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Commentary on Charlotte Jørgensen: “Interpreting Perelman’s *Universal Audience*: Gross vs. Crosswhite”

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Professor Jørgensen’s discussion of one of Perelman’s central notions raises some of the perennial problems associated with the universal audience, and highlights them in relation to the issue of dissensus in political reasoning. In fact, I think the particularly interesting problems appear as the following: (i) Insofar as the universal audience is said to consist of “all of humanity, or at least all those who are competent and reasonable” (Perelman, 1982:14), how are we to understand such an expansive claim? Does it even contain an element of vicious circularity in the way it *excludes* the unreasonable, judged so on the basis of its own criterion? (Sometimes we might think that if the universal audience is only comprised of reasonable people then it cannot be such a large audience.) Alan Gross sees Perelman committed by this to the most extreme sense of timeless validity. (ii) Political argumentation seems compromised by the fact/value distinction that leaves Perelman saying of universal values like justice that they “can be regarded as valid for a universal audience only on condition that their content not be specified; as soon as we try to go into detail, we meet only the adherence of particular audiences” (Perelman & Olbrechts-Tyteca, 1969: 76). How, on such terms asks Professor Jørgensen, can the universal audience play a role in political argumentation? The nature of the universal audience and its relation to values is, then, what most occupies us here. I will suggest a few possible routes to follow.

(i) Unlike Gross, and following the interpretation of James Crosswhite (1996), we can agree that the universal audience is rooted always in a particular audience. It cannot arise in the abstract (for an arguer or evaluator) but only in relation to an argumentative situation that has real participants. Perelman’s own understanding along these lines is made clear when he invokes the “Report of the Committee on the Nature of Rhetorical Invention,” writing that there may be many universal audiences “although not in a single situation,” and that the real task in the process of persuasion is not to address two audiences but to “transform the particularities of an audience into universal dimensions” (1989:246). The role of the universal audience was always to be a normative one (1969:30), allowing us to focus on the immediate audience with the particular cognitive claims relevant to its situation, while recognizing a standard of reasonableness which should envelop that audience, and which it should acknowledge whenever recourse to the universal audience is required. The tension (and the challenge for scholars promoting Perelman’s work) is always between these two sets of criteria—the particular cognitive

claims and the “universal” standards of reasonableness—operating *within* the same audience. If the universal element here is seen as one that binds “all of humanity, or at least all those who are competent and reasonable,” then this seems to compound the problem. Indeed, it does so *if* we understand “humanity” and “competent and reasonable” as fixed ideas, transcending time and space. But why should we? The human condition has a basic commonality to it: we are born, live and die; experience basic needs and desires; behave in similar goal-like ways, etc. But that is not the sense of “humanity” that interests us when we are speaking of audiences for argumentation. Here, we direct ourselves to questions of persuasion and conviction and the cognitive standards that govern the appropriate ways *these* activities are conducted. Likewise, our sense of what is reasonable (whether it is the slavery of fellow human beings or the permissibility of *ad hominem* reasoning) is not fixed but fluid and will alter over time. In fact, it would seem to be the very tension between the cognitive claims (and beliefs) of particular audiences and the wider “universal” standards that govern them that would account for such alterations. And argumentation itself is the activity that provides for this, justifying change against the backdrop of what Perelman calls inertia. Perelman and Olbrechts-Tyteca present this dynamic relationship according to the principle of the rule of justice in the last part of *The New Rhetoric*: “Our hypothesis is that this strength [of argumentation] is appraised by application of the rule of justice: that which was capable of convincing in a specific situation will appear to be convincing in a similar or analogous situation. The comparison of situations will be the subject of constant study and refinement in each particular discipline” (p.464). Arguers belong to communities of reasoners, communities that they have in common with their audiences. In this sense, they share the common patterns of what is reasonable. Simply put, the rule of justice provides a constraint on mere acceptance. Audiences are not free to accept whatever they would like. They operate in a field of reasoning that provides established judgments and the patterns on which they have been judged reasonable. Whatever we accept has to fit with what has been accepted in other, similar instances. This is what gives coherence to our judgments and a sense of our belonging to a community of reasoners. We can challenge the standards we inherit, argue that they do not transfer to our case, argue that they are misapplied, but we cannot ignore them. Arguers appreciate this; such standards are part of the cognitive environment of the audiences they interact with, at a level at which we *all* interact.

(ii) This discussion, then, has bearing on our second question regarding the fact/value distinction and the possibility of political argumentation. “Values,” we read, “are objects of agreement which do not claim the adherence of the universal audience” (1969: 75). Do not claim it, but certainly rely on it in important ways.

One possibility is to see in the Universal Audience the standards for reasonableness that must be used to adjudicate *all* arguments that have pretensions to speak to complex audiences (beyond strictly particular ones). That is, standards by which we adjudicate arguments of all kinds (whether philosophical, scientific or political), like the conditions of fallacies or the rules of relevance, are not standards of value but are standards governing argumentation. Thus, while the agreements around values are restricted to particular audiences, the *arguments* themselves must still conform to the standards of reasonableness by which those audiences should operate. This may not be a

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reading provided by Perelman and Olbrechts-Tyteca, but it is consistent with their general treatment in the latter part of their text.

Alternatively, we can take Perelman and Olbrechts-Tyteca at their word. In science, “the actual unfolding of the argument is free from values” (this, I would submit, is a rather dated understanding of scientific argument that would now be challenged). “But in the fields of law, politics, and philosophy, values intervene as a basis for argument at all stages of the development” (75). Such remarks suggest a specific understanding of the relation between values and argument. Facts require agreement at a level more general than values. It is the very nature of facts that reasonable people should not disagree about them (at least after argumentation has addressed the point). Facts are not internal to the participants, the arguers and audience. But it is the nature of values that we will disagree over them; they are internal to us as arguers and audiences. The best we might expect is that values are held and expressed in a reasonable fashion.

On this reading, the universal audience does not tell the particular audience in which it resides which values to hold (it does not adjudicate between values); it tells us which arguments expressing values are reasonable. It is the reasonableness of the argument rather than the values it expresses which is the focus here.

Just as all reasonable people now (but not at an earlier time in our history) will agree that the Earth revolves around the sun, so they will agree that Justice (vaguely expressed) is a universal value. But whether ‘x’ is a just action requires explicit details of how ‘justice’ is being understood in relation to a specific situation with distinct features. Hence, the details command the adherence of only a particular audience (1969: 76). But the reasonableness of that adherence involves the universal audience operating in that situation.

Here, then, I have tried work with some of the concerns raised by Professor Jørgensen, thus contributing to her treatment of a concept and author that continue to demand our attention because of their relevance to the central issues of argumentation.

[link to paper](#)

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