition of expanding "the court of reason" is on par with classical rhetorical thinking. (cf. Toulmin, 1958, pp. 40-41) As expressed by the authors of *Handbook of Argumentation Theory*: "Perhaps equally attractive seems to be Toulmin's view of the context-dependency of the standards for assessing argumentation, and his starting point that in establishing the relevant criteria the supremacy of one particular field of argument over others must be rejected." (van Eemeren et al., p. 251) The Toulmin model not only makes it easy to assess real-life arguments, it captures a world of variety and uncertainty, that made his logical colleagues feel uncomfortable, but where rhetoricians feel at home.

It took a while longer for Toulmin himself to see the rhetorical connection. However, in the canonized 1982 lecture "Logic and the Criticism of Argument", the stray logician had realized that there were minds outside the departments of philosophy that appreciated him more than the Frege-influenced logicians of that time. The connection he saw was the topics: "Only in retrospect it is apparent that – even though sleepwalkingly – I had rediscovered the topics of the *Topics*, which were expelled from the agenda of philosophy in the years around 1900." (Toulmin, 1982, p. 256) This passage has been widely cited among rhetoricians who see it as a sign of Toulmin's association with rhetoric (cf. Conley, p. 295; Gabrielsen, pp. 60-61; Godden, Section 4.; Golden, Berquist and Coleman, p. 251; Jasinski, p. 206).[1] After all, you can't blame a rhetorician for being pleased about winning one over from Plato's camp of philosophers.

The question is if the rhetoricians have been too pleased. Has the rhetorical tradition been too selective in the reading of Toulmin and too blind in its acceptance? The authors of *Handbook of Argumentation Theory* seem to support the idea of a selective reading of Toulmin's work:

> It is striking that most authors who used Toulmin's model as a general model for argumentation analysis – again, including Brockriede and Ehninger, Trent, and Toulmin himself 20 years later – ignore the logical ambitions Toulmin intended his model to serve with regard to the replacement of formal validity in the geometrical sense by validity in the Toulminian procedural sense. (van Eemeren et al., p. 239)

Even though, the Toulmin model has proven useful to rhetoricians, as Brockriede and Ehninger suggested and the long line of textbooks on argumentation after them have demonstrated, I shall argue that the price of winning a philosopher has been losing something essentially rhetoric. The rhetoricians have been all too willing to ignore the fact that Toulmin speaks the rhetorical language with a distinct logical dialect and have not paid enough attention to the aspects of Toulmin's approach to practical argumentation that differs from a genuinely rhetorical approach. The fact that the Toulmin model is *more* accurate and useful than

[1] The passage echoes Otto Bird who connected the dots as early as 1961 in his article "The Re-Discovery of the Topics". Bird introduces his article: "This development, particularly in the form it takes in this last book, has many similarities with the analysis of the Topics in medieval logic. The resemblance is so close, as I hope to show, that it appears we are witnessing something of a re-discovery of the Topics" (p. 534).

traditional logic does not make it potentially *the most* accurate and useful structural model of rhetorical argumentation.

To get an idea of the shortcomings of the Toulmin model seen from a rhetorical perspective, I shall outline an alternative rhetorical argument model that more fully captures the inventive and persuasive power of the topics. The argument model focuses on argument as a persuasive process, not as an inferential product, and shows the different strategic topical choices that are involved in building a rhetorical argument. Before I get this far, however, I will first take some time to show that Toulmin is justified in claiming that he has "rediscovered the topics of the *Topics*". But instead of seeing that as a sign of him becoming a rhetorician, I shall see it indicative of his logical influence on rhetoric.

2. Toulmin's limited logical approach to the topics

One can easily see why Toulmin must have enjoyed reading the *Topics* when he found that ancient work of Aristotle that had been expelled from logic. Discontented as he was with the rigid universalism of formal logic that "display arguments from different fields in a common form" and "by appeal to a single, universal set of criteria applicable in all fields of argument alike" (Toulmin, 1958, p. 39), he set out to reform what he saw as a "corrupt tradition" of philosophy (Toulmin, 1982, p. 254). In opposition to the logic in vogue at the time he wrote *The Uses of Argument*, he was convinced that there are "many different 'logical types'" (p. 13) and "many sorts of assessment and grading" (p. 34). The reformative project was to make logic applicable to the everyday use of arguments by accepting field-dependent standards for critical assessment of "the variety of steps from the data to conclusions which appear in the course of justificatory arguments" (p. 12). He was confident "that by treating logic as generalized jurisprudence and testing our ideas against our actual practice of argument-assessment, rather than against a philosopher's ideal, we shall eventually build up a picture very different from the traditional one" (p. 10). As he realized much later, the picture he was building then was in fact a very traditional one.

In Aristotle's *Topics*, Toulmin found a kindred spirit and an abundance of inference options. The *Topics* accounted for all the inferential variation he found in the wild but which had been banned from the laboratory of logic. The *Topics* offered him a fine-grained system of around 300 acceptable ways to bridge data and conclusion that would accommodate his quest for a functional and flexible logic where different kinds of problems call for different kinds of warrants. The structured dialectical setting of the *Topics* with a questioner and a respondent even resembled the courtroom setting he took as a paradigm case for the jurisprudence logic he advocated for. As the authors of *Handbook of Argumentation Theory* put it: "Toulmin seems to construe the arguments he is interested in as (dialectical) verbal products resulting from a (dialectical) process of argumentative discourse" (van Eemeren et al., p. 212).

This is at the same time key to understanding why Toulmin's project it not essentially rhetorical. It is Aristotle's dialectical approach to the topics that appealed to him, not his rhetorical approach. And as we know from Aristotle's own ambitions to make clear divisions of labor between logic, rhetoric and dialectic, there is a fundamental difference between rhetoric and dialectic. In "Revisiting Aristotle's Topoi," Christopher Tindale identifies the difference between the dialectical and the rhetorical work of Aristotle: "the goals of the two works are quite different, with the *Topics* suggesting a handbook for procedures to succeed in dialectical exchanges or games (likely reflecting the activities of the Academy), and the *Rhetoric* proposing means for persuasion of an audience" (Tindale, 2007, p. 1). It is the dialectical understanding of the topics found in the *Topics* that resonated with Toulmin's reformative logical project, not the topical approach found in Aristotle's *Rhetoric* or in later works of Cicero and Quintilian whom he does not mention.

This has crucial consequences for the understanding of the topics and eventually for the view on argumentation Toulmin brings to the rhetorical division. According to Joseph Wenzel's well-known effort to demarcate logic, dialectic and rhetoric as three distinct perspectives on argumentation, "logic seeks to discover or develop canons of correct inference that enable us to settle on certain expressions as reliable knowledge (Wenzel, p. 128). Hence, it follows from the starting point in logic that Toulmin's approach to argumentation focuses on critical evaluation. Toulmin's key interest in *The Uses of Argument* is "the ways in which we set about grading, assessing and criticising" arguments (p. 12, cf. also p. 33 and 39). Keywords are "standards", "criteria", "soundness" and "validity" – words that help "to keep in the centre of the picture the *critical* function of the reason" (p. 8). What Toulmin found in the *Topics* was exactly that – a method to formalize actual arguments in order to critically test the soundness of the applied inference.[2]

The critical approach to argumentation influences Toulmin's notion of audience. The audience we meet in *The Uses of Argument* takes on the role of a persistent "challenger" (Toulmin, 1958, p. 97). The challenger poses critical questions such as "Does it really follow?"; "Is it really a legitimate inference?" (p. 139); the recurring: "How do you get there" (cf. p. 98, 99 and 130); and "What have you got to go on?" (cf. p. 97, 98, 99, 140). In other words, the challenger acts much like a questioner in a dialectical debate who critically tests the specific inference-warrant applied by the speaker. The Toulmian challenger incarnates the court of reason, a rational representative of an academic field who is capable of judging what are acceptable and unacceptable warrants within that field – may that be sport, mathematics, law or aesthetics. This differs from a rhetorical notion of an audience that is a far more complex construct composed not only of rationality but also of values, interests, emotions, attitudes and habitudes. A rhetorical audience would therefore be sensitive to both rational and emotional influence, logos, ethos and pathos that is. More generally, Toulmin's sensitivity to context is captured in the abstract notion of "field," which is a less dynamic substitute for a rhetorical situation comprised of exigence, audience and constraints. (Bitzer, p. 6) Seen from a rhetorical perspective, the notion of field lacks complexity and explanatory power when it comes to describing persuasive argumentation.

The logical approach to argumentation has obvious consequences for the purpose and design of argument model. As Toulmin says in introducing his model: "How, then, should we lay an argument out, if we want to show the sources of its validity? And in what sense does the acceptability or unacceptability of arguments depend upon their "formal" merits and defects?" (Toulmin, 1958, p. 95). The arrow and the location of the claim to the right in the model indicate an inferential movement from data towards claim supported by the warrant. If we pair this with the fact that Toulmin uses the terms "claim" and "conclusion" interchangeably through chapter 3 in *The Uses of Argument*, we get a model that concludes with the claim – which is reminiscent of a PPC structure. The vocabulary associated with the warrant also reveals its logical heritage. The warrant contains "rules, principles, inference-licenses" (p. 98); it is what "justifies," "legitimates," "authorizes," "entitles," "permits," and "guarantees" the inferential step from data to conclusion with a certain inferential "force." It is within this logical framework of evaluating and analyzing existing arguments that the topics of *Topics* serve as a critical tool. A topos in the Toulmian approach is to be understood as an acceptable inference within a field placed in the warrant element of the argument model – or what would today be referred to as an "argument scheme." The Toulmin model is essentially a logical argument model designed

[2] The subtitle of the book edited by David Hitchcock and Bart Verheij *Arguing on the Toulmin Model* is in this sense telling: "New Essays in Argument Analysis and Evaluation."

to make visible the logical form and relations in order to critically assess the soundness of an argument.[3]

Brockriede and Ehninger clearly saw that when they initially emphasized the critical potential of the argument model "in laying out rhetorical arguments for dissection and testing" (Brockriede & Ehninger, p. 47). And Tindale, from a more retrospective position, confirms the Toulmin model's logical influence on rhetoric: "His general model of "data" leading to a claim, mediated by a "warrant" with a necessary "backing," has been very influential as a new standard of logical thinking, particularly among scholars of rhetoric and speech communication" (Tindale, 2004, p. 8).

This points to an unfulfilled rhetorical and topical potential in the Toulmin model. For all the model's rhetorical usability, there's something essentially rhetorical about the topics that the model does not capture. His starting point in logic blinds him to a genuinely rhetorical understanding and practical use of the topics that ultimately would lead to a differently designed argument model.

First, as a result of Toulmin's critical approach to argumentation, he doesn't appreciate the *creative* potential of the topics as a method to *find* possible persuasive arguments. What Toulmin had sleepwalkingly rediscovered was the logical potential of the dialectical topics to formalize arguments – not the rhetorical potential to *invent* them. What's wanting in Toulmin's approach is the *heuristic* potential of the topics – or what Kienpointner refers to as the function as "search formulas": "The topoi are search formulas which tell you how and where to look for arguments" (Kienpointner, p. 226). In the rhetorical tradition, the topics are an *ars inveniendi*, a method for systematically searching for persuasive arguments. The topics found in the rhetorical tradition present the persuader with catalogues of possible *places* to find argumentative material. Cicero vividly stresses this heuristic quality of the topics in *De Oratore*:

> For, as if I were to point out a Mass of Gold that is buried in several Places, it would be enough if I should describe the Signs and Marks of the Places where it lay; for then the Person to whom I thus describ'd it, might find and dig it up with Ease and Certainty: Thus, after I had made myself Master of these distinguishing Characters of Arguments, they pointed out what I was in Search of, all the rest is to be wrought out by Care and Invention. (Cicero, *De Oratore*, II, 41, 174)

The comparison between topical places and places in the physical world points to another aspect of the topics that is missing in the Toulmin model – the actual *places*. Toulmin made room for inferential variation in the warrant, but the model itself does not show this variation, topical alternatives that is. What Tindale says about the topical tradition in general goes for Toulmin as well: "Largely suppressed here, though, is the alternative richness of the "place" metaphor, some sense of which no account of the *topoi* should avoid" (Tindale, 2007, p. 4). And he concludes the same article with the claim that there is "value carried through the metaphor of place essentially attached to the concept of a *topos*; a value threatened if we think only of *topoi* as argumentation schemes" (Tindale, 2007, p. 10). Following Tindale, we must expect a structured argument model inspired by the rhetorical topics to take the place metaphor seriously. Hence, where the central questions within Toulmin's logical perception of the topics

[3] Rigotti and Greco shares the dialectical approach to topic in their book *Inference in Argumentation. A Topics-Based Approach to Argument Schemes* where the introduce The Argumentum Model of Topics. The model differs radically from the one I will outline later in its purpose and design as it focuses on topoi as inferential-logical sources rather than as places to find persuasive arguments. The purpose of their model like Toulmin's is to show and asses inferential moves in an actual argument.

were: “What have you got to go on?”; ”How do you get there”; and the central questions within a rhetorical perception of the topics would be, Where do you go?; and Where do you choose to place your argument?

In the following I will proceed in a more constructive manner to outline an argument model that takes rhetoric as its starting point and attempts to capture the creative as well as the metaphorical understanding of the topics.

3. Outlining a rhetorical argument model inspired by the rhetorical topics

A rhetoric-born argument model would have to reflect the most defining characteristics of rhetorical argumentation.

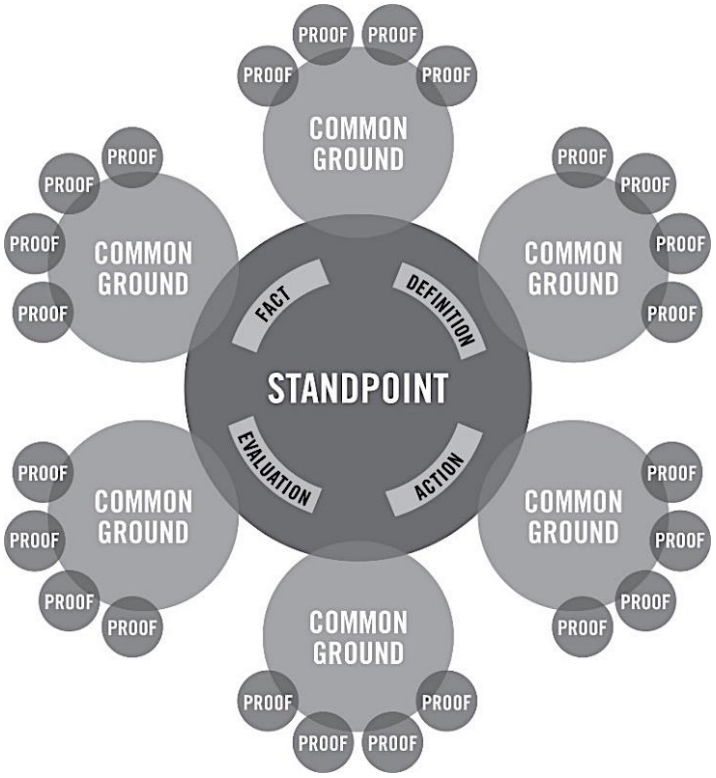
First, rhetorical argumentation has *persuasion* as its purpose. According to Aristotle, rhetoric is the art of “discovering the available means of persuasion” (Aristotle, *Rhetoric*, 1355b). Wenzel clearly supports the persuasive purpose when he describes the nature of the rhetorical perspective this way: “when we speak of studying “argument” from the rhetorical perspective, we mean that we seek to understand certain elements embedded in the process of persuasion. Thus, the rhetorical perspective construes “arguing” as a persuasive process” (Wenzel, p. 124). Thus, a rhetorical argument model could be expected to serve as a practical tool for someone’s intention to influence beliefs and behaviors – let us choose to call that someone “the persuader”.

Having persuasion as its goal implies that rhetorical argumentation takes someone to be persuaded into account. Secondly then, rhetorical argumentation is always directed to an *audience*. Tindale, in building a general rhetorical model of argumentation, points to the centrality of the audience and the dialogical nature of rhetoric in what he, inspired by Bakhtin, refers to as the fundamental “addressivity” of rhetorical argumentation (Tindale, 2004, p. 103). In every new rhetorical situation, the persuader faces the challenge of establishing a common ground with the specific audience that will make them willing to act as “mediator of change” (Bitzer, p. 4). In this respect, it is noteworthy that a defining feature of the Aristotelian enthymeme is that it consists of fewer premises than the syllogism because the audience are supposed to “supply” the suppressed premise to complete the argument. And so too, must any rhetorical argument model be expected to reflect the fundamental addressivity of rhetorical argumentation and indicate the presence of an audience.

Thirdly, a rhetorical approach to argumentation is concerned with the argumentative *process*. Returning to the two quotes from Aristotle and Wenzel, we will see that they’re both concerned with process: According to Wenzel “the rhetorical perspective construes “arguing” as a persuasive *process*” (Wenzel, p. 124, italics mine); and according to Aristotle rhetoric is the art of “*discovering* the available means of persuasion” (Aristotle, *Rhetoric*, 1355b, italics mine). Hence, a rhetorical argument model must be designed with the objective to guide the process of building a persuasive argument.

Topical thinking supports all these three defining traits of rhetorical argumentation. As we shall see, in the model the rhetorical topics function to prescribe the different kind of places the persuader ought to visit when building an argument suited to persuade a specific audience.

So finally, we are ready to see what a rhetorical argument model informed by the rhetorical topics might look like:



Let us take a closer look at the three main elements in the model – standpoint, common ground and proof. What are their argumentative functions? At what point in the argument building process do they become relevant? And how do they relate to the rhetorical topics?

At the center of the model we find the persuader's *standpoint*. It is what the persuader stands on and commits himself to in the practical domain of politics, ethics and aesthetics, where things are "capable of being other than they are". The standpoint is what motivates the persuader to initiate the argumentative process, and in that sense, the choice and wording of the standpoint marks the initial step in building a persuasive argument.

As indicated in the model, the persuader at this point faces a choice about what type of standpoint he will present. Inspired by classical rhetorical stasis theory the persuader has four strategic options on where to win a case: He can choose a standpoint about the facts of the case, the definition, the evaluation, or the action to be taken (cf. Kienpointner, p. 228-230). The four stasis represent four possible "places" where the persuader could "position" himself and find the appropriate wording of the standpoint. So, the persuader must ask himself: What kind of standpoint will have the most realistic chance of persuading this specific audience? This is the first of three strategic topical choices in building a persuasive argument.

The next element in the rhetorical argument model is *common ground*. When the standpoint is formulated the next step in the process is to find the substantial foundation of the argument. Common ground is a mental meeting place between the persuader and the audience. Common ground could be values – as it is said in *Handbook of Argumentation Theory*: "The values upheld by a given audience can be used as a starting point for determining what that audience will and will not accept" (van Eemeren et al., p. 268). More generally, everything that captures a socially shared perspective in relation to a given case and context could form the basis for common ground: ideas, ideologies, beliefs, motivations, norms, frames, narratives, theories and methods. As the model illustrates, the persuader at this point in the process is again faced with a strategic decision – this time about how to substantiate the standpoint in a way that resonates with the shared world view, values and visions of the specific audience. The goal

for the persuader is to strike what the Greeks would refer to as *kairos*, the Romans as *aptum*, and Bitzer as *a fitting response*.

This is not an easy task. Christian Kock makes us aware that there are multiple incommensurable dimensions of practical reasoning that must be weighed against each other. (Kock, 2006) Christopher Tindale expresses the same point within a topical framework: "The arguer needs not just to know her own mind, and the *topoi* resident there; but also the mind of her audience and what *topoi* they are likely to recognize and, hence, to be persuaded by the arguments drawn from them" (Tindale, 2007, p. 9). It is in this varied landscape of possible topoi that the persuader must ask himself: Where can I "meet" my audience? What kind of common ground relation can I build with my audience in support of my standpoint? This is perhaps the most critical and difficult point in the argument building process.

Fortunately, the persuader is not left to his own idiosyncratic and limited horizon of knowledge, values, beliefs, interests and habitudes in the search for common ground with his audience. As with the standpoint, the topics provide him with a practical tool. To quote Kienpointner's elaboration on topoi as "search formulas":

> The search formulas help to select relevant arguments from the set of 'endoxa', that is, the propositional content of the arguments has to be taken from the set of propositions which are accepted by all or most people and/or by all or most experts. (Kienpointner, 1997, p. 226)

Through the rhetorical tradition we find different topoi catalogues that guide the persuader in a systematic search for the "available means of persuasion" in relation to a specific subject or genre. Let me give just a few examples to clarify how common ground is to be understood within a topical framework. In book 1 of his *Rhetoric* Aristotle presents his "specific topoi" listing commonly accepted taxonomies and examples of good and evil, honorable and shameful, just and unjust. These lists provide the ancient rhetor with an armory of possible common grounds for epideictic praise and blame, forensic accusation and defense, or deliberative advice about future actions. As Rigotti and Greco notes: "In the Rhetoric, the examples that illustrate the list of topoi often report fragments of culturally important debates" (Rigotti and Greco, p. 30). In that respect, today's persuader would probably find most of the Aristotelian catalogues of specific topoi insufficient and inadequate in the search for common ground with a contemporary audience. Kock, however, makes a case for the usefulness of another list of topoi found in *Rhetorica ad Alexandrum*. Here the unknown author provides the young Alexander the Great with an inventory of common ways to argue for an action listing eight possible justificatory perspectives: Just, lawful, expedient, honourable, pleasant, easy to accomplish, practicable and necessary (Kock, pp. 254-255). According to Kock this list presents "an inventory of the warrants available for practical reasoning" that could serve as a possible expansion of Brockriede and Ehninger's underdeveloped category of motivational arguments. As a final example, I would like to mention a more contemporary topoi catalogue that I have developed in collaboration with rhetorician Jonas Gabrielsen. The topoi catalogue contains eight topoi that we have observed to be the most commonly applied perspectives in political argumentation – and therefore would be relevant places to visit in the search for common ground in political speeches: Economy, environment, ethics, health, culture, legislation, aesthetics, religion.[4] The precise nature of the topoi catalogue – how many and what kinds of common grounds it contains – is less important in regard to the model. The important point being that it is the topics that allow the persuader to navigate with open eyes

[4] This exact list has not been published. But earlier versions have been published in Danish journals *RetorikMagasinet* (Pontoppidan and Gabrielsen, 2009) and *Nordicom-Information* (Pontoppidan, Gabrielsen and Jønch-Clausen, 2010).

in the topical landscape of possible places to establish common ground with his audience. Or to put it less metaphorically: The model shows that there are multiple ways to support the standpoint and, hence, encourages the persuader to deliberately weigh the alternatives to make an informed choice about where to ground his argument.

We now see that both the term "common" and "ground" are appropriately ambiguous to capture what is going on at this step in the argument building process. "Common" takes on the double meaning of the "ordinary, customary, usual, normal, habitual" and what is "united, mutual." Thereby the term sheds light on the Ciceronian point that it is much easier to find what the audience has *in* common if one has a map of what *is* common. "Ground" evokes the topical metaphor of "place"; it points to the function as the argument's base; and it works as a synonym for words native to argumentation theory such as reason, justification, rationale, support and premise.

This leads us to the third and final element in the argument model: *proof*. Where standpoint was tied to the persuader and common ground to the audience, the proof is tied to the subject matter. Common ground and proof both function as justifications for the standpoint, but where the common ground element is abstract and value oriented, the proof is concrete and factual. The search for proof is controlled by the common ground chosen in the previous step. If one for instance has chosen an economic common ground, the proof must be of the economic kind as it is the common ground that makes a given type of proof relevant. This on the other hand means that the proof as the final step in the process of building an argument has a double support function: It substantiates the persuader's standpoint; and it adds weight to the chosen common ground thereby proving that it is a reasonable perspective in the case at hand. At this point in the argument building process the persuader is looking for material support in the form of for instance examples, analogies, expert statements, results of surveys or research, observations, scientific definitions, laws, statistics – everything that could function as evidence for both standpoint and common ground. Kock describes the content and the role of the proof when he refers to "the topical tools of similarities, differences, and paradigmatic examples, as well as the numerous devices of 'amplification' and 'diminution', with the aid of which we may add to or detract from the weight of any given argument" (Kock, p. 257). A wisely chosen example or analogy will at the same time strengthen the credibility of the standpoint and bolster the relation between standpoint and common ground.

As the model shows, the persuader is again faced with a choice as it is possible to generate more than one proof in relation to each common ground. And once again, the topics found in the rhetorical tradition serve as a useful resource of the "available means of persuasion" – only this time the means at hand are not common values and perspectives in a specific context, but common types of proof. In Chapter 23 of Book 2 of his *Rhetoric* for instance, Aristotle supply the persuader with a catalogue of 28 "universal" or "common" topics including for example the more and the less, definition, division, induction, analogy, precedent, consequence, cause and contradiction.[5] Kienpointner mentions the medieval "hexameter of invention", the seven wh-questions: Who, what, where, by what means, why, how, when. (Kienpointner, pp. 227-228) And Brockriede and Ehninger in their introduction to Toulmin present a list of six types of substantive arguments: cause, sign, generalization, parallel case, analogy, and classification. (Brockriede & Ehninger, pp. 48-50) Again, this is just to exemplify what a heuristic topoi catalogue might contain to secure a thorough and systematic search for proof. Whether the persuader chooses to go *ad fontes* to the classical list of Greek topoi or Roman loci or instead

[5] It is noteworthy – and somewhat confusing – that the general topoi are general in the sense that they can be applied in every type of case; and the specific topoi are in the sense that different subjects, situations, audiences and genres call for specific catalogues. But the result of the search is the opposite: The specific topoi result in abstract values and the general topoi result in concrete facts.

chooses to consult contemporary taxonomies of argument types is less important to the design of the model. What the model illustrates is that there are several places to find proof for a given standpoint within a specific perspective.

This implies a fundamental difference between the logician's and the rhetorician's understanding and use of the topoi associated with proof. Seen from the logician's product-oriented and critical point of view it is the logical *form* of the argument that each universal topos represents that is of interest. We see that in Aristotle's *Topics* and the argument scheme tradition that aim for fine-grained theoretical categorization of different argument types. Seen from a practical rhetorical point of view, on the other hand, the categorization of different argument types is not a goal in and of itself. No doubt, it is relevant for the persuader to be familiar with the strengths and weaknesses of each of the different general topoi in the catalogue, as it is a way to weigh the strength of the different available proofs up against each other. But first and foremost, the classification of different types of arguments has a practical heuristic *function*. The body of universal topoi serves as a practical tool to direct a methodical search for concrete material that could serve as proof – for instance examples, definitions, consequences, causes and contradictions. As Sara Rubinelli expresses it: "In particular, the method of the Topics has general usefulness in that it helps speakers see the multiple sides of an issue." (Rubinelli, p. 146) So, where logic sees the topoi as formal placeholders for arguments, rhetoric sees the topics as fruitful places to look for arguments.

4. Conclusion

When Toulmin claimed that he "had rediscovered the topics of the *Topics*" he was right. His ambition to create a substantive logic that accepts a variety of different field-dependent standards and criteria for connecting data and conclusion is materialized in Aristotle's dialectical work on argumentation listing hundreds of inference-warrants.

Toulmin's tight bonds with the dialectical topics, however, are exactly what loosens the bonds to rhetoric and a rhetorical use of the topics. It misses the essentially rhetorical approach to argumentation as a *process* of discovering and *choosing* between the available means of *persuasion* in relation to a specific *audience*. Where Toulmin's interest lies in the inferential patterns and permissions, rhetoric is interested in the persuasive process. Where Toulmin is preoccupied with possible connections between data and claim, rhetoric is interested in what could possibly connect the persuader and audience. Where Toulmin is preoccupied with common standards and validity, rhetoric is preoccupied with how to establish common ground with what an audience values. So, while Toulmin's model has proven useful to rhetoricians, it has also come with an unmistakable logical influence. Applying the Toulmin model is applying a view on rhetorical argumentation, that focuses on argument evaluation, not on argument creation. His logic might be substantive, but it is not inventive.

This makes room for a rhetorical argument model that more fully captures the inventive process of building a persuasive argument with the aid of topical thinking. The paper offers such a model.

Where Toulmin's logic-born model is designed to assess an argument, the outlined rhetoric-born argument model is designed to build it. The model guides the persuader through the steps involved in the process of deciding what to argue *for* (standpoint), what to argue *on* (common ground), and what to argue *from* (proof). The model makes visible, what is hidden from the Toulmin model, namely the series of strategic choices involved in the process of formulating a realistic standpoint, establishing a relevant common ground, and finding compelling proof. These are choices between different topical "places" found in different kinds of topoi catalogues containing *types of cases*, *culturally shared perspectives*, and *types of proof*. Seen from a rhetorical point of view, the topoi are not something that comes in as a critical tool

after the argument has been presented, they play an important part in *building* the argument as a practical tool for making systematic choices.

Seen from a practical rhetorical point of view, then, the rhetorical model precedes Toulmin's model. We must build the argument before we can evaluate it. But that does not mean that the outlined rhetorical argument model renders the Toulmin model – or any other logical argument model – irrelevant. The Toulmin model will still be a useful tool for critical "dissection" and "testing" the arguments that result from the topical process guided by the rhetorical argument model – as Brockriede and Ehninger suggested.

Brockriede and Ehninger concluded their introduction to Toulmin's argument model with this hopeful final remark "All this is not meant to be the end, but rather the beginning of an inquiry into a new, contemporary, dynamic, and usable logic for argument" (Brockriede & Ehninger, p. 53). I would like to conclude with the hope that the outlined rhetorical argument model can be the beginning of an inquiry into what a persuasive and inventive argument model could look like.

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