

Multiple Warrants in Practical Reasoning*

The concept of warrant reflects Toulmin's general insights that validity in reasoning comes in many forms, and that reasoning in most fields cannot possess the necessity and certainty that attract many thinkers to the 'Rationalist' paradigm. However, there is a scarcity of concepts in one part of Toulmin's theory of argument. While the pedagogical applications of Toulmin's model offer a fine-grained system of warrant types for propositions (sign warrants, causal warrants, etc.), they have only one category of warrant for practical claims (proposals for action)—the 'motivational' warrant. Fortunately, ancient rhetorical thinking can help us correct this insufficiency. For example, the author of the rhetorical textbook used by Alexander the Great proposed a typology of practical warrants. His approach highlights what I propose to call the 'multidimensionality', and hence what modern moral philosophers call the 'incommensurability' of warrants—the absence of a common measure allowing for a 'rational' balancing of conflicting warrants. The widespread occurrence of multidimensionality in practical argument lends support to Toulmin's general anti-rationalist view of reasoning. Moreover, while multidimensionality prevents 'rational' balancing, it legitimizes and even necessitates the use of rhetoric in practical reasoning.

For over 50 years, Stephen Toulmin has consistently argued that validity in reasoning comes in many forms dependent on field, function, and context. Just as energetically, he has argued that most of all these forms of validity are different, each in its own way, from the paradigm set up in the 17th Century in the wake of Descartes' rationalism and Newton's universal mechanics—the paradigm in which validity in reasoning meant geometrical certainty, universality, and necessity. Toulmin's first book, *An Examination*

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of *the Place of Reason in Ethics* from 1950, was also his first to strike this theme. Here, he argued that what constitutes good reasoning in the field of ethics follows different rules than good reasoning in other fields, e.g., mathematics, physics, or aesthetics. Indeed, reasoning in ethics is at least two separate things, both distinct in function and form.

Toulmin's fundamental insight into the multiform, non-universal and non-necessary nature of validity in reasoning was inspired, no doubt, by the later Wittgenstein's teaching at Cambridge. This insight, at any rate, is bound up with an unmistakably Wittgensteinian view of language, several years before the actual publication of the later Wittgenstein's thinking, as in this statement: "Speech is no single-purpose tool. It is, in fact, more like a Boy Scout's knife" (Toulmin 1950, p. 83).

The idea that good reasons are many kinds of things, while anticipated in 1950 and reiterated to this day, was stated in its most explicit form in *The Uses of Argument* in 1958. The idea underlies the famous 'argument model,' whose centerpiece is the notion of 'warrant.' The main difference between Toulmin's model and traditional formal models, beginning with the Aristotelian syllogism, is that warrants are not premisses about the issue in question but assumptions we rely on about the kind and degree of argumentative weight we may assign to the grounds offered. And the underlying insight here is precisely that there are, depending on field and context, many kinds and degrees of argumentative weight.

So Toulmin's main point in introducing the notion of warrant is to highlight the variety of ways and degrees in which the step from grounds to claim may be justified. There is no one universal and timeless way in which reasoning takes place. From first to last, the main thrust of Toulmin's thinking about reasoning is against the assumed uniformity of warrants, and against the idea that reasoning in all fields of human reasoning proceeds from premisses to conclusions in a certain, deductive, and universal manner. The relations between grounds and claims in human reasoning may be warranted to varying degrees and in any number of ways; and, to adopt a phrase from Toulmin's latest book, *Return to Reason*, this is why we now need to abandon the dream which ties "certainty, necessity, and rationality into one single philosophical package" (2001, pp. 205-206). This entrancing dream, the intellectual program of Modernity, as Toulmin calls it, sprang from seeds planted in the 17th Century in reaction against the rampant irrationality of the religious wars and in exultation over the triumphs of universalist, geometrical reasoning as demonstrated by Newton. Only in the

last decades, Toulmin argues, are Western intellectuals waking up from this dream.

Further, one might say that Toulmin is above all concerned with the epistemology and history of science, and his master insight is that even science is not describable by the mathematical paradigm of certainty, necessity, and rationality. There is no unitary Royal Road to certain knowledge of what is the case.

The centrality of this concern in Toulmin's thinking perhaps explains the curiously subdued part played by practical reasoning, i.e., argumentation over political and social *action*, in most of his theoretical work. As shown by all his examples in *The Uses of Argument* (including the classic assertion "Harry is a British subject"), Toulmin's theory of argumentation tends to dwell on arguments over propositions, i.e., claims about what is the case, and it rarely looks at claims regarding policy, i.e., proposals for action, whether in the political or the personal sphere. Toulmin's main concern is with the epistemology of reasoning and hence with those fields primarily where the Rationalist paradigm has in particular made its seductive bid for supremacy—e.g., the sciences, economics, and philosophical ethics. That a geometrical or Rationalist account of political argumentation is illusory is far more obvious to most, even philosophers.

The fact that Toulmin in *The Uses of Argument* dealt so cursorily with practical reasoning may explain why the pedagogical applications of Toulmin's model also have had little to say about it. Wayne Brockriede and Douglas Ehninger (1960) were the pioneers in using Toulmin's model as a pedagogical tool. It is from them that we have the most common typology of warrants. They base it on the Aristotelian concepts of *logos*, *ethos*, and *pathos*, respectively:

(1) an arguer may carry data to claim by means of an assumption concerning the relationship existing among phenomena in the external world, (2) by means of an assumption concerning the quality of the source from which the data are derived; and (3) by means of an assumption concerning the inner drives, values, or aspirations which impel the behavior of those persons to whom the argument is addressed. (1960, p. 48)

Arguments of type (1) are called *substantive*, of type (2) *authoritative*, and of type (3) *motivational*. Of these main types, only substantive arguments are further subdivided—by means of a "commonly recognized," six-fold ordering that includes arguments based on *cause*, *sign*,

generalization, parallel case, analogy, and classification. No further distinctions are introduced concerning “authoritative” or “motivational” arguments. Instead, Brockriede and Ehninger cross-tabulate the types they have defined with a typology of claims based on the ancient *stasis* system, which renders four categories: *designative claims* (whether something is), *definitive claims* (what something is), *evaluative claims* (of what worth it is), and *advocative claims* (what course of action should be pursued). The resulting table shows, among other things, that “motivational” arguments are applicable only to evaluative and advocative claims. Conversely, about the warrants that may be invoked in support of advocative claims, we only learn that they are motivational.

The net result is that in the applications of Toulmin’s model to the teaching of argument there is a surprising shortage of concepts to describe warrants relevant to advocative claims, i.e., practical reasoning. The solitary term “motivational” is little help, in fact it might mislead us into thinking that only *pathos* appeals have a role here, or even that their only role is here.

This omission is serious not only because it keeps us from understanding that there are different types of “motivational” warrant. Even more, it is serious because if we do not understand and consider the variety of warrant types invoked in arguments about action, neither do we understand why these arguments so often involve the amount of controversy that they do, and why they necessarily involve rhetoric rather than geometrical demonstration.

This neglected reason for the ‘rhetorical’ rather than demonstrative or rational nature of practical argument has to do with what I have proposed to call the *multidimensionality* of such arguments (Kock, 2003). The main reason why we should distinguish between types of motivational warrants is that these belong to different *dimensions*; and this fact again explains why practical arguments are the province of rhetoric, not demonstration.

The point in choosing the term “dimensions” for different types of warrant is that dimensions are not reducible or translatable to one another; for the understanding of a multidimensional complex, each dimension is necessary.

The issues that cluster around the notion of multidimensionality have been discussed by philosophers for the last 25 years or so under other headings such as *incommensurability* and *incomparability*.

Perhaps the most articulate and convincing spokesman for the notion of incommensurability in recent years has been Joseph Raz. He defines the condition of two reasons for action being 'incommensurate' in the following way:

Two competing reasons (for specific actions on specific occasions) are incommensurate if and only if it is not true that one defeats the other, nor that they are of equal strength or stringency. They are incommensurate in strength, that is, reason does not determine which of them should be followed, not even that there is equal reason to follow either. When reasons are incommensurate, they are rendered optional, not because it is equally good (or right or reasonable) to choose the option supported by either reason, but because it is reasonable to choose either option (for both are supported by an undefeated reason) and it is not unreasonable or wrong to refrain from pursuing either option (for both are opposed by an undefeated reason). (2000, pp. 102-103)

Raz sees his position, including his belief in the widespread occurrence of incommensurate reasons, as an instantiation of what he calls a “classical” stance, as against a “rationalist” one. Interestingly, then, Raz joins Toulmin in the ranks of the self-styled anti-rationalists. There are, according to Raz, three crucial differences between the two conceptions:

First, the rationalist conception regards reasons as requiring action, whereas the classical conception regards reasons as rendering options eligible. Second, the rationalist conception regards the agent’s own desire as a reason, whereas the classical conception regards the will as an independent factor. Third, the classical conception presupposes the existence of widespread incommensurabilities of reasons for action, whereas the rationalist conception, if not committed to complete commensurability, is committed to the view that incommensurabilities are relatively rare anomalies. The three differences come down to a contrast between the rationalist view that generally rational choices and rational actions are determined by one’s reasons or one’s belief in reasons and are explained by them, as against the classical conception that regards typical choices and actions as determined by a will that is informed and constrained by reason but plays an autonomous role in action. (2000, pp. 47-48)

To simplify, what characterizes the “rationalist” is his belief that reasons for one action are necessarily stronger than those for another, and hence “require” or “determine” that particular action. Raz, like Toulmin, is sceptical of such determinism. As we saw, the crucial insight in Toulmin is

his rejection of necessity and certainty in human reasoning. And that, in Toulmin, goes for human reasoning of all kinds, not just for moral or practical reasoning.

But Raz, I suggest, has insights that might supplement Toulmin's. This is because he is more consistently concerned than Toulmin with the particular complexity inherent in practical reasoning as a result of the simultaneous presence of incommensurate reasons. To go a step further, I suggest that the main reason to reject necessity in practical reasoning is not the epistemic complexity of any individual single warrant (this is the issue that has always been Toulmin's central concern), but the multidimensionality and hence incommensurability (Raz's main concern) of the *set* of warrants that may be invoked in each case.

It should be noted here that the multidimensionality and incommensurability we are talking about here is not the same concept as the incommensurability that Thomas Kuhn pointed to in *The Structure of Scientific Revolutions* in 1962. What Kuhn meant was the inability of two competing epistemic paradigms to accommodate each other's viewpoints—the kind of incompatibility that, according to Kuhn, would precede a scientific revolution. Instead, what we are talking about here is the issue that has been a constant concern of moral philosophers at least since it was highlighted by James Griffin in the article “Are There Incommensurable Values?” (Griffin, 1977). It is the problem that may arise for anyone facing a practical decision because a certain value or warrant argues for a certain action A, whereas another value or warrant, incommensurate with the first, argues against A. As a paradigmatic example, we might cite the British debate over fox-hunting, where the “cruelty to animals” argument against this practice relies on a bio-ethical warrant, whereas pro-fox-hunting arguments rely on economic and social warrants about livelihood and “hallowed traditions.” Or again, there is the ongoing debate in many countries over criminal legislation; here left-wingers rely on a social utility warrant when they point out that severe punishments are costly and do not prevent crime, whereas right-wingers tend to rely, among other things, on a “justice” warrant in demanding that victims' sentiments be respected.

In each of these two exemplary issues, incommensurate warrants are at play. In both cases, both sides have arguments that carry *some* weight. The problem is one of deliberation—a word that etymologically means the weighing of alternatives against each other on a scale. To decide which alternative has the weightier arguments in its favour, one would seem to need one common measure or warrant that could put the grounds arguing

for the two alternatives on a common denominator and calculate the net result in a deductive, i.e., necessary way. No such common denominator exists, and, as I have tried to show elsewhere (Kock, 2003), no matter how one would try to define it, it would involve arbitrariness and hence not be necessary.

Yet numerous philosophers beginning with Plato have felt the need for such a common measure and have suggested what it might be. Martha Nussbaum in *Love's Knowledge* has discussed the Greeks' need for such a 'value monism' that reduces all values, whether physical beauty, scientific truth or moral goodness, to one and the same, thus saving humans from facing the disturbing complexities of ethical and practical decisions. Toulmin himself has pointed to the distinctly mathematical inspiration behind Plato's epistemology and ethics (2001, 18-19). Against the Platonic monism Nussbaum sets Aristotle's belief that each virtue and good is a particular thing, so that in regard to "honor, wisdom, and pleasure, just in respect of their goodness, the accounts are distinct and diverse" (*Nicomachean Ethics*, 1096b). But the monistic urge in philosophy has been strong, as witness, e.g., John Stuart Mill's belief in the necessity of setting up utility as an "umpire" in the clashes between incompatible moral demands:

If utility is the ultimate source of moral obligations, utility may be invoked to decide between them when their demands are incompatible. Though the application of the standard may be difficult, it is better than none at all: while in other systems, the moral laws all claiming independent authority, there is no common umpire entitled to interfere between them; their claims to precedence one over another rest on little better than sophistry, and unless determined, as they generally are, by the unacknowledged influence of considerations of utility, afford a free scope for the action of personal desires and partialities. (*Utilitarianism*, Ch. 2)

However, in spite of all such attempts, a growing number of moral philosophers nowadays are convinced, like Raz, that incommensurability and hence optional choices, rather than required choices, are a condition of our moral and practical life.

But what that means is only that there is no necessary, deductive and certain algorithm telling us what is required when a moral or practical choice has grounds that argue for different actions and invoke different warrants or values. However, the existence of incommensurability and optional choices does *not* mean that we do not weigh alternatives and make

choices. We do make choices, and we do so because we have debated reasons and weighed them against each other. Only we do not have a common measure or umpire that will render an indisputable, algorithmic verdict, in the way that a pair of scales renders an objective, physical verdict as to which scale has most weight on it.

This description of the situation for anyone faced with a choice between incommensurate reasons is similar to the description faced by Chaïm Perelman when, in concluding his project *De la justice* in 1945, he realized that he could find no rationally binding justification of the values underlying human laws. When Perelman found that such a value rationalism was not viable, he did not, as is well known, opt for complete scepticism or relativism. Instead, he acknowledged that people do in fact argue about the values they cannot prove. And he decided to investigate *how* they argue.

This, as is also well known, led to his “re-discovery” of rhetoric. Perelman and Toulmin, in the same year, both made a pioneering case for the claim that in most human matters no necessity or certainty is achievable, yet for precisely that reason argumentation is possible and indeed necessary. But they both concentrated on the uncertainty of our reliance on any single warrant or value on which we wish to step from grounds to claim; neither of them gave their full attention to the particular difficulty caused by the simultaneous presence of several incommensurate values or warrants.

It is a fact not often remarked upon that 1958, the year which saw the publication of both Perelman’s and Toulmin’s groundbreaking works on argumentation, was also the year in which Isaiah Berlin’s thinking on value pluralism was first fully articulated in his inaugural lecture at Oxford, “Two Concepts of Liberty.” As in the case of Toulmin, Berlin’s seminal idea springs from a view that there is no single and universal criterion of meaningfulness for all domains of human knowledge or science. But more explicitly than Toulmin, Berlin takes his pluralist reasoning into the realm of ethics and politics, shaping (if not inventing) the notion of incommensurability.

Toulmin, of course, was not unaware of it. He had commented on the type of quandary it presents as early as in *Reason in Ethics*:

Given two conflicting claims ... one has to weigh up, as well as one can, the risks involved in ignoring either, and choose ‘the lesser of two evils.’ Appeal to a single current principle, though the primary test of the

rightness of an action, cannot therefore be relied upon as a universal test: where this fails, we are driven back upon our estimate of the probable consequences. (1950, p. 147)

Here we have Toulmin's characteristic rejection of the universal supremacy of any single principle, and we also have the understanding that a weighing must take place. The appeal to a principle and the estimate of consequences, by the way, are the two different types of reasoning in ethics that may both be valid, depending on the situation. But what Toulmin does not go into is the fact that the weighing of consequences will lack determinacy when the conflicting claims rest on warrants belonging to different dimensions, e.g., honour and utility in the guises of, respectively, bio-ethics and livelihood.

Many years later, Jonsen and Toulmin in *The Abuse of Casuistry* were acutely aware that humans may face moral problems "beyond the reach of universal principles and general theories, and require them to strike equitable balances between varied considerations in ways relevant to the details of each particular set of circumstances" (1988, p. 306). "At any stage in the development of a people and culture, experience brings them to adopt certain general opinions about the *scope, force, and relative priority* of different kinds of moral considerations" (p. 325). The crucial terms here, seen from our angle, are "equitable balances" and "relative priority." Similarly, as one of the main reasons for the difficulty of applying concepts "outwardly" to the world of concrete objects, Jonsen and Toulmin mention that "parallel arguments often point to different presumptions the practical implications of which have to be reconciled" (p. 327). However, even in this work of practical ethics, by far the most attention is given to the other main reason that mere principles are insufficient, the epistemic reason, i.e., the consideration that "presumptive conclusions can have 'certitude' only when the relevance of the concepts or terms involved is not in doubt" (p. 327).

This epistemic difficulty militating against determinism in reasoning clearly is and always was Toulmin's main concern. The paradoxical requirement in practical decisions to strike a balance between warrants lacking a common measure is one that he does not explore in similar depth. In *An Introduction to Reasoning*, the textbook that Toulmin co-authored with Rieke and Janik (1979), we find fine-grained distinctions between warrant types for factual propositions, very similar to those in Brockriede and Ehninger (sign warrants, causal warrants, etc.), but again there is no

comparable attempt to distinguish between warrants for practical (advocative) claims.

Ancient rhetoric, however, had more to offer here. From its beginning in so-called sophistic teaching, rhetoric was centrally concerned with argument about action. We need only go to what is probably the very oldest extant textbook on rhetoric in the West, the *Rhetorica ad Alexandrum*, a work whose author—one Anaximenes—we do not know, but which is believed to have been written for the rhetorical training of the young Alexander the Great.

This book has had a strange fortune in the history of rhetoric. We do not know whether young Alexander actually used it, but we know that it has been either ignored or roundly condemned by commentators ever since. The classicist Manfred Fuhrmann, for one, who edited a modern text of this work, has also written an introduction to classical rhetoric in which he calls it “radically relativistic,” condemning its “barefaced opportunism” and “eely routine” (1984, 29). The kind of teaching that brings down this abuse on the author’s head is exemplified in the following enumeration:

... he who persuades must show that those things to which he exhorts are just, lawful, expedient, honourable, pleasant, and easy of accomplishment. Failing that, when he is exhorting to that which is difficult, he must show that it is practicable and that its execution is necessary ... It is for these qualities ... that those who seek to persuade or dissuade must look. (1421b)

What hostile critics appear to feel about such advice is that the author is telling us to claim indiscriminately that any proposal we advocate is *all* these things. However, we may also read “Anaximenes” as saying that the following are the warrants which are in fact invoked in arguing about actions. Such actions—so arguments might go—should be executed because they are one or more of the following:

- just (*dikaia*)
- lawful (*nomima*)
- expedient (*sympheronta*)
- honourable (*kala*) (a better translation than Rackham’s might be ‘noble’)
- pleasant (*hēdea*)
- easy of accomplishment (*rhaidia*)

Where difficult actions are concerned, we may further invoke the warrants that are:

- practicable (*dynata*) and
- necessary (*anankaia*)

Suddenly, it becomes clear that what “Anaximenes” presents is an inventory of the warrants available for practical reasoning. In arguing over practical issues, people essentially invoke warrants found in this list. They do so because they have to. What alternatives can we cite that do not really fall under one of these headings? On the other hand, can any items be stricken from the list? Even if we did make minor corrections of that kind, we still have here a helpful synopsis of the *dimensions* of practical reasoning. The point about dimensions, please recall, is that they are all necessary; they are not reducible or translatable to one another. An action may be “honourable” but not very “expedient;” it may be “just,” but not “lawful;” etc. Even disregarding the epistemic uncertainty of applying these attributes “outwardly” to the world of concrete objects, we are still faced with the second difficulty: that of weighing incommensurate warrants on the same scale, for example, just so much “honour” against so much “expediency.” We lack the common measure that will enable us to do this with “certainty, necessity, and rationality.”

This second difficulty undercutting rationality in practical reasoning has, I suggest, only had passing attention in Toulmin’s work. It is this kind of incommensurability that Raz and other moral philosophers have explored. But while Raz can thus be said to take his analysis a step further than Toulmin, he too stops short. It is not enough to say that two competing courses of action, relying on incommensurate reasons, are optional. It is true that we cannot weigh them with certainty and necessity, as the rationalist would; but we humans *do* weigh such options and make choices anyway.

Perelman and “Anaximenes” are among the thinkers who have realized how we do that. Since a number of incommensurate warrants may be invoked, and since there is no logical or philosophical way to measure which one carries most weight in any given case, we are left with the resources of rhetoric to help us decide, or—if that is our aim—to win the adherence of others for a given choice. We cannot measure. “Demonstration,” to use Perelman’s term, is not applicable; but rhetoric is.

Among the resources we can use to help us weigh alternatives whose weight cannot be measured are, according to “Anaximenes,” *analogies*, *opposites*, and *examples*. By emphasizing likenesses and/or differences between the action under consideration and other, paradigmatic ones, we may bring ourselves and others to decide that the reasons arguing for that action are weightier than those arguing against.

Essentially, the resources we are directed to here are the same that Perelman and Olbrechts-Tyteca found in the empirical project which became *The New Rhetoric*. Moreover, these resources constitute the method of “casuistry” which Jonsen and Toulmin explored in their book, and which Toulmin has in effect advocated from the start of his career. Instead of universal principles, casuistry deals in analogy or “parallel arguments”: Practical arguments, they state,

draw on the outcomes of previous experience, carrying over the procedures used to resolve earlier problems and reapplying them in new problematic situations ... the facts of the present case define the *grounds* on which any resolution must be based; the general considerations that carried weight in similar situations provide the *warrants* that help settle future cases...[and] so the resolution of any problem holds good *presumptively*; its strength depends on the *similarities* between the present case and the precedents; and its soundness can be challenged in situations that are recognized as *exceptional*. (1988, p. 35)

By 1988, Jonsen and Toulmin had realized that argumentation as they see it and rhetoric are largely synonymous terms: “Practical moral reasoning today still fits the patterns of topical (or ‘rhetorical’) argumentation better than it does those of formal (or ‘geometrical’) demonstration” (p. 326). But this was not always Toulmin’s understanding of what the term “rhetoric” means. As a philosopher, he seems to have been taught that rhetoric is the strategic effort to win compliance in one’s audience by any means; in *Reason in Ethics* the phrase “rhetorical force” refers to properties which are “useful in forwarding ... particular policies” (1950, p. 195). Only later does the insight gradually develop in Toulmin’s writings that rhetoric is more than the strategic promotion of one’s interests; that in fact rhetoric is legitimate and necessary in debating ethical and deliberative issues.

One important reason why this is so, and one which—had he considered it—might have led Toulmin to embrace the term “rhetoric” and the rhetorical tradition earlier, is precisely the multidimensionality of the warrants invoked in practical argumentation and the resultant lack of a

common measure to help us decide which is the weightiest. Since no logical inference or calculation can tell us how incommensurate dimensions should be weighted in deliberation, the result is that two opposite standpoints on a deliberative issue may both be legitimate (or “optional,” as Raz has it); and this again implies that the use of rhetoric to win adherence for one’s standpoint becomes not only legitimate but necessary.

Rhetoric comes into the picture not just because people want to sway and persuade each other but because people may legitimately have different views of the same matter and prefer different courses of action. When people use rhetoric to try to win each other’s adherence, they do so not just because they want others to comply at any cost (this is the “strategic” definition of rhetoric), but because they may be legitimately convinced that the view they represent is not only an *optional* one but the *preferable* one; and their opponents may have the same legitimacy in thinking likewise of *their* standpoint. So rhetoric exists because it may be legitimate to hold several different views on a matter and because those holding each of these views may legitimately wish to win the adherence of the others.

Philosophers have been slow to acknowledge, let alone explain, that this is so. Why it is so has to do, as I have tried to show, with multidimensionality. This concept implies 1) that different warrants may be invoked in a debate which are incommensurate with each other; and 2) that different people, or the same person at different times, may assign different weights to arguments belonging to different dimensions.

Both these facts, again, have to do with the fact that on the one hand there is no rational, necessary and certain way to weigh arguments invoking incommensurate warrants on the same scale; on the other hand people who have to make practical decisions have to weigh them on the same scale somehow. Rhetoric helps them do this, but not in a rational way, i.e., not in a way that can pretend to be necessary and certain. So the existence of rhetoric helps explain how there can be, on the one hand, choices where no one alternative is mandatory, yet where some people, on reasoning, find one alternative preferable and some the other.

This kind of situation is well known to us all, and the more thoughtful textbooks on argumentation are aware of it as well:

In many ethical judgments, you and your audience might agree on certain values, but not necessarily rank them in the same way. ... most of the time weighting will be the crucial issue for your audience. People are quite likely to agree about the relevance of a set of criteria, but they

often disagree about which particular ones are most important in a given situation. (Fahnestock and Secor, 2004, p. 249)

Rhetorical theory and textbooks ever since antiquity have been acutely aware of the same fact. As the *Rhetorica ad Alexandrum* exemplifies, they have been aware of the incommensurate warrants in practical argumentation, so that they can help us correct this scarcity of concepts in one part of Toulmin's system. Also, they are aware of the means we still have of weighing alternatives, including 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.

Such a sophistic argumentation theory antagonized Plato and is still by many seen as cynical, relativist and opportunist. Indeed, some of the major classical rhetoricians, including Aristotle, did what they could to reduce the warrants invoked in practical argumentation to one single dimension (that of expediency, *sympheron*, cf. *Rhetoric*, 1358b).

However, the earliest rhetorical theorists, I suggest, had it right. They knew that practical reasoning has several dimensions, which is why decisions cannot be found on a merely rationalist basis. For example, they would have dismissed current pretensions to prioritize objectively between policies for the improvement of the world's predicament on the basis of the single warrant of economic cost-benefit. Yet they did point to resources for reason to use where rationality fails. The type of multidimensional theory represented by the *Rhetorica ad Alexandrum* has, even now, a realism and practical applicability which argumentation theory, along Toulmin's lines or otherwise, would do well to attend to.

So, practical reasoning in situations characterized by multidimensionality and incommensurability becomes the realm of rhetoric. Some might object here that while the displacement of the rationalist paradigm with its demand for universal and necessary forms of argument does open space for a conception of rhetoric as a legitimate mode of ethical and political inquiry, it also tempts rhetoricians to rush too quickly into this space and lay claim to occupy more of it than they can justify. Instead of making the strong claims that the practical reason is the province of rhetoric and that rhetoric is necessary to it, should we not make the more modest and more easily sustained claim that rhetoric is one legitimate dimension of practical reason? Ethics, for one, would certainly seem to be another.

A reply to this concern would be that while ethical considerations and arguments undeniably are and should be involved in practical reasoning, including policy debates, that still does not imply that the part played by rhetoric is, by the same token, diminished. The two categories are not mutually exclusive. That is to say, we might perhaps define them so that they are; but such a definition would be, as far as rhetoric is concerned, misleading. Rhetoric, I suggest, should be understood as the totality of resources at the disposal of arguers who wish to increase adherence to their standpoint in debates where choices are, as Raz has it, optional⁷. They are optional because individuals may legitimately opt for one or the other.

Philosophy ends here, because philosophy is, by its very nature, about finding solutions that hold with equal validity for all. Ethics, as a branch of philosophy, is about answering ethical questions in ways that hold equally for all.

Rhetoric, by contrast, is not about finding answers that hold equally for all. And rhetoric is not complementary to ethics (which would make the two mutually exclusive). Rather, rhetoric can be defined as the means we have to influence the standpoints of *individuals* on optional issues. They are usually optional because there is incommensurability involved. Ethical considerations may indeed enter into the rhetorical efforts of one individual to win the adherence of others, perhaps in conflict with other ethical considerations, or with considerations of, say, expediency. The point is that on optional issues, individuals may opt differently, and be differently influenced, and even be moved to change their minds—individually. All this is what rhetoric is there to do. Philosophy can only state that incommensurability and the resultant optional issues exist—a rather recent philosophical insight that many philosophers still hotly deny, possibly because it seems to leave them at a dead end.

But the dead end is only apparent, an appearance caused by the philosophical presumption to find solutions holding equally for all. The road sign at this point might read, “Incommensurability ahead.” Beyond is the realm of rhetoric. We can bring all our reasonings there, including ethics. Thanks to rhetoric, we are not, even in that realm, stuck with unsolvable dilemmas. We may actually find solutions to the quandaries we meet, and with rhetoric we can perhaps win the adherence of other individuals for those solutions; but because of incommensurability, the adherence of individuals is all that our reasoning may achieve.

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