

PHENOMENOLOGY AND ARGUMENTATION

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Abstract: Phenomenology and argumentation theory do not seem to be the closest of disciplines. However, there seem to be at least one exception among argumentation scholars: Charles Arthur Willard. The main focus of the second of Willard's books on argumentation, *A Theory of Argumentation* (1989) is the agent, argumentation being considered in the context of social interaction and communication, with an important emphasis given to the mundane and everyday life argumentative behavior – Willard taking a somewhat non-orthodox stance in contrast with the majority of argumentation theorists in terms of, for instance, relevance given to models such as Toulmin's. One of the influences on Willard was Alfred Schütz, who is widely known for his works in social phenomenology. In the present paper, I aim to discuss some of the specificities of Willard's view on argumentation from the angle of Schütz's influence. For example, social interactions of an argumentative kind should be considered in light of what is called 'intersubjectivity', 'joint awareness' or 'reciprocity of perspectives', these having a hierarchical and multileveled nature. Considering these, I will end the paper by discussing the possible consequences of a phenomenological import in argumentation theory.

I. Introduction

In *The SAGE Handbook of Rhetorical Studies*, in the chapter dedicated to argumentation theory, Frans H. van Eemeren, one of the leading contemporary scholars in argumentation, writes the following when comparing Stephen Toulmin and Chaim Perelman:

"In spite of the commonalities between Toulmin and Perelman, the differences prevail. Oxbridge-bred Toulmin is much more analytic

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in the way in which he develops and writes down his ideas. Continental Perelman's intellectual proceeding comes closer to practicing phenomenology." (van Eemeren 2009, 116)

So, why is Perelman continental in argumentation? One of the chief reasons is his focus on the agent, on the arguer involved in the process of argument, his approach being maybe the most influential and developed audience theory to date. This interest in the agent seems to make many argumentation scholars raise an eyebrow since it opens the door to elements that do not seem to be of genuine interest to argumentation theory proper (e.g. values, value judgments, persuasion etc.), which should focus on the more formal or technical aspects of an argumentative interaction. In this light, it seems probable that something similar to a fear of psychologism exists in the field.

This emphasis on the agent and other connected concepts is, however, relevant to argumentation studies because it can answer questions that a formalist approach alone cannot. And a relevant question is: why Perelman's approach is similar to phenomenology? To sketch an answer to this, we should turn to the definitions of the two fields: argumentation theory and phenomenology. This way we can form an opinion about the possible points of intersection between the two fields.

There are, probably, as many definitions of phenomenology as practitioners. Nevertheless, it is necessary for the aim of this paper to present a definition. So, I will consider the following recent definition, from *The Stanford Encyclopedia of Philosophy*:

"Phenomenology is the study of structures of consciousness as experienced from the first-person point of view. The central structure of an experience is its intentionality, its being directed toward something, as it is an experience of or about some object. An experience is directed toward an object by virtue of its content or meaning (which represents the object) together with appropriate enabling conditions." (Smith 2013)

Now, if you are inclined to think that argumentation theory had a single good-for-all definition of the field and that definition was kept

until today, you'd have to think again. Actually the definition changed over and over again to accommodate new research that was considered relevant. In this case I will take the definition found in the most recent handbook on argumentation theory:

“Argumentation is a communicative and interactional act complex aimed at resolving a difference of opinion with the addressee by putting forward a constellation of propositions the arguer can be held accountable for to make the standpoint at issue acceptable to a rational judge who judges reasonably.” (Handbook of Argumentation Theory 2014, 7)

Based on these two definitions, what becomes apparent is that first of all the agent or the arguer can be the focus of both these fields, analyzed from their respective points of view. So, to enumerate more explicitly several intersection points: the experience(s) of the agent as arguer and/or audience, the intentionality of the agent as arguer/audience, interaction between agents based on their experiences, assumptions and conditions of the agent etc.

Some of these topics were already touched upon by at least one argumentation scholar: Ch. A. Willard. As we will see below, he was influenced by phenomenology through the work of the social phenomenologist Alfred Schutz.

In what follows, the structure of this paper shall be the following: I will start by summarizing Willard's view on argumentation and then I will present Schutz view on phenomenological social science in order to indicate the points where Willard seems to be influenced. Next, I will point out some problems Willard's theory has, which stem from his phenomenological influence and briefly discuss what should be taken into account in the case of a phenomenological import into argumentation theory.

II. Ch. A. Willard's & A. Schutz

Charles Arthur Willard is an argumentation scholar focused on social aspects of the field. His argumentation theory is considered

“constructivist” (van Eemeren *et alii* 2014, 35) and it is more sociological and rhetorical in its features (Handbook of Argumentation Theory 2014, 233, 449). He developed this theory in three books: *Argumentation and the Social Grounds of Knowledge* (1983), *A Theory of Argumentation* (1989) and *Liberalism and the Problem of Knowledge* (1996). In what follows I will focus on the second of these.

His definition of an argument is the following:

“Argument is a form of interaction in which two or more people maintain what they *construe* to be incompatible positions.” (Willard 1989, 1, italics mine; 42, 66)

And being that, it is based on assumptions:

“An argument is a social encounter built upon the following minima: I assume that we disagree, I assume that you assume we disagree, I assume that I am arguing and that you agree that I am arguing, you assume that you are arguing and that I would agree that you are arguing.” (Willard 1989, 53)

Willard’s view is constructivist and interactionist and from this perspective: “*argument* may refer to *whatever* communications one finds in polemic conversations.” (Willard 1989, 92), argument supposing disagreement, even if imagined (Willard 1989, 12; 53; 66; 148), but at the same time is a cooperative enterprise (Willard 1989, 40; 45-46). So, based on this down-to-top way to see arguments, argumentation may be equated with a specific type of communication (Willard 1989, 12). In general, argumentation is a communicative process that is interactive, social, public (Willard 1989, p. 2, 16, 37, 53, 66, 192). It also fragile in the sense that it can change, Willard saying that it can adapt, being “chameleonlike” (Willard 1989, 2, 7, 130). As a social or public communicative interaction argument is “ubiquitous” and by studying argumentation one has the chance to reveal “the structures of our conversational system, social life, and public knowledge.” (Willard 1989, 2, 7).

Why study argumentation? For Willard this scholarly enterprise has the following purpose:

"(...) a theory of argument can be the empirical basis of a philosophy of the public sphere. In describing actual practices, it will explain the effects of pluralism among experts discourse domains, the political implications of incommensurable epistemic claims, and thus the role of argument in public decision making. Ultimately, a philosophy of the public sphere will be a theory of criticism doubly grounded in an appreciation of the epistemic accomplishments of people and discourse domains in which they move as well as a respect for the relativity that often divides them." (Willard 1989, 10)

As we can observe, to study argument is an empirical endeavour, the main focus, if not the only one, being on actual and particular argumentative processes as they occur in everyday communicative practices.

These were the general lines of what Ch. A. Willard proposes as a theory of argumentation. In what follows, I will focus on several aspects that might have been influenced by phenomenology via A. Schutz, especially from the perspective of what is an argument as an interactive process. These relate to arguments as encounters, the relationships, and coordination between arguing parties and their reciprocal "background awareness".

Argumentative encounters are made possible by the pre-existence of a kind of relationship between the persons engaging in them. This relationship is a construct and it "describes the preconditions of subjectivity". Willard considers two important concepts here: relationships and encounters. They are circularly linked: "Relationships begin with encounters and, over time, undergo successive evolution toward refinement and greater complexity as they guide more encounters" (Willard 1989, 49). Argumentative disputes are "developmental aspects of relationships as well as circumstantial features of encounters" (Willard 1989, 83).

Arguments, as they take place, are encounters and they are actually determined by the relationships (Willard 1989, 47) and these are determined by the assumptions of the arguers. More to the point: "Encounters deal with particular matters; relationships deal with the

members' identities" (Willard 1989, 49). In this light, it is clear that the way an encounter goes about is determined by the participants' identities; as more encounters take place, they shape identities, and future encounters are shaped in turn by these newly shaped identities and so on. Relationships have rules and the relation between two arguers includes all the encounters between them (Willard 1989, 54-55) and Willard talks about a "ethnoscience move" in the study of argumentation, focusing on the arguer (as in the *rhetorical* ethos, the character of the speaker) (Willard 1989, 56). Another relevant concept here is coorientation. For Willard coorientation differs from consensus (Willard 1989, 54), as will become apparent later on. This is what he writes about coorientation, it being an "intersubjective achievement":

"There are (...) three levels of coorientation: agreement, understanding, and realization. If A and B express agreement on X, they 'agree'. If A believes (correctly or not) that B agrees, there is 'understanding.' If A believes (correctly or not) that B believes that A agrees with X, 'realization' has occurred." (Willard 1989, 49)²

This represents the multileveled nature of reciprocity.

Another concept needs to be mentioned here: "background awareness". This term is borrowed by Willard from ethnomethodology and it refers to "the assumptions behind our mutual perceptions". I take this to be intimately related to coordination and its levels or, more to the point, to what we think the other believes and assents to. Willard says that at the simplest level, this awareness is about the "formal cultural principles" of the parties (Willard 1989, 52).

Willard references to Schutz in the case of some of the aforementioned concepts. So, terms such as "intersubjectivity" seem to have been used by Schutz to refer to "joint-awareness" and the "reciprocity of perspectives" and this reciprocity has a "hierarchical or multilevel nature" (Willard 1989, 48). This seems to relate to what Willard calls coorientation in the context of an intersubjective relation.

² It should be mentioned that this is taken from (Laing, Phillipson & Lee 1972), a work that also has found inspiration in phenomenology.

According to Schutz, in this line of thought, background awareness consists in “the tacit, taken-for-granted assumptions that lie behind our speech and action” (Willard 1989, 52).

Alfred Schutz (1899-1959) was one of the philosophers who made a phenomenological import into social science, with the purpose of offering a philosophical grounding. His views were mainly influenced by Edmund Husserl. In what follows I will refer to the following of his works, referenced by Ch. A. Willard in his book: *On Multiple Realities* (1945); *Some leading concepts of phenomenology* (1945); *Choosing Among Projects of Action* (1951); *Common-Sense and Scientific Interpretation of Human Action* (1953).

According to Schutz, human beings live in the everyday world, which in the case of Schutz is also called the “social world” or the “world of daily life”. In this world, which is intersubjective in its nature, humans have an “intersubjective experience”. Based on this experience they build-up “stock of knowledge/experience” or “knowledge at hand” which is composed of rules, norms, concepts and other mental constructs; this being what eventually amounts to “common-sense”. This has a “taken for granted” character and it offers “reciprocity of perspectives” and the presupposition of commonality in relation to the world humans live in, i.e. they “construct” a “social reality”. What is “taken for granted” underlies every human activity or experience and so it influences the “intersubjective experience” which in turn influences the way the “social world” is constructed. This construct is neither eternal, nor continuously changing but can be changed based on the shared intersubjective experience of the humans, i.e. it is a process of continuous revision of the social world. (Schutz 1945a; 1945b, 1951, 1953, *passim*).

This sketch should be enough to see that there are many similarities between Willard’s theory of argumentation and Schutz’s view on social science. For example, intersubjectivity, reciprocity of perspectives or joint awareness applies in similar fashion both to social actors engaged in social activities (Schutz) and to arguers engaged in argumentation (Willard), of course, arguers being a subtype of social actors. However, we have to keep in mind that an argument’s “causes and effects are both private and public” and this gives argumentative processes an identity that distinguishes them from psychological or

sociological processes (Willard 1989, 15). Based on this intersubjectivity social reality is constructed, in the case of Schutz by people as social actors, in the case of Willard by people as communicators (Willard 1989, 18). This intersubjectivity makes it possible for the arguers to be aware of each other, the “joint-awareness” between social actors or communicators, and this makes coorientation as a cognitive achievement on multiple levels possible, i.e. the reciprocity of perspectives taking place on multiple levels. This intersubjectivity and the intersubjective world should be continuously created and sustained by the ever-changing social actors (Schutz 1945a, 533-534), the creation being roughly equivalent to what Willard calls encounter and maintenance to what he calls “relationships” in argumentation (Willard 1989, 49). The same way a relationship from an argumentational perspective is maintained by multiple encounters, the maintenance of the intersubjective world is made possible by multiple and repeated acts of creation, i.e. of social world construction. In the case of the argumentative context considered by Willard, an argument as communication and as a repeated process has the role to do that.

What is taken for granted for Schutz, is usually related to what is constructed knowledge about the social reality (Schutz 1953, 29), this being the common sense that determines the intersubjective experience of the social actors. As mentioned above, this knowledge is made out of mental/cultural constructs. Something similar happens in the case of the arguer, who needs to have a “background awareness”. This can be different from one person to another: a “disciplined” arguer (i.e. one who knows the relevant rules) has a somewhat different background awareness than a “non-disciplined” arguer (Willard 1989, 44); this means that, since we have two types of “perceivers”, disciplined and non-disciplined, there should be (at least)³ two kinds of relations between arguers, simple and complex (Willard 1989, 52). Disciplined background awareness should mean here that the agent has added to his stock of knowledge, or common-sense, the internalized norms of argumentation.

³ I say “at least” because there is a possibility of a mixed relation, between a disciplined and non-disciplined arguer. I will not follow the possible implications here.

III. Imports

Willard's view was already criticized for its shortcomings, one of which was his attitude towards formal logic and its role in argumentation (e.g. Yoos 1991; Gilbert 1993; Johnson 2000). In what will become apparent below, it will be observed that the downplaying of normativity in argumentation is not really something to be desired and doing a phenomenological import into argumentation that will result in minimizing the importance of its normativity actually does more harm than good.

First, some context is needed. Until the middle of the 20th century, argumentation theory was more formalistic, more normative, and more theoretic. Starting with pioneering work such as that of Stephen Toulmin or Chaim Perelman and Lucie Olbrechts-Tyteca, the discipline of argumentation changed. It begins to incorporate objects of study that before were not considered as relevant to argumentation theory. Such were, for example, pragmatic issues relating to context, psychological issues relating to arguers etc. Since then, a formalistic attitude in argumentation theory might be considered a bit extremist and it is usually done by downplaying or altogether ignoring the non-formal aspects of argumentation⁴.

A theory such as Willard's seems to be inclined to slowly hover towards the opposite attitude and this becomes apparent when we read what he has to say about the role of formal logic in argumentation. He already criticized the use of diagrams in a paper from 1976, *On the Utility of descriptive diagrams for the analysis and criticism of arguments*. There, Willard makes it clear that by diagrams he refers to such things as Aristotle's syllogistic theory or Toulmin's argument model (Willard 1976, p. 309). This makes it clear that he refers to "models". In the book we focused on in this paper, Willard talks about the definition of argument as "claim-reason complex" – CRC (Willard 1989, 77 sqq.) as the one preferred by those who favor the uses of models in argumentation. For Willard, however, "arguments are too complex to be adequately

⁴ N.B.: This did not mean that argumentation theory started to ignore formal or normative issues. On the contrary, they remained an essential part of argumentation theory and even the most important part, according to many scholars.

represented by narrow models" (Willard 1989, 243) since they cannot account for non-formal aspects of argumentation such as is, for example, humor. He underlines the lack of value in what the "claim-reason complex" is capable of in order to define arguments as they happen:

"As a matter of *defining argument*, the *analytic abstraction* view is empty. Perhaps one can cull the CRCs from the messiest squabbles. But in sifting through a conversation to glean units of meaningful utterance, one may be doing something different in kind from what the arguers are doing, and one is not studying argument as it happened." (Willard 1989, 90)

Willard's model is not considered something that complements the CRC model, but something completely different (Willard 1989, 256) and it is to be expected that a normative model such as CRC should not be considered relevant to guide everyday arguments, an example of Willard being "not all situations share the explicit rule structure of legal proceedings" (Willard 1989, 74). The normative rules that the models try to impose in the argumentative practices are actually a variant of the "constraints" on "human nature" (Willard 1989, 75). An attitude of this kind can be traced back to the importance given by phenomenologists to everyday life in spite of modeling, normativity, and everything considered theoretic and objective in general. Of course, Willard cannot sustain an argument for ignoring altogether these models, but he nevertheless considers them less important in relation to aspects of everyday life argumentation.

There seem to be several problems with this view. First of all, models are not there to represent arguments as wholes, but only parts of them, which is the purpose of the model to underline. It is like the case of abstraction. A good abstraction is when it manages to avoid the extremes of identifying itself with the abstracted object or of having nothing in common with it. What use has an abstract object if it identifies itself with the abstracted objects? What use is the abstract concept of "four" if the only way you consider it relevant is as "four fingers", "four dogs" or "four trees"? Also, argumentation theory is not only about understanding arguments, it is also about understanding

why they are wrong and what we should do to correct them, i.e. the normative part should be considered essential and even principal because any theory or form of knowledge tacitly presupposes this. Even the teachable character of a discipline is profoundly linked to its normative side. The descriptive aspect is very important (and even this needs to take rules into account), and argumentation cannot be realized without it, but its importance should not be overestimated especially at the cost of inappropriately downplaying the normative side.

This aspect should be taken into consideration when we aim to import any import from phenomenology into argumentation because, if the consequence is to undermine one of the pillars of argumentation theory, such as the mentioned normative side, then an import might do more harm than good.

But what about a possible import with positive effects? If we considered what was said above, it is clear that a phenomenological take on argumentation might be useful to gain new insights in regard to the way we consider the relation between the arguing agents, especially from the perspective of how we mentally construct “the other”, his beliefs, his stances, his attitudes etc. Also, a phenomenological take might contribute to what is the descriptive side of argumentation theory, as already seen in the case of Willard, with the mention that this should not be necessarily a description of argument structures used in arguments, but of argumentative communicative behaviour which takes into account what can be called the subjectivity or intentionality of the agents.

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