

What is Rhetorical Certainty?

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This article focuses on a rhetorical technique that Aristotle describes as suitable for deliberation: the use of an historic precedent as an example of the decision to make on a contemporary issue. By studying this technique, I propose a hypothesis about the way rhetoric is used to deal with uncertainty.

Uncertainty, here, refers to the absence of obvious solutions when citizens are deliberating about political issues. In his *Rhetoric*, Aristotle described the relation between deliberation and uncertainty as follows:

The subjects of our deliberation are such as seem to present us with alternative possibilities: about things that could not have been, and cannot now or in the future be, other than they are, nobody who takes them to be of this nature wastes his time in deliberation. (1357a)

In other words, because some issues are surrounded by uncertainty, there is a point in deliberating them. The problem is that decision-making might necessitate picking up one option and ruling out the others. Does decision-making require dispelling uncertainty, or does it require an ability to decide in spite of uncertainty? Since Aristotle considers the use of historic example a relevant argumentative technique for deliberation, does this technique have a role to play in dispelling uncertainty or in helping to deal with it? I argue that the study of historic precedent in deliberation reveals a feature of rationality that is frequently neglected by argumentation theories: the ability to act in uncertainty “*as if*” the decision to make were obvious.

Over the past few decades, an influential trend in argumentation theories was to focus on the evaluation of arguments by identifying and applying critical questions in order to test their soundness (van Eemeren and Grotendorst; Walton *Practical Reasoning*, “Evaluating Practical Reasoning”). Such evaluations ultimately aim at reducing uncertainty in deliberation. However, this approach might prove unsatisfactory when analysing deliberation in uncertainty. Indeed, if any argument that could be found in support of a given choice is refutable (i.e. fallible), it might be tempting to conclude that no rational decision can be made. Against this pessimistic perspective, I argue that one should reconsider a point first made by Gilbert Ryle: “Overt intelligent performances are not clues to the working of minds; they are those working” (57). In other words, instead of evaluating arguments from an abstract ideal of rationality, one might rather analyse them as an opportunity to describe the actual functioning of rationality.¹

The first section of this article presents Aristotle’s conception of historic example. I argue that one might not understand the relevance of historic example for deliberation if one conceives of it as a logical way to secure a conclusion. Rather, its relevance appears when conceived as a

¹ This was Danblon’s claim in her thesis *Rhétorique et rationalité*.

practical tool for decision-making. In other words, historic precedent is not useful as a *sound* argument but as a rhetorical means to present a solution “*as if*” it were obvious.

The second part of this article is dedicated to a case study: Barack Obama’s reference to a “sputnik moment” in his 2011 State of the Union speech as an historic precedent advocating for the need to invest public funds in education and to support innovation. This case study gives us a more precise insight into the mechanisms by which rhetoric deals with uncertainty.

The Relevance of Historic Example for Deliberation

Aristotle described the use of historic example for deliberation in the following quote of his *Rhetoric*:

When two statements are of the same order, but one is more familiar than the other, the former is an "example." The argument may, for instance, be that Dionysius, in asking as he does for a bodyguard, is scheming to make himself a despot. For in the past Peisistratus kept asking for a bodyguard in order to carry out such a scheme, and did make himself a despot as soon as he got it; and so did Theagenes at Megara; and in the same way all other instances known to the speaker are made into examples, in order to show what is not yet known, that Dionysius has the same purpose in making the same request: all these being instances of the one general principle, that a man who asks for a bodyguard is scheming to make himself a despot. (1358a)

The issue under discussion here is how to interpret why Dionysius asks for a guard. Historic precedents are provided in support of the conclusion that Dionysius does so because he schemes to make himself a despot. Now, the question is how do the actions committed by Pisistratus and Theagenes in the past enable us to formulate conclusions about actions that Dionysius could commit in the future? In other words, how to describe the relation between the historic precedents and the conclusion in this case?

At first glance, it seems that the relation between historic precedents and the conclusion in this case could be described as an induction, that is, a conclusion inferred from the observation of regularities: If, in the past, a political leader asking for a bodyguard schemed to make himself a despot, then one can guess that it might happen again. However, the problem, as Popper would have put it, is that, considering the infinity of cases that might happen in the future, the finite part of reality we have access to, to draw our conclusion by induction, is always too small for our conclusion to be secured.

Therefore, a way to describe the logical form of the argument by historic precedent would be to use a Toulminian model (Figure 1). This reconstruction of Aristotle’s argument reveals that, from the perspective of informal logic, reasoning by historic precedent doesn’t seem to offer a way to secure our conclusions: it might always happen that experience learned from history is modified when a new case occurs. How then to understand the relevance of historic precedents for deliberation?

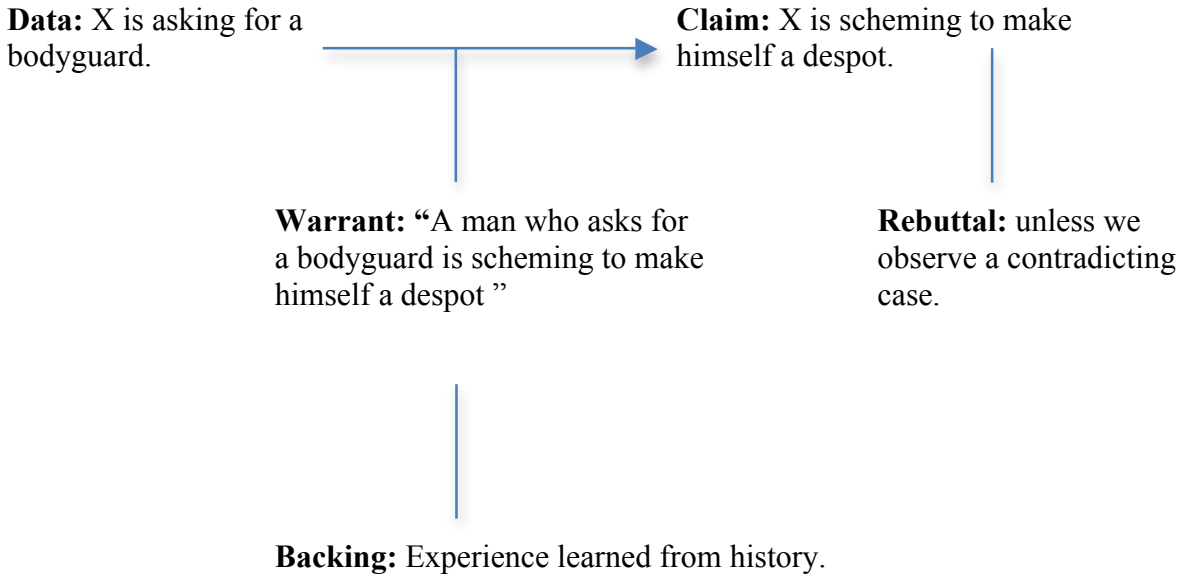


Figure 1: Toulminian Model (from Toulmin *The Uses of Argument*).

Since main argumentative theories (i.e. *pragma-dialectics* and *informal logic*) tend to equate the usefulness of an argument with its soundness, I argue that these theories do not allow for an understanding of the rationality of argumentation by historic precedent. Indeed, this technique can be described as an instance of practical reasoning² as defined by Douglas Walton:

Practical reasoning is the inferential process of arriving at a conclusion to take action through which deliberation can be understood as goal-directed method for decision-making based on an agent's knowledge of the data of its particular situation. ("Evaluating Practical Reasoning" 201).

Walton's main concern, in his reflection on practical reasoning, is to find ways to evaluate different instances of this kind of reasoning. His method is to identify critical questions that one should ask to challenge the soundness of a practical argument. For instance, one might question whether the means to achieve a goal can have negative sides effects or if there might be

² The concept of practical reasoning refers to the reflection that was developed by philosophers and argumentation specialists on the mechanisms that come into play when we have to make a decision in spite of uncertainty. A starting point of this tradition of thought can be found in the sixth book of Aristotle's *Nicomachean Ethics* (Chateau *La vérité pratique*). In the field of rhetoric and argumentation, practical reasoning is an important issue in Perelman's work (Perelman "The New Rhetoric: a Theory of Practical Reasoning", "Le rôle de la décision dans les théories de la connaissance"). Walton's approach to practical reasoning is more normative than descriptive, especially in his article "Evaluating Practical Reasoning." By identifying and applying critical questions to different kinds of practical reasoning, Walton maintains a gap between the way people actually reason and an abstract ideal of rationality. The aim of this article is to show that an abstract ideal of rationality is of little help as far as deciding-in-spite-of-uncertainty is concerned.

acceptable alternatives to reach a same goal (224). Such questions intend to reduce uncertainty in a given deliberation.

But if, following Aristotle, one considers that uncertainty is inherent to deliberation, trying to dispel uncertainty might not be the most rational strategy. Therefore a rational alternative would be the use of an argument that could support a decision *in spite* of uncertainty. Such a claim requires considering that, as far as practical reasoning is concerned, it might not always be relevant to equate the usefulness of an argument to its soundness.

My hypothesis is that argumentation by historic precedent is relevant for deliberation because it can make us consider a situation “*as if*” the decision to make were obvious, “*as if*” there were no rebuttals. The concept of “*as if*” was notably defined by Emmanuelle Danblon as follows:

In my perspective, the expression “*as if*” underlines the fact that there is a shared convention between an orator and an audience thanks to which they may act “*as if*” a wishful belief—i.e. a motivational representation—were a real belief. This could be done collectively—“We will win because we are the best” [...]. In each case, those arguments are not necessarily manipulative, though manipulation can, of course, never be excluded. (“Notion of pseudo argument” 357)

Understanding the relevance of argumentation by historic precedent might therefore require drawing hypothesis about the psychological³ mechanisms by which an arguer can reach and produce a feeling of certainty. I now argue that Aristotle provides an overview of those mechanisms in his description of historic precedent when he states that, “When two statements are of the same order, but one is more familiar than the other, the former is an ‘example’” (1358a).

It is worth stressing that Aristotle does not give a logical criterion to define exemplarity. The criterion is a psychological one: “Familiarity” (Danblon *Rhétorique et rationalité* 194-202; “L’exemple rhétorique”; “Fonctions éthiques”)⁴. And it seems that, in Aristotle’s view, the process by which a past situation can exemplify the decision to make in a current situation has to do with memories and feeling that a well known historic event can recall in the mind of the audience. Those common memories can bear what I would call “a core of certainty” upon the deliberation. And this core of certainty can be used by the orator to make the audience see an issue “*as if*” the decision to make were obvious.

The case study shall now give a more precise insight into those mechanisms.

Case Study

The case study is a passage from Barack Obama’s 2011 State of the Union speech. Obama begins his speech with statements about how rapidly the world is changing: new powers are emerging, challenging American leadership in various fields such as level of education,

³ Here, I use the term “psychology” to refer to the practical knowledge ancient rhetoricians developed by practicing rhetoric and observing the effects of argumentations on audiences’ minds.

⁴ In her discussion of Aristotle’s concept of historical precedent Danblon (*Rhétorique et rationalité* 196) opposed two approaches of exemplarity. According to the logical approach, the exemplarity of a historic precedent is a matter of instantiation of universal rule. According to the psychological approach, exemplarity is a matter of familiarity. From the second perspective, the rational choice for an orator is to look for a historic precedent that might evoke shared memories and feelings in his audience’s mind.

computer sciences, or green technologies. The point he tries to make is that public investments might be required for the United States to answer this challenge. The problem is, of course, that the United States, like most Western countries, is highly indebted. Whether or how to spend during a time of debt is a rather classical topic for deliberation. It corresponds to Aristotle's conception of deliberation since, broadly speaking, two opposite positions might be advocated in this context: (1) investing now might help restore growth; (2) spending money will worsen debt crisis. My case study is the historic precedent Obama gives in support of his position.

Half a century ago, when the Soviets beat us into space with the launch of a satellite called Sputnik, we had no idea how we would beat them to the moon. The science wasn't even there yet. NASA didn't exist. But after investing in better research and education, we didn't just surpass the Soviets; we unleashed a wave of innovation that created new industries and millions of new jobs. This is our generation's Sputnik moment. Two years ago, I said that we needed to reach a level of research and development we haven't seen since the height of the Space Race. And in a few weeks, I will be sending a budget to Congress that helps us meet that goal. (Obama)

I will begin by commenting on the form of this argument. It could be described as a *paradeigma*, that is, a narration whose aim is argumentative (Danblon *et al. Argumentation et narration* 9-15). The narration consists of a very simple sequence of events: (1) an unexpected and threatening event occurred (the launch of the sputnik); (2) Americans made the right choice despite the uncertainty (investing in better research and education).

This sequence of events is the *core of certainty* within the argument, in the sense that it is supposed to be shared by the orator and his audience. By using such an historic precedent, the orator might benefit from a sort of consensus, not only on the interpretation of the events, but also on feelings about those events. Indeed, the audience might associate the idea of the Soviet satellite floating above the world with a common set of memories, endowed with a common set of emotions. Classical theorists and practitioners of rhetoric used to consider as self-evident the relation between mental images (*phantasiai*) an orator could call up into his mind and the persuasion he would obtain by describing those images to his audience (Webb *Ekphrasis*; "Mémoire et imagination").⁵ Although this aspect of argumentation is absent from normative theories it seems relevant to our case study.

Starting from a common memory, the role of the orator is to guide the audience to see a parallel between the historic precedent and the present situation. In this case, the parallel is suggested from the beginning of the speech with the idea of a competition between the U.S. and emerging countries, which recalls the space race between the U.S. and the Soviet Union. The persuasiveness of this parallel might originate from a mechanism of inertia that Perelman and Olbrechts-Tyteca described in their treaties on argumentation:

It can be presumed, failing proof to the contrary, that the attitude previously adopted—the opinion expressed, the behaviour preferred—will continue in the

⁵ Quintilian seemed to be convinced that those images could be as persuasive as genuine perception. It appears in this quote from the second chapter of the sixth book: "Hence will result that *ἐνάργεια* (*enargeia*), which is called by Cicero "illustration" and "evidentness," which seems not so much to narrate as to exhibit, and our feelings will be moved not less strongly than if we were actually present at the affairs of which we are speaking" (*Institutes of Oratory*, book VI, ch. 2).

future, either from a desire for coherency or from the force of habit. [...] Inertia makes it possible to rely on the normal, the habitual, the real, and the actual and to attach a value to them, whether it is a matter of an existing situation, an accepted opinion, or a state of regular and continuous development. Change, on the other hand, has to be justified; once a decision has been taken, it cannot be changed except for a sufficient reason. It is very common in arguing to insist that there is nothing in the circumstances to warrant a change. (106)

In this case study, it might be argued that, thanks to the mechanism of inertia, the narrative of a competition between the United States and another superpower, the Soviet Union, can be persuasively applied to the contemporary competition between the United States and emerging countries. Accordingly, it might require more effort for the audience to perceive differences between the two situations than to accept the parallel between them.⁶

Moreover, in this case, the first step of Obama's argument is a piece of epideictic rhetoric: he recalls a glorious episode of American's history to create a feeling of concord. From this starting point, he can move to more controversial issues: the idea of a necessary link between investment in research and the wave of innovations and job creation. Finally, he suggests an analogy between the historic precedent and the current situation by saying "this is our generation's Sputnik moment" (Obama). If the historic precedent works, Barack Obama will temporarily inform current issues with the choices that were made in the past. This is what I would call "rhetorical certainty."

By looking at some comments in the press that followed Barack Obama's speech, I can describe in more detail the use of "rhetorical certainty" as a common feature of rationality. Many articles focussed on Barack Obama's use of the Sputnik precedent (Black "What is President Obama's Sputnik Moment and What is his Apollo Response?"; Lee and Pierson "Will Obama's 'Sputnik moment' fly?"; Weigant "Obama's New Theme: A Sputnik Moment"; "Obama's spaced out speech").

By analysing two quotes from these articles, we can see that even though the journalists do not share Obama's opinion on what decisions to make, they share his commitment to what I call the *core of certainty* within the historic precedent. Indeed, it appears that the journalists do not discuss the nature of the "sputnik moment"; neither do they question that something called the "sputnik moment" happened in the past. They rather wonder whether America is actually experiencing *another* "sputnik moment." Here are the two quotes:

When seen through the lens of history, it's hard to measure up to the original Sputnik moment, and attempting to draw this parallel may not work because while America may indeed be having a Sputnik moment to some degree or another, the American people are definitely not having the same Sputnik experience. [...]

To truly understand the significance of Sputnik, in today's world the equivalent would be Al Qaeda announcing it had launched an orbiting nuclear bomb. Picture the reaction of the American public and American politicians to Osama Bin Laden

⁶ This interpretation is also consistent with Jerome Bruner's idea of a "narrative banalization": "we can take a narrative as so socially conventional, so well known, so in keeping with the canon, that we can assign it to some rehearsed and virtually automatic interpretive routine." (Bruner, 1991, 9) In our case study, the persuasiveness of the parallel between the present and the past might also be described as the result of an "interpretive routine".

appearing on television announcing they've got a nuke in orbit. *That* would be a true Sputnik moment. (Weigant "Obama's New Theme: a Sputnik Moment")

Invoking space race metaphors is a risky proposition for Mr. Obama. On his watch NASA killed its plan to return on the moon and has scaled back most of its other programs. But competition in space is alive and well. Last October China sent an unmanned probe into Moon orbit to map possible landing sites. The People's Republic is expected to make a manned moon landing sometime this decade. The Obama administration has done its best to curry favour with Beijing, which in return has exploited American technology and open markets, and treated the United States with disdain. Maybe when the red flag is flying on the lunar surface the United States will have a true Sputnik moment, the shocked realization that while the rest of mankind is making giant leaps, Obama's America can manage only small steps. ("Obama's spaced out speech")

In both cases, the journalists seem to share with Obama a commitment to the authority of the "sputnik moment" precedent: a *true* "sputnik moment" is an event striking enough to force the government to take appropriate action. Their disagreement concerns the relevance of this historic precedent for the current situation. They therefore try to picture a situation that could be appropriately compared to a "sputnik moment."

To do so, they use visually powerful descriptions (*enargeia*), suggesting that the power of such images created by words might still be a relevant feature of contemporary argumentative situations. Indeed, in these two passages, vivid images (e.g., "Osama Bin Laden appearing on television announcing they've got a nuke in orbit" and "the red flag flying on the lunar surface") are associated with a feeling of obviousness (e.g., "*That* would be a true Sputnik moment" and "the United States will have a true Sputnik moment"). I therefore argue that there are two steps in these journalists' argumentations. In the first step, they use their faculties to criticize: they focus on the differences between the historic precedent and the current situation. In the second step, they use their faculties to be persuaded and to persuade by picturing a telling example. In doing so, they reach the certainty that there might be a situation that could actually be another "sputnik moment." This ability to temporarily switch off critical thinking and imagine a situation in which the decision would be self-evident seems, in my view, to be at the heart of rationally making a decision in spite of uncertainty.

Conclusion

The aim of this article was to understand Aristotle's claim that historic precedent is a suitable tool for deliberation. By using Toulmin's model, it has been shown that a conclusion obtained by induction from previous cases can always be challenged by unexpected cases. Rather than see reasoning by historic precedent as a logical way to secure a conclusion, I have described it as an instance of the actual functioning of rationality. From this perspective, the relevance of argumentation by historic precedents lies in its capacity to elucidate uncertain situations with familiarity. For this technique to work, it requires the historic precedent to be well known and the ability of the audience to reason "*as if*" the present were actually like the past. Although the kind of certainties historic precedent might create is ephemeral, it might explain our ability to decide in spite of uncertainty.

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