Rationality, reasonableness and informal logic:
A case study of Chaim Perelman

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ABSTRACT: Perelman's discussion about the distinction and relation between the rational and the reasonable could be seen as an attempt to bring forward a new understanding of rationality. In light of the conception of situated reason, this paper argues that Perelman's explication of the dialectic of the rational and the reasonable highlights the balance of universality and contexuality, and could contribute a fuller conception of rationality to establishing a solid philosophical foundation for Johnson's informal logic.

KEYWORDS: argumentation theory, Johnson, informal logic, Perelman, rationality, reasonableness, situated reason.

1. INTRODUCTION

In the field of argumentation theory, before McKerrow (1982), Toulmin (2003), van Eemeren and Grootendorst (2004) and other theorists, Chaim Perelman had addressed the distinction and relation between rationality and reasonableness in his paper "The Rational and The Reasonable" (1979a). To my knowledge, few argumentation theoreticians, however, have paid attention to or shown interest in Perelman's discussion, especially how this discussion is related to argumentation theory or what its implication for argumentation theory is.

The issues I want to address in this paper are what the nature of Perelman's understanding of the relation between the rational and the reasonable is, and what, if any, its implication for informal logic is. I shall first outline the distinction that Perelman sets forth between the rational and the reasonable (Section 2), and then probe into what he really understands the relation of the rational and the reasonable (Section 3). After revealing the philosophical nature of Perelman's theory in light of the conception of situated reason (Section 4), I shall conjecture how Perelman's theory about the relation between the rational and the reasonable could contribute to Johnson's informal logic (Section 5). And finally there is a conclusion (Section 6).

2. THE DIFFERENCES BETWEEN THE RATIONAL AND THE REASONABLE

According to Perelman, even though the words of "rational" and "reasonable" both derive from the same substantive and connote "a conformity with reason" (Perelman 1979a: 213), they are rarely interchangeable. Thus, one would call a deduction which conforms to the rule of logic rational, but not necessarily reasonable. A compromise, however, may

be called reasonable but not rational. Perelman analyzes Godwin's famous argument that there is no rationality in loving one's own father more than other men unless it is possible to prove that one's father is better human being than these other men. It seems to him that Godwin's thinking may be logical and rational, but who would call it reasonable? This example and many others like it indicate that "the idea of reason is shown in at least two diametrically opposed ways" (Perelman 1979a: 213). That is to say, the terms "rational" and "reasonable", or "rationality" and "reasonableness", according to Perelman, refer to two different ways of conceptualizing reason.

Perelman accounts for this difference by distinguishing the rational and the reasonable in terms of their favoured epistemic values and corresponding methods. Concerning the rational aspect of human thought processes, he writes:

> From a traditional point of view, philosophical discourse is discourse addressed to reason, the latter being considered a faculty illuminated by divine reason or at least modeled on it – a non-temporal and invariable faculty, common to all rational beings, and constituting the specific characteristic of all members of the human race. (Perelman 1979b: 47)

It means that traditional philosophy aims for universal, abstract truths which are apprehensible to all those that possess this faculty. In such philosophical discourse, "the *rational* corresponds to mathematical reason; for some it is a reflection of divine reason, which grasps necessary relations, which knows *a priori* certain self-evident and immutable truths." (Perelman 1979a: 213. Italics original) The truths discovered by the rational are universal since the rational imposes its outlook on all reasoning beings and "owes nothing to experience, or to dialogue, and depends neither on education, nor on the culture of a milieu or an epoch" (Perelman 1979a: 213). It is not difficult to see that universality, necessity and self-evidence constitute the epistemic values that the rational favours.

As a consequence of preferring universality, necessity and self-evidence, the rational endorses the methods of demonstration in theoretical domains. In other words, the rational itself is exemplified by demonstration. Perelman points out:

> In its contemporary form, demonstration is a calculation made in accordance with rules that have been laid down beforehand. No recourse is allowed to evidence or to any intuition other than that of the senses. The only requirement is the ability to distinguish signs and to perform operations according to rules. A demonstration is regarded as correct or incorrect according as it conforms, or fails to conform, to the rules. A conclusion is held to be demonstrated if it can be reached by means of a series of correct operations starting from premises accepted as axioms. Whether these axioms be considered as evident, necessary, true or hypothetical, the relation between them and the demonstrated theorems remains unchanged. To pass from a correct inference to the truth or to the computable probability of the conclusion, one must admit both the truth of the premises and the coherence of the axiomatic system. (Perelman 1979b: 10)

Since the second half of the 19th century modern formal logic has become the study of the methods of demonstration through analyzing the methods of proof used by mathematicians (Perelman and Olbrechts-Tyteca 1969: 10). To some extent modern formal logic embodies the character of the rational. From the viewpoint of modern formal logic, an argument should be detached not only from the surrounding verbal discourse but also from the social and psychological contexts in which that discourse occurs. The validity of an argument is decided by rules of inference or logical forms. Once accepting the rules of

inference and argument forms that are valid for a system of formal logic, it is possible for any inquirer to see the necessity in the link from the premises to the conclusion.

The reasonable aspect, on the other hand, embraces another set of epistemic values and the related method. According to Perelman, the reasonable, in both judgment and behavior, corresponds to "common sense". A reasonable man makes his decisions and judges his actions not so much by self-evident truths and logical coherence with abstract principles, but rather by acceptability. The guide for decisions and behavior in all practical domains is what is acceptable in his own milieu, and if possible, what should be accepted by all in analogous circumstances. However, this thrust toward generalization or universalization which is characteristic of the reasonable is by no means the universality or immutability favoured by the rational. Since what is considered to be reasonable is limited to time, place, circumstance and community, reasonable decisions and behavior, even related to similar issues, will vary with different ages and different social settings. This is why Perelman emphasizes that "the reasonable of one age is not the reasonable of another, it can vary like common sense" (Perelman 1979a: 215). Closely related to the epistemic values of acceptability and contexuality, the reasonable also differs from the rational in its flexibility or its preferring changeability to necessity. "The reasonable of today is not the reasonable of yesterday, but is more often an effort toward more coherence, toward more clarity, toward a more systematized view of things which is at the base of change" (Perelman 1979a: 215).

In contrast to demonstration used in the realm of the rational, the method associated with the reasonable is argumentation. "To reason," Perelman maintains, "is not merely to verify and to demonstrate, but also to deliberate, to criticize, and to justify, to give reasons for and against—in a word, to argue" (Perelman 1980: 59). Given that what is reasonable is changeable, and cannot be determined independently of context, if we must choose between opinions, if the object of our inquiry is not self-evidently true, we will obviously be out of the realm of the rational, where the methods of demonstration have no place. For Perelman, the reasonable is sensitive to the history, tradition, and culture of a community; it is not the domain of self-evident truths, but of acceptability: "the very nature of deliberation and argumentation is opposed to necessity and self-evidence, since no one deliberates or argues against what is self-evident" (Perelman and Olbrechts-Tyteca 1969: 1). Put another way, "the domain of argumentation is that of the credible, the plausible, the probable to the degree that the latter eludes the certainty of calculations" (Perelman and Olbrechts-Tyteca 1969: 1).

To sum up, it seems to Perelman that the opposing terms "rational" and "reasonable" not only refer to two different aspects of human thought processes, but also show two different ways of conceptualizing reason. Rationality conceived in traditional philosophy manifests itself in the pursuit of universality, necessity and self-evident truth, and endorses the methods of demonstration that are mainly studied by modern formal logic. Reasonableness, on the other hand, expresses its epistemic preference in contexuality, changeability and acceptability, and takes the method of argumentation as its favourite.

3. THE RELATION BETWEEN THE RATIONAL AND THE REASONABLE

Since the rational contrasts with the reasonable in their favoured epistemic values and corresponding methods, according to Perelman, there is a continuing tension between the rational and the reasonable in any system of human thought in which neither should be considered nor allowed to be dominant. For example, if the reasonableness of common sense and public opinion were supreme, any advance in thought based on logical adherence to philosophical or scientific principles but departing from the common sense of one's time and one's society would be excluded. On the other hand, it is frequently only an appeal to common sense that can guide us to a choice between opposing philosophical systems.

Even though the rational and the reasonable function as two opposing aspects of human thought processes, Perelman does not think they are separate entities. With respect to the interaction or relation between the rational and the reasonable, he points out that "it is the dialectic of the rational and the reasonable, the confrontation of logical coherence with the unreasonable character of conclusions, which is at the base of the progress of thought" (Perelman 1979a: 215). After this observation Perelman provides a case study of law made to examine how this confrontation or this dialectic shows itself.

At one time, according to Perelman, the rational element in law was considered a function of natural law. Human law was considered rational in so far as it corresponded to the universal and immutable principles of natural law established by God. He quotes from Domat, the best known French legal writer in the 18th century, to say that "these laws present immutable justice, the same everywhere and always; whether written or un-written, no human authority can abolish or change them" (Perelman 1979a: 216). In con-temporary times the notion of positive law corresponding to the divine natural order, however, has receded in the field of legal philosophy. The principles upon which the ra-tional element in law is based are now sought in the legislature rather than in the mind of God, and unlike natural law, they are not regarded as universal and immutable any longer. We assume *a priori* that legislators are familiar with the legal and social systems in which their new laws will be incorporated, that they understand the meanings of the laws they make, and that they are committed to preserving the coherence of the legal and social systems. The courts' function then is to deduce the logical application of the generalized norms in law to specific situations.

The element of reasonableness plays a completely different role in law. For one thing, it establishes a framework or the outer limits within which the legal system must operate. It is always presumed that legal authority will be exercised reasonably. An act or decision that is unreasonable is always unacceptable in law. Furthermore, since "the ex-istence of this framework makes it impossible to reduce the legal system to a formal and positivistic concept" (Perelman 1979a: 216), the reasonable aspect of law also determines the context of the particular decision, its effect on the community and its acceptance by the community as fair and unbiased. Perelman concludes the description of the different functions of the rational and the reasonable in law as follows:

> The *rational* in law corresponds to adherence to an immutable divine standard, or to the spirit of the system, to logic and coherence, to conformity with precedents, to purposefulness. Where the *reasonable*, on the other hand, characterizes the decision itself, the fact that it is acceptable or not by public opinion, that its consequences are socially useful or harmful, that it is felt to be equitable or biased. (Perelman 1979a: 217; *italics in original*)

It seems to Perelman that the rational and the reasonable represent two essential and dynamically complimentary aspects of law. Both are necessary for a healthy legal system. The rational element makes human interaction more consistent, more ordered, more predictable. On the other hand, the rationality of law, untouched and untethered by reasonableness, would be monstrous. Only the reasonable aspect of law keeps it humane. Perelman holds that "when the rational and the reasonable mutually support each other, when reasoning according to principles ends in a satisfying decision, there is no problem" (Perelman 1979a: 217). This is to say, if the rational and the reasonable elements of law coincide, if reasoning on the basis of legal principles and precedents produces decisions that are seen as fair and socially acceptable, the legal system is working smoothly. Clearly this could be said to be in a state of high equilibrium.

However, "when the fidelity to the spirit of a system leads to an unacceptable, biased or socially inadmissible conclusion, in a word, to an unreasonable conclusion, this leads to the indispensability of a reconsideration of the system" (Perelman 1979a: 217). Furthermore, the rational element in law—precise principles and logical deduction from these principles—cannot provide a clear basis for decision in every situation. This means that "the idea of the reasonable intervenes in law in the absence of a theory which would furnish more precise criteria for the basis of a decision" (Perelman 1979a: 218). For example, what is the compensation which the victim has a right to from another's faulty action? What are the consequences that can be reasonably imputed to this action? All theories elaborated in this regard seem to be unsatisfactory. When dealing with complex situations, according to Perelman, judges very often refer to what is reasonable, to justify their decisions without being able to formulate a precise rule which would be applicable in all cases of this kind. On the other hand, the reasonable decision may offer only a provisional solution, so its more profound effect may be a re-examination and reordering of legal principles, an alteration of the legal system, that allow for a rational, and systematic solution to this and similar problems. Unlike the cases where the rational and the reasonable elements function smoothly, the dialectic between the rational and the reasonable, the confrontation of logical coherence with the unreasonable solutions, indicates a state of disequilibrium. For Perelman, this disequilibrium, this confrontation, this dialectic is still highly significant since it constitutes a basis for the improvement of law, more generally, movement of thought.

4. PERELMAN'S THEORY AND THE CONCEPTION OF SITUATED REASON

In fact, most standard English-language dictionaries such as Oxford English Dictionary do not support the distinction between the words "rational" and "reasonable" made by Perelman and seem to treat the two terms as virtually interchangeable. In response to a question along this line at the 1977 Ottawa Symposium where Perelman delivered his paper, he tacitly accepted this criticism. His response was that he was not a linguist, nor a grammarian, and had no interest in language as such. For Perelman, words are symbols which can take upon themselves whatever meanings their user wants them to have. "Language is a tool, I use it as suggestive, and I begin by that and see how we could use it and adapt it to all philosophical, legal and other needs" (Perelman 1979a: 222).

I am neither an expert in linguistics nor an expert in law, so I shall not go into detail about the inconsistency between the meanings which Perelman attaches to "rational" and "reasonable" and the meanings given in English-language dictionaries, or his ac-

count of how the dialectic of the rational and the reasonable show itself in law. Since Perelman claims we can adapt language to all needs, especially in philosophical disciplines, what I want to do in this section is to conjecture the philosophical nature of his theory about the relation between the rational and the reasonable.

To my mind, Perelman's distinction between the rational and the reasonable aspect of human thought processes could be traced back to Aristotle's analysis of the structure of the rational part of the soul, even though I have no textual evidence. As mentioned above, both what Perelman calls the rational and the reasonable conform to reason; analogously, Aristotle also asserts that the rational part of the soul has two parts:

> one by which we contemplate the kind of things whose principles cannot be otherwise, and one by which we contemplate variable things…Let one of these parts be called the scientific and the other calculative. (Aristotle 1991, *Nichomachean Ethics*, 1139a5-12)

The scientific part of the soul deals with invariable things, the result of which is *episteme* (theoretical knowledge or scientific knowledge). *Phronesis* (practical wisdom, practical knowledge or prudence), in contrast, is the function of the calculative part of the soul, taking variable things, namely, human action, as its object.

According to Aristotle's theory of knowledge, the scientific and calculative parts also differ from each other in their favoured epistemic values. The former strives for necessary, universal truth for its own sake, favours the method of demonstration, prefers exactness, and shows no interest in its application to practical things. On the other hand, the latter is concerned with what is indeterminate and contingent, inclined towards a broad outline of truth, endorses the method of deliberation, prefers the mediation between the universal and the particular, and places an emphasis on its application to human life.

Focusing on favoured epistemic values, it is easy to see the analogy between what Perelman call the rational and the reasonable and what Aristotle call the scientific and the calculative part of the soul. In fact, this kind of relation can also be found when Perelman claims that "the idea of the reasonable in law corresponds to an equitable solution" (Perelman 1979a: 218), because Aristotle also views equity as related to the function of the calculative part of the soul. For me, it is these observations that supply us with a valuable clue to exploring the philosophical nature of Perelman's theory about the relation between the rational and the reasonable.

According to Aristotle, in practical life the calculative part of the soul needs to know not only the general principles, rules and norms, but also how to apply them in particular situations. It is in the mediation between the universal and the particular that *phronesis* is required.

> Nor is practical wisdom concerned with universals only—it must also recognize the particulars; for it is practical, and practice is concerned with particulars … Now practical wisdom is concerned with action; therefore one should have both forms of it, or the latter in preference to the former. (Aristotle 1991, *Nichomachean Ethics*, 1141b14-22)

Here Aristotle characterizes the function of the calculative part of the soul and its result in terms of the relation of the universal and the particular.

Phronesis is essentially deliberative than demonstrative and deliberation is calculative in nature. "To deliberate and to calculate are the same thing, but no one deliber-

ates about what cannot be otherwise" (Aristotle 1991, *Nichomachean Ethics*, 1139a12-14). Aristotle points out:

> Deliberation is not concerned with those branches of knowledge that have precise rules of their own; e.g. writing, for we do not hesitate over the way in which a word should be written. The effects about which we deliberate are those which are produced by our agency but not always in the same way; e.g. the practice of medicine and of finance, and of navigation—which calls for more deliberation than physical training does, inasmuch as it has not been reduced to such a precise system; and similarly also with other occupations. (Aristotle 1955, *Nichomachean Ethics*, 1112b1-5)[1]

Although Aristotle here refers to various forms of art, the point also applies to human actions in practical life. If an action in ethical, political life can be specified by a set of precise rules, there is no need for deliberation. We can accomplish it by mechanically following the rules. But under many circumstances, actions in practical life cannot be reduced to a system of precise rules. This brings indeterminacy or uncertainty into our actions. It is exactly those particular circumstances that give rise to the indeterminacy of actions. This makes deliberation necessary. Thus, deliberation not only relates to what is universal, but also to what is particular. It is in this sense that Aristotle claims "Error in deliberation may be either about the universal or about the particular" (Aristotle 1991, *Nichomachean Ethics*, 1142a22).

As a corollary of what has been said, Aristotle claims that equity is superior to legal justice. Law is universal, but human actions take place in particular situations. Therefore, there are always some circumstances that cannot be covered by a universal legal principle. On such occasions, the law needs the correction of equity. Aristotle says:

> When the law states a general rule, and a case arises under this that is exceptional, then it is right, where the legislator owing to the generality of his language has erred in not covering that case, to correct the omission by a ruling such as the legislator himself would have given if he had been present there, and as he would have enacted if he had been aware of the circumstances. (Aristotle 1955, *Nichomachean Ethics*, 1137b20-24)

It is in correcting the deficiencies resulting from the generality or universality of law that the legislator displays equity. Therefore, Aristotle holds that equity is the rectification of legal justice. The reason that the legislator can correct the deficiencies of legal justice is that he is "present" and understands the circumstances, in other words, he has the knowledge of the particular. Equity is superior to legal justice in that it knows not only the universal, but also the particular.

Along the same line of thought, Perelman also relates the reasonable element in law to equity. This point is clearly expressed in that "the idea of the reasonable in law corresponds to an equitable solution, in the absence of all precise rules of adjudication" (Perelman, 1979a: 218). Perelman points out:

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[1] In this section I mainly quote W. D. Ross's translation of Aristotle's *The Nichomachean Ethics* in *The Complete Works of Aristotle* edited by Jonathan Barnes. However, on some occasions, I use Thomson's translation when I find that it fits in better with the theme of this section.

There are exceptional situations where we have to provide for a solution that would be equitable, and the Law itself does not provide for such a solution. There the equitable is not something that could be very precisely formulated, and in this sense, the equitable seems to be the reasonable. (Perelman 1979a: 220)

No matter how rational, e.g. precise and universal, legal principles are, they cannot be applicable to all particular situations. That is to say, there are always some exceptions to the universal rules of law. Under those circumstances, when trying to make a reasonable or acceptable solution, judges should use their discretionary power cautiously and focus more attention on the particularity of those situations, the individual and social effects of that particular solution, than the logical coherence of the legal system. Only by virtues of this dialectic of the rational and the reasonable can an equitable, accordingly, a reasonable solution be produced.

Philosophically, it is plain to see that the mediation between the universal and the particular forms the central point of Aristotle and Perelman's discourse on equity in law. With regard to the relation of the rational and the reasonable elements in law, the state of equilibrium between the rational and the reasonable exemplifies well the mediation of the universal and the particular. As mentioned above, if the rational and the reasonable mutually support each other, that is to say, reasoning on the basis of universal legal principles and precedents produces reasonable decisions that are fair and socially acceptable; the legal system is working smoothly. Even in the state of disequilibrium, the dialectic of the rational and the reasonable also involves this kind of mediation. Under some circumstances which universal legal principles cannot cover, although the reasonable decision may offer only a temporary, particular solution, it may lead to a re-examination and reordering of universal principles, even an alteration of the legal system. "The reasonable guides this endeavor toward systematization, toward the rational systematic solution" (Perelman 1979a: 219). Eventually a new mediation between the universal and the particular will emerge. Based upon the above analysis, I want to argue that the philosophical nature of Perelman's theory about the relation of the rational and the reasonable is to highlight the significance of the mediation between universality and particularity (or contexuality).

The rational and the reasonable are different aspects of how human thought processes exhibit "a conformity with reason." In Perelman's terminology, the rational is associated with universality, necessity and self-evidence; this means it is devoid of passion, detached from considerations of circumstance, time and place. Thus, the rational man is a one-side being, functioning like a machine. Accordingly, the conception of reason that underlies the rational is "mathematical reason" or "divine reason" which separates itself from other faculties of human beings. The reasonable, on the other hand, "addresses itself to the whole man, and not an abstract faculty, 'the reason', opposed to the will and the emotion" (Perelman 1984: 194). It is inclined towards acceptability and changeability, sensitive to the history, tradition, and culture of a community. Therefore, the conception of reason upon which the reasonable is based is no doubt a more flexible, enlarged and fuller one. The relation of the rational and the reasonable that demonstrates the mediation between universality and contexuality is still in accordance with reason; but what does Perelman mean by the word "reason" here? To my mind, Putnam and Habermas's discussion of the conception of reason is particularly useful in this regard.

For Putnam, reason is "both immanent (not to be found outside of concrete language games and institutions) and transcendent (a regulative idea that we use to criticize the conduct of all activities and institutions)" (Putnam 1982: 8). If a philosopher loses sight of the immanence of reason, that is, fails to take account of the fact that reason is always relative to context and institution, he will become lost in characteristic philosophical fantasies such as positivism; if he loses sight of the transcendence of reason, he will become a cultural relativist. When Habermas in *Post-metaphysical Thinking* discusses the conception of reason in the era of post-metaphysical thinking, he refers to the above quotation by Putman and puts it into his own words as follows:

> The validity claimed for propositions and norms transcends spaces and times, but in each actual case the claim is raised here and now, in a specific context, and accepted or rejected with real implications for social interaction. (Habermas 1992: 139)

According to Habermas, post-metaphysical philosophical movements in the 20th century have cast doubt on the idea that reason should be conceived abstractly beyond history and the complexities of social life, and have contextualized or situated reason in actual historical practices. Unlike the idealistic concept of reason that prefers what is universal, supratemporal, and necessary to what is particular, variable, and accidental, the conception of situated reason tries to keep balance between the immanence (or context-dependence) and transcendence of reason at the same time.[1]

Clearly, the conception of reason that underpins the relation of the rational and the reasonable, or the mediation between universality and contexuality, is exactly what Habermas calls situated reason. For Perelman, both the rational and the reasonable aspects of law are necessary for a healthy legal system. If a legal system only focuses on universal principles and does not take account of contextual concerns, it cannot function smoothly, since no universal principle can be equally applied to all particular situations. On the other hand, if a legal system only pay attention to contextual concerns and lose sight of the existence of universal principles, it will collapse sooner or later, since its universal constraining force and logical coherence are not highly regarded. So, it is the dialectic of the rational and the reasonable, the mediation or balance between the universal and contextual factors that guarantees the healthy functioning of a legal system.

5. A FULLER CONCEPTION OF RATIONALITY AND JOHNSON'S INFORMAL LOGIC

In light of Habermas's conception of situated reason, I argue that Perelman's effort to balance the rational and the reasonable can provide us with a fuller conception of rationality.

Perelman's characterization of the rational is closely related to what Harold I. Brown calls the "classical model" of rationality. According to this model, for a belief, decision, action, etc. to be rational, it must be universal in that a given body of evidence will render it rational or not universally; necessary in that it must follow necessarily from the relevant body of reasons/evidence; and must be a matter of rules in that it must both con-

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[1] Analogous to Habermas's critique of the idealistic concept of reason, Wittgenstein describes the primacy of the universal over the particular, a dominant view in the Western intellectual tradition, or perhaps more accurately, the continental European tradition, as "the craving for the generality" and "the contemptuous attitude towards the particular case" (Wittgenstein 1969: 18).

form to and be based on appropriate rules (Brown 1988: 5-19). Clearly, these three necessary conditions on rationality more or less exemplify the epistemic values, such as universality and necessity, endorsed by the rational. On the other hand, Perelman's fuller conception of rationality not only includes the reasonable as rational, that is to say, integrates contextual and historical considerations, the methods of deliberation and argumentation, the criterion of acceptability and so on into the function of rationality, but also attaches great significance to the balance between the universal factors and the contextual concerns.

Of course, there are various approaches to rationality. Or to put it another way, rationality manifests itself in multiple dimensions, for example, intrinsic and instrumental rationality, theoretical and practical rationality, monological and communicative rationality, bounded and unbounded rationality. The approach Perelman takes to outline his fuller conception of rationality is the relation between universality and contexuality. In my view, this conception of rationality has rich implications in the field of argumentation theory as well as the field of law and many other fields. In this section I do not want to analyze and examine how this conception of rationality manifests itself in Perelman's new rhetoric, but to venture how it could contribute to informal logic, especially Johnson's theory of argument.

As is known to many, the concept of rationality plays an essential role in Johnson's informal logic. This can be seen from the title of his monograph on informal logic "*Manifest Rationality*". According to him, "the central thesis of this book is to properly understand the practice of argumentation; we must view it as an exercise in manifest rationality" (Johnson 2000: 144). In the preamble to his explication of manifest rationality, Johnson discusses five aspects of the connection between argumentation and rationality. First, argumentation embraces rationality. This is to say, argumentation requires "that nothing be accepted but what is shown to have reason behind it" (ibid.: 162). Second, argumentation depends on mutual rationality. It means that argumentation requires a partner who is also rational. Third, argumentation increases rationality. Engaging in argumentation leads participants to be better arguers and become more rational. Fourth, argumentation exhibits rationality by virtue of public performance of arguing. And last, rationality is the glue that binds argumentation and rhetoric. The rhetor is rational since he makes use of reasons to support his position. However, "what separates rhetoric from argumentation is that the latter is bound by the requirement of manifest rationality" (ibid.: 163).

With regard to manifest rationality, Johnson claims, "To say that the practice of argumentation is characterized by manifest rationality is to say that it is patently and openly rational" to all participants (ibid.: 163). All of them agree to accept nothing that is not supported by reasons. Furthermore, "Manifest rationality is why the arguer is obligated to respond to objections and criticisms from others and not ignore them or sweep them under the carpet" (ibid.: 164). To not answer to objections and criticisms "would not only not *be* rational; it would not *look* rational" (ibid.: 164).

5.1 Johnson's specification of rationality

It is now time to raise some questions concerning the concept of rationality that underlies Johnson's explication of the connection of argumentation and rationality. First, what does he mean by rationality? Johnson is aware of the multiplicity of approaches to rationality,

but content to follow H. Siegel's reflections on rationality. Considering that the mean-end approach to rationality has some important limitations, Siegel writes:

> At a minimum, then, we need a better account of rationality than the means-end account if we are to further our understanding of rationality, and of the many philosophical problems which center on that notion. We need an account of rationality which recognizes various sorts of reasons and which provides in sight into the nature and epistemic force of reasons, and which affords the possibility of the rational scrutiny of ends. (Siegel 1988: 131)

Johnson agrees with Siegel, and further defines rationality as "the ability to engage in the practice of giving and receiving reasons" (Johnson 2000: 14). Accordingly, to be rational means to be able to engage in the giving and receiving of reasons. In another place, this specification of rationality is also articulated as "the disposition to, and the action of, using, giving, and-or acting on the basis of reasons" (ibid.: 161).

5.2 The meanings of the multiple occurrences of "rational" and "rationality" in Johnson's theory of argument

Since Johnson has his own understanding of the nature of rationality, another question arises naturally—do the multiple occurrences of the words "rational" and "rationality" in Johnson's *Manifest Rationality* share the same meaning as given by his own definition of rationality? I think it might be helpful to check, though very briefly, what Johnson talks about as the basic features of argumentation and the connection of argumentation and rationality.

The first feature of argumentation is that it is teleological in the sense that its fundamental purpose is rational persuasion. By rational persuasion Johnson means that "the arguer wishes to persuade the Other to accept the conclusion on the basis of the reasons and considerations cited, and those alone" (ibid.: 150). Clearly what he means here by rational fits well with his specification of rationality.

The second feature of argumentation is that it is dialectical. "An exchange is dialectical when, as a result of the intervention of the Other, one's own logos (discourse, reasoning, or thinking) has the potential of being affected in some way" (ibid.: 161). To my mind, whether or not the arguer's own logos would be influenced by the Other depends partly on the strength of objections, criticism and opposing points of view raised by the Other, partly on what kind of attitude the arguer takes to the intervention of the Other. There is no question that the former factor presupposes Johnson's specification of rationality, but it is not clear enough to me how the latter fits with his concept of rationality, since the attitude to the intervention of the Other is concerned with the norms for successful communication, and these norms cannot be reduced to "the giving and receiving reasons".

Concerning manifest rationality as the final feature of argumentation, Johnson discusses the connection between argumentation and rationality from five aspects. In my view, when he argues that argumentation embraces, increases and exhibits rationality, it is fair to say that he sticks to his own definition of rationality; in contrast, the remaining two aspects appear to be a bit complicated. According to Johnson, argumentation depends on mutual rationality in the sense that it requires a partner who is also rational. It seems to my mind that rationality in this case does not merely mean the ability to engage in the practice of giving and receiving reasons, but also requires being in accordance with some fundamental principles of human interaction. The point is uncovered by the word "mutual".

Johnson also claims that rationality cannot distinguish between argumentation and rhetoric since the rhetor must also use reasons in a speech act situation. Here the meaning he attaches to the word "rationality" is just his own specification of rationality. However, things becomes very perplexing when he points out that the rhetor may ignore objections to his argument "if ignoring the objection will lead to a more effective communication, and if doing so is rational" (ibid.: 163). In this quotation the meaning of the word "rational" seems different from Johnson's definition of rationality, and to have a variant sense which is similar to what instrumental rationality refers to, namely that a means is rational if it is efficient or effective in achieving a specific end. According to Johnson, the fundamental purpose of argumentation is rational persuasion. This means argumentation should be treated as a rational means of persuasion. This treatment shows clearly that there actually is a role that the instrumental rationality can play in theorizing argumentation, but Johnson seldom talks about the instrumental theory of rationality except pointing out its inadequacy for his purposes.

It is not difficult to see that the meanings of "rational" and "rationality" which Johnson uses to elucidate the connection between argumentation and rationality are not limited to his own definition of rationality. He uses the words implicitly in more than one meaning. Even though "rationality" in his explication is indeed mainly used to refer to the ability or disposition to giving and receiving reasons, it is sometimes used in a sense similar to intrinsic rationality—rationality that is and appears to be used for its own sake, i.e. "manifest rationality". Occasionally it means instrumental rationality—rationality used to achieve some extrinsic end—which Johnson implicitly assigns to the rhetor.

5.3 Why is it rational to respond to objections, criticisms
and alternative positions when constructing an argument?

Another problem concerning the function of rationality in the formation of Johnson's theory of argument is that of how to get a better justification for the inclusion of the dialectical tier as an essential component of an argument (at least the paradigm case of argument).

Why does argumentation need dealing with objections, criticisms and alternative positions to be rational? Quite a few commentators have pointed out that Johnson's understanding of rationality is inadequate to provide a good justification for the necessity of dealing with dialectical materials when constructing an argument. For me, this necessity does not simply lie in that argumentation should be based on the giving and receiving reasons, but that argumentation requires the arguer's logos be influenced by the logos of the Other. As addressed above, what kind of attitude the arguer takes to the intervention of the Other plays a crucial role in resolving the issue of whether or not the arguer's own logos would be affected by the Other. To judge whether the arguer's attitude is appropriate or not, in my view, must presuppose some fundamental norms for successful communication. At this point, it would be best to introduce another kind of rationality, i.e. communicative rationality, to justify why argumentation need display its rationality by responding to objections, criticisms and alternative positions.

In my view, the necessity of the inclusion of the dialectical tier as a component of an argument is one thing; whether or not Johnson's definition of rationality can justify this necessity is another thing. Johnson's conception of rationality fails evidently to supply a good justification, and this means either we change the foundation of the justifica-

tion, or else we develop a richer conception of rationality to account for the criteria for the dialectical adequacy of an argument as well as the inclusion of the dialectical tier be a component of an argument.

5.4 An implicit understanding of rationality in Johnson's theory of argument

In fact, there is also another conception of rationality in Johnson's informal logic, but he fails to make it explicit in his own specification of rationality. That is the conception of rationality articulated by Perelman, laying emphasis on the balance between universality and contexuality.

When talking about the characteristics of the informal logic approach to argument, Johnson maintains:

> One of the merits, I believe, of the informal logic approach to argument has been its positioning of itself between the (excessively) abstract universalist approach taken in FDL (a theory where one size fits all), and the more contextualized and nuanced approaches found in rhetoric and speech communication—which are highly context sensitive. (Johnson 2006: 251)

In his account, the formal logic approach to argument analysis and appraisal shows a tendency to develop a theory where one size fits all, and the approach to argument found in rhetoric and speech communication is highly context-sensitive. Though the attempt to strike a balance between what is universal and what is contextualized is something of a tightrope act, an adequate theory of argument definitely needs this kind of balance. Thus, on the one hand, informal logic should retain some of the universalist tendencies of formal logic, and aim to give an account of argument that is applicable across the board; on the other hand, it is also more open to the need to pay attention to the details provided by context.

Even though Johnson sees informal logic as positioned between formal logic and rhetoric, or universalist and contextualized approaches to argument, accordingly, endorses implicitly the conception of rationality that focuses on the balance between universality and contexuality, how does this balance manifest itself in Johnson's own conceptualization of argument? How is it concretized into the definition of argument, the theory of analysis, the theory of evaluation and the theory of criticism? These issues are still very much up in the air.[1]

Johnson acknowledges that "the issue here is how to understand rationality for the purpose at hand—which is to show the contribution that informal logic can make to the development of a better theory of argumentation" (ibid.: 13). But he admittedly bypasses the intriguing theoretical issues concerning the nature of rationality and its multiple manifestations. The actual usage of "rational" and "rationality" in his theory, as revealed above, is inconsistent with his own specification of rationality. This deficiency has already created some negative impacts on the theory-formation of his informal logic.

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[1] Walton seems be aware of the importance of the balance between universality and contexuality in the theory-formation. He claims, "The new dialectic is a framework for reasoning that strikes a healthy balance between descriptive empirical research on argumentation and normative or abstract logical methods of setting standards for good arguments. Such a balance, although lacking in the past, is healthy because neither the empirical nor the normative approach, by itself, can provide a method of argument evaluation that is both objective in standards and that fits the realities of real cases of argumentation in a way that is practically useful." (Walton 1999: 89-90)

When advancing his own theory of argumentation, Johnson addresses the question "What are the adequacy conditions that a theory of argument must meet?" According to him:

> A complete theory of argument would consist of a theory of analysis, a theory of appraisal, and a bridge between the two theories—showing how the theory of analysis leads into or supports the theory of appraisal. (Johnson 2000: 52)

With this lead, he works out a set of adequacy conditions for a theory of argument. For example, the theory must contain a definition of argument and the elements that constitute an argument; an account of how to understand the structure of arguments and how that structure may be displayed in a clear and precise manner; a theory of appraisal that recognizes that there can be good arguments for a given position as well as good arguments against it. Even though Johnson realizes the crucial importance of the conception of rationality for informal logic developing into a better theory of argumentation, there is actually no an adequacy condition aimed at the conception of rationality, i.e. a theory of argument must contain an account of rationality that can provide a comprehensive and sufficient justification for the theory of analysis, the theory of appraisal and the bridge between the both.

Given that the conception of rationality is essential for the shaping of informal logic and that Johnson's understanding of rationality is inadequate to supply a comprehensive and sufficient justification for his own theory, it seems to me the future development of Johnson's theory of argument is in urgent need of a fuller conception of rationality which should include Perelman's conception of the balance between universality and contexuality as a constituent.

6. CONCLUSION

I have outlined Perelman's distinction between the rational and reasonable in terms of their favoured epistemic values and corresponding methods, and argued that the differences between the rational and the reasonable do not make both aspects of human thought processes to be separate entities. Moreover, In light of conception of situated reason, I have argued that Perelman's explication of the dialectic of the rational and the reasonable highlights the balance between universality and contexuality, and suggests a fuller conception of rationality than that one conceived of by traditional philosophy. Based upon these observations, I have taken my discussion a step further and revealed the limitations of Johnson's specification of rationality and their negative effects on the shaping of his own theory of argument.

To my mind, the reason why Johnson's informal logic is in urgent need of a fuller conception of rationality is to a great extent that it lacks a philosophical constituent that is similar to what the Dutch pragma-dialecticians call "the philosophical estate of the realm of argumentation studies" (van Eemeren and Grootendorst 2004: 11). With regard to the importance of philosophical reflection in argumentation studies, van Eemeren and Grootendorst hold:

> "Fundamental" philosophical reflection is essential because the crucial issues of the discipline are at stake. No consistent scientific practices are possible without well-conceived philosophical principles. Those principles directly affect the nature of theory-formation. They are expressed not only in the selection of the themes that are in need of theorizing, but also in the way in which the research is undertaken and how the research findings are used in practice.

> This is why it is important that argumentation theory be practiced from a perspective that is philosophically justifiable. (van Eemeren and Grootendorst 2004: 13)

I do not want to address whether the philosophical reflections of the Dutch pragma-dialectics are successful. What I really want to say is that their observations quoted above are undoubtedly applicable to Johnson's version of informal logic. Therefore one of challenging tasks for Johnson and his followers to fulfil is to provide his theory of argument with a solid philosophical foundation. I hope I can go into detail about this point in another paper.

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Commentary on "RATIONALITY, REASONABLENESS AND INFORMAL LOGIC: A CASE STUDY OF CHAIM PERELMAN" by Rongdong Jin

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1. INTRODUCTION

This is an interesting paper that makes a noble attempt to draw from one of the principal theorists in rhetorical argumentation and apply some of his insights to a theorist who would minimize the role of rhetoric in argumentation to the degree that it is judged insufficiently rational. Perelman's treatment of the relationship between the rational and the reasonable provides the central theme of the paper, but it is more than a case study of Perelman (as the title would suggest), offering also an important critique of Johnson's Informal Logic. The project is successful on several levels but there are points about the senses of rationality in both Perelman and Johnson that deserve further attention.

2. THE SENSES OF 'RATIONAL' IN PERELMAN

At the outset we are confronted with a problem. Ostensibly, Perelman rejects the rational, so how can he maintain a dialectic between the rational and the reasonable? Part of the problem that we always have with reading Perelman is the way that he constantly breaks with tradition and modifies established terms without always being so clear that this is what he is doing. He also trades in the kinds of oppositions that we see illustrated by the rational/reasonable contrast. The traditional way to read the rational is to tie it to what is self-evident and see it elevated in the Cartesian effort to ground science. Thus, the post-Cartesian concept of reason forces us to be "irrational" whenever we discuss matters of uncertainty. But this, of course, is the domain of argumentation, in contrast to demonstration, and here we deal with what is reasonable rather than rational. This is also the domain of the human or personal, because what the Cartesian perspective had favoured was a disengagement from the human and human language. The self-evidence founded in the divine left no room for rhetoric and dialectic (Perelman, 1982: 159). But argumentation with its disputes and fallibility leads us back to the "properly human foundations" of logic and to the personal. Thus, Perelman can claim that "every discourse which does not claim an impersonal validity belongs to rhetoric" (p. 162).

But another contrast is suggested here: between impersonal and personal validities,. And it reasonable to ask what would constitute a personal validity, what kinds of standards does Perelman have in mind? To explore this, of course, takes us centrally through the new rhetoric project. But it helps us again to see the kind of dialectic between the rational and the reasonable that Professor Jin has in mind, because for the rational to

have purchase it now must be recast in rhetorical terms, losing its former nature. In some respects, it still stands in its original form as a backdrop against which other ideas can be seen. The notion of the quasi-logical, for example, is made clear because audiences already have a sense of logical validity drawn from tradition, and it is this sense that is simulated (but not adopted) by the quasi-logical. Still, I believe that we cannot fully appreciate how the rational has been recast in the new rhetoric without considering the central idea of the universal audience, even though that concept brings with it more vagueness. The new "rationality" involves a sense of universality or objectivity (which is characteristic of the reasonable—Jin, p.3), but that comes from the universal audience. Briefly, we can see this as a personalization of the rational insofar as the universal audience resides within each particular audience that is addressed in argumentation, present as the principle of reason that is operative within those audiences. This allows Perelman to avoid the essential relativism that would make the standard of argumentation simply its effectiveness with respect to a particular audience, with all that audience's specific interests and possible prejudices. Rather, when we consider arguments addressed to us, we are able to do so both in terms of our specific interests in an issue and in terms of what we appreciate to be reasonable within our community, what counts as standards of acceptance at this time and in this place. This universal audience is again not the philosophers' universal audience of the tradition, valid beyond space and time. Rhetoric brings these considerations into the concrete moments of the personal, where we connect with standards that do not depend on us but with which we interact and which change over time. Through this, the rational has been largely recast as an aspect of the reasonable, since it is in the appropriate agreement of the valid and the effective that the reasonable in argumentation is seen.

3. ARISTOTLE

How much does Aristotle's distinction between scientific (theoretical) reason and practical reason illuminate Perelman's dialectic between the rational and the reasonable? Despite Perelman's roots in Aristotle, he seems not to be interested in that particular tension but rather is working within the practical, since this is the domain of argumentation. Aristotle's scientific reason does not give itself to argumentation in the ways that Perelman expects. Moreover, Aristotle himself sees the universal and the particular operating in both the scientific and the practical. In the practical, for example, it may account for the problem of the *akrasic* who does not do what he knows to be in his best interest. How is this possible? Clearly, two senses of knowing are implicated here, and the *akrasic* is only in command of one of them. He knows the universal but fails to apply it to his own particular situation.

4. THE SENSE OF 'RATIONAL' IN JOHNSON

It's to be agreed that there are multiple senses of "rational" at work in Johnson. And he certainly is less interested in the juridical argumentation that attracted Perelman and Habermas, since Johnson believes that personal responsibility is not stressed in the legal situation (2000: 26). Sometimes Johnson's use of different senses of rational seems deliberate insofar as rationality characterizes argumentation and is the goal at which it aims. But he does settle on a central sense, and this is a very different type of rationality than

what we have seen in Perelman. This is not the self-evidence of the demonstrable, but it is an intersubjective idea that bears on the ethics of argumentation. This is the sense of rational that Professor Jin judges to be insufficiently developed in Johnson, and I think he is right. It is not enough for argumentation to be based on the giving and receiving of reasons (a core sense of rational for Johnson); it must also see the "arguer's logos…influenced by the logos of the Other" (p. 12), and this involves judging the attitude of the arguer to the intervention of the Other. To be rational (or manifestly rational) has to do with how we treat other arguers, what we do in argumentation that recognizes the full cognitive nature of the other. So to be rational is to avoid exploitation, which is why Johnson relegates rhetorical features like ethos and pathos to having secondary importance. This is where Johnson attributes a sense of the rational to the rhetorical that Jin finds perplexing. From the point of view of rhetoric, claims Johnson, the arguer may ignore objections "if doing so is rational" (Johnson 2000: 163). But this is because he believes that for an argument to be "effectively rational," rhetoric will require it to take account of "the human environment" and connect it "with human sentiment" (2000: 269). This brings the roles of ethos and pathos to the fore, and Johnson does not favour doing so.

When Johnson writes that argumentation is located within the domain of the rational (2000: 269), it sounds as if he has a fundamental disagreement with Perelman. But he allows that the 'rational' involved is one that also accommodates rhetoric, insofar as rhetoric gives logos a central place. It is simply that this is not the only component to give argument rational force. For Johnson, the dialectical tier with its accompanying obligations is a central component of argument. The rhetor might assume such obligations, but does not have to since her arguments can be perfectly effective without them. And therein lies the difference, since dealing with obligations is non-negotiable for Johnson.

But as I have suggested briefly above, Perelman's rhetorical standards of good argumentation encompass more than just effectiveness, and it is the case that his wider (but still vague) notion of the reasonable may indeed require consideration of objections, since that is likely to be a demand placed on the arguer by the universal audience. Moreover, there is also a sense in which Perelman does endorse the kind of mutual rationality that operates at the heart of Johnson's project. We see this in what he (and Olbrechts-Tyteca) have to say about the treatment of audiences.

For Perelman, the very fact that someone is worth persuading brings value into the situation and attaches importance to the agreements between people (Perelman & Olbrechts-Tyteca, 1969: 16). The arguer here shows "some concern for the interlocutor" and has to "be interested in his state of mind" (ibid.). It is just such a concern that seems crucial to mutual rationality, where the arguer and the Other treat each other as operating in a sphere of reasonableness, with all the senses of obligation and commitment appropriate to such a sphere.

This could be stronger in Johnson, and it is a strength of Jin treatment that he draws our attention to this and stresses the nature of the importance involved. The split at the heart of an argument for Johnson, with its illative core and dialectical tier threatens to remain unhealed (Tindale 2002). Focusing on reasons as the core of rationality separates logic from is human origins. Hence, the need for a bridge to connect the illative and the dialectical. Johnson needs the connections with the "human environment" (the "personal" of Perelman's reasonableness) that he worries are over-stressed in the rhetorical. But I believe the full commitment to the mutuality of mutual rationality already assumes that connection. It is there; it just needs fuller articulation.

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