ARGUMENTATION STUDIES IN THE WAKE OF *THE NEW* RHETORIC

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Those who resisted the Nazi tyranny, Jonathan Glover observes in his *Humanity: A Moral History of the Twentieth Century,* tended to come from homes in which children were encouraged to reason through argument (382). Children raised by parents who used physical means of gaming compliance or an authoritarian style of childrearing were much less likely to rescue Jews. Glover cites research conducted by the Oliners, who carefully document why some chose the moral path during World War II. Glover and the Oliners conclude that habits of reasoning, expressed through argument and queshoning, elicit concern for the other and recognition of values beyond one's own. Chaïm Perelman and Lucie Olbrechts-Tyteca detected this connection between argumentation and moral action.

Seeking a philosophical balm for the wounds of post-war Europe, Perelman and Olbrechts-Tyteca rediscovered rhetoric and argumentation, seeing that they could foster the "contact of minds" necessary for the reconstruction of civil society. This is an odd phrase, but it reflects their aspiration that reasoning rather than violence should be the primary means of dealing with disagreement. Between 1947 and 1984, Perelman, alone and in collaboration with Olbrechts-Tyteca, translated this aspiration into the New Rhetoric Project (NRP), which was expressed in a number of books, articles, and conference papers. The most complete expression of the project was published in 1958 as *Traité de l'argumentation: la nouvelle r h -*
rique (known in French speaking countries as *Traité*), which was translated into English in 1970 as *The New Rhetoric: A Treatise on Argumentation* (known in English speaking countries as *The New Rhetoric*). Perelman set the agenda for the collaboration, as his solitary writings on a host of subjects before his collaboration with Olbrechts-Tyteca identified the key issues and problems addressed in the NRP. Olbrechts-Tyteca played a major role in the development of the examples and middle range theory (Warnick, 1998; Olbrechts-Tyteca, 1963).

In this article, I consrder the influence of the NRP on studies of twentieth-century argument in our field, and its relevance in the new millennium My rehearsal of the argument in the NRP is not meant to duplicate the fine surveys of Perelman's work in Foss, Foss, and Trapp; Conley; and other anthologies and overviews of rhetoric. Rather, my purpose is epideictic in the Perelmanian sense in that I hope to strengthen a commitment to the study of argument as a *humane art* with philosophical and pragmatic expressions. I seek to recall the larger purpose Perelman and Olbrechts-Tyteca envisioned for argumentation and to trace the influence of the NRP on argument studies in the United States. In so doing, I will call attention to some key books and scholarship that draw from the NRP to develop insights on argument. In the conclusion, I suggest the NRP is the most important system of argument produced in the twentieth century and can serve as an ecumenical site for the development of argumentation theory.

My purpose may seem benign, but it directly confronts two movements in the field. The first is the continued fragmentation of the field into a set of case studies with little shared sense of purpose, which David Zaref-

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sky has rightly lamented as a failure of disciplinary coherence. Another movement, pragma-dialectics, originating in the Netherlands, begins with a misreading of the NRP to launch a system of argument with quite different goals than those set forth by Perelman. The pragma-dialecticians seek uniform standards for all argument and see conflict resolution as the objective of argumentation. I believe the NRP's system navigates between fragmentation and enforced uniformity, and remains the most ethical and powerful framework available to scholars of argument. The NRP is a blueprint for civil society, with a strength and coherence lacking in other systems. To better understand the tension among these movements, it is necessary to resituate the NRP and its influence on argumentation studies in the United States.

THE NEW RHETORIC PROJECT IN CONTEXT

Before and during War II, totalitarians seized reason and designed ideologies to contain it in what Hannah Arendt in her *Origins of Totalitarianism* termed the "cold logic" of the syllogism (468-472). Ideological reasoning is distinguished by its adherence to a premise, which governs a chain of logic that does not acknowledge experience. Such reasoning embraces apodictic logic and is expressed in a hyper-rationality that values nothing outside itself. Scholars have identified the role of a ruthless expression of ideological rationality in many of the twentieth-century genocides. A disembodied rationality, devoid of humanity, is no guarantee of humane behavior.

Arendt in her *Eichmann in Jerusalem* described the advent of ideological thinking and the peculiarly modern form of evil she saw on display in the trial of Adolph Eichmann, the Nazi in charge of the final solution. Eichmann, according to Arendt, was trapped by the assumptions and language of ideology, thereby blocking recognition of experience. She saw Eichmann as a uniquely modern expression of monstrosity because he did not seem to command the capacity to think outside of realm of ideology. Rereading *Eichmann* as a scholar of argumentation, I find it striking that no one confronted or argued with Eichmann, making his flight to ideology comfortable. The internal dialogue that makes up authentic thinking, so essential in Arendt's vision of moral action, requires argument. Arendt, Perelman, and a number of other postwar philosophers understood the need to consider the role played by reason in totalitarian movements that captured Eichmann and his colleagues. Some conflated reason with totalitarian thought, and abandoned rationality: others rallied and sought an expanded *sense* of reason and a new rationalism.

After the liberation of Belgium in September 1944, Perelman joined those who sought a reconstituted sense of reason. Until that point, he was a logical positivist, holding that reason was limited to formal logic and to the *vita contemplativa* (See Frank and Bolduc, From *Vita Contemplativa* to *Vita Activa*). While leading the Jewish underground during the War, he finished a book titled *On Justice*. He concluded in *On Justice* that values could not "be subject to any rational criterion" and that they are "utterly arbitrary and logically indeterminate . . ." (*The Idea of Justice and the Problem of Argument* 56-57). Perelman was "deeply dissatisfied" with his conclusion that there was no reasonable basis for value judgments (*The New Rhetoric and the Humanities* 8). He resisted the limitations of logical positivism and saw that the other dominant alternative, existentialism, did not give the grounds for justice or judgment (see Frank and Bolduc, "Chaïm Perelman's First Philosophies").

As he worked through his dissatisfaction, he decided to use the method adopted by Gottlob Frege, the subject of Perelman's dissertation, to study value reasoning. Frege analyzed particular instances of mathematical reasoning to build general principles of

logic. Similarly, Perelman set out to examine examples and illustrations of arguments to determine how humans reasoned about values. In 1947, Lucie Obrechts-Tyteca joined him in his search and after a ten-year exploration, the collaborators published their *Traité de l'argumentation: la nouvelle rhétorique*. The NRP was a major force in the "rhetorical turn" of the 1950s. Gerald Hauser notes:

> By mid-century, philosophers such as Richard McKeon and Chaïm Perelman were turning to rhetoric as a mode of thought and analysis that could address basic questions of knowledge and action in an age lacking a dominant set of shared assumptions. During the last third of the century these important but relatively isolated initial statements exploded into a flurry of intellectual work aimed at theorizing rhetoric in new terms. (1)

This "flurry of intellectual work" was, in part, a result of philosopher Henry W. Johnstone's encounter with Perelman when he visited Belgium in the 1950s. There, Johnstone became familiar with Perelman's work, understood Perelman's agenda, agreed that argument justified philosophical inquiry, and brought the NRP to the attention of American philosophers, Although Johnstone disagreed with Perelman on several issues, there is little question that Perelman's work helped to justify the philomphical study of argumentation in the United States.

Perelman brought the NRP to the United States and Pennsylvania State University when he was invited by Johnstone and Robert T. Oliver to serve as a visiting professor in 1962. During this visit, he discovered the field of speech communication. As Oliver observes in his history of Perelman's visit, Perelman did not know about the American field of rhetoric and speech, nor did American scholars of speech know much about Perelman. The mutual ignorance is explained by the fact that Perelman's view of rhetoric stemmed from his frustration with logical positivism, his reading of Paulhan and Latini, and his rediscovery of the Greco-Roman rhetorical tradition. The speech field in 1962 was, according to Oliver, aligned with social psychology, and U.S. rhetoricians were concerned with historical studies of great speakers (578–580). Oliver reports that William James and John Dewey were the philosophers most often cited by American scholars of speech, cultivating a pragmatism primarily concerned with effects of rhetorical practices (578–580). Oliver and American speech scholars saw in Perelman's work a philosophical justification for the study of speech, one endorsed by a celebrated continental philosopher.

After his 1962 visit, Perelman recognized he had strong allies in the field of speech communication. Perelman wrote Emily Schossberger, his editor at the University of Notre Dame, that he wanted to title the English translation *The New Rhetoric: A Treatise on Argumentation* rather *than a* literal translation of the French title, *A Treatise on Argumentation: The New Rhetoric* in order to attract potential readers in the American speech communication discipline (Perelman to Schossberger). His visit also inspired the study of argument as a subject of philosophical inquiry. In the abstract of their 1965 book, *Philosophy, Rhetoric and Argumentation,* Johnstone and his colleague Maurice Natanson informed their readers the book was "intended as evidence that a new field of philosophy has appeared–a field in which the concepts of rhetoric and argumentation, including the rhetoric and argumentation of the philosopher himself, are subjected to philosophical scrutiny" (v). The founding of the journal *Philosophy and Rhetoric was* another result of Johnstone's encounter with Perelman.

Reflecting the tie between Perelman and the field of speech, Carroll Arnold wrote the introduction to Perelman's *Realm of Rhetoric.* Recognizing the importance of the NRP in argumentation studies in the United States, this journal dedicated a special issue, edited by Ray Dearin, to the work of Perelman and Olbrechts-Tyteca. A survey of scholarly articles published in *Argumentation and Advocacy* in the last 13 years reveals that a number of

argument scholars draw on the NRP for insights on the practice of argumentation. Some of our most promising scholars, such an Theodore Prosise and Brian McGee, have deployed the NRP in their articles and understand Perelman's larger ambition to situate argument as an expression of philosophi cl reason. Unfortunately, they are the exceptions. Scholars of argument, as David Zarefsky notes, have lost track of what binds the field together. Reflecting the fragmentation in the field, scholars often pluck a concept or notion out of the NRP for the purpose of illuminating a particular case study, neglecting the larger purpose of Perelman and Olbrechts-Tyteca's efforts. The pragma-dialecticians are not interested in the intent of the NRP because of its purported "bias against logic" (van Eemeren and Grooten-dorst, *Argumentation, Communication, and Fallacies* 3–4). When placed in context, the texts of the NRP display a coherent vision of ar p e n t an an expression of reason.

I hope, in what follows, to highlight for argument scholars the key notions in the NRP that have lost focus, been misread, or are underappreciated. In particular, I wish to revisit their rescue of reason and persuasion, novel interpretation of the relationship between dialectic and rhetoric, and their illuminating take on audience, epideictic, loci, and the techniques of argument.

ARGUMENT IN NEW RHETORIC PROJECT

Perelman recognized the defining characteristic of totalitarian thought: the absolute commitment to the "cold logic" of deductive reasoning. Having resisted the "myth of the twentieth century," the Nazi belief in racial superiority, Perelman identified pluralism as the necessary bulwark against another outbreak of totalitarianism. To erect this bulwark, he contested Descartes' notion that if two people disagree, one must be wrong. Disagreement, in Perelman's view, was a sign of societal health an long as argument

and a "contact of minds" rather than violence and irrationality were responses (Perelman, *New Rhetoric and the Humanities* 112–113).

The only absolute metaphysic Perelman defended was that all metaphysical principles were subject to revision and that humans deserved liberty and freedom of choice. (See Perelman, *Participation aux Deuxiemes Entretiens de Zurich*). Parties in a disagreement might all hold partial truths and uniform agreement was not the primary goal of the rhetorical encounter. Indeed, the NRP endorsed dissent and fostered pluralism, doing so by nesting different and incompatible values within a larger realm of rhetoric.

In this realm, deduction does not rule and many different logics flourish. Accordingly, in the NRP truth is in process, dissent revealing the irreducible plurality of values, and argument serving as a form of reason designed to allow for judgment. Two key values recur in the NRP and undergird the moral basis of argument: *rapprochement* and *einfuehlung*. The first word, from the French, calls for a realignment of forces out of conflict into harmony; the second, from the German, means empathy. Placing the work of Perelman and Olbrechts-Tyteca in context, these two values capture the intent of the NRP to humanize reason by bringing it into alignment with the lived reality of human beings. Perelman sought a rapprochement between reason and rhetoric, and broadened the domain of reason to include sentiment and values. He also integrated Classical Greek thought with Jewish patterns of reason, an important gesture of reconciliation in the post war setting [Frank, "Dialectical Rapprochement in the New Rhetoric"). Argumentative exchange, in this vision, was not intended to produce uniform agreement but an appreciation of the irreducible plurality of human values. Those who make reasonable arguments put themselves "in the place of others" and understand that humans are moved by sentiment and will (*The New W* -

oric and ilk *Humanities* 118). The realm of rhetoric calls for a broad and robust sense of reason, one that includes empathy and sentiment. To put these values into play, Perelman and Olbrechts-Tyteca saw that they needed to develop a new definition of reason constituting a "break" with the *Enlighten*ment definition of reason, which featured formal rationalism and apodictic logic (*The New Rhetoric* 1).

In response to the compulsion of apodictic logic, embodied and misused as it was in totalitarian thought, Perelman and Olbrechts-Tyteca gave a philosophical grounding to persuasion. Perelman and Olbrechts-Tyteca highlighted the importance of choice and liberty in human affairs. Demonstrative reason, they noted, does not provide choice. Apodictic logic forms a *chain* of premises and conclusions that cannot be challenged (Perelman and Olbrechts-Tyteca, *The New Rhetoric* 2–4). In comparison, argumentation gives audiences the *choice* of adherence. The notion of adherence is at the philosophical and spiritual heart of NRP. The audience has the liberty to accept or reject the reasoning offered by an advocate. The use of argumentation implies that one has r e nounced using force alone, that value is attached to gaining the adherence of one's interlocutor by means of masoned persuasion, and that one *is* not regarding him as an object, but appealing to his free judgment" (Perelman and Olbrechts-Tyteca *The New Rhetoric* 55). Persuasion becomes an important philosophical value, not merely a technique.

Perelman and Olbrechts-Tyteca attended the notions of persuasion and adherence with a rhetorically inflected sense of reason. They developed one of the first systems of non-formal logic in the post-war period. Their system of argumentative logic moved beyond deduction, and did not yield to systems demanding allegiance to a first premise, other than those acknowledging the need for continual revision. The logic in the NRP functioned paratactically (the linking of ideas

in a non-hierarchical constellation), avoiding the hypotatic *impulse* (one which demands subordination) embedded in totalitarian logic (Perelman and Olbrechts-Tyteca, ilk New *Rhetoric* 158). Paratactical argument does allow for judgment, though such judgments are open to revision and challenge.

The *NRP* took a different tack on the relationship between rhetoric and dialectic. Olbrechts-Tyteca noted in her 1963 retrospective that those interested in argument did not connect it to rhetoric (Rencontre avec La Rhêtorique). Obrechts-Tyteca cites Toulmin's 1950 *The Place of Ethics* in *Reason* as a primary illustration of a work on argument that both denigrates rhetoric and ignores the role played by audience in argumentation. In contrast to Toulmin, Perelman and Olbrechts-Tyteca sought a rapprochement between dialectic (mason) and rhetoric (the art of adapting arguments to audiences). Perelman and Olbrechts-Tyteca aspired to bring them into alignment, and refused to completely conflate the two, seeing both a "tie" and a "distance^e between them. This "tie and distance" Perelman and Olbrechts-Tyteca establish between dialectic and rhetoric produces an inherent equivocation frustrating to those who seek essential and clear definitions.

Formal logic provides definitional clarity, Perelman argued, because it is isolated from the world of experience, and is limited to the realm of abstraction and the *vita contemplativa*. The intent of the NRP was to inflect logic with rhetoric, thereby displaying the expressions of reason used by humans in the *vita activa* (Frank and Bolduc, "From *Vita Contemplativa* to *Vita Activa*"). The quality of logic is ultimately dependent on the judgment of the audience. There are, of course, stronger and weaker expressions of logic, but humans situated in context, rather than an external and immutable set of standards, would judge.

Perelman held Peter Ramus responsible for creating a divide between rhetoric and logic. Ramus, in vesting philosophy with di-

alectic (reason and logic) and rhetoric with style and delivery, dealt a critical blow to rhetoric's integrity (*New Rhetoric and the* Humanities 8). Perelman and Olbrechts-Tyteca sought to overcome the Ramistic divide by *expanding* the range of reason to feature the role of the audience and to include forms of logic beyond deduction and *modes ponens.* Argumentation functions as a response to a rhetorical situation in flux, one that defies a preordained or an apodictic logic. Reflecting this orientation, *The New Rhetoric* is divided into three parts: the framework, starting point, and techniques of argumentation. The ᵗ part displays a philosophy of argument, the second describes the psyche of audiences, and the third identifies argumentative schemes. Although t& parts should be read as a Mended whole, the authors did recognize that the components of a @en argument could be lifted out of its scheme for analysis. In the third part, Perelman and Olbrechts-Tyteca extract arguments from their rhetorical situations to display patterns of reasoning found outside of formal logic.

In part one of the *New Rhetoric,* Perelman and Olbrechts-Tyteca establish a normative framework for the enactment and evaluation of argument As a response to totalitarianism and the failure of logical positivism and radical skepticism to provide the grounds of reason, Perelman and Olbrechts-Tyteca offered argumentation. Argumentation, they write, offers the human community the means of reasoning about end values, avoiding the conclusion that justice had no basis in reason. They also note that there were times when argumentation was not a sufficient response, and illustrated this claim with a reference to Churchill's decision not to engage in negotiations with Hitler (17). A goal of argumentation is to spur action, but morality should trump the goal of persuasive effect, and argument does not belong everywhere (16).

Two touchstones in the NRP are the audience and the epideictic. Perelman and Olbrechts-Tyteca develop a compelling theory of the rhetorical audience, which Gross and Dearin elucidate in Chapter 3 of their excellent book *Chaïm Perelman* (For an extended review of this book, see Frank, "After the New Rhetoric"). Their vision of rationality shifted the focus from the logical form of apodictic reasoning to the value hierarchies of audiences. Although Perelman and Olbrechts-Tyteca understood the need for coherence and logical relationships among the components of argument, they resisted the confining models of rationality offered by formal logic. They sought to develop a definition of reason, Gross and Dearin write, that resisted the false division of will from understanding, one that embraced the sentient and intellectual capacities of the human being (28).

Johnstone did not find a theory of &en= *the NRP, holding that Perelman and Olbrechts-Tyteca were only concerned with categorizing audience techniques ("Rev. *The New Rhetoric: A Treatise on Argumentation*" 225). The pragma-dialecticians blame the NRP's take on audience for reducing judgments of truth to human opinion. In contrast, Gross and Dearin's reading is much more careful and nuanced, giving argument theorists a far better understanding of the NRP's vision of audience than that provided by Johnstone or the pragma-dialecticians.

According to the NRP, all argumentation, including the inner deliberations of the conscience, is designed for an audience. Persuasive effect is not the only objective of the rhetorical encounter as the speaker has an obligation to know when it is wrong or inappropriate to argue, and there are stronger and weaker audiences. Perelman and Olbrechts-Tyteca adopt Henry Stack Sullivan's view that the speaker's vision of an audience is a construction (19).Those who argue have created images of their audiences. Arguments can be effective if the advocate has adequately calibrated the construction of the audience to its reality. There are particular,

composite, and universal audiences vying for the attention of the advocate.

The particular audience is one of several interconnected audiences. Although an appeal may be addressed to a particular audience, many who argue often face composite audiences, those made up of individuals holding different and conflicting values. The universal audience, which Perelman reported was a profoundly misunderstood notion in the NRP, offers a normative check on those who present arguments ("The New Rhetoric and the Rhetoricians"). Perelman saw the *universal* audience as rhetoric's answer to Kant's categorical imperative. The universal audience invites those who argue to use a form of reason that aspires to universality. Gross and Dearin in chapter three of *Chaïm Perelman* provide a cogent explanation of the universal audience and its value in argument theory. They are not alone. The universal audience, which my colleague James Crosswhite in his *Rhetoric of Reason* has developed with care, is a symbolic construction as real as the others fashioned by a speaker. Chapter two of Crosswhite's book provides a sequential guideline for the construction of a universal audience. Chris Tindale in his *Acts of Arguing* also explains how the *universal* audience can be used in argument with clarity and precision (95–97).

This shift, from the mathematical structures of apodictic logic, to the lived experience of human beings, strikes some as reducing the validity of knowledge claims to audience response. Don Levi raises this concern when he worries that scholars using Perelman may be more concerned with persuasive impact rather than the truth content of an argument Perelman, having studied formal logic, understood the traditional principles used to assess the correctness of argument. However, he saw that these principles could not lead to sound judgments about values or justice and often did not assist with humans struggling within tragic contexts. Perelman recognized that there are stronger and weaker arguments, with the audience

serving as the judge. The NRP does establish nonnative assumptions, which Crosswhite, Tindale, and others discuss at some length.

First, there is a normative assumption that audiences should have the freedom to judge arguments, opening up the possibility of mistake and misjudgment. Yet, this freedom is ultimately more important than a "truthful" claim that is enforced with violence or the coercion embedded in formal logic. Second, there is an active concern in the NRP for the quality of the audience; some audiences are better able to make judgments. The audience of scientific arguments illustrates this larger point. Alan Gross, in two important books, has outlined the rhetorical components of scientific arguments. In these books, Gross studies science as a form of rhetoric designed to persuade audiences. The scientific community, Gross and his colleagues observe, use the scientific article as a means to communicate knowledge claims to an audience. These claims are judged by an expert audience. As Gross and his colleagues observe, in answering certain questions, the scientific method is superior to others. As Gross and Dearin note, Perelman was not a relativist, and accepted scientific arguments as strong or weak based on the judgments of audiences commanding the necessary expertise.

Perelman's refurbishing and repair of the epideictic, a critically important move in the NRP, highlights a third normative position in the NRP out of which flows a metaphysic, epistemology, and axiology of argument. Epideictic discourse does not merely reinforce values, as Lockwood, in a clear misreading of Perelman and Olbrechts-Tyteca, suggests (75–76). Rather, it assumes some values and facts have gained acceptance and validity through persuasion over time. Values and facts are only as strong as the argumentative proof offered in support. An authentic contact of minds requires some preconditions, including arguers and audiences sharing a symbol system, a desire to engage in communicative exchange, and an

attempt by those who argue to address the values of the audience. With the epideictic, those who make arguments to audiences begin with normative assumptions., the scientist, politician, spouse, and artist all start with or develop a common language, value hierarchies and exemplars during argumentation. Arguers may use values and knowledge claims presumed by the audience as touchstones for arguments designed for the immediate exigence and rhetorical situation.

These accepted values and knowledge claim function, in the NRP as a "regressive philosophy," giving the process and products of argumentation a metaphysical status. Perelman, in a landmark article published in 1949, observed:

Regressive philosophy affirms that, at the moment the philosopher begins his deliberation, he does not start from nothing, but from a set of facts, which he does not consider as necessary nor absolute nor definitive but as sufficiently sure to allow him to establish his deliberation. He considers these facts as fragmentary, and he does not believe that the notions that help him to express them are perfectly clear or fully developed. In a way these facts are already associated in his thought; progress in their systematization will allow him to develop the principles of his knowledge and to better understand, describe, and classify the elements of his experience. This experience is never complete; new facts can always provoke a questioning of the notions and principles of the primitive theory, whose revision could lead to a better understanding of the old facts. This revision, this adaptation, will–not be done automatically, but will be the work of the thinker who is responsible for his actions and who commits himself by his decisions. (Frank and Bolduc, "Perelman's "First Philosophies" 199).

Perelman grounded his faith in a reason linked to experience. Argument helped to determine what could be learned from experience over and through time. The revision and adaptation of knowledge claims functioned as responses to changed &cumstances and the influence of time. Indeed, in their 1958 reflection on argumentation, written after the completion of the *Traité*, Perelman and Olbrechts-Tyteca suggest that time

is the primary factor distinguishing apodictic logic from argumentative reason:

The contrast that one can notice between classical demonstration and formal logic on one hand, [and] argumentation on the other, can, it seems, come back to an essential difference: time does not play any role in demonstration; it is, however, essential in argumentation. So much so that one can wonder if it is not the intervention of time that allows [one] to best distinguish argumentation from demonstration. ("De La Temporalité Comme Caractère De L'argumentation" 115)

Argument takes place *in* time, and serves to test, if necessary, the preconceptions of the audience, or to assume these preconceptions for the purposes of crafting an argumentative response to the exigence.

In turn, this metaphysics was tied to an epistemology of "confused notions." such notions and concepts defy attempts at ultimate definition, remaining plastic and indeterminate over the long term, but can yield rules of action in the short berm. Justice, in Perelman's work, is the critical confused notion, one that Perelman argued could host conflicting and incompatible perspectives. Within the epistemological perspective of the *NRP*, knowledge claims are as strong as the arguments supporting them. In tam, this vision was grounded in a value pluralism bound together with reason.

Perelman set forth an axiological system in which audiences could hold different values that may conflict. In the realm of rhetoric, value conflicts can be negotiated and mediated through argumentative reason rather than violence or raw power. The capacity for reason, Perelman held, transcends value differences. In preparing for argument, the advocate can assume that audiences adhere to loci. Here, as Warnick (2000) has demonstrated, Perelman and Olbrechts-Tyteca identify five loci, designed to illuminate the touchstones for a contact of minds: quantity, quality, romantic, classical, and the individual. The advocate can mow between and among loci in search of adherence. One critical point, often missed in the analysis of

the NRP, is that speakers and audiences are not forced to *choose* between the classical (stable or more permanent values) and romantic (less stable or impermanent values) loci. Although Perelman was highly critical of the classical tradition, holding that it held to a restrictive view of truth of timeless and immutable values, he did not conclude that the romantic alternative, with its affirmation of novelty, instability, and aporia, was the only remaining option. The advocate could use both the classical and romantic, navigating between the two in search of adherence.

With the loci of argument in place, Perelman and Olbrechts-Tyteca outline the techniques of arguments, viewing them as o b jects of thought structured by schemes. Argument schemes, which provide a much richer attempt to simulate the argument process than the Toulmin model, invite the critic to view argument as embedded reason supported by a host of hidden tributary springs (187–192). The critic's task is to reveal these springs, and identify how the various components of argumentative reason interact, Perelman and Olbrechts-Tyteca identify a number of argument specimens in the NRP, making it the most important contemporary source of argument description if we use the entries in the *Oxford Encyclopedia of Rhetoric* (2001) as a measure. The contributors turn to Perelman and Olbrechts-Tyteca for many entries, including those on argumentation, arrangement, exemplum, the forensic genre, the conviction-persuasion and demonstration-argumentation distinctions, inference, law and rhetoric, *logos, pathos,* practical reason, irreparable, and rhetoric and religion.

Perelman and Olbrechts-Tyteca's taxonomy of argument is a system—perhaps the first twentieth century codification—of non-formal logic. The authors hoped their system would complement apodictic logic, thereby broadening the domain of reason. However, given the disparaging comments Perelman makes about apodictic reasoning, I *can* understand why some believe he did not see

value in formal logic. His intent was to demonstrate the limitations of formal logic and to broaden the realm of reason to include the judgment of human values. To demonstrate the affinity between formal and non-formal reasoning, Perelman used the traditional vocabulary of logic: identity, transitivity, non-contradiction, etc.

In so doing, Perelman and Olbrechts-Tyteca enacted their theory of argumentation as they used the vocabulary of logic used by their audience. This choice, I believe, is meant to convey to the reader that apodictic and non-formal reasoning, in sharing the same vocabulary, belong in the house of reason. The primary difference between the apodictic and non-formal reasoning expressed through argument is the role played by time and context. Perelman and Olbrechts-Tyteca, in their preview to the third section of the treatise, discuss the nature of the arguments they consider, observing "the meaning and the scope of an isolated argument can rarely be understood without ambiguity: the analysis of one link of an argument out of its context and independently of the situation to which it belongs involves undeniable dangers. These are due not only to the equivocal character of language, but also to the fact that the springs supporting the argumentation are almost never explicitly described" (187). This is a fundamental assumption in their taxonomy of argument as they did not assume one could capture the meaning of lived argument in a univocal language or that argument specimens were purebred. Classical and Aristotelian logic, Perelman and Olbrechts-Tyteca argued, did not account for the role of time, leading them to remodel Aristotle's three laws of thoughts.

Perelman and Olbrechts-Tyteca believe Aristotle based his dialectic in predicative logic, which gave the procedure of his dialectic its form (*The New Rhetoric* 84). This logic, according to Perelman, is based on three laws of thought identity (A is A), non-contradiction (A cannot be both B and dot-

B), and the excluded middle (Either A is B or A is not-B). Propositional logic is designed to elicit general and universal truths guided by induction, deduction, and the syllogism (*An Historical Introduction* 58). In the NRP, Perelman and Olbrechts-Tyteca take these laws of identity, non-contradiction, and the excluded middle and reformulate them for the life and functions served by argumentation.

Central to the law of identity is the issue of definition. Perelman and Olbrechts-Tyteca reject the classical divide between "real" and " n o d ⁿ definitions, locating instead a third option: definitions supported by reasoned argument. Drawing from the works of Stevenson and Gonseth, Perelman and Olbrechts-Tyteca contend that definitions must be persuasive and open to revision (*The New Rhetoric* 446 – 447). People can stipulate to certain definitions, Perelman and Olbrechts-Tyteca note, but this agreement is subject to modification. Clear definitions are not a value independent of social context and do not automatically trump attempts to capture denotations that deal with confused notions or essentially contested concepts.

Edward Schiappa, in a recently published book on argument and definitions, makes use of the NRP to display the characteristics of what he calls "definitive discourse" (xi). Schiappa takes a rhetorical perspective on definitions, seeking to explain how those who argue make use of definitions in controversies about abortion, obscenity, and a host of other public policy issues. At several junctures in the book, Schiappa turns to the NRP to underscore the rhetorical nature of definitions (e.g., dominant definitions remain in place until challenged (31); dissociation is used to changed definitions (36, 38); the importance of audience in definitions (45); the importance of persuasion in definitional argument (47); choice in definition (49); the role of nouns in definition (115); and metaphors and definition (132)). Schiappa's Perelmanian influenced insights on definitions constitute a critical codification of definition

theory and will become an expected citation in argument studies.

The law of non-contradiction, in Perelman and Olbrechts-Tyteca's system of argument, yields to the lived realities of antimony and paradox. In formal logic, contradictions produce incoherence. The problems humans face often feature conflicts between two mutually exclusive values that may both be reasonable in given contexts. Perelman, as Dearin and Gross note, did study the logical antimony before he made his rhetorical turn, and he saw the need for systems of reason that could host conflicting values (3–5). Perelman and Olbrechts-Tyteca in the NRP set forth the notion of incompatibility as non-formal logic's answer to the law of non-contradiction (*The New Rhetoric* 195–210). In the realm of human argument, it is possible, Perelman and Olbrechts-Tyteca suggest, for mutually exclusive values to be placed in a hierarchy, and that a particular value may earn priority because of context and time. Values failing to secure top billing would not be liquidated or denigrated, but would remain viable with the understanding that they might move to the top of an agenda with a change in context and time.

The law of the excluded middle holds that identity cannot be mixed. Perelman and Olbrechts-Tyteca argue that it is possible for separate entities to share something in common, or to coexist within a larger unity. In formal logic, this would be incoherent With these revisions and ampflications of the rules of logic, Perelman and Olbrechts-Tyteca develop a mode of reasoning that is analogic and paratactic.

In contrast to deductive and hypotactic reasoning, in which a major premise rules the minor premises and conclusion, analogic and paratactic reasoning establishes standards for comparative judgments. Perelman observed:

[S]ince the time of Aristotle, logic has confined its study to deduction and inductive reasoning, as though any argument differing from these was due to

the variety of its content and not to its form. As a result, an argument that cannot be reduced to canonical form is regarded as logically valueless. What then about reasoning from analogy? What about the *a fortorio* argument? Must we, in using such arguments, always be able to introduce a fictive unexpressed major premise, so as to make them conform to the syllogism? (*The New Rhetoric and the Humanities* 26)

As the Kneals note in their history of logic, Aristotle's system of logic was dominant through the centuries and blocked the development of analogic thinking. Perelman and Olbrechts-Tyteca explicitly develop analogic thinking; "analogies are important in invention and argumentation fundamentally because they facilitate the development and extension of thought" (*The New Rhetoric* 385). This movement from apodictic-hypotactic reasoning to analogic thinking marked a profound shift in thinking about logic.

Of the many novel contributions made by the NRP to non-formal logic, the notion of 'dissociation" is of particular importance. This notion, discussed by Schiappa in a 1985 article in this journal, allows arguers to avoid the binary thinking so prevalent in 20th century argumentation ("Dissociation in the Arguments of Rhetorical *Theory"*). Dissociative reasoning retains opposing values, refusing to allow the problem of difference to produce solutions that obliterate competing values to achieve conflict resolution. Such reasoning take8 into account time and context. Take for example the Israeli-Palestinian conflict. One might assume that ope of the two national movements is authentic and has an irrefutable claim to the land. Another assumption might be that both have legitimete, although incompatible claims, calling for dissociation. One product of dissociative thinking in the Israeli-Palestinian conflict would be a vision that the land should be shared, and that sacred spaces, such as Jerusalem, might be rationed through an allocation of timeslots, similar to the approaches used to resolve riparian disputes (For an application of Perelman and Olbrechts-Tyteca's perspective on analogic

thinking to the problem of Jerusalem, see Cohen and Frank). Dissociation, according to Perelman and Olbrechts-Tyteca, provides a mode of reasoning that seeks out policies allowing for the co-existence, if not rapprochement, between conflicting values. This expansion of reason to include the possibility of opposites coexisting is a striking advance.

The NRP has been a key source for theoretical insights into argument as a process and a product. However, the work of Perelman and Olbrechts-Tyteca has received criticism from several sources. The most energetic criticism has come from the school of pragma-dialectics in the Netherlands.

ARGUMENTS AGAINST THE NEW RHETORIC PROJECT

The NRP and Perelmanian philosophy have critics. Steven Toulmin believes Perelman did not open the broader perspectives within which the new rhetoric functions. . ." (Olson, "Literary Theory, Philosophy of *Science*, and Persuasive Discourse"). Michael F. Bernard-Donals and Richard R. Glejzer write that Perelman and Olbrechts-Tyteca "understand all situations as discursive and therefore rhetorical, thereby failing to note rhetoric's connection with other forms of knowledge, none of which is =objective^{n}in the sense that it is unmediated, but which nevertheless occupy some middle ground between absolute certainty afforded by a metaphysics and the absolute skepticism that some see as the upshot of antifoundationalism and its rhetorical world" (15).Peter Goodrich argues the NRP is "positively conventional and politically conservative in the extreme in its invocation of the traditional categories of legal reason and of legal interpretation" (111).John Ray suggests the NRP seeks to establish, with the universal audience, standards of judgment that are transcendental, unaffected by experience or a fluid reality.

The most sustained criticism of the NRP's system of argument has come from Frans van Eemeren and his school of pragma-dialectics. This is not the first time I have considered pragma-dialectics and the movement's treatment of Perelman's philosophy. I reviewed van Eemeren and Grootendorst's *Argumentation, Communication, and Fallacies: A Pragma-Dialectical Perspective* for the *Quarterly Journal of Speech*. In this review, I claimed that the authors had been manifestly unfair in their treatment of Perelman and Olbrechts-Tyteca's NRP. I recall recoiling from the book when I read in the introduction that a pragma-dialectical perspective was needed on argumentation because Perelman had a "prejudice against logic" (3–4). I found clear evidence that pragma-dialectics was neo-Ramistic and neo-Platonic, hostile to the rhetorical tradition. In a response to my review, Klinger defended pragma-dialectics:

It is most certainly not "Neo-Ramistic in attitude and Neo-Platonic in function," nor does it "revive the agenda of Pascal and Descartes," nor is it "globally unfriendly" to the study of rhetoric, as one reviewer has suggested (Frank 252). There are serious charges, and charges that seem generally inconsistent with the spirit of van Eemeren and Grootendorst's program. While they admit that they first approached the study of argumentation from formal logic and Choreskian linguistics, they have expressed a sincere interest in working through the rich rhetorical tradition that has survived in the United States and elsewhere.... [T]hese scholars have the desire and intent to build bridges, not to isolate and denigrate. Indeed, their move from formal logic and linguistics to argumentation is an attempt to construct a mediate position between rhetoric and philosophy. (111)

I have sought, in the subsequent writings of the pragma-dialecticians, for this spirit of genuine interest in the rhetorical tradition, looked at the attempts at mediation, and examined the bridges they claim to have built. I still believe van Eemeren et al. have seriously misread Perelman and Olbrechts-Tyteca. Although I will not center on the many flaws in the assumptions of the pragma-dialectical approach, I will respond to their description and critique of Perelman and Olbrechts-Tyteca's system of argument that appears in *Fundamentals of Argumentation Theory*.

Henry Johnstone invited my colleague James Crosswhite to critique the pragma-dialectic take on Perelman for *Philosophy and Rhetoric*. Crosswhite claimed that van Eemeren and Grootendorst misinterpret, misread, and misunderstand Perelman and Olbrechts-Tyteca's NRP. Unfortunately and curiously, the pragma-dialecticians have not responded to Crosswhite's 1995 critique in their many subsequent writings, violating the requirement established in pragma-dialectics that those who argue have an "obligation to defend a standpoint at issue, while the antagonist assumes the obligation to respond critically to the standpoint and the protagonist's defense" (*Fundamentals of Argumentation Theory* 281). Their misreading of Perelman in *Fundamentals of Argumentation Theory* rehearses and repeats the misrepresentations of the NRP in their 1987 *Handbook of Argumentation Theory*. My intent here is to respond to five criticisms of the NRP's system of argument offered by the pragma-dialecticians. This response builds from Crosswhite's earlier effort.

First, the pragma-dialecticians score the NRP for its failure to use a univocal language for argument. "Clear definitions are nowhere to be found" in the NRP (van Eemeren et al., *Fundamentals of Argumentation Theory* 122). As Crosswhite notes, the pragma-dialecticians do not acknowledge nor do they appear to contextualize the motives or the intentions of the Perelman and Olbrechts-Tyteca system of argument ("Is There an Audience for This Argument?" 135). Perelman and Olbrechts-Tyteca's system cultivates an equivocal language for reason and logic, doing so to escape the toxic grip of totalitarian thinking and the misuse of apodictic logic. The NRP is condemned by the pragma-dialecticians for losing its system in elaboration, failing to give "dear insight into the relations between sections" in *The New Rhetoric*, and for failing

to provide clear **definitions. The** payoff of this **critique**, the **pragma-dialecticians** declare, is that "**any** account of the new rhetoric is **based** on interpretation" (van **Eemeren** et al., *Fundamentals of Argumentation Theory* **121–122**). I am hard pressed to understand how this is a criticism given most argument **scholars** would agree that any **account** of anything is an interpretation, although 1 gather **pragma-dialecticians cluster** good argumentation theory **under** the **label** of **clarity** and had argumentation theory under the category of interpretation

In comparison to the NRP, **pragma-dialectics**, which is truly a **crude** form of **conflict resolution**, seeks to end difference **of** opinion through argument. Ragma-dialectical **argumentation** *may* be suitable when one is planning to **construct** a building or when one needs, in **Michel Foucault's words**, a "bureaucratic **morality"** to "keep our papers in order" (*The Archaeology of Knowledge* 17). **Pragma-dialectics** is **intolerant** to **interpretation**, and most **certainly** to varied **interpretations**, and seeks **clarity** in the face of a reality and experience that is often irreducibly **ambiguous**, **tragic**, or in which there **are** multiple but incompatible **truths**.

Second, the **pragma-dialecticians** hold **the** *NRP* "**offers** an **extremely** relativistic standard of **rationality**" (*Fundamentals of Argumentation Theory 120*). **The pragma-dialecticians** believe that if all observers do not agree on the meaning of a **particular symbol**, then **meaning must** be relative. There is agreement in the NRP that the **norms** of **reasoning** held by **arguers** and **audiences before** argument **begins** are a function **of epideictic** discourse, a crucial concept van **Emeren** et al. fail to include in their **account** of **Perelman** and **Olbrechts-Tyteca's** NRP. **These norms** are a **result** of previous **argumentation** and have **withstood** the **test** of critical **scrutiny. Unless** questioned, **they** remain in place, **serving as the** starting points of argument

Rules of **reasoning** alone **do** not **guarantee** sound and logical **decisions**. The quality of the **argumentation is** a function of choices

made by the audience and **the arguments presented** by those who present **arguments**. Thew are, in **Perelman** and **Olbrechts-Tyteca's** system, audiences of different qualities and standards. An audience might **choose** to abide by **the rules** established by the **pragma-dialecticians**, and move nicely **through** the various **stages** of a **critical discussion**. However, an audience might reject these rules, **seeking** instead to engage in argumentation for other legitimate **purposes**. The NRP **deliberately** leaves open the **possibility** that **those** in **disagreement** might all have truths, some of **which** must **co-exist**. Agreement to the rules of critical **discussion** and the **end** of an argument in agreement are not **sufficient indications** of **quality.** If audiences **are** the **judges** of rationality, then the **strength of** a **reason** is relative to the **quality** of the audience. The **beauty** of **Perelman** and **Olbrechts-Tyteca's pluralistic view** of audience is that it **starts** and ends with a diversity of audiences bound together with a **broad** sense of reason. No one audience can claim ultimate superiority, nor **are** the **rules** of dialogue **sacred. The** god, and this **is** one point of agreement for **Perelman** and **Olbrechts-Tyteca** and the **pragma-dialecticians,** is to **improve** the habits **of** reasoning **used** by **arguers** and **audiences**.

Third, the pragma-dialecticians complain that the **argument** schemes outlined in the NRP **are vague**. They **quibble about** **Warnick and Kline's 1992** article in **this** journal **indicating** the empirical utility of **Perelman** and **Olbrechts-Tyteca's** of the argument **schemes outlined** in *The New Rhetoric*, doing so with the accepted modes of **social science**. For my purpose, it **is** important to note that **Warnick** and **Kline** found that **observers** not **educated** in the nuances of argument **could** identify the **argument schemes** in the *NRP*, and that **Perelman** and **Olbrechts-Tyteca provide "**an updated and relined **topical** system enabling **the study** of argument **patterns"** (13). The quibbles of the **pragma-dialecticians** **aside, Warnick** and **Kline's conclusions remain** sound, and the **most** suc-

cessful argument textbook in the United States, Edward Inch and Barbara Warnick's *Critical Thinking* and *Communication: The Use of Reason* in *Argument*, draws from the NRP in its approach.

A fourth criticism made by the pragma-dialecticians is that Perelman does not 'elaborate systematically on how the new rhetoric can be applied to law" (*Fundamentals of Argumentation Theory* 127). This is a failure because Perelman gives "no description of the way in which, and the circumstances in which, the specific kinds of *loci* constituted by the general legal principles can be effective in convincing an audience" (127). This criticism seems to suggest that Perelman and Olbrechts-Tyteca should have established concrete rules for persuading legal audiences rather than learning from the characteristics of legal reasoning.–Their concern was the latter and with the larger philosophical issues concerning justice and jurisprudence; their work might be faulted for not proscribing particular strategies for legal advocates, but that was not their intent.

Yet legal scholars have drawn from the *NRP* in addressing legal principles and reasoning. Consider the special issues of *Northern Kentucky* Law *Review* (1985) and *Law* and *Philosophy* (1966) devoted to the legal implications of *The New Rhetoric*. A number of legal scholars cite Perelman and the NRP in legal articles devoted to reasoning, justice, and argument. The NRP has served to explain the nature of legal reasoning and to provide the tools necessary for the interrogation of legal claims. I call attention to a recent attempt by Francis J. Mook III, professor of law at Pennsylvania State University, to build a theory of legal reasoning and argument by yoking the works of Perelman and Hans-Georg Gadamer. In a 63,000-word essay in the *Southern California Interdisciplinary Law Journal*, Mootz values what the pragma-dialecticians find weak in Perelman, the "refusal to collapse his inquiry into just a methodology of rhetorical techniques" (608).

Gadamer's hermeneutics and Perelman's NRP, according to Mootz, allow legal scholars to avoid "apodictic certitude" and "relativistic irrationalism" in favor of "rhetorical knowledge." In grounding legal understanding in rhetorical knowledge and by placing Gadamer in relationship with Perelman, Mootz observes:

From a hermeneutical perspective, the new rhetoric provides guidance in the face of hermeneutical idealism: by moving from ontology to politics, scholars can foster a critical inquiry oriented toward improving our various rhetorical practices and thereby avoid the conservative implications of replacing the Cartesian model with a model premised on abstract notions of historicity and finitude. According to this reconfigured approach, the breakdown of the Cartesian paradigm results from the discovery of a better ontological account of communication and understanding rather than an irrational abandonment of objective methodological inquiry. (530)

The system of argument outlined in the NRP adopts a humble stance on questions of truth and justice, remains pluralistic in orientation, and serves as a check on both Enlightenment claims to absolute truth and the radical skeptics denial of any truths. With the help of Perelman, Mootz has embarked on an effort to develop a systematic understanding of legal reason, one that deserves the close attention of argument scholars.

ARGUMENTATION IN THE WAKE OF THE NRP

At this point, we can reconsider Klinger's claim that the pragma-dialecticans "desire and intend to build bridges, not to isolate and denigrate" (111). Those who seek to build bridges between rhetoric and pragma-dialectics would need to be tolerant of multiple perspectives on argument, and embrace the desirability of plurality and the possibility of mutiple interpretations that might all be reasonable. Pragma-dialectics explicitly cannot support an ecumenical spirit nor does it sponsor continued dialogue, it seeks an end to disagreement. Pragma-dialecticians speak in one language in search of a unitary

truth. At most, the pragma-dialecticians see rhetoric serving the function of "strategic maneuvering" in service to a rule bound dialectic. Rhetoricians may be welcomed in the realm of pragma-dialecticians, but as second& citizens who offer insight on "rhetorical techniques.'

There is a bridge from NRP to pragma-dialectics. If advocates and audiences agree to the use of a univocal language and seek resolution of conflict, which may be justified in certain contexts, the *NRP* can embrace pragma-dialectics. The adoption of a pragma-dialectical perspective is a choice made by humans in a given context. Humans might make other and different choices that might be reasonable as well. I am joined by other scholars in their criticism of the pragma-dialecticians' misreading of the NRP and concur with Warnick when she notes in her entry in the *Oxford Encyclopedia of Rhetoric* that the 'lucid" account of the NRP's "theory of argumentation" in *Fundamentals of Argumentation Theory* is undermined by "unfounded* criticisms and "a misunderstanding of some of Perelman's work" (Conviction 174), Crosswhite when he concludes that van Eemeren's and Grootendorst's interpretation of Perelman is "incredibly crude and backward (138)," and Tinsdale's observation that "A charge that 'anything goes' has no force against Perelman's position, and van Eemeren and Grootendorst's concern that the position promotes undue subjectivism is misplaced (100)."

I am not suggesting the *NRP* is immaculate, conceived without flaws. Gross and Dearin, who admire Perelman's work, identify his limitations, which they believe include a failure to deal wid emotional proof, an underdeveloped process of arguing, and a possible injustice to his collaborator Lucie Olbrechts-Tyteca, for which he is responsible, because her role in the *NRP* project is not specified or celebrated (3–5). There is an obscurity embedded in some of their ideas that is less than helpful, and English readers may lose the nuances of the original due to

what Vickers has called the "undistinguished translation" of the *Traité* (592).

Even with these limitations, scholars of argumentation and rhetoric have and will continue to draw from the many insights in the new NRP. Maneli, who knew Perelman well, in a little-noticed book, declares in its title that the NRP should be the "philosophy and methodology* for this century. This bold title betrays Maneli's more modest aim, which is to cultivate a philosophy of pluralism and tolerance as a response to the violent traumas of the twentieth century. A noted legal scholar and author of two excellent books on legal reasoning, Maneli saw the dialectical perspective developed by Perelman as a philosophy needed to counter the suffering caused by totalitarian movements. Maneli, who escaped from the German concentration camps, and later participated in a negotiation designed to bring the Vietnam War to an end, sought to bring Perelmanian insights to bear on the problems of society. Although he does not address the secondary literature on the NRP, Maneli offers a spiritual interpretation of Perelman's work.

This interpretation is unexpected, as Maneli and Perelman were both atheists. Both faced the ruthlessness of the Nazis, experienced the cruelty of anti-Semitism, and, after the war, sought the reconstruction of a world they believed operated independently of deities and transcendental truths. The Holocaust and the destruction of Europe placed the burden of proof on those who had faith in human reason to redeem if which Perelman did with the NRP. Maneli and Perelman turned to regressive philosophy, tradition, natural law, and epideictic discourse to avoid metaphysical foundationalism and the problem of infinite regress to ground truths. They did have an abiding faith in humanity, and the capacity of humans to construct humane laws and just societies through argumentation. They did not cede the spiritual to the religious as they had an abiding faith in the power of human reason and its expres-

sion through argument They saw argumentation serving a central role in the humanities and as a humane art as it provided the human community with the means of yoking an expanded sense of reason to liberty.

CONCLUSION

NRP set a *course* between radical skepticism and certainty by *carving* out a realm of rhetoric. In this realm, ethical action is a function of the moral power of reasoning, a commitment to irreducible pluralism, and the priority given to the value of dissent. As Perelman and Olbrechts-Tyteca state in the penultimate sentence of the *New Rhetoric:* "The theory of argument will help to [provide] the justification of the possibility of a human community in the sphere of action when this justification *cannot* be based on a reality or objective truth" (711). This theory of argument should be at the heart of any authentic system of argument or vision of participatory democracy. There is an embedded humility in Perelman and Olbrechts-Tyteca's work as it does not claim transcendent truths. This attitude of humility is complemented by a faith in the *abii* of humans to make good, if not absolute, decisions. When read in the proper light, the *New Rhetoric* remains a classic, offering deep insight into the meaning and experience of argument.

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