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# TOWARD A CIVIL DISCOURSE

## RHETORIC AND FUNDAMENTALISM

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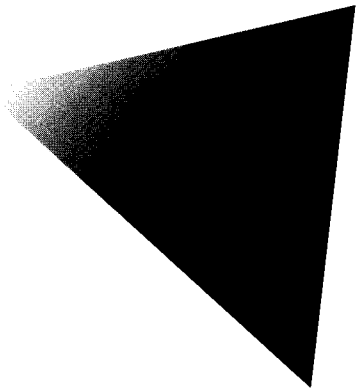

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# SPEAKING OF RHETORIC

Rhetoric is a very old art. Conceivably its practice began when human beings learned to talk, and surely when they discovered differences of opinion. Theories of rhetoric developed in the West as early as the sixth century BCE, and rhetoric was studied in Western schools from ancient times through the Renaissance. Throughout this long period it was taught to men (and on rare occasions women) who were positioned to become leaders in their communities. Rhetoric is useful to communities because those who practice it—here called "rhetors"—can find ways to alleviate disagreement; those who study it—here called "rhetoricians"—try to understand why disagreement occurs so they may help rhetors figure out how to alleviate it. Granted, rhetors sometimes deliberately obfuscate or mislead, and sometimes they foment or intensify disagreement. This fact does not undermine the usefulness of rhetoric itself, however. In *On Rhetoric* Aristotle notes that all good and useful things, such as "strength, health, wealth, and military strategy," harbor the potential for harm, "for by using these justly one would do the greatest good and unjustly, the greatest harm" (I.1.1355a). In other words, ethical risk is involved in the use of any powerful art or attribute. The power of rhetoric lies in its discrimination of a conceptual vocabulary and a set of discursive strategies that allow those who are familiar with it to intervene fruitfully in disputes and disagree-





ments. Risk is entailed when access to rhetorical power/knowledge is unevenly distributed within a polity.

Charles Sears Baldwin, an early twentieth-century historian of rhetoric, depicted the Second Sophistic (100–400 CE) as a period during which rhetoric was degraded because Roman emperors allowed no space for political disagreement. After the assassination of Julius Caesar in 44 BCE a series of emperors assumed power over the former republic of Rome. They ruled the vast Empire and the citizens of Rome alike with a mixture of guile, repression, and strategic assassination. The ruthlessness of these regimes had a chilling effect on rhetorical practice. Tacitus remarks in his history of the Imperial period that "the rising tide of flattery had a deterrent effect. . . . The reigns of Tiberius, Gaius, Claudius, and Nero were described during their lifetimes in fictitious terms, for fear of the consequences" (31). Nearly two thousand years later Baldwin summarized what happens to rhetoric when it cannot be tied to civic deliberation: "sophistry is the historic demonstration of what oratory becomes when it is removed from the urgency of subject matter. Seeking some inspiration for public occasions, it revives over and over again a dead past. Thus becoming conventionalized in method, it turns from cogency of movement to the cultivation of style" (15). Today historians of rhetoric might quarrel with Baldwin's negative assessment of sophistry. But his point still holds: rhetoric cannot thrive in polities where open disagreement is discouraged.

During the American colonial and revolutionary periods rhetoric was taught to everyone who entered a school or college; its study and practice were required at Harvard College, for example, from its founding in the early seventeenth century. Samuel Eliot Morison claims that "rhetoric, studied from classical texts, manuals, and collections of *flores*, and practised constantly by declamation in English and Latin, taught [students] how to speak and write with 'clearness, force, and elegance'" (30). However, instruction in rhetoric faded from school curricula in the late nineteenth century and is no longer readily available. It is increasingly hard to find professing rhetoricians in American colleges and universities, where rhetorical studies resides at the margins of communication and English departments. In civic spheres rhetoric is held in such low esteem that it is often taken to be part of the problem rather than its cure. I refer of course to the view that rhetoric is somehow false or unreal, that it gets in the way of meaningful discussion. Today rhetoric, a formidable art of persuasion studied by Aristotle and practiced by Cicero, is identified with "spin." Spin

is what people spout when they want to cloud the issue rather than clarify it, or when they have nothing of consequence to impart but are expected to speak nonetheless. Spin interprets facts in a light favorable to the interpreter, and its practice implies that facts may be unintelligible or even dangerous if encountered unspun.

Rhetoric is something else altogether. Ancient rhetoricians conceived of rhetoric as an art of invention.[1] They taught their students how to find and use arguments made available by the cultural contexts that give rise to disagreement, firmly grounding their instruction in issues arising within the arena that Chantal Mouffe calls "the political." When rhetoric-as-invention was widely taught in American schools, impassioned oratory sparked movements such as abolition and women's suffrage. Today fine oratory can still be heard on occasion. Al Sharpton's speech at the 2004 Democratic convention powerfully reminded his audience of the price African Americans have paid for the right to vote: "Mr. President, the reason we are fighting so hard, the reason we took Florida so seriously, is our right to vote wasn't gained because of our age. Our vote was soaked in the blood of martyrs, soaked in the blood of Goodman, Chaney, Schwerner, soaked in the blood of four little girls in Birmingham. This vote is sacred to us. This vote can't be bargained away. This vote can't be given away. Mr. President, in all due respect, Mr. President, read my lips: Our vote is not for sale" (http://americanrhetoric.com). Reporters who interviewed Sharpton after his speech either did not know or did not care about the history he invoked. They worried instead that he had used more than his allotted time. And so they spun Sharpton's artful and moving rhetoric into irrelevance.

I think that the cultural invisibility of rhetoric, conceived as an art of invention, bears a dialectical relation to Americans' current unwillingness to disagree. We dislike disagreement because it seems to invite discord. But discord is inevitable if we don't know how to resolve civic issues with at least a modicum of civility. Because rhetoric is no longer widely studied, Americans may not know that it is possible for anyone to find arguments other than those that rehearse exhausted canards and follow well-worn paths. And if they do suspect that alternative arguments have been drowned out by spin, they still may not know how to find them. If Americans do not know how to invent arguments, if they do not know that they can discover alternatives to the positions defined by powerful people and institutions, democracy is indeed in trouble.



## Rhetoric as Invention

Michael Billig notes that attempts to define rhetoric are complicated by the fact that the term is ambiguous, insofar as it is "both the means of inquiry and its object" (*Ideology* 23). But the word *rhetoric* contains yet other ambiguities insofar as it refers to generalizations about rhetoric (what I call "rhetorical theory"), as well as to the body of arguments that are made within a given discursive situation (as in "there was more rhetoric from the White House today"). Because this last usage participates in the degradation of rhetoric as evasive, deceptive, or empty, I use the word *rhetoric* to refer to theory or practice rather than to a body of arguments about a specific issue. I also resist the popular sense of school rhetoric that reduces it to lists of rules governing grammar, usage, sentence composition, and delivery. Rather, I adopt Aristotle's definition of rhetoric as "an ability, in each case, to see the available means of persuasion" (*Rhetoric* I.2.1355a). I prefer this definition because it emphasizes the art of finding or discovering arguments. The definition also ties rhetoric to culture by locating the need for it within disagreements that arise in the course of events and by locating the available arguments themselves within those events. As ancient rhetors such as Gorgias and Cicero argued in theory and personified in practice, any art or practice entitled to be called "rhetoric" must intervene in some way in the beliefs and practices of the community it serves. Hence any rhetorical theory must at minimum formulate an art of invention, as Aristotle did; furthermore, the arguments generated by rhetorical invention must be conceived as produced and circulated within a network of social and civic discourse, practices, images, and events.

Despite the necessity that rhetorical practice be located in specific times and places, it is nonetheless possible to synthesize more general observations about the operation of rhetoric. Aristotle thought this was best done by observing the work of successful rhetors (*Rhetoric* I.i.1354a). In Aristotle's Greek the verb *theorein* literally means to "observe from afar"; it refers to someone sitting in the topmost row of the theater. A theorist is the spectator who is most distant from the scene being enacted on stage and whose body is thus in one sense the least involved in the production but who nonetheless affects and is affected by it. The implication is that while theory lacks the immediacy of practice, its distance from events permits a wider-ranging view. And theory need not be thought of in its modern senses of representation or prediction. Janet Atwill points out that the

Greek term carries overtones of "spectacle," and so "the 'representation' related to *theoria* is more appropriately identified with a situated, temporal performance than with the reproduction of a concept or 'idea'" (79). That is to say, a theory is itself a performance, a doing, or an act that recalls a constructed set of other performances. This is the spirit in which Gorgias may be thought to have produced theory: he instructed his students in the art of rhetoric by repeatedly performing instances of it for them. Another way to put this is to say that theories are rhetorical inventions: depictions or assessments produced by and within specific times and locations as means of opening other ways of believing and acting.

The practice of rhetoric continues apace whether or not scholars or theorists pay any attention to it and whether or not practitioners know that they are, indeed, engaging in rhetoric. However, attention to rhetorical theory can affect the quality of practice insofar as theory articulates and disseminates alternative strategies of invention into the culture at large, particularly if these are taught in school. The attempt made here to demonstrate the importance of a vigorous rhetorical theory to the maintenance of civil society is motivated by my concern about the currently hostile climate toward open, careful discussion of important political and social issues.

## Disagreements, Threats, Coercion, and Violence

Currently participants in civic discussions appear reluctant to submit their claims to the risk of argument. Opposing claims are ignored rather than engaged. Take, for example, the long-running refusal of partisans in the disagreement over legalized abortion to debate their opponents' positions (Condit; Hunter). Pro-choice advocates take as their major premise a proposition about the political rights of women; pro-life advocates, on the other hand, conduct a metaphysical or theological argument about the beginning point of life. (This disagreement is of course an instance of the hegemonic struggle between liberalism and fundamentalist Christianity.) Pro-lifers seldom confront the issue of whether women have the right to make decisions about their own reproductive choices. Pro-choicers have proven somewhat more willing to engage the pro-life argument that characterizes life as beginning at conception, usually by arguing that a fetus is not a person until it can survive without its mother. However, many pro-choicers see the issue of when life begins as irrelevant to this disagreement, which they take to be political rather than metaphysical.

An ancient teacher of rhetoric would have realized immediately that



this disagreement is not in stasis; that is, its participants do not agree on the point about which they disagree, and hence two different and incompatible arguments are being mounted.[2] Unless stasis is reached, debate about abortion rights cannot become an argument, and until argument begins, no nonviolent resolution can occur. Argument entails the exchange of claims and evidence about a disputed position; minimally it requires an advocate to recognize that an opponent has a position on the issue at hand. Recognition of opponents as people who hold viable positions, whether these are acceptable or not, is entailed in Mouffe's call for political agonism and in Atwill's claim that rhetoric requires willingness to be addressed by an other. That is to say, argument minimally requires an advocate to acknowledge that his or her claim is controversial. Ethically speaking, if participants in a dispute do not formulate the position about which they disagree, the necessary respect for an other may not be in play, and neither the conduct nor the outcome of the argument may be just. Rhetorically speaking, if stasis is not achieved, each side may generate all the evidence in the world to support its claims and yet never engage in argument.

Pro-lifers have occasionally felt sufficiently secure, rhetorically, to refer to themselves as "anti-choice," a formulation that does put the disagreement into stasis because it acknowledges the existence of the chief opposing claim. If they were to engage pro-choicers on this ground, headway toward agreement might be made. In the present discursive climate, however, it is not in their interest to articulate the arguments that follow upon an anti-choice claim—that women, by virtue of their gender, do not have (liberal) rights to privacy and freedom. And so it is unlikely that pro-lifers will move very far past anti-choice sloganeering, at least in public venues. On the other hand, pro-choicers cannot refer to themselves as "anti-life" and win adherents, although their opponents cheerfully characterize them in just that way. In 2003 the debate over legal abortion observed its thirtieth anniversary as a centerpiece of American public discourse, and while its participants' tactics have changed over this period of time, their major premises have not. No doubt this disagreement has failed to achieve stasis because both sides know that counterclaims to the positions they have taken up are extremely unattractive. And while the argument is stalemated, the tactics of pro-life partisans have escalated toward violence, including harassment of patients and the murder of providers (Reiter). The stakes of the disagreement over abortion have become very high indeed, and its continuing failure to achieve stasis can only exacerbate this situation.

There are many reasons why disagreements do not mature into ar-

gument. As I suggest above, partisans may not know that it is possible to frame propositions in such a way that a disagreement can achieve stasis and hence open the possibility of exchange. Or perhaps no party is willing to do the hard intellectual work that is necessary to construct refutations of the premises put forward by another. My students tell me that they do not argue about politics or religion because they do not wish to risk losing. Since they readily associate loss of an argument with the state of character they call "being a loser," they preserve their integrity by refusing to engage in argument at all. Another possibility is that participants in a disagreement actually enjoy prolonging it—disagreement engages emotions such as anger, after all, and indulgence in anger may give pleasure to some people. In the case of the disagreement over abortion rights, I suspect that activists on all sides of the issue insufficiently respect their opponents. Equally likely though, people do not enter into argument because they do not wish to risk having their minds changed. Argument entails this risk because of its requirement of exchange.

Anyone who supported America's invasion of Iraq in 2003 certainly had many available means of persuasion ready to hand, arguments helpfully supplied by the Bush administration: we made war in order to free the Iraqi people from tyranny and to give them a chance to become self-governing; because Saddam Hussein was stockpiling weapons of mass destruction; because his regime supported terrorists, and so on. At the time the incident at the peace vigil took place, polls showed that nearly three-quarters of Americans supported the war, and surely these arguments were circulating within nearly every community in America (indeed, they continued to circulate long after facts had shown them to be untenable). With all of these means of persuasion available, then, why would someone who supported war feel moved to shout insults at people standing quietly on a street corner as an act of protest against war? Granted, the insult itself contained an argument: the instruction to "suck Saddam's dick" can follow as a conclusion to an *enthymeme* whose major premise is something like "Anyone who protests the war supports the enemy."[3] However, the premise was clearly faulty on empirical grounds available at the time. Polls showed that most Americans, even those who opposed war, thought that the Iraqi dictator's regime was intolerable; hence it was unlikely that the protestors sympathized with Saddam Hussein. Moreover, one can oppose war on grounds that have nothing to do with specific political aims—pacifism, sorrow over the death and destruction caused by war, fear of reprisals, concern about costs, and so on. But the person who delivered the insult clearly



was not aiming to enter into argument with the vigilants. More likely the intent was to belittle by queering or feminizing them. The vehemence with which the insult was uttered may have been calculated to frighten them into halting their protest altogether.

People sometimes resort to intimidation and harassment, rather than rhetoric, when their beliefs are challenged by their recognition that others hold differing beliefs. The liberal rights to freedom of speech and freedom of assembly are commonplaces in American discourse, no matter how frequently these rights are violated in practice. Their articulation within our common discourse exerts ideological force on all Americans, even on those who would deny these rights to others. If the anger expressed during the encounter at the peace vigil did in fact indicate uneasiness or awareness of contradiction between one belief system and another, rhetoric could, perhaps, still find room to operate in this instance and others like it. On the other hand, people who utter threats and insults may not care about persuading others; they may wish, rather, to force behavior or speech that offends them to disappear, even if this means that those who hold or represent countering positions must be silenced or, in extreme cases, made to disappear along with their dissenting views. In such cases their need for assent or silence overwhelms ordinary standards of civility and ethics. Raphael Ezekiel, author of *The Racist Mind,* talked with neo-Nazis and Klansmen so frequently and listened to them so sympathetically that some members of these groups began to receive his visits warmly. Despite their apparent fondness for him, Ezekiel's informants rudely and repeatedly called him "kike" and "Jewboy" while in conversation with him (12, 22). And the cases of Eric Robert Rudolph and Paul Hill affirm that extremist pro-lifers are willing to use murder to end practices with which they disagree, despite the fact that shooting abortion workers and bombing women's clinics endanger the lives of "the unborn" in whose interest they claim to act (Mason 46).

The coercive goal of violence is deterrence. This makes it very different from rhetoric, where the goal is persuasion. Rhetoric has little chance of curbing the actions of people who are willing to commit murder in order to quell dissent or halt practices of which they disapprove. Violent tactics are used precisely when persuasion cannot be achieved by some other means. Victims of torture are forced by the administration of pain to conform to the torturer's desire, but this does not mean that they have, necessarily, been persuaded to accept that desire.[4] Throughout Western history the relation of torture to truth-telling has been contested (DuBois). And

in the wake of the Abu Ghraib prison scandal, FBI interrogators claimed that torture does not achieve the goal of truth-telling because those who are subjected to it will say anything required of them. The achievement of persuasion by means of torture is equally uncertain. A torturer can convince victims to defect or to act in support of a new cause only by means of repeated threats or the enactment of additional violence, and while victims can be forced to cooperate this does not mean they will continue to do so once they are out of danger. Terrible acts of violence may, in fact, stimulate opposition from those who would otherwise remain passive or unaligned. Few Americans knew or cared about Al Qaeda prior to the events of September 11, 2001, but the group has since become the ostensible object of a massive "war on terror."

Rhetoricians have argued for centuries about whether verbal coercion (including the force of law, threats, and harassment) falls within the realm of rhetoric.[5] I suggest that it does not. Even if the arousal of fear or shame or the threat of incarceration or violence succeeds in silencing dissenters, it is hard to grant that persuasion has taken place. If the name-calling and the insults hurled at the peace vigilants actually did silence them or cause them to disperse, for example, there is nonetheless no guarantee (and no evidence) that these tactics moved any vigilant to change his or her position on the war. What I have just written about threats and coercion must be qualified by consideration of the power relations that obtain in a given case, however. A child who eats her broccoli because she has been threatened with early bedtime if she does not do so does indeed comply with a parent's desire; this does not necessarily entail that she has been persuaded that broccoli tastes good or is good for people, or that she ought to do whatever she is told. The child complies because the alternative is worse. In this case she and the parent are not engaged in argument because the parent has not recognized, or better, legitimized, her dissent. When the child is no longer on the downside of family power, if she truly does not like broccoli she will eat it only if some argument has persuaded her to do so, unless of course she is constrained by some other power relation, and assuming as well that she has not gotten into the habit of eating broccoli because of repeated commands to do so (see chapter 3).

Persuasion is often thought in a very narrow sense to mean convincing someone that her position is wrong or that someone else's position is right. Ideally, however, all parties to an argument risk alteration of their positions as argument proceeds, and it is hard to know what winning or losing might mean in such a situation. That is to say, arguments can't be



"won" in the way that basketball teams win games, because there are no rules or principles that can determine what "winning" means in argument as there are in basketball. If I succeed in persuading you to change your mind about the injustice of preemptive war, for example, I have not "won" much of anything except your (perhaps temporary and lukewarm) adherence to this position. And by entering into argument with you, I put my own position at risk; during argument you may in fact convince me that in this or that particular case a preemptive war was just, in which case I must qualify my original claim. You can read this as a "win" if our relationship is competitive for some reason, and I suppose in this circumstance "victory" in an argument provides satisfaction similar to that achieved when, for example, the Phoenix Mercury finally wins a game. That is to say, just as we may extrapolate from "My team beat yours" to "My team is better than yours," we may extrapolate from "You accepted my claim" to "I am smarter than you." This is exactly why my students say they do not engage in argument. However, unless participants in arguments are keeping score for some reason involving power relations that may or may not have anything to do with the argument at hand, "winning" an argument is not a permanent achievement. If I convinced you to entertain a new position that somehow requires you to alter your belief system in some more extensive way, you may not retain it. You may also adhere to it for reasons other than those I forwarded during our argument. Or you may see that your new position opens up lines of argument that I had not foreseen. Because of its requirement of exchange and its potential for change, then, argument seldom culminates in a decisive win or loss.

In politics, to be sure, "winning" an argument can be thought of in terms of success in implementing or overturning policy. Currently pro-life advocates are changing policy by electing or appointing believers to legislatures and the judiciary rather than by trying to convince opponents. But this strategy, clever as it is, is limited by the finite number of believers who can be put into policy-making positions. As I write this chapter, a ban on the medical procedure that pro-life advocates refer to as "partial-birth abortion" has just been passed into federal law. Pro-lifers hope that this is a step toward outlawing abortion altogether. However, at the very moment the president signed the legislation, district judges filed injunctions against its enforcement (Entous). This example illustrates that in a democracy there is always more to say about policy as long as all members of the polity remain unpersuaded of its efficacy. In 1973 justices of the Supreme Court were persuaded that women's claim to citizenship entailed their right to

reproductive choice, and they overturned bans on abortion that were then in place. Today a majority of legislators and judges have yet to be convinced of the legitimacy or justice of overturning *Roe v. Wade,* although pro-life advocates have managed to outlaw other medical procedures and pharmaceuticals that they define as abortion. More generally, while a majority of Americans are apparently made uncomfortable by the practice of abortion, they remain as yet unconvinced that curtailment of abortion rights is either justified or right. Until a preponderance of legislators accepts some claim that denies reproductive choice to women, then, the available resorts for determined pro-lifers include continued argument, on the one hand, or intimidation and violence on the other.

## The Limitations of Liberal Rhetorical Theory

If rhetoric is to be practiced usefully and responsibly, it must be rescued from its current reputation as a strategic art of deception. Ironically rhetoric now needs an agent and better public relations. Its importance and usefulness must be made clear to activists, scholars, and citizens who need it in order to find their way through a thicket of competing claims and to pursue the work of political and social change. My attempt to rehabilitate rhetoric begins with a meditation on its modern history.

Despite its contemporary low profile, for at least two thousand years of Western history rhetoric was consciously deployed by influential political actors to gain sought-after ends, and the art itself was studied by thinkers who are today identified with other fields of study. A list of influential figures who studied or taught rhetoric includes Aspasia, Plato, Diotima, Aristotle, St. Augustine, Catherine of Siena, Erasmus, Francis Bacon, Queen Elizabeth I, Vico, Adam Smith, and Nietzsche, among others. Henri Marrou's description of the relation of rhetorical study to public life during the Hellenistic period applies equally well to educated men and (a few) women through the Renaissance: "The truth is that there was no end to the study of rhetoric. . . . There was no boundary between the schools and the life of letters—a man of letters went on composing declamations . . . all his life, and the transition from school exercise to public lecture took place imperceptibly" (204). Despite its longstanding centrality to Western culture, however, rhetorical theory suffered a series of insurmountable intellectual challenges with the triumph of modernity, so much so that during the late nineteenth century rhetoric virtually ceased to be studied in European and American schools and colleges. Its disappearance at that point marked its



first absence from Western curricula since the third century BCE. Marrou explains its disappearance by questioning the intellectual sophistication of modern thought: "for us moderns, rhetoric means artificiality, insincerity, decadence. Perhaps this is simply because we do not understand it and have become barbarians ourselves" (204). Other historians of rhetoric mourn the comparative anemia of modern rhetorical theory. Vincent M. Bevilacqua, for example, laments that "the modern scientific study of rhetoric has proven both vapid and fruitless. . . . Modern . . . rhetoric has in the main delineated the measure of all things while perceiving the meaning and value of nothing" (28). Brian Vickers depicts modern distaste for rhetoric by citing an analogy from Wilhelm Busch: "we like cheese well enough, but we still cover it up" (vii).

History does not always accommodate tradition, particularly a tradition so ancient as the study of rhetoric. Rhetorical study was already five centuries old when Cicero used rhetoric to alert the Roman Senate to Caesar's ambition. Some seventeen hundred years later it did not readily adapt to the sweeping changes ushered in by two of the major intellectual achievements of modernity: liberalism and science. Liberal and scientific thinkers located invention in encounters between individuals and nature rather than in the common language of the polity (Crowley, *Methodical*). In modern rhetoric, then, the quality of invention would depend upon the quality of the mind that produced it rather than on the quality of the arguments made available by language and culture, as ancient rhetoricians had maintained.

Eighteenth-century rhetorical theorists adopted a liberal notion of the subject and installed that subject as the source of rhetorical invention in place of ancient topical strategies. In his hugely popular *Lectures on Rhetoric and Belles-Lettres* (1783), for instance, Hugh Blair advised his students to lay aside their commonplaces, trusting instead to their native genius and study of the empirical world in order to generate arguments (2: 401–2). Commonplaces were a central feature of ancient thought about invention, where it was assumed that rhetors found arguments and proofs in the circulation of language-in-use. Having rejected these tactics as artificial, however, Blair and his contemporaries looked for a new source of authority for invention, and they found the liberal subject—that free and sovereign individual who can think his way through disagreements by resorting to reason and who authorizes the results of his investigation by appeal to his very ability to reason. I use the masculine pronoun here because the liberal subject is coded as masculine (Hirschmann). Despite its exclusiveness, this

model of subjectivity is attractive because it depicts rhetors as in control of the production and reception of language, movements, and gestures. Liberal rhetorical theory presumes that rhetorical activity occurs in the following way: a free, knowing, and sovereign agent is moved by circumstances to survey the landscape; develop appropriate arguments concerning it; clothe them in persuasive language; and repeat them to an audience of equally free, knowing, and sovereign subjects who hear/read without impediment or distortion.

Postmodern thought has of course called the liberal subject into question, and it has expressed reservations about the representational capacity of language as well. But liberal rhetorical theory also has inherent shortcomings that severely limit its potential as a means of adjudicating disagreement. First, it takes understanding as its primary goal, and because it privileges understanding it can elide the possibility that audiences who grasp a rhetor's message perfectly well may nevertheless resist it. Second, liberal thought separates values from reason. Alison Jagger characterizes this second move as follows:

> For both the Greeks and the medieval philosophers, reason had been linked with value insofar as reason provided access to the objective structure or order of reality, seen as simultaneously natural and morally justified. With the rise of modern science, however, the realms of nature and value were separated: nature was stripped of value and reconceptualized as an inanimate mechanism of no intrinsic worth. Values were relocated in human beings, rooted in human preferences and emotional responses. The separation of supposedly natural fact from human value meant that reason, if it were to provide trustworthy insight into reality, had to be uncontaminated by or abstracted from value. Increasingly, therefore, though never universally, reason was reconceptualized as the ability to make valid inferences from premises established elsewhere, the ability to calculate means but not to determine ends. (130)

In the liberal dispensation values were associated with emotional responses, and both were consigned to the sphere of individual human perception. Reason remained the vehicle of public discussion and debate because it presumably worked in the same way for everyone, or at least for everyone who was presumed eligible to participate in the public sphere.

The gendered quality of the distinction between disembodied public reason and private, passionate evaluation should be apparent. In his history of liberalism Anthony Arblaster argues that the liberal account of reason was worked out as a means of adjudicating competing desires, and



in Western thought desire is unfailingly associated with women (35; Butler, *Subjects*). Liberal thinkers tried to eliminate the impact of passion and interest in public debate by rendering empirically based reasoning as the only legitimate means of assembling evidence and drawing conclusions. Such reasoning was conceived as a means of manipulating information, and this process or method was thought to be common to everyone who was defined as having legitimate access to civic discourse (that is, propertied men). In this model the information received from sensation (that is, from experience) did differ from person to person depending on individual life circumstances. Individual experience was in part constituted by emotional response as well, and emotional responses were thought to determine values. The differences in perception and belief stemming from individual personal experience could be mitigated in public debate if each individual subjected his sensory impressions and emotional responses to the operations of reason. That is to say, arguments or claims based on moral and emotional commitment had to be subjected to reason in order to make them legible and hence useful to others.

In liberal epistemology understanding means something like "grasping by means of reason." In the second part of his *Essay Concerning Human Understanding* (1694), "On Ideas," John Locke treats understanding as the combination and recombination of ideas drawn from perception and manipulated by the operations of reason. In the final section of the treatise he defines reason as "the discovery of the certainty or probability of such propositions or truths which the mind arrives at by deduction made from such ideas, which it has got by the use of its natural faculties; viz. by sensation or reflection" (IV.xviii.2). Locke consistently found that nonrational sources of belief, such as faith, were inferior to reason in regard to the level of certainty accruing to each. He defined faith as "the assent to any proposition, not thus made out by the deductions of reason, but upon the credit of the proposer, as coming from God, in some extraordinary way of communication. This way of discovering truths to men, we call revelation" (IV.xviii.2). Locke followed Protestant usage in his discussion of revelation, installing awareness of divine revelation within the individual mind rather than in a tradition of interpretation. In addition, he distinguished an authentic, divine revelation from merely human "enthusiasm," which he characterized as the "ungrounded fancies of a man's own brain" (IV.xix.3). Enthusiastic "impulses" and "conceits" arose from "a warmed or overweening brain" that worked "in concurrence with . . . temper and inclination" so that persons afflicted with enthusiasm insisted that they

"cannot be mistaken in what they feel" (IV.xix.7, 8). The danger of enthusiasm, for Locke, was that revelations fostered by it cannot be warranted by anything other than an individual's intuition of their rightness.

In this model of human understanding, then, thought becomes thoroughly internalized and individualized. One may be suspicious even of claims based on divine revelation, given that individuals who lay claim to divine authority have no way of distinguishing godly revelation from merely human enthusiasm—aside from their own conviction that they have been so favored. Locke was equally suspicious of the persuasive power of "the passions": "Let ever so much probability hang on one side of a covetous man's reasoning, and money on the other; it is easy to foresee which will outweigh. Earthly minds, like mud walls, resist the strongest batteries: and though, perhaps, sometimes the force of a clear argument may make some impression, yet they nevertheless stand firm, and keep out the enemy, truth, that would captivate or disturb them. Tell a man passionately in love that he is jilted; bring a score of witnesses of the falsehood of his mistress, it is ten to one but three kind words of hers shall invalidate all their testimonies" (IV.xx.3). In this view emotions can hamper the operations of reason and get in the way of truth.

George Campbell likewise separated reason or understanding from other intellectual processes such as evaluation and commitment. At the outset of *The Philosophy of Rhetoric* (1776) he distinguished understanding from persuasion based on their respective appeals to different mental compartments: "All the ends of speaking [that is, of rhetoric] are reducible to four; every speech being intended to enlighten the understanding, to please the imagination, to move the passions, or to influence the will" (1). Campbell assumed, then, that an audience is able to understand or grasp an argument without becoming committed to it or moved to action by its advocacy. His distinction between understanding and conviction was an innovation in rhetorical theory, and his distribution of rhetorical appeals among faculties of mind was a studied departure from ancient rhetorical thought. Ancient rhetoricians had tied the choice of appeal to the situation within which the rhetorical act occurred, taking special care to note the disposition of an audience toward a rhetor's character and the argument. Hostile, weary, indifferent, or confused audiences each bore a quite different relation to a rhetor, and hence each required an approach tailored to the occasion—conciliation, dissembling, or humor, for example.[6] In Campbell's model, however, because understanding is theoretically available to all who can reason, rhetors could appeal to the understanding in



any circumstances where reasonable people were among the projected audience, no matter their prior opinions on the issue being discussed or their assessment of a rhetor's character.

Campbell's discrimination of a distinct appeal to the understanding was enabled by two assumptions made throughout his treatise: that the processes involved in "natural logic" (that is, reasoning) are universally available because they depend on the natural workings of the mind and that language is perfectly representative (61, 216–17). That is to say, any proposition or proof derived by means of reason and expressed in suitably clear language is presumed to be fully present to the understanding of any auditor or reader who is able to exert his or her own rational capacity on its reception. Mathematicians and formal logicians use models of reasoning that meet these criteria. But since Campbell was concerned with ethical and political arguments, which are not governed by well-formed rules of articulation, he was unable to maintain understanding as a pure category. On the very next page of the *Philosophy,* in fact, he enlarges the scope of understanding to include conviction: "When a speaker addresseth himself to the understanding, he proposes the instruction of his hearers, and that, either by explaining some doctrine unknown, or not distinctly comprehended by them, or by proving some position disbelieved or doubted by them. In other words, he proposes either to dispel ignorance or to vanquish error. In the one, his aim is their information; in the other, their conviction" (2). And so now appeals to understanding actually have two aims. Campbell's choice of "conviction" suggests that appeals to the understanding may be resisted by people who hold beliefs that are "in error." At this point he does not say how error comes about, but presumably it arises when someone mistakenly assesses the workings of nature or suffers a lapse in reason. With some difficulty Campbell maintains this distinction between understanding and conviction throughout the *Philosophy* because it buys him something he wants: an argumentative arena that is free of passion. Since full-blown persuasion requires appeals to all four of the faculties (the understanding, the passions, the imagination, and the will), it can be effected only with the assistance of all the bells and whistles accumulated by the ancient rhetorical tradition. The more staid and sober process of securing conviction, however, requires only an appeal to reason.

Campbell does recognize that the achievement of understanding depends on the dispositions of audiences and that as a result it is not entirely within a rhetor's control. But he devotes only one page of his treatise to a consideration of audiences as consisting of "men in particular," that is,

audiences who may not respond to arguments in a wholly or primarily rational fashion: "The difference between one audience and another is very great, not only in intellectual but in moral attainments; that may be clearly intelligible to a House of Commons, which would appear as if spoken in an unknown tongue to a conventicle of enthusiasts. That may kindle fury in the latter, which would create no emotion in the former but laughter and contempt. The most obvious difference that appears in different auditories, results from the different cultivation of the understanding; and the influence which this, and their manner of life, have both upon the imagination and upon the memory" (95). He wisely advises rhetors who are faced with resisting audiences to adjust their appeals to differing "interests," exploiting the passionate commitments of monarchists to "pomp and splendour" and of republicans to "liberty and independence." This passage marks a departure from Campbell's usual insistence that the minds of "men" are universally receptive to rational appeals. He also admits that the "capacity" for rational thought differs among individuals (48). This difference in capacity stems from an audience's "different cultivation of the understanding" or the influence of "their manner of life." In his overtly class-conscious era Campbell readily assumed that life situations might prevent all people from exercising rational understanding in the same ways. But he was careful to separate the role played by "manner of life" in impeding understanding from failures that result from something quite different: a passionate and/or moral reluctance to be persuaded. Lack of understanding requires education; resistance requires a rhetor to pull out all the oratorical stops.

The privilege granted to reason in liberal rhetorical theory serves an important liberal value: tolerance (Arblaster 66–70). Ellen Rooney claims that within liberal rhetorical theory tolerance translates into "an ethic of general persuasion" (58). The possibilities that any rhetor can persuade any auditor, or that any reader is open to persuasion by any text, are articles of faith in this view. As Rooney puts it, liberal rhetoricians "imagine a universal community in which every individual . . . is a potential convert to persuasion" (2). This move constitutes listeners or readers as fundamentally alike at the same time it erases the theoretical possibility that dissent may persist. But of course people do refuse to be persuaded on occasion, and they do so in the House of Commons as well as in conventicles of enthusiasts. Ironically, then, liberal tolerance must be purchased by means of an exclusionary move. To put this in terms congenial to postmodern analysis, tolerance can be achieved only if difference is elided. To put the point bluntly, liberal pluralism harbors the hope that difference can be erased if only everyone will just be reasonable—which means something like "think as we do."



The privilege granted to understanding, as opposed to persuasion, endured into twentieth-century liberal rhetorical theory. I. A. Richards held that rhetoric ought to be a "remedy for misunderstanding," and his own *Philosophy of Rhetoric* (1936) is a compendium of tactics for eliminating roadblocks to perfectly clear communication (3). In *Practical Criticism* (1929) Richards recounts his astonished discovery that students are unable to understand poetry if poems are presented to them without identifying context—who wrote them, when, where, and so on (12). Richards was apparently confident at the outset of his experiment that even very difficult texts would open up to decipherment by any reader. That is to say, Richards had lost sight of Campbell's observation that the quality of one's life circumstances can impede understanding. Holding onto an ethic of general persuasion, he assumed that the ability to read poetry depends on individual capacities for understanding—that is, on native intelligence—rather than on acquaintance with the appropriate contexts, which in this case could have been provided by instruction. Richards's response to his experiment demonstrates that if understanding and reason are posited as universally available, and if language is considered to be a trustworthy representation of "meaning," then failures of persuasion must be theorized as occurring when people do not or cannot use their rational capacities. That is to say, failures of persuasion are due to inadequacies in audiences.

Liberal rhetorical theorists tend to read failures of persuasion across three registers. Such failures may result from what Campbell called "party spirit"—single-minded adherence to a dogma or doctrine whose principles serve as major premises for arguments on any issue. Or an audience may give in to passion, allowing desire to govern reason. This sort of failure occurs when the faculties are wrongly prioritized. A third possible barrier to persuasion may exist in an audience's "manner of life," such as gender, ethnicity, class, or socioeconomic circumstances. Some liberal rhetorical theorists would exclude appeals to life circumstances from the province of argument altogether. Here, for example, is Wayne Booth: "When I reduce your effort to discuss reasons to a mere expression of irrational forces (your id, your class, your upbringing, your inherited language), I make it impossible for you to reply—except, of course, with similar charges. Criticism stops and reductive vilification begins" (*Critical* 259). In this work Booth

assumes that arguments made from a rhetor's life situation are not rational, and hence it is unacceptable to appeal to them as a means of resolving disagreement.

To his credit Booth did not remain satisfied with this position. He begins *The Company We Keep* with the admission that he had once been unable to accept an argument made by Paul Moses and Charles Long, his colleagues at Chicago. Moses had claimed that racism so taints Mark Twain's *Huckleberry Finn* that he was unable to teach the novel, even though it was required reading for undergraduates at the time (3). Moses's warrant about *Huckleberry Finn* derived from his personal experience of white racism, experience in which Booth admits he cannot share. Throughout the nearly five hundred pages that constitute *Company* Booth struggles with the issues raised for liberal pluralism by rhetorical encounters with difference, that is, with resistance to persuasion, and he finally admits that his love for *Huckleberry Finn,* coupled with his respect for Twain's artistry, motivated his own earlier conclusions about its worth (477). He also realizes that his own life circumstances, as a male professor whose ethnicity typically goes un(re)marked, allowed him to assume, initially, that rational arguments on any issue hold the same appeal for everybody. And he acknowledges as well that his initial position was both partial and exclusive insofar as he blamed the incapacities of audiences for failures to understand: Moses's position violated academic norms of objectivity; he must have had such a shoddy education that he could not think "properly" about questions relevant to the worth of a novel, and so on (3). Booth concludes by writing that his estimation of *Huckleberry Finn* "has been turned, once and for all, for good or ill, from untroubled admiration to restless questioning" (477–78). He does not say whether he still requires his students to read the novel, or if he does, whether or not he takes them along the same tortuous critical path he trod in order to reach this conclusion.[7]

Liberals who are less thoughtful than Booth may never come to such conclusions, because liberalism assumes that rational people operate with a kind of understanding that is relatively free of motivation by desire, interest, or life situation. This assumption drove the decision in the Frost case cited by Fish: the "exposure" of children to diverse values need not entail their persuasion to such values. The privilege awarded to understanding in liberal thought simply elides the possibility that a person's nationality, gender, sexuality, ethnic affiliation, religious beliefs, and so on might lead her to refuse someone else's readings of his preferred texts, that such circumstances might indeed lead her to refuse to read some texts at all (if she has the power to enact such a refusal). Liberals cannot admit to failures of persuasion on these grounds because liberalism abhors exclusivity even more deeply than it abhors difference. As Samuel Weber aptly observes, liberalism is that "form of exclusion which, whenever possible, denies its own exclusivity" (46).



Today liberal rhetoricians still hope that appeals to understanding can overcome beliefs stemming from passionate commitment or life circumstances. The word *rhetoric* does not appear in the index of *Democracy and Disagreement,* an ambitious work in political theory that attempts a rhetorical project nevertheless: to resolve the problem of "moral conflict" in American politics. Its authors—Amy Guttmann and Dennis Thompson—accept that disagreement is inevitable when moral and political issues are under discussion. In order to alleviate such disagreements, they devise an approach they call "deliberative democracy" that is intended to help citizens talk their way through conflicts. Its central principle is reciprocity, which "asks us to appeal to reasons that are shared or could come to be shared by our fellow citizens" (14). Their faith in reason and shared understandings sounds familiar enough to readers of George Campbell. In Guttmann and Thompson's work lack of understanding implies that disagreement results from a failure of imagination: people disagree because they cannot grasp the suffering of others. Put positively, the implication is that peaceful resolutions of disagreements can occur if citizens become able to understand the circumstances of one another's lives, can grasp the motives and actions of others with clarity and/or achieve empathy with one another. While I do not doubt that the achievement of understanding would greatly assist the resolution of disagreements, I suffer from a failure of imagination regarding its feasibility in the really hard cases of disagreement that Americans face today. I can imagine no amount or quality of rational deliberation that would convince people who kill abortion providers, tie a dying gay man to a fence, or drag an African American man behind a pickup truck to "understand" the situations of their victims so thoroughly that they desist from such practices. Nor can I imagine myself agreeing that such acts are justified on any grounds whatsoever, even though I have a fairly complete understanding of the belief systems that underwrite them because I too was raised with the discourses of sexism, heterosexism, and racism. I assume that on some level all of us who were similarly raised immediately grasp the motives underlying such horrible acts (see chapter 3). And subscription to dominant ideologies is regularly reinforced in our culture lest anyone begin to see beyond their limits. Proselytizers regularly

knocked on my door while I was writing this book, offering me Bibles to read or red, white, and blue ribbons to wear in order to reinforce my subscription to Christianity and the super-nationalist hysteria that infected the country after 9/11. (I confess that I was not always able to exercise liberal tolerance on these occasions.)

Like liberal rhetorical theorists, I believe that if democracy is to thrive, citizens must negotiate their disagreements with one another. However, I part from liberal belief in at least two respects. I reject the claim that disagreements can be resolved solely by appeals to empirically based reason. It is unlikely that someone who learned in childhood to hate homosexuals will reject homophobia upon being shown statistical, representative, exemplary, or anecdotal evidence that gay people are in fact productive members of society, that they commit fewer crimes than straights, and so on. Nor is such a person likely to be moved by ethical arguments about the partiality of heterosexism or by demonstrations of the discriminatory practices that ineluctably depend from it. Second, I do not expect that full agreement can ever be reached on any issue that concerns a large group of citizens. The liberal hope is that reasoning through difficult issues will somehow allow a consensus to emerge. But the only way to achieve consensus is to discount or eliminate dissent, that is, to quiet or exclude differing points of view. The fact is that the liberal depiction of tolerant deliberation is itself a belief, part of an ideology that rigorously excludes those who value other sorts of proof, such as gut feelings, or who appeal to various sorts of authority, such as faith or tradition or human nature or God, in order to authenticate their claims. I worry that liberal hope for realization of an argumentative ideal such as "deliberative disagreement" covers over a kind of elitist exclusionism at the same time as it forever postpones adjudication of opposing points of view. Given these difficulties, it seems prudent to search for other grounds from which to think about political argument. With that project in mind, I turn to premodern rhetorical theory as a place from which to begin.

## May the Forces Be with You

If liberal rhetorical theorists take the individual mind as their starting point, postmodern theorists emphasize the centrality of language to the construction of human subjectivity. This alteration in focus has been dubbed the "linguistic turn." Postmodern thinkers draw from a surprisingly small list of conceptual vocabularies. Derridean post-structuralism



relies on Saussurean linguistics, as does Lacanian psychoanalysis, which draws from Freud as well. Foucault developed his notion of "discourse" out of his historical studies, as well as the work of Nietzsche, Althusser, and Austin. Theorists of ideology such as Raymond Williams, Stuart Hall, Laclau, and Mouffe are of course indebted to Marx and subsequent thinkers in the Marxist tradition, primarily Gramsci and Althusser, although they too draw on Saussure. Aside from scholarship contributed by rhetoricians, however, the list of exploited vocabularies does not include ancient rhetorics. Work produced by Janet Atwill, Debra Hawhee, Susan Jarratt, Steven Mailloux, Jasper Neel, and Victor Vitanza, among others, suggests that postmodern notions are not incommensurate with ancient rhetorical thought.[8] It appears that scholars outside the field of rhetoric are unaware of the conceptual vocabulary of ancient rhetorics, or if they are aware (as Derrida was), they do not exploit this vocabulary. Goran Therborn, for example, expanded Althusser's discussion of interpellation into a taxonomy that bears a striking resemblance to ancient teaching about invention. He posits that ideologies "subject and qualify subjects by telling them, relating them to, and making them recognize" three modes of interpellations: what exists (and what doesn't), what is good and its oppositions, and what is possible and impossible (18). Under the first heading ideologies tell us "who we are, what the world is, what nature, society, men and women are like." Under the second ideologies interpret what is right, just, beautiful, enjoyable, and so on. And under the third ideologies pattern the consequences of change; in this mode they give shape to "our hopes, ambitions, and fears." Students of ancient rhetorics will recognize the ancient topics of conjecture, quality, and possibility in Therborn's taxonomy. Ray McKerrow makes this association of old and new explicit when he suggests that the modes of interpellation are adaptable to contemporary use insofar as they can "function as rhetorical *topoi* for the defense of a given ideology" (200). Topical theories of invention were featured in both major branches of ancient rhetorical thought—sophistic and Aristotelian—and both traditions located invention within language-in-use—that is, within discourse.

Despite its great age, ancient rhetorical theory has much to offer postmodernity. Postmodern thought requires attention to location and awareness of contingency. Similar theoretical habits can be found in what we know of (or can read into) the work of ancient rhetorical theorists as well, particularly that generated by the Older Sophists. The postmodern turn toward language is also compatible with Aristotle's focus on the invention of propositions and arguments in *On Rhetoric,* and it resonates as well with

what is known (or assumed) about preclassical rhetorical theory. I will argue that Protagoras and Gorgias—who flourished during the fifth century BCE—can be read to have articulated theories of invention that resonate with the linguistic turn. To the extent that such an argument is viable, it follows that ancient and postmodern rhetorics are more similar to each other than either is to modern rhetoric because of their mutual emphases on discourse as a primary source for the construction of human subjectivity. From the point of view of the history of rhetoric, then, modernity is a discontinuity and postmodernity can be characterized as having made not a "turn" but a "return" to the notion that discourse is an appropriate point of entry for theorizing human inscription (Derrida, *Of Grammatology* 15; Sanchez).

However, the great age of ancient rhetorical thought can pose problems to anyone who would reread it in order to construct a contemporary rhetorical theory. For one thing, ancient rhetorics were generated within cultural regimes that were particularly repressive for women and slaves. Some portions of ancient rhetorical thought need rethinking, then, in order to neutralize, as much as possible, the exclusions embedded in it. For another, the conceptual vocabulary invented by ancient rhetoricians is extremely rich, and as a result it generated a long history of commentary and practices in the West. Because of the scope and flexibility of ancient rhetorical thought, rhetorical theory and pedagogy remained indebted to it for over two thousand years, adapting it by selecting and emphasizing the portions—invention, style, or delivery—that were most useful in a given time and place. However, the very weightiness of this tradition invites reification, and this tendency is exacerbated by an equally long history of reduction and simplification of its major terms for use in elementary instruction. For example, a rich legacy of ancient thought about the subtleties and complexities involved in adapting powerful proofs such as *ethos, logos,* and *pathos* to specific rhetorical situations has transmogrified in the school tradition into a bit of formalist lore about the "points" of "the communication triangle." Confronted with the intellectual richness of the rhetorical tradition, on the one hand, and its association with exclusive social practices, on the other, I resort to *bricolage.* With Derrida I recognize "the necessity of borrowing one's concepts from the text of a heritage which is more or less coherent or ruined" at the same time as I take up "the means at hand," which include appropriate reservations about the fit of that heritage with the requirements of the present (*Writing* 285).



A contemporary theory of rhetoric must do more than revive ancient notions, however; it must adapt old notions to address contemporary rhetorical situations. A substantial part of this project involves rereading modern interpretations of ancient concepts.[9] For example: the Older Sophists referred to commonly held beliefs as *doxa,* which term was habitually rendered as "opinion" by nineteenth-century translators. This translation can mislead modern readers because they read within an epistemological tradition that takes opinions to be held by individuals, who can be thought to invent original or unique opinions. And since modern thought privileges reason, which is theoretically available to all, opinion—its uninformed opposite—takes on the flavor of the particular. As a result, opinion has a bad odor. My dictionary of Greek philosophical terms, published in 1967, insistently contrasts *doxa* to *episteme,* noting that the distinction between opinion—"an inferior grade of cognition"—and *episteme*—"true knowledge"—dates back to the Pre-Socratics (Peters 40). However, if we resist the hierarchic implication (attributed to Plato) that associates *doxa* with "mere appearance," and if we resist as well the liberal assumption that opinions are (only) held by individuals, other ancient senses of *doxa* might perhaps be recovered. The first sense of the term listed in Liddell and Scott's lexicon of ancient Greek is in fact "expectation," which is derived from the very source (Xenophon) cited by F. E. Peters in his lexicon (Liddell 209). "Expectation" lends a temporal cast to *doxa,* implying something previously constructed that can, in an event, be met or thwarted. And the second sense of *doxa* emphasizes its communal cast and lends it an affinity to *ethos* (character): "the opinion which others have of one, estimation, reputation, credit, honour, glory." If indeed ancient thinkers can be read as having forwarded a concept of opinion that is both temporal and communal, we arrive at something that can be quite useful to a postmodern theory of rhetorical invention: *doxa* designates current and local beliefs that circulate communally. Read in this way the very old notion of *doxa* is compatible with the results of current research on belief and memory undertaken by psychologists and neurologists, and it also resonates with Pierre Bourdieu's use of *doxa* to name what he calls "enacted belief" (*Logic* 68). (I return to these matters in chapter 3.)

If rhetorical invention is an art of finding arguments made available by and within a situation, as Aristotle suggests in his definition of rhetoric, then potential arguments are thrown up by the circumstances of communal life. That is to say, rhetorical arguments circulate within *doxa.* In this

view rhetorical arguments are always already available; they are simply activated or enlivened within a rhetorical encounter. Jacques Derrida might have said that rhetorical arguments are cited.

This reading aligns with the (supposed) epistemology of Protagoras, who taught that the universe is constituted by the clash of opposing forces (Untersteiner 82). Protagoras believed that these contending forces are made manifest by nature: according to Sextus Empiricus, Protagoras "says that the reasons of all the appearances are present in the matter, so that the matter is capable, as far as lies in its own power, of being everything that appears to everybody" (I.218). The word translated here as "reasons" is *logoi,* which means "words" or "speech" in preclassical Greek (Liddell 477). Contending *logoi* make the world apparent. Protagoras's notorious "man-measure" doctrine makes sense in the context of his epistemology of clashing opposites: human beings perceive and select from among the available multitude of contending *logoi* those that address a particular moment and location. Humans are indeed the "measure" of all things, because it is they who perceive, evaluate, choose, and express from among the plenitude of *logoi* thrown off by things in the world. Sextus Empiricus explains that, according to Protagoras, humans "apprehend different things at different times according to their various dispositions," which can include "differences in age, the question whether one is asleep or awake, and every type of variation in one's condition" (I.218). Janet Atwill argues that because of the plenitude of available *logoi,* Protagoras's "doctrine maintained that subjectivity is contingent on incalculable specificities, encompassing physical perception itself. The dictum challenged static models of both subjectivity and 'reality'" (19). In other words, subjectivities, and our impressions of reality itself, are mobile, various, and contingent on circumstance. The *logoi* that get taken up are also temporal, local, and contingent, although thanks to language (and to writing in particular), upon their articulation humans may begin to treat them as though they continually refer to some stable reality. That is, their rhetoricity, their performativity, can easily be overlooked or forgotten.

The tendency of postmodern thought to reject dualism lends it an additional analytic advantage over modernism, in my opinion. Postmodern thinkers typically recast modernist binaries as reciprocal relations. Where a modern thinker might consider reason to be opposed and superior to emotion, for example, a postmodern thinker is likely to conceptualize reason and emotion as existing in a relation to one another such that they are mutually dependent and mutually constructive. Pierre Bourdieu calls



this sort of relation "reflexive" (*Pascalian* 10). Postmodern thinkers have applied this strategy of turning binaries into relations (which can fairly be called "deconstruction") to a number of other hierarchical dichotomies favored in modern thought: man/woman, individual/society, experience/knowledge, thought/language, theory/practice, and so on. This strategy is ordinarily touted as a guard against exclusion, but I find that it has another advantage as well: it opens up for consideration a range of middle grounds that are rendered invisible by dichotomous thinking—it is possible to conceive of more genders than two; we remember that communities of various sizes and constitutions (family, colleagues, bridge clubs, football fans, political parties) mediate between "the individual" and "society," and so on. When applied to Aristotle's central teaching about invention, this strategy implies that because of the movement of difference the relative availability of the "available means of persuasion in any given case" is contingent and reflexive with regard to circumstances. Arguments are more or less available in given spatial and temporal contexts; that is, their relative availability exists along a range of possibilities opened within a given situation. History, ideology, and power relations dictate that some arguments can be made in a given time and place by some people, while others cannot.[10] A white politician could not make Al Sharpton's arguments about African American voting rights with anything like the same level of effectiveness among audiences who are prepared to hear. Indeed, when whites speak for African Americans on any issue, they risk giving offense. This possibility may or may not have anything to do with a rhetor's personal history or *ethos,* and it is not always at work, either, as Bill Clinton's example demonstrates.

If we conceive the relative availability of arguments as lying along a range or spectrum, its endpoints can designate arguments that can be imagined or desired but that cannot be constructed in a given cultural time and place. A feminist project that would articulate women as subjects can serve as an example of a desired argument that is as yet unavailable. Feminists have on occasion dislodged historic constructions of women as secondary to men in importance and ability, however, although this achievement never quite seems to be permanent. Nearer the center of the spectrum of availability lie arguments that can be generated by a few but not yet widely grasped (new research in mathematics, say). Closer yet to the center lie arguments that can be generated by many but not yet heard by institutions such as the media (such as proposals made by Dennis Kucinich during the 2004 Democratic primaries for free college tuition and

health care for all children). Arguments about widely discussed or controversial issues, such as abortion rights, lie nearer the center of the spectrum because they are repeatedly articulated. Argumentative canards (what the ancient rhetoricians called "commonplaces") occupy the center: "liberals are soft on defense." Kucinich's arguments may move closer to the center of the spectrum with the passage of time, eventually becoming commonplaces, while current commonplaces may lose not only their currency but their availability. Formerly powerful commonplaces are still available but can no longer be readily grasped: "Tippecanoe and Tyler too" is so remote from the contemporary discursive context that most people need to consult a historical reference to understand its use. To say that availability can be arrayed along a range or spectrum is not to say that the flow of difference necessarily results in progress; it is only to claim that the relative availability of arguments changes over time.

In contrast, modern senses of invention as discovery or creation gloss over the roles of difference and contingency in making arguments available. Yameng Liu characterizes modern attitudes toward invention as follows: "To 'discover' is to make visible or known something that, though hidden and unknown previously, has always been 'out there,' something whose existence prior to its 'discovery' is immediately recognized because of its fundamental fit with the order of things already familiar to us. To 'create,' on the other hand, suggests bringing into being something that has never before existed, some strange entity snatched *ex nihilo* which is, presumably, completely different from whatever has been accepted as part of the 'reality,' and which, therefore, refuses to conform to our habitual scheme of conceiving the world" (54). In modern thought discovery happens when a stable world reveals itself to determined investigators. And if the poet Shelley is to be believed, creation occurs by means of an utterly mystified process—revelation, perhaps, or the "inspiration" in relation to which composition is mere stenography. (Locke's name for inspiration was "enthusiasm.") The difficulty with these definitions of invention from a postmodern point of view is that they require an inventing subject who maintains a continuing and coherent relation to a similarly continuing world that she observes and ruminates upon. In the case of creation the composer possesses a uniquely organized mind from which something new can spring. In her discussion of Gorgias's theory of invention Hawhee notes that "the discovery and creation models both depend on active constructions that presuppose a subject that is better described as the outcome of the rhetorical situation" (17). If rhetorical subjects are outcomes, invention is located within rather than prior to a rhetorical event. Rhetors participate in such events, but they never simply instigate them. Hawhee argues that a double move occurs within a rhetorical encounter: "the discursive encounter itself forges a different subject . . . and the emergent subject becomes a force in the emerging discourse" (17). That is to say, within a rhetorical encounter rhetors' discourse merges with and emerges from *doxa;* discursive performances entail or produce the very subjectivity we call "rhetor." Hawhee's theory of invention privileges movement, flow, permeability; it is "a simultaneously interruptive and connective hooking-in to circulating discourses" (24). Her appeal to flow and movement invokes the ancient concept of *dunamis,* which was defined in preclassical Greek as "ability," "capacity," or "power" and only later, by Aristotle, as "potential." Hawhee aligns these older senses of power with the Foucauldian notion, an alignment that can be had by translating Foucault's *pouvoir* as Gayatri Spivak does, as "can-do-ness" (Hawhee 29; Spivak 34). This attitude toward power as capability, Hawhee notes, clarifies Foucault's insistence that power is productive.



Spivak derives the sense of power as "can-do-ness" during her attempt to rescue Foucault's treatment of this notion in *La volonte savoir* from "paleonymic" readings (Foucault, *Archaeology* 122; Spivak 31). Spivak argues that "force" has a catachrestic relation to power: "the condition of possibility of power (or power intelligible in its exercise)—'this moving base'—is therefore unmotivated, though not capricious. Its 'origin,' thus heavily framed, is in 'difference,' inequalities in force relations. To read this only as 'our experience of power,' or 'institutional power' (as most people—like Walter J. Ong—read 'writing' as 'systems of graphic marks') is the productive and risky burden of paleonymy that must be persistently resisted as it enables practice. 'Force' is the subindividual name of 'power,' not the place where the 'idea' of power becomes 'hollow' or 'ambiguous'" (31). "Force" is another name for power, a name that highlights its mobility and productivity. Barbara Biesecker explains that Foucauldian power "names not the imposition of a limit that constrains human thought and action but a being-able that is made possible by a grid of intelligibility. Power is a human calculation performed within and inaugurated by the 'lines of making sense' that are operative at a particular historical moment" (356). Like electricity, power travels along the "grid of intelligibility," invoking "lines of making sense," lining up both alongside and crossways, merging and

dispersing at connecting points or nodes. Because it has histories, power is differentially distributed along lines and among nodes. In this model of power, then, any rhetorical encounter becomes a lining up alongside or diversion of forces, or, put differently, a recombination or disorientation of already aligned forces. Cultural, discursive, and local-situational contexts generate a huge but nonetheless finite number of "unmotivated, though not capricious" forces.[11] These can include, minimally, a time and place, a disagreement, available arguments, and—once the rhetorical encounter has begun—a rhetor or rhetors. Within such an encounter can-do-ness, capability, *dunamis,* produce rhetorical forces such as conjectures, *enthymemes,* gestures, stances, and movements.

If one sense of power is "can-do-ness," surely it is a defensible leap to the assumption that rhetorical power can be activated by people who are equipped to articulate available openings in discourse, in both senses of "formulating" and "connecting." This is not to imply that the subjectivity of "rhetor" ever inhabits anyone for long periods of time or without competition from other subjectivities. On the other hand, while the movement of difference is incessant, some elements of performances can be repeated. Each instance of a performance will differ from all others, of course, but continuities and similarities (more lines of force) can occur from occasion to occasion; such continuities and similarities, occurring repeatedly over time and place, can be called "style." Gorgias, for example, is famous for his habit of antithesis. Here is a sample from his "Encomium of Helen": "for either by will of Fate and decision of the gods and vote of Necessity did she do what she did, or by force reduced, or by words seduced or by love possessed" (6). This is not mere style in the sense that it is ornament, that the point could have been made plain without it. Greek and Latin terms for stylistic ornament (*turn* and *figure,* respectively) both allude to the human body in motion. Gorgias's "turns" and "figures" are performances that can open other paths in *doxa,* exploit lines of force that can perform other ways of judging Helen's action (Hawhee 23–24). Gorgias apparently wrote no textbook of rhetoric, which is in keeping with his pedagogical preference for teaching by example. He delivered speeches on the same topic over and over but improvised each *toi kairoi,* in accordance with the dictates of time and place (Philostratus I.9.xi). Conceiving rhetorical power as "can-do-ness" aligns it with the Gorgian sense of rhetoric as improvisation, of seizing the *logos* that works in the right place at the right time.



## Rhetorical Readiness

Improvisation does not imply unpreparedness—far from it. It is precisely preparedness that enables rhetorical improvisation. I noted earlier that Spivak reads Foucault's power/knowledge as a catachrestic pair: "lines of knowing constituting ways of doing and not doing, the lines themselves irregular clinamens from subindividual atomic systems—fields of force, archives of utterance" (37). One has to do in order to know, but one has also to know in order to do. Athletes and musicians achieve preparedness with practice, but practice can be enhanced by study. My use of "study" here is not meant to invoke only images of musty libraries. Athletes and musicians study by doing exercises, looking at video or listening to tapes, watching others perform or heeding the advice of teachers and coaches. Study is efficient; its advantage is that it allows anticipation of missteps. Put another way, study can reduce the extent of trial and error because students can learn from the mistakes and successes of exemplars and teachers. But study can also mislead because moves that worked in one situation may not be appropriate for the next.

Isocrates declared that mastery of an art such as rhetoric requires three things: aptitude, study, and practice ("Against the Sophists" 17). Atwill points out that aptitude is itself produced by study and practice: "the successful performance of the rhetor who has appropriated both rules and proper timing is often a testimony not to his mastery of an art but, paradoxically, to his 'natural' ability—and even 'natural' virtue. It is when art 'appears to disappear' that it has been most successfully appropriated—or transformed into 'nature'" (59). In this view Michael Jordan and Yo-Yo Ma are committed rather than talented. This analysis may move close to what Isocrates may have meant. He insisted, for example, that his instruction would not change a venal person into a virtuous one ("Antidosis" 275). To do so requires that a student be committed to acquiring virtue, which entails in turn that virtue be studied and practiced—precisely the tactics that repel people who would be vicious. On the other hand, Isocrates was confident that instruction in rhetoric could teach people to invent arguments: "formal training makes [students] more skillful and more resourceful in discovering the possibilities of a subject; for it teaches them to take from a readier source the topics which they otherwise hit upon in haphazard fashion" ("Against the Sophists" 15). The fine points of delivery, obviously, are best acquired by imitation and practice. But the power of invention

is usefully enhanced by study, in the sense of "going to the library." That way is efficient, and it is also available when an exemplar may not be readily at hand. People who want to learn ancient Greek today have to work without the example of native speakers, and so the library sense of study is our only option. Study can defy the contingencies of time and place, but only to some extent. No one is certain whether the careful phonetic reconstructions of classical Greek made by modern linguists could actually be understood by Plato. A similar situation would obtain for an aspiring student-rhetor in Isocrates' school. He could read Gorgias's speech on Helen and imitate it, and yet after Gorgias's death he had no standard, aside from the collective memory of those who had heard and seen Gorgias perform, against which to measure the quality or aptness of his imitation. (The limitation on teaching-by-performance has been alleviated to an extent by audio and video recording technology.)

There is another upside to study insofar as knowledge of past performances may actually stimulate useful or memorable realignments of old materials. Acquaintance with the topics of invention is to rhetors as playbooks are to athletes or as chord progressions are to musicians—they are repertoires, available for plunder should a circumstance arise in which they might be used or riffed upon. Knowing when and how to riff comes from study and practice: the need to riff arises during an encounter with other players or with an audience; the knowledge acquired by preparation is in turn shaped by that situation.

The appearance of textbooks is a sure indication that a practice has become codified or institutionalized to such an extent that it can be learned without a model. The Greek term for study and practice was *techne,* usually translated as "art." With the advent of literacy the word *techne* came to designate artifacts, such as manuals of instruction, as well as a body of lore and its associated practices. Aristotle's lost collection of textbooks on rhetoric, for example, is called *Synagoge Technon.* George Kennedy argues that rhetoric was "conceptualized" during the late fifth and fourth centuries BCE, that is, during what is now called the classical period (*Classical* 7). By "conceptualization" Kennedy seems to mean "disciplined" in the sense that practitioners are "able to give a systematic description of [their] method" (*Classical* 7). It can be argued, however, that rhetoric became a *techne*—in an older sense of lore and its associated practices—much earlier. And so while it remains true that the word *rhetorike* first appears in Plato, this event was no doubt preceded (and motivated) by a long history



of "making do" argumentatively (Schiappa, "Did Plato"). Pierre Bourdieu posits that arts or "fields" are constructed when practices are no longer repeatedly instantiated "without passing through discourse. . . . Excellence has ceased to exist once people start asking whether it can be taught" (*Outline* 200 n. 20). Ironically such closure occurs because of the incessant movement of difference, when the "confrontation of different styles . . . makes it necessary to say what goes without saying, justify what is taken for granted, make an ought-to-be and an ought-to-do out of what had up to then been regarded as the only way to be and do" (*Outline* 200). In other words, *techne* can emerge when practitioners begin to riff. In her study of Pre-Socratic attitudes toward *techne* Atwill is at pains to distinguish an older sense of study/practice from its later formulation as "skill" or "instrumentality" (as in our "technique" and "technology"). She argues that preclassical thinkers treated *techne* as a way or a path that could be "retraced, modified, adapted, and 'shared.' The purpose of such a path, at least in ancient depictions of invention, is not to find a 'thing.' A *techne* deforms limits into new paths in order to reach—or better yet, to produce—an alternative destination" (69). This preclassical sense of invention retains its sophistic association with practice, temporality, and location, contingency and situatedness.

In sum, then, a rhetor is someone who is committed to the study and practice of invention, who by virtue of that preparation has achieved rhetorical "can-do-ness." She is ready to seize appropriate arguments when they are made available by the movement of contending discursive forces, of *logoi.* The name "rhetor" evokes a subjectivity rather than a person, a subjectivity that may be inhabited momentarily, on occasion, or more or less consistently in the case of a professional speaker, writer, or journalist. Anyone may inhabit that subjectivity, but those who are prepared do so with a higher chance of success at persuading whatever audiences emerge during rhetorical encounters than those who are not prepared. Without preparation in invention would-be rhetors stand about the same chance of success as I have when I pick up a basketball or a cello. Invention suited to specific situations need not be learned in school. It may be absorbed on the street or in the boardroom. However, awareness of invention as a general set of strategies that can be adapted to almost every situation is enhanced by systematic study.

## A Postmodern Discursive Ethic

The postmodern sophistic model of rhetorical invention sketched here privileges movement, flexibility, contingency, and difference. A discursive ethic emerges from the primacy awarded to these values. The point of ethical rhetorical exchange is never to shut down argumentative possibilities but to generate all the positions that are available and articulable in a given moment and situation. An ethical rhetor can never foreclose the possibility that an opposing argument will open new lines of rhetorical force. Good rhetoric looks for all available arguments, just as Aristotle insisted. Bad rhetoric, on the other hand, is static and univocal. It favors the status quo and extrapolates predictions from it. It may posit unities that transcend temporal and local contexts. A bad argument shuts down alternatives and hides the proliferation of differences created by its very formulation.

Of course these definitions of good and bad arguments bar fundamentalisms from inclusion in the category of "good rhetoric." They reflect my preferences for inclusion rather than exclusion, profligate over miserly invention, democracy instead of authoritarianism. These are the evaluative foundations from which I work (at this moment). I can do nothing else, and I can't be sure as I name them that I'm telling the truth. Moreover, I realize that in other historical or geographical contexts any of these values can become vices. Barbara Herrnstein Smith argues that values exist in an economy of relations to one another such that the worth of each depends on its relations to others (*Contingencies* 30). That is to say, values are contingent. Her position is postmodern because it recognizes that values function within systems of differing relations to one another. It is also political, but it certainly isn't conservative, and it's not quite liberal either. A preference for contingency does not entail tolerance for all possibilities. It does require awareness that there are other ways of seeing, knowing, and believing, all shaped by temporal and spatial circumstance. Some of these are readily available in a given context, while others are simply glimmers on an epistemological horizon. Some ways of believing have constructive effects, and others are simply destructive. Whether these effects are good or bad, of course, depends.

A crucial difference between liberalism and postmodernism is that the latter provides theoretical space for the making of ethical judgments (Derrida, *Limited* and *Acts;* Lyotard; Lyotard and Thebaud). Such judgments are always limited in scope by the fact of their contingency, but they can and must be made. Some situations throw up so many compelling arguments



on all sides that they are in fact undecidable on their so-called merits. The practice of clitoridectomy is a case in point (Walker and Parmar). Given the complex cross-cultural valuations raised by this practice, one simply takes a position on it, realizing its contingency and living with the consequences of having taken that position. If I take up a position on this or any other question, my having done so emphatically does not entail that my "personality" is improved or tainted. A postmodern rhetorical ethic does *not* associate the evaluation of arguments with evaluation of a rhetor's "self." While I agree with Quintilian that the ideal rhetor is a "good [person] speaking well," I am not willing to assert that good arguments are always or only made by good people or the converse (XII.1.1). The necessity of placing brackets in this line in order to eliminate Quintilian's exclusionist use of the word "man" ("vir bonus dicendi peritus") underscores the difficulty posed by such a connection. Rhetorical arguments generate their own lines of force, and it is not possible to determine, at the point of utterance, what will be effected by one's having articulated something. Invention is committed to the discovery of any and all possibilities alternative to those that are currently envisioned by parties to discourse. Granted, this process is never disinterested. On the other hand, the goal of complete investigation is never achieved, and a rhetor's control of the process is never guaranteed. As Victor Vitanza is fond of saying, words want to be written. Sometimes they write us.

To associate personalities with arguments is a hangover from liberal rhetorical theory, where invention indeed depends on the particular qualities of individual minds. The association between individual minds and beliefs is supported by psychology, where (admittedly impressive) empirical studies establish, for instance, that so-called authoritarian personalities tend to subscribe to right-wing political beliefs (Altemeyer).[12] Psychologists' analyses of the relation of belief to personality are useful to a postmodern rhetorical theory to the extent that they posit reflexive relations between psyches and environments. I argue in the next chapter that beliefs are "ours" only to the extent that we wield them in argument on occasion; beliefs and arguments actually circulate in the reflexive relations between culture and "selves" that Pierre Bourdieu calls "the *habitus*." Thus if one is concerned to imbue an argument with "goodness" or "badness," as I am, she is forced to examine its relation to the circulation of evaluative discourse within the relevant context. The liberal focus on individual minds, then, is far too limited to enable us to grasp the ethical quality of rhetorical inventions.