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In Search of the Productive Place(s) of Rhetoric: Outlining a Rhetorical-topical Argument Model for Argument Invention

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Abstract

The author argues that even though the Toulmin model has proven useful and influential in the rhetorical tradition, the model represents a logical approach to argumentation that focuses on argument assessment. This leaves room for an argument model born out of rhetorical thinking designed for argument invention. The author outlines a rhetorical-topical argument model that shows the process of building a persuasive argument: from finding a standpoint, to finding common ground and support. The model exploits the conceptual richness of the place metaphor by showing how each step of the argument-building process involves a new understanding of what a place means. At each step, a certain type of topoi catalogue functions as a heuristic tool that guides the arguer in a systematic search for the available means of persuasion. The heuristic reading of the topics as a tool for argument invention allows the author to integrate different rhetorical conceptualizations of the topics into one model: the stasis doctrine, the special topics, and the common topics.

Introduction

Rhetoricians were quick to adopt the argument model Toulmin presented in *The Uses of Argument*. Brockriede and Ehninger (1960) paved the way for its influence on rhetorical argumentation studies when they claimed that the model "promises to be of greater use in laying out rhetorical arguments for dissection and testing than the methods of traditional logic". The ensuing rhetorical tradition has agreed and incorporated Toulmin's model in textbooks and articles on rhetorical argumentation to an extent that makes Conley (1990, 295) conclude: "Over the years, *The Uses of Argument* came to dominate the literature on debate and argumentation almost completely."

Maybe, however, rhetoricians have been too pleased with the Toulmin model? Maybe we lost sight of some defining traits of a rhetorical approach to argumentation when we adopted a logical argument model?

In the first part of this chapter, I discuss the rhetorical appeal and limitations of the Toulmin model. I argue that, while the Toulmin model is undeniably "of greater use" than traditional logic, it remains a logical argument model designed to evaluate arguments, not to invent them. This part serves as an argument in favor of developing an alternative argument model that more fully captures rhetoric as "an ability, in each [particular] case, to see the available means of persuasion" (Aristotle *Rhet.*, 1355b; trans. by Kennedy, 2007). In the second part of the chapter, I outline a *rhetorical-topical argument model* that depicts three discrete steps in the process of building an argument: Finding a standpoint, finding common ground, and finding support. The model illustrates the inventive power of topical thinking and the metaphor of place as a nuanced and productive language: Each step in the argument-building process evokes a new meaning of "place", and at each step, the rhetorical tradition provides the preparing arguer with an inventory of places to systematically search for argumentative material. In the

last part of the chapter, I show how arguers' choices of places are connected to *topical paths*, taking arguments from the Danish debate on ritual male circumcision as examples.

The Rhetorical Appeal of the Toulmin Model and It's Limitations

Why did Toulmin, a British logician ostracized by his peers, become an integral part of the rhetorical canon? What is so appealing to rhetoricians about Toulmin's thoughts on argumentation in general and his argument model in particular? We find a clue in Brockriede and Ehninger's introductory article when they state that "Toulmin's model provides a practical replacement" to "the terms and principles of traditional logic" (Brockriede and Ehninger 1960, 47). The elements *claim*, *data*, and *warrant* certainly capture the different logical functions of a practical argument more intuitively than the syllogistic equivalents minor premise, major premise, and conclusion. The diagrammed structure of the model provides a clearer picture of the inferential steps in arguments found in the wild than the linear syllogism. And the three additional components *rebuttal*, *backing*, and *qualifier* grant the doubt and opposition of real-life arguments a legitimate and visible place.

Even more appealing to rhetoricians, perhaps, is the fact that the Toulmin model not only deals with arguments *in* practice but also *about* practice. The idea of field-dependent warrants captures a world of uncertainty that made his logical colleagues feel uncomfortable, but where rhetoricians have always felt at home. The contingency of the warrant resonates well with an academic discipline that operates in the practical domain of *doxa*, dealing with "things that are for the most part capable of being other than they are" (Aristotle *Rhetoric*, 1357a). Context matters to Toulmin as it does to rhetoricians. Toulmin's sensitivity to the contingency of the practical domain allowed him to accept "the variety of steps from the data to conclusions which appear in the course

of justificatory arguments" (Toulmin 1958, 12), which is on par with classical topical thinking. As Toulmin himself realized much later, the inferential variety had been treated systematically by Aristotle: "Only in retrospect it is apparent that—even though sleepwalkingly—I had rediscovered the topics of the *Topics*, which were expelled from the agenda of philosophy in the years around 1900" (Toulmin 1982, 256).[1] This passage has been widely cited among rhetoricians who see it as a sign of Toulmin's association with rhetoric (Conley 1990, 295; Gabrielsen 2008, 60-61; Godden 2002, section 4; Golden, Berquist and Coleman 2000, 251; Jasinski 2001, 206).

Perhaps, however, rhetoricians have been too selective in their reading of Toulmin and too willing to ignore that Toulmin speaks the rhetorical language with a distinct logical accent. The authors of *Handbook of Argumentation Theory* seem to suggest that:

> It is striking that most authors who used Toulmin's model as a general model for argumentation analysis—again, including Brockriede and Ehninger, Trent, and Toulmin himself 20 years later— ignore the logical ambitions Toulmin intended his model to serve with regard to the replacement of formal validity in the geometrical sense by validity in the Toulminian procedural sense (van Eemeren et al. 2014, 239).

Wenzel, who draws clear lines between the logical, dialectical, and rhetorical perspective on argumentation, describes the Toulmin argument model as "a straightforward application of the logical perspective" (Wenzel 1992, 138). He sees the rhetorical use of the model as an "example of the perspectival problem", stating that: "Many students on first learning the model construe it as a rhetorical prescription; they can easily be disabused of that notion

1. The passage echoes Bird, who in his article "The Re-Discovery of the Topics" twenty years earlier pointed out that Toulmin's treatment of inference-warrants "has many similarities with the analysis of the Topics in medieval logic. The resemblance is so close, as I hope to show, that it appears we are witnessing something of a re-discovery of the Topics." (Bird 1961, 534).

if someone explains to them how *The Uses of Argument* constitutes a refinement of the logical perspective" (p. 136). Tindale (2004, 8) also indicates Toulmin's logical influence on rhetoric, stating that the Toulmin model "has been very influential as a new standard of logical thinking, particularly among scholars of rhetoric and speech communication."[2]

The logical perspective is reflected in the purpose, terminology, and design of the argument model. Toulmin's key interest in *The Uses of Argument* is "the ways in which we set about grading, assessing and criticising" arguments (Toulmin 1958, 12, 33, 39). In introducing his model, Toulmin asks: "How, then, should we lay an argument out, if we want to show the sources of its validity? And in what sense does the acceptability or unacceptability of arguments depend upon their 'formal' merits and defects?" (Toulmin 1958, 95). This squares with Wenzel's description of logic as a discipline that "seeks to discover or develop canons of correct inference" (Wenzel 1992, 128).

General keywords in Toulmin's logical parlance are "standards", "criteria", "soundness", and "validity"—words that help "to keep in the centre of the picture the *critical* function of the reason" (Toulmin 1958, 8, italics in the original). The warrant contains "rules, principles, inference-licenses" (98); it is what "justifies", "bridges", "legitimates", "authorizes", "entitles", and "guarantees" the inferential step from data to conclusion with a certain inferential "force". The arrow and the location of the claim to the right in the model indicate an inferential movement from data

2. 2 In their introduction to a special issue on argumentation in education in Scandinavia and England, Andrews and Hertzberg (2009, 434) point out the limitations of the Toulmin model as a pedagogical tool for composing arguments: "The limitations of the model for the latter function are evident: it appears rather static as a composing tool, its architectural nature proving hard for young writers to use as they develop their plans and drafts. But its value in checking (for both students and teachers) where an argument has clear claims (propositions) and supporting evidence—and what the warrants and backing are that enable such a connection between claims and grounds—is invaluable."

towards claim, supported by the warrant. If we pair this with the fact that Toulmin uses the terms "claim" and "conclusion" interchangeably through chapter 3 in *The Uses of Argument*, we get a model of argument that can "be expressed in the form 'Data; warrant; so conclusion' and so become formally valid" (Toulmin 1958, 119). The Toulmin model is essentially designed to critically assess the logical validity of practical arguments, whereas a rhetorical argument model would be, first and foremost, designed to invent them.[3]

The critical approach to argumentation influences Toulmin's notion of audience and context. The audience we meet in *The Uses of Argument* takes on the role of a persistent "challenger" (Toulmin 1958, 97). The challenger poses critical questions such as "Does it really follow?", "Is it really a legitimate inference?" (139), and the recurring "How do you get there?" and "What have you got to go on?" (cf. 97, 98, 99, 130, 140). In other words, the challenger acts much like a questioner in a dialectical debate who critically tests the inference-warrant applied by the speaker. The challenger incarnates the court of reason, who is capable of judging what are acceptable inferences within a specific field. This understanding of audience as a rational *challenger* differs from the rhetorical counterpart. In rhetoric, the designated role of the audience is not primarily to challenge but to provide change; and assuming that role, the audience is not only driven by rationality but also by their values, interests, and beliefs. Also, Toulmin's understanding of context as a *field* of knowledge forms a more stable construct than the ever-changing *rhetorical situation* which the preparing arguer must read and respond to in a time-sensitive manner.

The critical approach to argumentation further has crucial consequences for Toulmin's conception of the topics. What Toulmin found in the *Topics* was a method to formalize arguments to critically test the soundness of the applied inference. The *Topics* offered him a fine-grained system of around 300 acceptable ways to bridge data and conclusion—what modern day argumentation

3. The subtitle of the book Arguing on the Toulmin Model, edited by Hitchcock and Verheij, is telling in this sense: "New Essays in Argument Analysis and Evaluation".

theorists would refer to as argument schemes—that would accommodate his quest for a functional and flexible logic. The structured dialectical setting of the *Topics* with a questioner and a respondent even resembled the courtroom setting he took as a paradigm case for the jurisprudence logic he advocated for.[4] This dialectical conceptualization of the topics as a critical tool for argument evaluation, however, differs from a rhetorical understanding. As Eriksson (2012, 210) states: "One difference between the dialectical tradition […] and the rhetorical tradition is that the former tends to view the argumentative *topoi* as a product of an analytical examination, while the latter views them as a process for finding arguments in particular contexts." It is the dialectical understanding of the topics as rules of inference found in Aristotle's *Topics* that resonated with Toulmin's reformative logical project, not the rhetorical understanding of the topics found in Aristotle's *Rhetoric* and in later works of Cicero and Quintilian. What Toulmin had discovered was the logical potential of the topics to evaluate arguments—not the rhetorical potential to generate them.

What is wanting in Toulmin's approach is the *heuristic* potential of the topics as "search formulas which tell you how and where to look for arguments" (Kienpointner 1997, 226). In the rhetorical tradition, the topics are an *ars inveniendi*, a method for systematically generating argumentative material by pointing out productive places to visit in the inventive process. In *De Oratore*, Cicero vividly stresses the heuristic potential of the topics that lies at the heart of the rhetorical approach to the topics:

> For if I wished to reveal to somebody gold that was hidden here and there in the earth, it should be enough for me to point out to him some marks and indications of its positions, with which knowledge he could do his own digging, and find what he wanted, with very little trouble and no chance of mistake: so I know these indications of

4. The authors of Handbook of Argumentation Theory state that: "Toulmin seems to construe the arguments he is interested in as (dialectical) verbal products resulting from a (dialectical) process of argumentative discourse" (van Eemeren et al. 2014, 212).

proofs, which reveal to me there whereabouts when I am looking for them; all the rest is dug out by dint of careful consideration. (Cicero *De Oratore*, Book 2, 174)

When the topics are understood as a heuristic method of invention, the idea of a 'place' to dig for argumentative material becomes a productive metaphor. The (neglected) value of the place metaphor is a recurrent theme among commentators focusing on the inventive potential of the topics. Miller (2000, 133) states that "the spatial metaphor of the topos is still a powerful one for conceptualizing invention as generative"; she describes topos as "conceptual space without fully specified or specifiable contents; it is a region of productive uncertainty" (141). Nothstine (1988, 152) remarks that "[w]ithin both the canon of invention and the canon of memory there is an underlying 'place' metaphor whose importance is perhaps underestimated because we have lost sight of its character as metaphor." And Tindale claims that: "Largely suppressed here, though, is the alternative richness of the 'place' metaphor, some sense of which no account of the *topoi* should avoid" (Tindale 2007, 4). The place metaphor, however, is lost in Toulmin's reading of the topics as inference-warrants.

Where Toulmin's logical reading of the topics centers around the challenger's critical question: "How do you get there", a rhetorical reading of the topics centers around the arguer's curious question: Where do I go to dig for argumentative material?

So, to sum up this part of the chapter, Brockriede and Ehninger are justified in claiming the superiority of the Toulmin model for "dissection and testing" rhetorical arguments, and Toulmin is justified in having rediscovered the Topics of the *Topics*. But instead of seeing that as a sign of Toulmin becoming a rhetorician, I see it as indicative of rhetoricians' accept of an unmistakable logical influence on rhetoric. Toulmin's logic might be substantive,

but it is not inventive; and while he has a broad view on inference, he has a narrow view on the topics *as* inference. Applying the Toulmin model is applying a view on rhetorical argumentation that focuses on argument analysis and evaluation, not on argument creation.

In the next part, I outline a rhetorical argument model that accounts for the heuristic power of the topics. The argument model is a productive tool for the arguer to secure adherence, not a critical tool for the analyst to check inference. It employs language native to rhetorical argumentation, and it takes the metaphor of place seriously as it guides the arguer from place to place in the process of building a persuasive argument.

Outlining a Rhetorical-Topical Argument Model for Systematic Argument Invention

I name the model I am going to present the *rhetorical-topical argument model*.[5] As a *rhetorical* argument model, its purpose is to aid a preparing arguer in the process of constructing an argument that would persuade a particular audience in a specific rhetorical situation. And as a *rhetorical- topical* argument model, it is informed by a rhetorical understanding of the topics as a heuristic tool for argument invention. The model consists of the three main elements *standpoint, common ground*, and *support*:

5. I have made some minor changes to the visual design of the model since I first presented it at the OSSA 12 conference (Pontoppidan 2020). The most substantial change I have made is to change the term "proof" to "support" in the outer circle of the model, which better captures the rhetorical function of the element—as opposed to the more logical sounding "proof". This change is made in response to valuable feedback on the model from Mette Bengtsson.
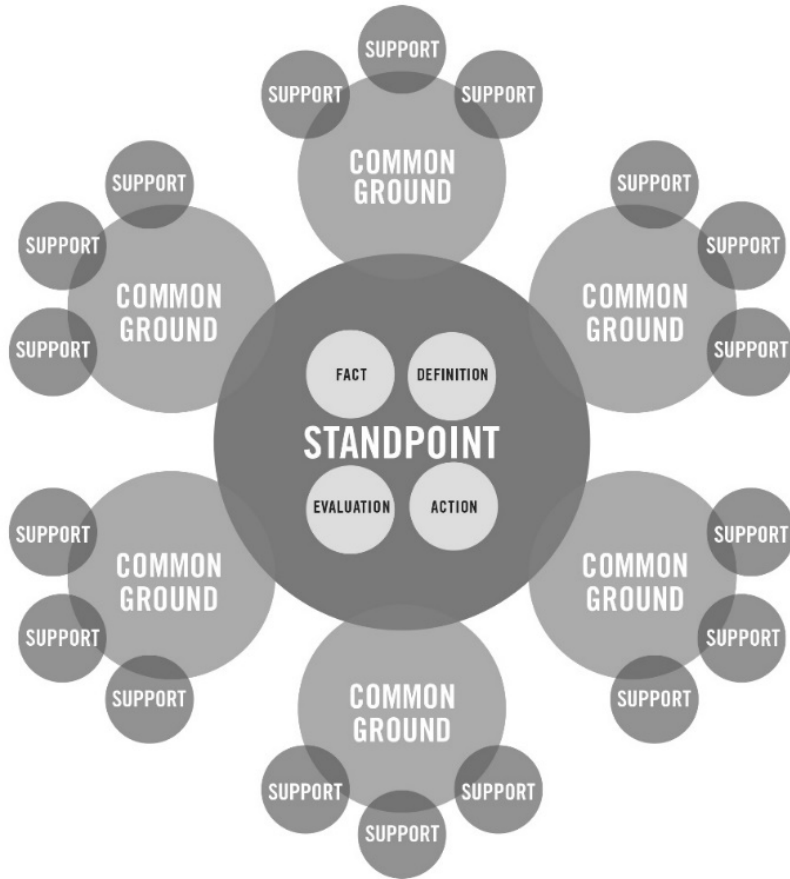
Figure 1: The rhetorical-topical argument model

The circular shape of the elements is chosen to evoke the metaphor of place: Each circle represents an available place to dig for argumentative material in the process of building a persuasive argument.

But what does a place mean? And how does it guide the preparing arguer in inventing persuasive arguments? Commentators agree that the concept of *topos* (and the Roman equivalent *locus*) is ambiguous and multifaceted (Leff 2006, 1983a, 1983b; Rubinelli 2006, 2009; Gabrielsen 2008; Tindale 2007; Kienpointner 1997; Mortensen 2008). Leff (1983a, 23) states: "Even when limited to its technical use in rhetoric, the term

"topic" incorporates a bewildering diversity of meanings." The model both exploits and explains the conceptual ambiguity as it brings together different rhetorical conceptualizations of what a place is as a tool for argument production. As will become clear, each of the three steps in the argument-building process is guided by its own meaning of a place.

The multiplicity of circles at each of the three elements in the model illustrates that the arguer has several "places" to dig for persuasive material at each step in the argument-building process. At each step, the arguer must make a choice among alternative places before moving on to the next step. The rhetorical tradition makes the places available to the arguer in *topoi catalogues* that aid the arguer in a systematic inventive search for persuasive material. As Nothstine (1988, 152) makes clear, "'inventory' (the cataloguing of what is already 'on hand') is etymologically related to "invention" (the combination of materials and principles to produce something novel)". As will become clear, each of the three elements in the model, standpoint, common ground, and support, is related to a certain type of topoi catalogue. The standpoint element is related to *stasis* theory, which provides the arguer with just four strategic options (fact, definition, evaluation, action) as shown in the inner circle. The number of circles shown in relation to the common ground and support elements are arbitrary, as the exact number of available places to choose between will depend on the specific topoi catalogue the arguer chooses to consult at these two steps in the argument-building process. Step by step, place by place, and catalogue by catalogue, the arguer is guided in a systematic search for the available means of persuasion.

This integrative reading of the topics owes its inspiration to Gabrielsen's treatment of the topics and the enthymeme (2008 and 1999). Gabrielsen stresses the importance of the topoi catalogues,

claiming that "The topical methodology *is* its lists of concrete topoi" (Gabrielsen 2008, 120, my translation, italics in the original). In his practical reading of the duality of the topics found in the works of Aristotle, Gabrielsen connects the common topics and the special topics to the two premises in a practical argument—the factual and the inferential. Gabrielsen does not present an argument model, but he presents what he calls a "meta-argument" in the form of a syllogism. The meta- argument illustrates that Aristotle's catalogues of common topics provide the material for the major (inferential) premise while Aristotle's special topics provide the material for the minor (factual) premise. I have a broader and more eclectic approach to the rhetorical topical tradition than Gabrielsen in his Aristotelian meta-argument, and the function of the common and special topics in the rhetorical-topical argument model also differs from the function Gabrielsen assigns to them in his meta-argument. But the idea that different understandings of what a topos is can be combined to an argument with the aid of different topoi catalogues is inspired by Gabrielsen's practical rhetor- oriented reading of the topics.[6]

In the following, I zoom in on the three elements in the model individually, answering the following questions: What is the argumentative function of the element? What meaning of the 'place' metaphor does the element evoke? And what type of topoi catalogue guides the preparing arguer in her search for persuasive material at this step in the argument-building process?

6. The ambition to integrate different understandings of the topoi into one model is also central to Rigotti and Greco's Argumentum Model of Topics (AMT). The AMT model depicts how two types of topical components, a material- contextual endoxon and a procedural-inferential locus, work as two interconnected syllogistic structures in an argument graphically shown as a quasi-Y structure. As indicated by the title of their book Inference in Argumentation. A Topics- Based Approach to Argument Schemes, the purpose of the AMT model is to assess the inferential steps of arguments. Rigotti and Greco have "the ambition of providing a theoretical and methodological tool to analyze the inferential configuration of arguments, as supported by loci" (Rigotti and Greco, 2019, vii). With their emphasis on inference and argumentative reconstruction, they share Toulmin's dialectical-logical understanding of the topics as a critical tool for argument analysis.

The Standpoint: In what Stasis Can I Move the Audience?

The first step in the process of building a persuasive argument is to formulate a *standpoint*. As stated by Kock (2003, 167): "Indeed, deliberative debaters often do not proceed from 'premises' to 'conclusion', as logicians do, but the other way around, i.e., they begin with a standpoint for which they then try to find arguments." The personal belief in the rightness of the standpoint is what motivates the arguer to engage in the socially risky act of seeking the adherence of an audience. The standpoint is what the rhetorical arguer 'stands on' and chooses to *argue for*.

At this initial step in the argument-building process, the *stasis/status* functions as the guiding topoi catalogue. According to Braet (1987, 89), "[l]iterally, both words mean 'status,' 'state,' or 'standing,' or, to be preferred because of the strategic connotation, 'position' or 'standpoint'". Translations like "standing" or "position" clearly evoke the metaphor of place.

Leff (1983a, 24) refers to the stasis doctrine as a "major topical system in the tradition". While the classical stasis system was originally a typology meant for the arguer in the courtroom, updated versions are suited for other types of argumentation as well. The number of stases as well as the names and interpretations of the individual stasis vary in modern interpretations of the classical doctrine (see, e.g., Fahnestock and Secor 1988; Kienpointner 1997; Just and Gabrielsen 2008; Kock 2011). The version of the theory included in the rhetorical-topical argument model is inspired by Jørgensen and Onsberg (2008) and Brockriede and Ehninger (1960). They provide four topical options: The arguer can choose a standpoint about the *facts*, *definition, evaluation,* or *action*. Taken together, these four stases represent a simple, yet analytically exhaustive catalogue of strategic options for the preparing arguer in the first step of the argument-building process.

As a heuristic tool, the stasis theory has both an inventive and a strategic potential. The inventive potential of the stases is evident in Fahnestock and Secor (1988), who refer to the stases as an

"invention tactic", "a scheme of invention" and "a generating machine". Using a vocabulary that clearly echoes Bitzer's "The Rhetorical Situation" (1968), they state that "the stases represent a full set of possibilities from which an author, in a particular rhetorical situation, under a particular exigence, addressing a particular audience, selects". Braet refers to the stases as a "procedure of *inventio*" and as "the defendant's option, so strongly emphasized in the classical sources, of making a strategic choice from the status" (1987, 79 and 90). The strategic reading of the stases is also evident in the chapter by Just and Gabrielsen in this book. They present the stasis theory as a "*tool for analysis*" that helps "determine the core contested issue of a given case", providing the rhetor with "a catalogue of strategies". The strategic choice of stasis is based on the arguer's analysis of "where he or she can meet the intended audience, because that is where the audience's needs and interests lie, or because that is where they can be reached, no matter where the writer wants to take them" (Fahnestock and Secor 1988, 430). Strategically, the four stases represent a "ranking" (Braet 1987, 83) or "hierarchical order" (Fahnestock and Secor 1988, 428) where a standpoint about facts is considered the easiest to convince an audience about and a standpoint about action the most difficult. This means that "the stasis in which an argument is pitched is not necessarily the stasis in which the arguer hopes to have an effect" (Fahnestock and Secor 1988, 430).

The strategic questions that face the arguer at this initial step of the argument-building process are: Where is the manageable doubt in this rhetorical situation? In what stasis will I stand a realistic chance of persuading the particular audience? Should I 'place' the argument in the lower stases about fact or definition or aim for the higher stases of evaluation or action?

Let us take an example. The dedicated vegetarian might personally be convinced of the evaluative statement that "meat is murder" and, as an effect, feel an urge to make a call to action to "skip all forms of meat". Faced with a meat-loving audience, however, it will probably be a non-fitting response to choose a standpoint this far up the stasis ladder. In this rhetorical situation,

the vegetarian will probably stand a better chance of modifying the beliefs of the audience by focusing on a factual standpoint—e.g., about the positive health benefits of a vegetarian diet or the negative environmental consequences of animal production.

When the stasis is chosen, the rhetorical tradition provides the preparing arguer with different catalogues of ways to formulate the standpoint. Just and Gabrielsen, in their analysis of the housing market and the corona pandemic in this book, refer to these specific instantiations of the more general strategic choice of stasis as "tactics". They describe three concrete tactics within the status definitivus: "dissociative definition", "splitting a whole into its parts", and "the persuasive definition". These are found in catalogues of definitions presented in Perelman and Olbrechts-Tyteca (1969) and Jørgensen and Onsberg (2008). In the same vein, Kock (2011) in his "generalized and integrated version of the status system" treats the four *status legales* "as specifications of the *status finitionis*". So, at this initial step in the argument-building process, the catalogue of stases serves as a "focusing tool" (Kock 2011) that can be combined with catalogues of more concrete strategies within each stasis that help the arguer develop a persuasive standpoint.

The Common Ground: Where Can I Meet the Viewpoint and Values of the Audience?The next step in the argument-building process is finding *common ground* with the audience. Common ground is metaphorically speaking a mental 'meeting place' between the arguer and the audience—a shared perspective or point of view. Perelman and Olbrechts-Tyteca's (1969, 26) reference to "the area of agreement taken as a basis for the argument, which vary from audience to audience", and Leff's (1983a, 24) reference to "regions of experience from which one draws the substance of an argument" are useful descriptions of the place metaphor at this step in the argument- building process. The common ground element functions as the normative foundation of the argument containing values, worldviews, beliefs, assumptions, and preferences. It is the result of the arguer's analysis of how she could justify the standpoint in a way that resonates with the point

of view of the specific audience in the specific rhetorical situation. The common ground, in this sense, is what the arguer chooses to *argue from*.

The necessity of establishing common ground with the audience as a prerequisite for persuasion is a recurrent theme in the rhetorical tradition. Aristotle recommends that "one should not speak on the basis of all opinions but of those held by a defined group, for example, either the judges or those whom they respect" (Aristotle *Rhet.*, 1395b, trans. by Kennedy, 2007). Perelman and Olbrechts- Tyteca (1969, 14) make clear that: "For argumentation to exist, an effective community of minds must be realized at a given moment." Burke stresses the importance of "identification" and "consubstantiality", stating that "you give the 'signs' of such consubstantiality by deference to an audience's 'opinions'" (Burke 1969, 55). Brockriede (1974) makes a shared "frame of reference" a defining characteristic of argument. Leff (1983a, 23) states that "rhetoricians must draw their starting points from accepted beliefs and values relative to the audience and the subject of discourse". And Tindale, within a topical framework, states: "The arguer needs not just to know her own mind, and the *topoi* resident there; but also the mind of her audience and what *topoi* they are likely to recognize and, hence, to be persuaded by the arguments drawn from them" (Tindale 2007, 9). The point is clear: to overcome doubt and disagreement, one must depart from a place of agreement with the audience.

As the model shows, the arguer is again faced with a strategic decision about where to go and search for argumentative material. At this point, the places are graphically arranged all the way around the standpoint to indicate a choice of perspective. Nothstine in his hermeneutic reinterpretation of the 'place' metaphor provides valuable insight by stating: "The 'place' metaphor may refer to a position affording a particular point of view, a perspective, from which one regards one's world" (Nothstine 1988, 155). Within this hermeneutic conception, the place metaphor takes on the meaning of 'perspective', 'vantage-point', 'viewpoint', 'point of view', horizon'

and a general 'situatedness'. Miller's notion of topos as a "problem space" as "a located perspective, *from* which one searches" is also informative (Miller 2000, 141). The design of the model at this point, further, can be seen to visualize a recurrent theme in Kock's writings: the "multidimensionality" of practical reasoning (Kock 2003, 2006, 2009, 2011, 2013). The model shows that there are multiple ways to justify the standpoint and, hence, it encourages the arguer to deliberately consider the alternatives, being aware that "[t]here will always be other arguments in the matter, pertaining to other dimensions" (Kock 2003, 162).

It is in this multidimensional topical landscape of perspectives and problem spaces that the arguer must ask herself: Where can I meet my audience? What norms and values do I have in common with my audience? What is their expected hermeneutic horizon in relation to the issue at hand? Where are they mentally situated? This is perhaps the most difficult point in the argument-building process.[7]

Fortunately, the preparing arguer is not limited to her own idiosyncratic horizon of values and viewpoints in the search for common ground. As was the case with the standpoint, the topics provide the arguer with a repository of places that "helps speakers see the multiple sides of an issue" (Rubinelli 2009, 146). The type

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7. What is going on at this step in the argument-building process resembles what pragma-dialecticians, in in an attempt to incorporate a rhetorical dimension in their extended theory, call "strategic maneuvering". Van Eemeren (2010, 108) describes strategic maneuvering as a way to meet "audience demand" stating that: "In order to be not only reasonable but also effective, the strategic moves a party makes must at each stage of the resolution process connect well with the views and preferences of the people they are directed at, so that they agree with these people's frame of reference and will be optimally acceptable." Despite the apparent resemblance, there is, however, a crucial difference between the concept of strategic maneuvering and the common ground element in the rhetorical-topical argument model that originates from the different theoretical approaches to argumentation: Common ground is an element in an argument aimed at persuasion, strategic maneuvering is a move in a dialectical exchange aimed at resolution.

of topics that helps the arguer at this point in the argument-building process is what Aristotle identifies as the 'special' topics—thereby indicating that they pertain to special genres or subjects. Rubinelli (2009, 102; 2006, 254) refers to the special topoi as "subject-matter indicators", which makes it clear that they serve to define what the matter is about. And Gabrielsen and Juul Christiansen (2010, 72) refer to them as "thematic topoi" the purpose of which is "to open a case in the largest possible number of ways in regard to content."

The Aristotelian catalogues of special topics provide the ancient rhetor with common grounds for epideictic praise, forensic defense, and deliberative advice about future actions. We learn, e.g., that the component parts of happiness are: noble birth, numerous friends, good friends, wealth, good children, numerous children, a good old age, bodily excellences like health, beauty and fitness for athletic contests, a good reputation, honour, eloquence, good luck, and virtue (Aristotle *Rhet.*, 1360b). According to Leff, the special topics "consist of an inventory of propositions expressing abstract beliefs and values generally accepted by the public" (Leff 1983b, 220-221). In that respect, today's arguer might find the 4th-century BC catalogues of belief and values somewhat offbeat in search for common ground with a contemporary audience. Kock, however, has repeatedly made a case for the modern relevance of a topoi catalogue found in the *Rhetorica ad Alexandrum,* where the author lists six common justificatory perspectives: just, lawful, expedient, honourable, pleasant, easy of accomplishment (Kock 2003, 159; 2006, 254; 2013, 453). These are common ways to argue for an action that could serve as an expansion of Brockriede and Ehninger's underdeveloped category of "motivational arguments" (Kock 2006, 249).

To get the full benefit of the topical method, however, the modern arguer will need updated catalogues of special topics. Pontoppidan, Gabrielsen and Jønch-Clausen (2022) have developed three new topoi catalogues pertaining to *products,*

persons, and *policy*. The product catalogue contains seven topoi that we have observed to be recurring common grounds in sales rhetoric: price, time, uniqueness, popularity, accountability, safety, and experience. The person catalogue contains eight recurring topoi in personal presentation: roots, outer traits, personality traits, values, competences, relations, interests, and goals. And the policy catalogue contains seven recurring topoi in arguing about policy proposals: economy, law, ethics, environment, culture, health, and aesthetics.[8] For the modern arguer, these are relevant places to visit in search for common ground when trying to sell a product, appear trustworthy or likeable, or succeed in the modern agora of policy proposals. Returning to the convinced vegetarian, the policy catalogue serves as a heuristic resource that allows her to systematically dig up arguments about, e.g., 'the price of meat', 'animal rights', 'animal welfare', 'CO2 emissions', 'health benefits', 'the growing vegetarian community', and 'the colour, flavour and tastiness of vegetarian food'.

Other recent catalogues of special topics are more context- and subject-specific. They include topoi catalogues of the European shale gas debate (Lewiński 2016), the Hungarian nuclear expansion controversy (Egres 2021; Egres and Petschner 2020), corporate social responsibility in the travel and tourism industry (Culler 2015), discriminatory discourse in Austria (Wodak and Meyer 2001), and Danish public leadership (Pontoppidan and Gabrielsen 2017). The level of 'specificity' of the topoi catalogue and the number of topoi it contains is less important to the design of the rhetorical-topical model. What is important is that the arguer chooses a catalogue that allows her to systematically explore the multidimensionality of the case at hand and make a strategic choice among the plurality of possible ways to justify the standpoint. The special topoi catalogues sum up what *is* common to make it easier for the arguer to see what she has potentially *in* common with the audience.

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8. See Pontoppidan and Gabrielsen (2009) and Pontoppidan, Gabrielsen and Jønch-Clausen (2010) for a previous version of the policy catalogue.

The arguer's choice of common ground is essentially a hermeneutic act that defines the argued subject. As stated by Perelman and Olbrechts-Tyteca, argumentative "choice is not mere selection, but also involves construction and interpretation" (Perelman and Olbrechts-Tyteca 1969, 119, 120). Whether the vegetarian chooses to construct an argument that focuses on the price of meat, the environmental consequences of meat production, or the health benefits of a vegetarian diet, she places herself within a particular perspective that provides a particular interpretation of vegetarianism and puts the audience in a certain frame of mind. Sometimes the interpretative choice of perspective involves a tension "between creativity and constraint" (Nothstine 1988, 158). This happens when the arguer finds herself in a strategic dilemma between either adapting to the audience's predominant perspective or arguing from an alternative and in her view more important perspective that might challenge the audience's established "value hierarchy" (Perelman and Olbrechts-Tyteca 1969, §20). Whether the arguer chooses to confirm or challenge the audience's value hierarchy influences the visibility of the common ground in the eyes of the audience: A common ground in sync with the audience's preestablished view on the matter will probably be transparent, while an alternative interpretation of the matter will tend to provoke attention and critical reflection in the audience. An attempt to move an audience to a foreign place always involves the risk of losing the possibility of creating a "community of minds" with the audience.

Support: Where Can I Find Material Confirmation?

The third and final step in the argument-building process is finding *support*. Like the common ground, the support element functions as justification for the standpoint. But where the common ground operates in the inner, immaterial, mental world, the support element belongs in the material world of things, persons, actions, and experiences providing concrete content to the argument. Where the common ground departs from what is intimately known

to the audience—their values and preferences—the support element provides new information. The support element is what the arguer chooses to *argue with*.

The support element is graphically connected to the common ground in the model. This illustrates that the common ground serves as the source of the support. If, for instance, the arguer has chosen an economic point of view as common ground, the support will be of the economic kind. The arguer, e.g., can choose to include figures of market values or inflation rates, to cite financial experts, or to calculate the consequences for an average household economy. In that sense, the support element is at once constrained by the choice of common ground and serves to confirm it. The support element provides argumentative material that shows the relevance of the chosen common ground as justification for the standpoint. At the same time, the support element draws its content from the outer world—what Gabrielsen and Juul Christiansen (2010, 80) refer to as "external sources of evidence". This is illustrated by the exterior placement of the support element in the model.

Throughout the history of rhetoric, we find different concepts that illuminate the argumentative function of the support element. Hermogenes employs the Greek term "ergasia" to describe how one "confirms", "works" and "elaborates" an argument (Kennedy 2005, book 3, ch. 7; Kock 2005). With reference to the Greek term "auxesis" and the Latin term "amplification", Kock (2003, 169) emphasizes the rhetorical significance of "enhancing the weight of an argument". Perelman and Olbrechts-Tyteca (1969, §29, 129) employ the term "presence", stating that "all argumentation is selective. It chooses the elements and the method of making them present." Terms stemming from forensic rhetoric like 'testimony', 'evidence', 'witness', and 'documentation' provide concrete examples of the kind of material the arguer is hunting for to confirm, amplify, and create presence.

At this point in the argument-building process, the arguer must ask herself: How can I confirm the importance of the chosen common ground? How can I make the chosen perspective present? Where can I find information that shows the chosen common ground as a relevant interpretation of the case?

The model shows that there will be more than one available support, more than one place to generate persuasive material, in relation to each common ground. As Kock (2013, 454) states: "Just as rhetorical argumentation, given its status as practical reasoning, will include appeals to a plurality of value dimensions, so also will it employ an open set of argumentative means and devices." Once again, the arguer is faced with a choice.

As was the case with the two first steps in the argument-building process, the rhetorical tradition provides the arguer with compilations of topoi to help make a deliberate choice of support. In Chapter 23 of Book 2 of his *Rhetoric*, Aristotle supplies the arguer with a catalogue of 28 'universal' or 'common' topics that can be applied across subjects and genres. The catalogue of common topics includes, for example, the more and the less, definition, division, induction, analogy, precedent, consequence, cause, and contradiction.[9] A similar catalogue is found in the second book of Cicero's *De Oratore* (166). In Book I of his earlier work *De inventione*, Cicero presents, in relation to *confirmation*—"the part of the oration which by marshalling arguments lends credit, authority, and support to our case" (34)—a less abstract topoi catalogue of attributes of actions: the action itself, its purpose, cause, effects, place, time, occasion, manner, and facilities (37-38). This catalogue is presented as "a general store of arguments" that Cicero considers to be "raw material for general use from which all arguments are drawn" (34). If we add agent to the list, this catalogue resembles the 'hexameter of

9. It is noteworthy—and somewhat confusing—that the general topics are general in the sense that they can be used to search for argumentative material in all subjects and genres, while the special topoi are special in the sense that they relate to specific subjects and genres. The result of the search, however, is the opposite: The general topoi result in concrete argumentative material, while the special topics result in abstract values.

invention', or the well-known seven *wh*-questions: who, what, where, by what means, why, how, when (Kienpointner 1997, 227-228).[10] This list still works as an efficient procedure of invention for the modern arguer searching for support.

More modern catalogues of common topics include Perelman and Olbrechts-Tyteca's list of quantity, quality, order, the existing, essence, and the person (Perelman and Olbrechts-Tyteca 1969, 85). Brockriede and Ehninger, in their introduction to the Toulmin model, present a list of six types of "substantive arguments": cause, sign, generalization, parallel case, analogy, and classification (Brockriede and Ehninger 1960, 48-50; cf. Jørgensen and Onsberg 2008, ch. 3). Eriksson (2012, 212), with reference to the rhetorical *progymnasmata* exercises, presents a list of four topoi: the contrary, example, analogy and witness from other persons. And Gabrielsen and Juul Christiansen (2010, 81) present a list of just three topoi that they name "topoi of evidence": investigations, experience, and general assumptions. Whether the arguer chooses to go *ad fontes* to the classical catalogues of Greek topoi or Roman loci or to consult contemporary catalogues is irrelevant to the design of the rhetorical-topical argument model. What is important is that the arguer clearly sees that there are several available places to search for support for a given standpoint in relation to each common ground.

Once again, we witness a change in the meaning of topos and the place metaphor. A place is no longer a content-defining 'problem space', 'perspective', or 'horizon'. This has made some argumentation theorists conclude that this type of topoi describes the form of the argument— comparing the universal topoi to modern times argumentation schemes (Rubinelli 2006, 2009; Braet 2005; Garssen, 2001; Warnick, 2000; Kienpointner 1997; Wodak et al. 2009, 36-42). Gabrielsen (2008, ch. 1) refers to this understanding of the topics as "inferential". This understanding

10. Kienpointner sees the catalogue as an example of "specific/circumstantial topoi"—probably because they are "less abstract" than the catalogue in De oratore. Drawing on Cicero's own introduction to the list as a "general store", I treat it as a catalogue of common topics to be consulted in the last step of the argument-building process, where the arguer searches for confirmative material.

stresses the formal character of the general topics and draws rhetoric towards a dialectical reading of the universal topics as "warrants which guarantee the transition from argument to conclusion" or as "inferential sources, on which the inferential-logical premises of arguments are based" (Kienpointner 1997, 226; Rigotti and Greco, 2019, 17). This idea of topos as a form of warrant that guarantees an inference clearly resembles Toulmin's logical understanding of the topics.

It makes sense, therefore, that some authors in the rhetorical tradition have problematized the 'argument scheme' reading of the common topoi. Conley (1978, 94) states that "from a heuristic standpoint it would be inaccurate to conceive of a *topos* as a *form of inference*". Miller (2000, 136, italics original) remarks: "When a *topos* is thus conceptualized as a part of an argument, rather than as a source for an argument, the spatial metaphor begins to weaken, and the generative use of the *topos* is traded for a structural one." And Tindale concludes that there is "value carried through the metaphor of place essentially attached to the concept of a *topos*; a value threatened if we think only of *topoi* as argumentation schemes" (Tindale 2007, 10). Seen from the productive point of view of rhetoric, the general topics do not provide a 'scheme'—or more generally the *form*—of the argument. Rather, the repository of universal topoi—example, authority, definition, contradiction, consequence, cause, and the like—guides the arguer in a methodical search for concrete *content* to the argument. The design of the rhetorical-topical model clearly shows this, as the support element is not placed between the standpoint and common ground element as a logical link between the two (as is the case with Toulmin's warrant), but 'outside' the common ground element connecting it to the outer, material world. The function of the support element is not to establish a logical *relation* between standpoint and common ground but to establish the *reality* and *relevance* of the chosen common ground.

To the convinced vegetarian, the value of the common topics is that they point out different places to go and dig for material support. With a catalogue of general topoi, she will be able to engage in a systematic search for what experts say about meat

and vegetables (authority), what concrete persons experience (example), how vegetarianism resembles other lifestyle choices (analogy), how eating meat contradicts established norms and values (contradiction), how the production of meat has negative effects (consequence), or how present environmental problems call for radical changes (time).

No doubt, it will be relevant for an arguer to know the typical counterarguments against each general topos to measure the weight of each available support. Cicero in *De Oratore* (117) encourages his students to "keep ready and prepared" about what can be said "in support of deeds and against them, for and against evidence, for and against examinations by torture … in general and abstractedly, or as confined to particular occasions, persons, and cases." Likewise, Zarefsky (2020, 302) states that an audience is more willingly persuaded if the presented arguments "satisfy the critical tests associated with the particular argument schemes." For the modern arguer, therefore, it might be worth familiarizing herself with the critical questions that Walton, Reed and Macagno (2008) catalogue in connection with each argument scheme, to choose the most persuasive type of support. Essentially, however, the function of the universal topoi in relation to the rhetorical-topical argument model is not to critically examine an inferential move, but to creatively explore different types of support that has the potential to move the audience.

From Separate Places to Topical Paths – Arguments in the Danish Debate on Ritual Male Circumcision

Up to this point, the three elements of the argument model have been treated as isolated steps in the argument-building process exemplified with the fictitious vegetarian. Before concluding, I will show how the three elements are connected in real arguments.

The following examples of full arguments are taken from the Danish debate about ritual male circumcision. This is a recurrent and often quite heated debate in Denmark, where a ban on ritual circumcision of boys under the age of 18 has been proposed

several times. The debate is illustrative as it is characterized by topical diversity on both sides, showcasing a plurality of places. The point here, however, is not to give a full-fledged rhetorical argumentative analysis of the debate but to illustrate different points in relation to the rhetorical-topical argument model.

I have chosen four different arguments, two from the proponents' side and two from the opponents' side in the debate. The arguments are anonymized and slightly modified to best serve the illustrative purpose. The four arguments are displayed together in the rhetorical-topical argument model to show how the connection of different topical places form a coherent argument and how each argument competes with alternative arguments derived from alternative places. The arguments from the proponents of ritual male circumcision are placed on the left side (argument 1 and 2), the arguments of the opponents are placed on the right side (argument 3 and 4) of the argument model:

Argument 1
STANDPOINT: Ritual male circumcision is about protecting the freedom of religion and the rights of minority groups.

COMMON GROUND: (Ritual male circumcision should be understood as a juridical matter of rights.)

SUPPORT: According to article 30 in the United Nations Convention on the Rights of the Child "children and young people who belong to a minority group have the right to share their culture, language and religion with other people in that group."

Argument 3
STANDPOINT: Ritual male circumcision involves the risk of physical complications and sexual dysfunction.

COMMON GROUND: (Ritual male circumcision should be understood as a matter of health.)

SUPPORT: According to a report from the Danish Ministry of Health 2,2 percent of circumcised boys must be reoperated, 2,9 percent experience acute complications in the form of bleeding and infection in relation to the operation, and 5,1 percent experience non-trivial complications later in life.

Argument 2
STANDPOINT: Ritual male circumcision is no different from other culturally accepted irreversible operations on children.

COMMON GROUND: (Ritual male circumcision should be understood as matter of cultural practices.)

SUPPORT: Ritual male circumcision corresponds to correcting protruding ears, aligining crowded teeth and performing joint toes or tongue-tie surgery on babies.

Argument 4
STANDPOINT: We should be ashamed to see mutilation and ritual amputation of boys as upbringing.

COMMON GROUND: (Ritual male circumcision should be understood as an ethical matter.)

SUPPORT: To cut in children is not upbringing. It is an abuse of the child's rights and integrity.
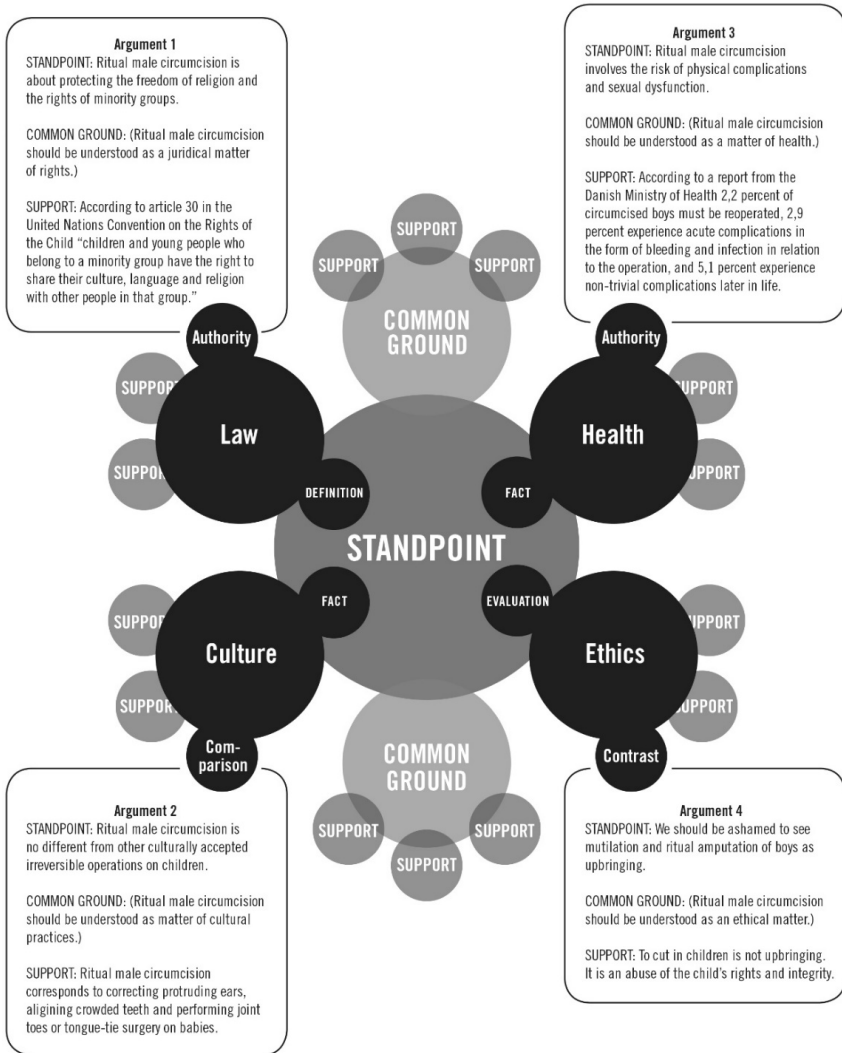
Figure 2: Arguments from the Danish debate about ritual male circumcision

If we read figure 2 inside out, we see how each of the four arguments shows its own unique combination of topoi. I call this the *topical path* of the argument. Argument 1, e.g., combines a *standpoint of definition* with a *common ground of law* and a *support by authority*, while argument 3 on the opposing side combines a *standpoint of fact* with a *common ground of health* and a *support by authority*. The two arguments share authority

as support, but the authority is derived from different common grounds—law and health, respectively—and, hence, display two different topical paths. The same goes for argument 2 and 3, which share fact as standpoint but are connected to different common grounds—culture and health, respectively.

The common ground is not stated in any of the displayed arguments (as indicated by the parenthesis), but it serves as the hermeneutic link between the standpoint and support elements in the arguments. In each of the four arguments, the common ground provides a normative interpretation of ritual male circumcision that is reflected in one or both of the other two elements. In argument 1 and 3, the chosen common ground is reflected in both the standpoint and support element in words like "rights", "convention", "physical complications", and "health", whereas in argument 2 it is reflected in the standpoint ("culturally accepted"), and in argument 4 in the support element ("abuse" and "integrity"). In that sense, each of the arguments is combined and controlled by the common ground. As an authority, The United Nations Convention on the Rights of the Child supports an interpretation of circumcision as a matter of law, while a fact about physical complications supports an interpretation of circumcision as a matter of health. The argumentative use of experts and facts—like definitions, comparisons, and contrasts—are always 'founded on' and 'found within' the chosen common ground.

The interpretative act involved in the arguments becomes even clearer when we read the figure from above. From this angle, the connection revealed in the topical paths of each argument is replaced with a multidimensional topical landscape of contrasting and competing common grounds. It becomes clear that the common ground element in the model is the home of what Fogelin has described as "deep disagreement". According to Fogelin (2005, 8): "We get a deep disagreement when the argument is generated by a clash of framework propositions". Kock (2011, 88) refers to this clash as "incommensurability", which "implies that it cannot be objectively determined whether one or the other norm should have priority because the relevant norms belong to different dimensions". Whether ritual male circumcision is understood and

debated as a matter of law, culture, health, or ethics is a result of the individual arguer's normative choice.

When used analytically like this, the rhetorical-topical argument model becomes a tool for "mapping" existing arguments in a debate. For the analyst, it provides a rhetorical-topical picture of the complex "polylogical" (Lewiński and Aakhus, 2013) nature of public debate that shows arguers' competing persuasive efforts to control audiences' topical orientation. For the arguer, the mapping of existing arguments in a debate provides a valuable overview of what places are already occupied in a debate and what places constitute virgin argumentative land. This analysis can be a fruitful first step before engaging in the process of systematically inventing a persuasive argument in recurring debates.

Conclusion: The Rhetorical Place(s) of Argument Invention

Coming to an end, I hear a possible objection: Isn't the rhetorical-topical argument model just a more complex version of the Toulmin model, consisting, essentially, of the same main elements? When I, over the years, have presented the rhetorical-topical model, I have met the inclination to compare the three elements of the rhetorical-topical argument model with the elements of the Toulmin model—comparing standpoint with claim, common ground with warrant, and support with data. I understand the inclination. It is only natural to compare the new to the known. The differences between the two models, however, are fundamental. Apart from the most obvious differences in the reordering, multiplication, and naming of the elements, there are two major differences between the Toulmin model and the rhetorical-topical argument model. The two differences are mirrored in the two possible readings of the headline for this conclusion—the singular and the plural version of the word place. The two readings, at the same time, sum up the double purpose of this chapter.

The first purpose concerns *the rhetorical place of argument invention*. This emphasizes the difference between Toulmin's

logical approach to argumentation and a rhetorical approach to argumentation. As we know from a famous passage in Cicero's *Topica* (6): "Every systematic treatment of argumentation has two branches, one concerned with invention of arguments and the other with judgement of their validity". As a logical argument model, the Toulmin model is designed to evaluate the validity of arguments, whereas the rhetorical-topical argument model is designed to invent them. The Toulmin model is a tool for the critic; the rhetorical-topical argument model is a practical tool for the arguer. The Toulmin model focuses on argument as a product containing an inference; the rhetorical-topical model focuses on argument as a process of invention to create adherence. Hence, the rhetorical-topical argument model stresses that the unique place marked out for rhetoric in argumentation theory is a place of argument invention.

The second purpose of the chapter concerns *the rhetorical places of argument invention*—in the plural. This emphasizes the *topical* difference between the Toulmin model and the rhetorical-topical argument model. When, in 1982, Toulmin claimed that he "had rediscovered the topics of the *Topics*", he implicitly admitted to a narrow understanding of the topics. What Toulmin found in Aristotle's dialectical work on argumentation was a catalogue of acceptable inferences—a list of ways to guarantee the transition from data to claim. Thereby, topical thinking becomes a matter of inference related to the warrant element in the Toulmin model. This differs from the pluralistic and productive understanding of the topics found in the rhetorical tradition. The rhetorical-topical argument model makes visible what is hidden by the Toulmin model: the series of strategic choices between different places involved at each step of building a persuasive argument. These choices are guided by different understandings of what a place is, compiled in different kinds of rhetorical topoi catalogues. The rhetorical-topical argument model exploits and synthesizes the conceptual richness of the metaphor of 'place' found in the rhetorical tradition by relating different meanings and different topoi catalogues

to different steps in the process of argument invention—from formulating a standpoint to establishing common ground and finding compelling support. When the topics are understood heuristically as a productive method for argument invention it is possible to embrace the multifaceted nature of the topical method and the language of places.

I do not claim that the rhetorical-topical argument model represents the correct reading of the rhetorical topical tradition. My reading of the topics, like every reading of the topics, is eclectic and driven by a purpose. I have wished to present a techne-rhetorical reading of the topics that approaches argumentation from the point of view of the arguer and treats the topics as a heuristic tool to invent persuasive arguments. From this particular perspective, the model offers *one* possible way to combine different understandings of the topics found in the rhetorical tradition.

The rhetorical-topical argument model does not render the Toulmin model—or any other logical argument model—irrelevant to rhetoricians. The Toulmin model will still be a useful tool for critical "dissection" and "testing" actual arguments—as Brockriede and Ehninger suggested. But since "the invention of arguments is by nature prior to the judgment of their validity" (Vico 1709/1990, 14), the rhetorical-topical argument model precedes Toulmin's model. We must build the argument before we can evaluate it.

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