

DELIBERATE INVENTION: ON THE MOTIVE TO CREATE NOVEL BELIEFS

By: [Stephen R. Yarbrough](#)

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Abstract:

Forensic, dialectic, or scientific discourse cannot induce the desire to create novel beliefs, but deliberative discourse—a procedure for determining rules for future actions for which the interlocutors as yet have no determined rules—may induce such desire when interlocutors accept what Donald Davidson has called "the rule of charity," the rule that interlocutors must assume that what their counterparts say is mostly true. The need, and therefore the desire, for new belief emerges only once the possibility of resolving the problem using currently held beliefs exhausts and the need to reconceive the original problem presents itself.

Article:

Contemporary rhetorical theory has little to say about the conditions that induce the production of novel beliefs—novel in the sense that we can-not explain them as inferences from an individual's previously held beliefs. This is strange, considering that a common claim, as the introduction to today's most popular rhetoric anthology repeats, is that "Knowledge and belief are products of persuasion" (Bizzell and Herzberg 15). Many theories have sought to explain the mechanism rhetors use to produce novelty, and many claim that metaphor is that mechanism. None that I know of, however, has attempted to explain how the processes a rhetor uses to persuade an audience to accept a novel belief could contribute to the prior generation of that novel belief in the rhetor herself. The question boils down to this: can rhetors only recognize and use novelty once it has appeared, or can they deliberately create novelty because they want or need it? Unfortunately, the rhetorical tradition from the classical Greeks to the present day has avoided answering the question of why we would want or need to deliberately invent, focusing instead upon describing the difference between the conventional and the novel, speculating upon the mechanics of novelty's production, then—almost always—concluding that novel beliefs could not be deliberately produced.

The traditional view is that inventing novel beliefs requires "intuition" or "talent." If intuition or talent is invention's necessary condition, then, as Richard Young concludes, "one cannot teach direct control of the imaginative act or the unanticipated outcome," and so the best a rhetorical pedagogy can do is "coax imagination and memory" through the use of heuristic procedures (1). Essentially, the procedures produce the novelty; the rhetor merely recognizes its potential usefulness and puts it to work. Other rhetoricians with a bent toward social constructionism, such as Karen Burke LeFevre, argue against the centrality of individual intuition. She distinguishes between "reflective views of invention," in which "invention is the discovery or recovery of existing knowledge," and "dynamic invention," which results in "the creation of something new—new for the individuals or groups who have not previously thought of it, or new in that it has not previously been conceived by anyone at all" (7). Yet, for LeFevre, as for other social constructionists, "creation" is an activity of neither individuals nor groups but of "language" which is "active in constituting reality" (119) for individuals and groups. Since language is a shared and necessarily social activity, LeFevre concludes that invention is a "social act." However, she like all social constructionists, must beg the questions of why, how, and under what circumstances "invention" of this sort takes place.

Similarly, cognitivists must beg these questions. Like George Lakoff and Mark Johnson, other cognitivists believe that "words alone don't change reality." Rather, "changes in our conceptual system do change what is real for us and affect how we perceive the world and act upon those perceptions" (145-46). To them, metaphors re-structure a person's "conceptual system," and in turn the conceptual system determines her reality. Unfortunately, since our individual conceptual systems determine what we perceive, cognitivists, like the constructivists and all others who posit a mediating screen of some sort between "mind" and "reality," find it impossible to explain not only how we could perceive a need or feel a desire for novelty, but also how we could recognize novelty at all if, in fact, the current capabilities of our conceptual schemes limit our perceptions. As a result, metaphors just seem to happen, and they just happen to change the reified "conceptual system" which in turn causes us to perceive reality anew.

Similarly, structuralist versions of metaphoric creation, as, for example, in Carl R. Hausman's *A Discourse on Novelty and Creation* (1975), argue that the "complexes of terms constituting metaphors do not connote articulable single meanings or sets of characteristics that are common to or implied by the conventional meanings of the antecedent elements" (112), and for this reason metaphoric structures can embody novel concepts. Yet the metaphoric breach of conventionality signals a theoretical impasse, a problem Hausman stresses. If language consists of shared conventions, if we understand objects only through the language that constitutes them, and if metaphor is a linguistic device that generates novel objects, then obviously we encounter a paradox: How can the novel metaphoric structure be intelligible if intelligibility depends upon shared linguistic conventions? This paradox, as Thomas McFarland has shown, is one that has been long recognized and is only one aspect of a more general "originality paradox" involving the tension between the individual and the tradition. For McFarland, the paradox is an "inescapable cultural dilemma" that can never be resolved (30).

Whether they accept the individualist, intuitionist view or take social constructionist, cognitivist, or structuralist positions, most contemporary rhetorical theorists must resign themselves to the inescapability of this paradox and reach a common conclusion: the deliberate production of novelty is impossible and novel productions can be explained only as a consequence of "genius," "talent," "intuition," or "contingency." Such a conclusion throws serious doubt upon rhetoric's status as an art and a basis for pedagogic practice.

Richard Rorty, for instance, confirms the generation of "genuine novelty," but he suggests no explanation for it beyond the trick of "tossing out a few metaphors" in the hope that "with luck—the sort of luck which makes the difference between genius and eccentricity—that language will also strike the next generation as inevitable" (*Contingency* 29). This is not exactly a firm basis for rhetorical pedagogy. Similarly, social constructionist Stanley Fish, asking himself the question, "How can a mind that cannot see anything beyond its horizon change?" replies that "It would seem that it must be the case either that: (1) the mind is, in fact, able to take into account something not already presupposed by its assumptions, or that (2) the mind remains forever confined within the circle of community assumptions" (145). Attempting to escape this dilemma, he asserts the existence of built-in conventions that make it conventional to change one's mind under certain circumstances. Those circumstances, according to his one example in the essay "Change," involve persuasion by a conventional authority (146). But, as he points out in another essay, from his own constructivist perspective "persuasion is a contingent rather than a formal matter" (463) and completely unpredictable. Again we have no grounds for pedagogy. Like Fish, but even more insistent that novelties are chance productions, are poststructuralist rhetoricians, such as Gregory L. Ulmer, whose *Heuretics: The Logic of Invention* attempts to build an invention "machine" upon the logic of chance. Here we find some ground for methodic change, but Ulmer admits that the usefulness of the machine's random results is as hit-and-miss as Rorty's tossing about of metaphors. Because such invention is purely random, the "uninitiated learner," says Ulmer, has "need for a sorting device" (221) to tell her what is relevant to the novelty since "by definition [she] is unaware of the object of the search" (222). In other words, the postmodernist rhetor puts chance to work to invent novelty, but then, in a secondary operation, must figure out what the novel belief could be about.

Can rhetors invent novel beliefs deliberately? By what mechanism do rhetors recognize or create novel beliefs? Against the contemporary consensus of opinion, I suggest that we can properly answer neither question until we adequately answer this preliminary question: "Under what circumstances do we recognize the need and feel the desire to produce novel beliefs?" Only in relation to the question of why we would want or need to produce novelty can the questions of *whether* and *how* we produce it make any pedagogical sense. Thus I take the position of the old adage, "Necessity is the mother of invention," rather than the more popular current view that novel beliefs are always chance occurrences. Our need for novelty is never accidental. That necessity defines the circumstances that would motivate any deliberate production of novel beliefs. Those circumstances constitute the conditions that would both ground the possibility of deliberately producing novel beliefs and explain the mechanism of their production. What, then, motivates us to create new beliefs?

The motive to produce a novel belief is a special case of the more general motive to change beliefs. Here I accept a common explanation of the fundamental motive to change beliefs. One could, following Sigmund Freud, call it a wish for death. In *Beyond the Pleasure Principle* he claims that the basic drive is *not* to change but to "constantly repeat the same course of life." Accordingly, the motive for any change "must be attributed to external disturbing and diverting influences" (32). According to this perspective, we create or recognize novel beliefs only in order to restore a disturbed continuity, a steady state of habitual activity. I have argued this thesis in *After Rhetoric* (c.f 38-50), and Eric Charles White earlier argued a similar thesis in *Kaironomia: On the Will to Invent* (c.f 103-113). We find a parallel explanation of the motive to change beliefs in the work of the founder of American Pragmatism, Charles S. Peirce. For Peirce, "The essence of belief is the establishment of a habit; and the different beliefs are distinguished by the different modes of action to which they give rise" (29). As a phase of the process Peirce calls "thought," belief is a response to doubt as a solution is a response to a problem, or an answer is a response to a question. As he puts it, "I use [doubt and belief] to designate the starting of any question and the ending of it" (26). Thought begins in doubt when the inadequacy of a currently held belief (or habitual response) to a situation at hand causes an "irritation." Thought (or discourse) ends, or comes to temporary rest, when we establish a new belief, a different rule of action or habit with respect to such a situation.

But "irritation" can only signal a problem in the most general way. If my car won't start when I turn the key in the ignition, my irritation cannot determine what the problem is beyond that my habitual rule of action is inadequate. If my daughter won't clean her room when I tell her to, my irritation can't determine what that problem is, either. Only if I know how the habitual rule worked in the first place can I begin to seek the real problem. In the case of the car, if I know the causal sequence between the key's turning and engine's starting, I can fairly quickly develop a heuristic procedure, a set of logically related questions that will lead me step by step toward determining that I need to change my car's battery. In effect, in this case I'm trying to return to my old habit, to restore the way things were. That may not be possible in the case of my daughter's rebellion. Solving this problem may require a very different sort of discursive interaction than my interaction with the car, for I'm not even sure of what the relevant problem is. What I *can* be sure of, however, is that in both cases I must determine the problem not only before I can discover or invent either a precedented or an unprecedented solution, but also before I could recognize it *as* a solution even if the goddess Tyche were to hand it to me on a platter. How I go about determining the problem, or, more precisely, as I must now argue, what mode of discourse I use to engage the problem, will determine whether or not I *can* recognize when I need a novel solution.

STASIS THEORY

Classical rhetoric after Aristotle knew the process of determining the relevant question or problem as stasis theory or issue theory. According to Thomas M. Conley, "Stasis theory was designed to enable one both to locate the relevant points at issue in a dispute and to discover applicable arguments drawn from the appropriate 'places'— (*loci*, the Latin equivalent of the Greek *topoi*) (32).

The fundamental assumption governing stasis theory was that all discursive conflicts turn upon a very limited number of questions and that, moreover, these questions are hierarchical—ranked such that later questions presuppose particular answers to earlier ones—and can thus be schematically ordered into a sequence.

Scholars usually credit Hermagoras of Temnos with developing stasis theory systematically in the second century BC, although clearly the status concept goes back at least to the fourth century BC (see Heath, *Hermogenes* 19, Conley 32, Liu 54). Hermagoras' treatment of stasis is lost, but scholars have reconstructed it from Cicero's *De inventione*, the anonymous *Rhetorica ad Herennium*, and other works (Conley 32; Braet, "Classical" 80). Apparently, Hermagoras offered four questions: Does it exist? (*stochasmos, coniectura*, conjecture), What is it? (*horos, definitio*, definition), Is it good? (*poiotes, qualitas*, quality), and "Is the charge proper?" (*metalepsis, translatio*, objection). The fourth was dropped, ignored, or held suspect until Hermogenes of Tarsus introduced the hierarchical system in the second century A. D., expanding the issues to thirteen by reintroducing *metalepsis* and subdividing the issue of quality (Heath, *Hermogenes* 71).

Below is a portion of Hermogenes' sequence of questions as summarized by Heath (71-72):

(1) Are the facts of the case in dispute?

yes: the issue is *conjecture*

no: go to (2)

(2) Is the correct categorization of those facts in dispute?

yes: the issue is *definition*.

no: the issue is *quality*; go to (3)

(3) Does the dispute focus on the implications of substantive features of the acts in question, or on the implications of the law under which the charge is brought (or of some other relevant legal instrument)? act: the issue is *logical*; go to (4).

law: the issue is *legal*; go to (9).

(4) Is the dispute concerned with a past or future act?

future: the issue is *practical*.

past: the issue is *juridical*; go to (5).

The remaining issues, (5) through (14), are all juridical.

Hermagoras designed stasis theory specifically for judicial oratory, although later theorists, especially Hermogenes, expanded its scope to apply it to other discursive modes. Even in Hermogenes' system, however, as we see from the above excerpt, judicial stasis remained the paradigm (see Heath, *Hermogenes* 1-19). As Yameng Liu has pointed out, "According to Quintilian, *stasis* (basis) refers to 'the kind of question which arises from the first conflict of causes' (*Institutio Oratoria* iii.vi.5), and this close association with conflict, dispute and debate decides that it has a special affinity to forensic oratory" (56). Similarly, Ray Nadeau has observed that stasis theory is "obviously forensic in emphasis" (370).

According to Antoine Braet, "the concept of *status* (*stasis*) was linked to the so-called *krinomenon* schema" (81). The *krinomenon* is "the crucial question that the judge must answer" (81), and the stasis procedure's purpose is to "steer the *inventio* of the prosecutor and defendant in legal proceeding" toward the *krinomenon* that best serves their respective, conflicting interests. Then, "with the aid of the topics," the adversaries "look specifically for the arguments to back up their position[s] with regard to the *krinomenon*" (81). Heath describes the procedure as follows:

Identifying the issue of a case is the first step; next one proceeds to the division, and it is here that the standard heads come in. Each issue comes with a prepackaged outline of the most effective strategy for handling it. Thus ... to take a judicial example, once you have decided that the defense will best be

conducted by attempting to shift the blame to a third party, the division of this issue will show you how to proceed by a series of plausible steps from the initial concession that a wrong has been done to the triumphant conclusion that you have done nothing wrong. (21)

Of course, Heath stresses, "the division of each issue is not a rigid structure to which slavish adherence is required"; rather, "it is a set of recommended arguments and a recommended order for applying those tools" (22).

Rhetors may divert from the recommended order because opponents in a dispute use the system not only to determine their best lines of argument, but also to predict their adversaries' best lines. As Heath says, "in an adversarial setting one's own problem involves the opponent's problem as a term of its own analysis" (22). Having to take the opponent's position into account, one's strategy "could be set out as if defining the structure of a dialogue, prescribing every move and countermove" (22). "As if" is the key term here. In true dialogue "one's own problem involves the opponent's problem as a term of its own analysis," certainly, but very differently from that involvement in forensic debate. In true dialogue the aim for both parties is to merge their respective problems, to come to a common understanding of the situation by taking into the accounting of one's own problem how the situation conditions the dialogic partner's questioning. By contrast, forensic debate can solve only one adversary's problem, a problem whose conception the interchange does not alter. The yes/no alternatives to the stasis questions allow adversaries to agree only that an issue is in dispute. That agreement initiates argumentation, but agreement never resolves it. Resolution results only from the judge's decision.

Thus, in forensic debate even more important than one's opponent's problem is the judge's. Whatever question (*quaestio, zetema*) the conflict between the prosecutor's indictment (*intentio, kataphasis*) and the defendant's defense (*depulsio, apophasis*) produces as the focus of debate claiming the judge's primary attention, ultimately the judge's problem is the conflict itself, the disturbance to communal tranquility that it is the court's task to resolve. Yet, as Braet has observed, "the classical sources are silent on the subject of the role of the judge" (84) and concentrate on the role of the defendant. However, Braet argues, quoting the legal historian Franz Horak, "Each *status* ultimately represents 'a way of looking at a problem which is general, not relevant only to the advocate, and can equally well serve the court, or even the legal scientist, in judging a criminal act'" (85; Horak 139). Furthermore, according to Braet, Horak sees a "crucial parallelism between the notion of *status* and the legal theoretical schema" (86). The legal schema governing the burden of proof breaks down the definition of a crime into "(1) a factual (*tatbestandsmaschen*), (2) an unlawful (*rechtswidrige*), and (3) a culpable (*schuldhaft*) human act" (85). These obviously correspond to the traditional issues of stasis. Thus, as Braet claims, "reference to either system makes it possible to determine exhaustively whether one is dealing with a punishable act" (86).

This parallelism suggests that the stasis order is not necessarily inherent to discourse in general; rather, the issues of stasis may correspond to the doctrine of the burden of proof traditional in Western law simply because they were designed specifically to accommodate that doctrine. Consequently, stasis theory may not even apply to other forms of dialogue. As Braet points out, although a judicial debate resembles a dialogue, "in contrast to an ordinary dialogue," in judicial debate "the discussants are attempting to convince not one another, but a third, adjudicating party" (90).

Most important about this conclusion for our own current purpose to determine the conditions in which we recognize the need to invent novel beliefs is that such a judge is indifferent to the adversaries' respective problems: the judge's problem is to resolve the conflict itself in terms of an *already established* stasis—the *status quo* preserved in the legal schema that defines the nature of crime in the first place. That is why the judge is not limited to the question the prosecutor and defendant settle as the *krinomenon* but must make a determination regarding *all points* of stasis. For Braet, the significance of this normative structure is that the judge's role is not that of a passive spectator but of a "critical adjudicator" who will "test the debate actively and systematically against universally accepted yardsticks inherent to the matter under discussion" (91). That may be so, but the significance, for our current purpose, is that these pre-established "yardsticks" that make it possible for a judge to determine an act's criminality are identical to the sequential system of determining a

case's issue—and that is precisely why the traditional methods of stasis theory will never lead its users to seek novel solutions to their problems.

In a court of law, the prosecutor either proves her case, or she does not; either her arguments meet the established legal criteria, or they do not. A judicial procedure is not essentially search for truth but a mechanism for resolving conflict. It has been that way, apparently, since ancient times. As Aeschylus records the myth in *The Eumenides*, the conflict between the Furies and Apollo over whether Orestes deserves punishment for murdering his mother because she had murdered his father results in Athena's establishing the first court of law on the Areopagus in Athens. In Aeschylus' play the issues are complex and involve political, religious, gender, and other conflicts, but it seems clear that Athena's principal purpose for establishing the court is to end the recurrent cycles of revenge that have resulted from the Greeks' basing their social order upon blood ties rather than legal contract. In the ancient religion, the Furies demanded revenge for the killing of a blood relative, an act that to the chthonic deities incurred a pollution (*miasma*) not even ritual cleansing at Apollo's shrine at Delphi could remove and no reason could absolve. As Athena sets up the court, each side of the conflict has a fair opportunity to give its reasons for its position; more important, however, is that prior to the debate, each side vows to accept the jury's verdict: the adversaries agree in advance that the conflict will end with the trial. That is the point of the trial, the end of conflict, not the discovery of the truth. This point is emphasized by Athena's declaring what scholars refer to as the "vote of Athena"—if the jury votes a tie, then the accused is declared innocent. That is indeed how Orestes' trial ends, with his being set free not because he is truly innocent but because the established procedures require it.

DELIBERATION AS RADICAL INTERPRETATION, AND THEIR LIMITS

Aristotle affirms that judicial discourse can resolve conflict but not establish truth when he asserts in the *Rhetoric* that "it is of great moment that well-drawn laws should themselves define all the points they possibly can and leave as few as may be to the decision of the judges" (1354a30-32). The actual decision—the dividing of the lawful from the unlawful, the determination of rules for future action—belongs to deliberative, not judicial, oratory. Aristotle explicitly distinguishes forensic from deliberative discourse in precisely this way: forensic discourse addresses the judges of past action; deliberative the judges of proposed future actions (1358b2). The deliberative question "Should I (as an ethical matter) or we (as a political matter) do X or Y in response to Problem A?" would not arise if a rule for responding to problems like A were already established. This probably explains Aristotle's evident privileging of deliberative rhetoric:

Deliberative speaking is a more difficult task than Forensic; and naturally so, since the Argument has to do with the future. The Forensic speaker argues about the Past, which is already known. . . . Moreover, Forensic arguments have a basis in law; and, given a starting point, you can more easily find your proof. (1418a10)

In fact, Aristotle seems to identify the art of rhetoric itself with its deliberative function, saying, "The duty of rhetoric is to deal with such matters as we deliberate upon without arts or systems [systematic rules] to guide us" (Roberts trans. 1357a1-2), and he excludes from the scope of deliberation "things which exist or will exist inevitably, or which cannot possibly exist or take place" while reserving to deliberation "matters . . . that ultimately depend upon ourselves, and which we have it in our power to set going" (Roberts trans. 1359a32-33).

Aristotle's interest in the more complex and difficult question of how to go about determining a rule of action for a problem for which we as yet have no determined rules explains why, although he undoubtedly was familiar with stasis procedures, he nevertheless based his theory of rhetorical invention upon the enthymeme. Yameng Liu has argued that, unlike later rhetoricians for whom stasis was the foundation of invention, Aristotle rejected it because "stasiastic doctrine . . . does not have the mechanisms to accommodate rhetorical situations created by 'ignorance' or by causes other than strife" (54). Liu believes that Aristotle clearly sees the restriction of judicial oratory to the already known and constituted and that he "holds that deliberative speech should be the norm for rhetorical invention" (56). Stasis theory "assumes that disagreement or opposition is the only cause of

oratory" whereas Aristotle "insists that deliberative speech does not necessarily contain 'a conflict of opinion'" (57).

Aristotle's view of deliberative speech, of course, contrasts not only with his concept of forensic discourse but also with his view of dialectic. "A dialectical problem," he says in the *Topics*, is "a subject of inquiry that contributes either to choice and avoidance, or to truth and knowledge, and does that either by itself, or as a help to the solution of some other such problem" (104b1-2), and to that extent, it resembles deliberation. However, a dialectical subject must "be something on which either people hold no opinion either way, or most people hold a contrary opinion to the wise, or the wise to most people, or each of them among themselves" (104b3-5).

From this we can gather two things. First, for Aristotle dialectic procedures appropriately apply when people already have preferred solutions to a problem. According to Michel Meyer, in the *Topics* dialectical questions "function as premises in regard to preestablished conclusions or, more precisely, prediscovered ones. They operate regressively, analytically, regarding those initial theses of which they are consequents" (*Problematology* 119). In this respect dialectic closely resembles forensic oratory. Second, again like forensic oratory, dialectic not so much solves problems as it resolves conflicts, but, unlike forensic, it achieves resolution by facilitating agreement between the two parties rather than by presenting conflicting opinions to a third party who judges with reference to existing normative rules. Nevertheless, for both forensic and dialectic, questions are not real questions but merely propositions that have been converted into questions. Aristotle says that "arguments start with propositions, while the subjects on which deductions take place are problems" (101b15-16), but no real difference exists between them: "The difference between a problem and a proposition is a difference in the turn of the phrase" (101b27-28). Thus, as is appropriate for syllogistic reasoning, in dialectic questions "exist only as propositional alternatives" and the "sole purpose of dialectic is to obtain a yes or no answer" to the original proposition (Meyer 119), for there is no doubt about the problem, only about the proposed solutions.

Accordingly, a dialectical "problem" is a problem only of whether a received opinion does or does not apply to a particular case, much as a judicial "problem" is simply whether an act does or does not fit an already determined definition of a crime. Moreover, the objects of these received opinions necessarily already have been constituted. In contrast to the infinite number of special topics which are, along with the general topics, the materials for rhetorical (deliberative) enthymemes, the materials for dialectical syllogisms are only four: "either property or definition or genus or accident" (101b25). And, as Aristotle himself points out, "everything applicable to property and genus or accident will be applicable to definition as well" (102b27-28). Thus, although Aristotle defines a dialectical syllogism as "an argument in which, certain things being laid down, something other than these necessarily comes about through them" (100a25-26), nothing *can* "come about" except what the definitions imply. In short, dialectical arguments ultimately are arguments about the proper definitions of terms, "What it is" in general, as opposed to what it is for a particular problem in a particular situation. As Michel Meyer has noted, the so-called "scientific" syllogism has the same limitation, and because of it Descartes could successfully attack it "as sterile" and claim that it is "capable only of verifying what is already known"—that it "adds nothing and is no more than a simple expository device" (*Problematology* 106).

Evidently, neither forensic, nor dialectic, nor scientific discourse, as Aristotle partitioned discourse, should be the model for an intercourse that seeks to invent novel beliefs. Forensic stasis can locate a dispute's relevant issues when we have already determined the rules governing what is (such as a crime), that is, when we know its range of relevant questions; dialectic need not find the relevant questions because here debate occurs only between conflicting answers to the same question posed as a proposition. In both cases the real problem is the very conflict itself. Moreover, both dialectic and forensic reasoning "correspond to an inverse thought process: they work back from conclusion to premises." In both forms of discourse, "one really knows the conclusion in advance. ... And thus it is a matter of finding . . . the premises, that is, the propositions from which can be developed the conclusion already known" (Hadot 145, trans. Meyer, *Problematology* 119).

Apparently, deliberative discourse is the best classical model for a theory of inventive intercourse since we deliberate problems involving future actions for which we have no rule. I think we have to agree with Yameng

Liu that Aristotle developed the enthymemic discovery process specifically for deliberative interchange. Deliberative differs significantly from both dialectic and forensic interchanges in that it does not necessarily *result from* a conflict of opinion but may be a mutual search for the best rule for a future action in response to a shared exigence.

However, deliberative interchange may very well *result in* conflict. Enthymemic invention is fundamentally a search for historical precedent, the art of finding what is already known and in what form by those who have in the past habitually, if not consciously and thematically, confronted problems similar to those presently at stake. Since deliberative interlocution deals with problems for which the interlocutors have no previously agreed upon rule, such a search will inevitably uncover alternative solutions. What happens, though, when interlocutors can find no mutually acceptable solution to the problem they have engaged, when no answer turns up for the question they have asked?

They reach the limits of deliberation, and Peircean irritation returns. If the interlocutors already have learned what others know about the problem, as Aristotle advised, it will do them little good to continue an exhausted enthymemic process. It will do less good for one debate participant declare himself right and go his own way: if the problem had not required for its solution the cooperation of others, no deliberation would have ensued. Agreement is necessary to the solution, since disagreement is part of the problem. But we need to ask ourselves, how is it possible that different solutions *could* be available for the same problem?

Contrary to much contemporary opinion, different solutions cannot be available for *exactly* the same problem. If we cannot solve a problem at hand using the set of topical relations we would habitually apply to it, that means that another yet-to-be-resolved problem has caused it and that we must determine the underlying problem and seek a set of beliefs—a rule for action, a set of topical relations—that will enable us to resolve that underlying problem in order to resolve the problem at hand. If my car won't start, I have a problem. The problem may find solution in hiring an automobile mechanic to repair it; it may find solution in my replacing the battery—but these solutions are to *different* problems ("Who can I get to fix my car?" is not the same as "How can I return the flow of electricity to the ignition?"), problems that could have been discovered only by using different heuristic schemes to explore different sets of topical relations. We can see this difference more clearly if we go back further in the chain of motives: I needed to start my car in order to drive to the university in order to teach a class, *etc.* I either replaced the battery so that I could start the car so that I could drive to work, or I hired a mechanic. But these were not equivalent solutions to the same problem because the mechanic will have had the problem of returning the flow of electricity to the ignition, and he will have solved it by replacing the battery. One could say, of course, that the mechanic could have recharged the old battery as a second, different, solution to apparently the same problem. However, the question of whether to recharge or replace is yet *another* problem, with different topics in play (cost, longevity, availability, *etc.*).

So, there cannot be more than one solution to exactly the same problem. However—and this is an extremely important difference—there can be a single solution to multiple problems, and a single answer to many questions. The mechanic needs work; my car won't start and I don't know how to diagnose and repair it: two distinct problems with an identical solution—my hiring the mechanic. It's only the coincidence of the single solution to the different problems that resolves either the mechanic's problem or my own.

This gives us a clue about what we should do when we reach the limits of deliberation, when we can find no solution to a problem that different parties can agree upon but requires for its solution the agreement of all parties, that is, when we reach a dilemma. A "dilemma" (*dilemmatos*) always involves two assumptions, although not necessarily two parties. A single person may find her internal deliberations caught on the horns of a dilemma. If the "parties" give different solutions, they are necessarily solutions to different problems, and they *are* different problems in relation to the parties' different assumptions about the rules of action or topical relations governing the situation. Thus their beliefs respecting the problem have different causes—the "parties" accept different sets of topical relations as being relevant to the problem (as each sees it) at hand.

Such a deliberative dilemma is similar to any interlocutor's situation when he finds his partner speaking in ways he does not expect and does not initially understand, as in the case of malapropisms and metaphors. We do overcome such initial failures of interpretation, Donald Davidson says, through radical interpretation. Davidson's model of communication, based upon a causal theory of meaning, enables us to understand how it is possible to communicate beyond the limits of learned linguistic conventions, the current state of *la longue*, or the individual's conceptual system. He describes communication in terms of interlocutors continually hypothesizing and revising their theories about how their partners will use discursive sounds, gestures, and marks. Davidson reduces this continual process to two phases, the "prior" and "passing" theories. Reminiscent of traditional rhetoric's emphasis upon audience accommodation, in the prior theory phase the speaker speaks on the basis of "what the speaker believes is the starting theory of interpretation the interpreter has for him" ("Coherence" 442). Thus he speaks in anticipation of how he will be interpreted; and the interpreter is prepared to interpret as she anticipates the speaker will speak to her. Once the utterance is made, each party enters a second phase, that of the "passing" theory:

For the hearer, the prior theory expresses how he is prepared in advance to interpret an utterance of the speaker, while the passing theory is how he *does* interpret the utterance. For the speaker, the prior theory is what he *believes* the interpreter's theory to be, while his passing theory is the theory he *intends* the interpreter to use. (442)

In Davidson's model, interlocutors proceed back and forth, adjusting their theories to their partner's responses until they achieve a satisfactory level of success, success marked by responses that fulfill anticipations.

In order to make such adjustments, Davidson cautions, interlocutors must be willing to adopt an attitude of charity toward one another, to assume, not that the other is not making sense, but that what the other says is mostly true about the objects with which they mutually interact. Interpreters hold belief steady, as it were, in order to solve for meaning. As Davidson says, "This is accomplished by assigning truth conditions to alien sentences that make native speakers right when plausibly possible, according, of course, to our own view of what is right" (*Inquiries* 137). We must maximize agreement, but the *point* of radical interpretation is neither to minimize disagreement nor maximize agreement; rather, "The aim . . . is not agreement but understanding" (*Inquiries* xvii) in order "to make meaningful disagreement possible" (*Inquiries* 196-97). Nor is its point to create novel beliefs. However, radical interpretation may lead us to the point where we *can* create novel beliefs because it may lead us to exhaust the possibilities of agreement based on old beliefs.

Clearly, to the deliberative process we can easily adapt Davidson's general model of communication in terms of prior and passing theories and his insight into the methodological necessity of (at least provisionally) believing that what one's interlocutive partner says is true. If the deliberators have followed Aristotle's advice to "know some, if not all" about what people have already come to believe about problems similar to those under consideration (1396a4-6), and if, as in Davidson's radical interpretation, the deliberators have maintained an attitude of charity toward their partner's beliefs—or, as Peirce once wryly put it, if they have taken the "highly important" and "distinctly new step" of conceiving that another person's "opinions are quite as good as {their] own" (12)—yet they *still* cannot find a mutually satisfactory solution, at this point they have exhausted the possibility of reaching an agreement based on old beliefs. *Only at this impasse will the interlocutors be open to recognizing the need to create a new belief* The impasse, I suggest, is not because they disagree about a problem, but because their different solutions are to different problems, problems that need to give way to a novel problem whose solution dissolves the earlier, irresolvable ones. New beliefs do not solve old problems or answer old questions but new ones. A novel belief is one that serves as a single rule of action for recombined sets of the *topoi* that define the problems or questions the different parties have. Only a rhetor's charitable recognition of the relevancy of the *topos* or set of *topoi* his interlocutors have used to define the problem for themselves will enable him to recognize the inadequacy of his own formulation of the problem or question and then recombine the topical sets that define the disparate problems or questions into a novel problem or question requiring a novel belief for its solution.

Only *after* they perceive the new problem can interlocutors recognize the significance of the images and metaphors that, according to much con-temporary theory, constitute new concepts or ideas—like Kekule's daydream of a serpent swallowing his tail that becomes the benzene ring, Rutherford's image of the solar system as an analogy for the atom, or Saussure's likening of discourse to chess. It should be clear by now, however, that these images and metaphors—by whatever mechanism they come to be produced—are solutions and answers that have no significance except in relation to the problems they solve and the questions they answer.

Deliberation undertaken a's radical interpretation is the only discursive mode that can lead its participants to recognize the need to invent novel beliefs. It is also a necessary preparation for invention, informing its participants of the work the new belief must perform. Knowing this, we can now inquire about the discursive mechanisms that actually produce the novel beliefs that perform the work we need.

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