

DISSOI LOGOI, RHETORIC, AND
MORAL EDUCATION: FROM
THE SOPHISTS TO DEWEY'S
PRAGMATISM

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This study explores the importance of pragmatist philosophical theory for rhetorical inquiry. In particular, it engages the ethical thought of John Dewey to highlight certain practical and metaphysical consonances with longstanding thematics in rhetorical education such as the notion of *dissoi logoi*. By explicating the connections between the metaphysical flexibility posited by Dewey's ethics and the practical rhetorical pedagogy connected to two-sided argument (*dissoi logoi*), one can see pragmatism as a vivid ground of expansion for rhetorical pedagogy that troubles the often-separated arenas of rhetorical theory and rhetorical praxis. Alternatively, the importance of rhetorical pedagogy in expanded accounts of pragmatist ethics becomes important, since the situatedness of moral inquiry proffered by thinkers such as Dewey entail educative methods of teaching moral reasoning sensitive to pluralistic settings and democratic communities. Thus, moral education and rhetorical training form a close-knit unit in a rhetorically-sensitive reconstruction of Dewey's philosophy.



Volume 5 · Number 1 · Spring 2021 · Pages 60-88

One of the vital themes resident in the Western rhetorical tradition is the close interlinking of pedagogy and education. Some of the earliest names we count as rhetorically-sophisticated thinkers—Protagoras, Isocrates, and so forth—were deeply committed to educating individuals in the art of speaking and arguing. Jeffrey Walker, among others, has worked to reclaim this education-focused rendering of the central rhetorical figures to the long tradition of rhetorical thought. In a time of high theory that seems so removed from matters of practice, Walker's explorations of Isocrates and others are refreshingly engaged. Pedagogy is placed not only at the center of the rhetorical tradition, but long-standing traditions of rhetorical theory are shown to be pedagogical in their deepest reaches.¹

The actual and potential connections between rhetorical theory and practice, philosophy and pedagogy, must be given more attention. Scholars too often separate practice from the acts of theory and putative knowledge creation, often to the detriment of practice. This article will take Walker's enunciation of the heart of rhetoric as pedagogically inclined and extend it into the pragmatist philosophy of moral argumentation. By exploring the use of rhetorical practices of argument and counter-argument such as *dissoi logoi*, we can not only see the intimate linkage between rhetoric's philosophy and pedagogy that Walker and others gesture at, but we can see a way to bring rhetoric and moral argument together. By moral argument, I mean the theories and practices of how we enunciate reasoned positions on matters of moral concern, and how we deal with the arguments concerning moral matters that are uttered by others. In other words, the synergy and integration between rhetorical theory and rhetorical pedagogy has implications for wider matters of ethics and ethical argumentation, and Dewey's pragmatism will be shown

¹ Jeffrey Walker, *The Genuine Teachers of This Art: Rhetorical Education in Antiquity* (Columbia, SC: University of South Carolina Press, 2011).

to be a vital part of this evolving story. To extend on this premise, I start this inquiry with the classic source of *dissoi logoi*—Protagoras and his cryptic utterance about opposite accounts—that has extended resonances throughout the tradition of rhetorical pedagogy. This genealogical and reconstructive approach will allow me to enunciate a version of this technique as not simple argumentativeness, but instead as ensconcing a deeply flexible view of what the world is and can be. More than these metaphysical commitments, this longstanding rhetorical valuing of two-sided argument implies a recipe for rhetorical education and training. One learns how to speak through asserting and countering those assertions. This seemingly-contradictory method is what has attracted much philosophical scorn for the sophists from figures starting with Plato.

After exploring these classical roots and the worries about the implications of *dissoi logoi*, I will further inquire into the relationship of rhetorical training to the art of critical thinking by engaging the contemporary tradition of American pragmatism. John Dewey, famed pragmatist and exponent of a world without certainty, should have been friendly to the sophists, but standard philosophical biases in favor of Plato too often rendered him a mechanical critic of rhetoric. Dewey's theory of inquiry, and its related metaphysical commitments, drew him conceptually closer to sophist views than he may have realized. Leveraging his ethical theory as an extension of this theory of inquiry, however, allows us to see a place for *dissoi logoi* or two-sided argument in ethical training. Dewey's pragmatist ethics emphasizes the complexity and inherent conflicts within moral situations, leading us to see the pedagogical implications of his way of approaching moral training as parallel to those of the sophists. Tools like ethics case studies therefore become the impetus and site of training in a pragmatist version of *dissoi logoi*, or moral sensitivity to complex ethical situations, thereby showing a continuity from ancient accounts of rhetorical pedagogy to modern intuitions about

ethical disagreement and development.

***Dissoi Logoi* as Philosophy and Pedagogy**

The rhetorical tradition, starting in antiquity, is clearly invested in matters of pedagogy and education. As Walker's account indicates, "rhetoric" has come to mean many things—ranging from theories of human communication and meaning making to acts of critical interpretation. It also can mean, however, what the ancient voices in the western tradition mark it out as: "the *teaching* of persuasive discourse or the *cultivation of rhetorical capacity* (speaking/writing ability)."² Henri Marrou and Donald Lehman Clark have produced comprehensive studies of education in the Greco-Roman world, and recent accounts have explored the role of mental and bodily cultivation in what can be termed "rhetorical education."³ All of these readings flesh out the intimate connection of writings and theorizing about the nature of rhetoric to the actual teaching of how to practice the art of rhetoric. Figures such as Protagoras, Isocrates, and, later, Quintilian and Cicero, wrote about rhetoric as a way to help their students—and those teaching others—conceptualize and more fully instantiate capacities for rhetorical action in public spaces. Beyond this, however, one can see that these writings and *theories*, to use our modern way of carving up the world, represented not simply pedagogical routines, but instead deeply rhetorical ways of *thinking* and *acting* with and in language. Even some of the perplexing texts of the sophist Gorgias exhibit this ambiguity—are they theoretical

² Ibid., 2.

³ Henri Marrou, *A History of Education in Antiquity* (New York: Sheed & Ward, 1956); Donald Lehman Clark, *Rhetoric in Greco-Roman Education* (New York: Praeger, 1977); Susan C. Jarratt, *Rereading the Sophists: Classical Rhetoric Refigured* (Carbondale, IL: Southern Illinois University Press, 1998); Debra Hawhee, *Bodily Arts: Rhetoric and Athletics in Ancient Greece* (Austin, TX: University of Texas Press, 2009).

statements about his views on this world, or are they sample speeches his students used in declamation exercises?⁴ They may be a mix of both, but that is part of the challenge of rhetoric taken in its ancient form: theory and educative practice are closely intertwined.

To exemplify the interaction between theories or general accounts of what rhetoric does and how it was actually taught, we can turn to one concept with an especially long history—that of *dissoi logoi*. The first clear mention of this concept occurs in one of the few surviving fragments from the fifth century Greek thinker, Protagoras. This fragment effectively claims that for each event or issue, there are two contrary accounts possible. I will go deeper into this fragment in what follows; as we shall see, there is quite a bit of theory involved in the choices of translating the actual fragment. And there are clear disputes about what is at stake with our contemporary understandings of figures such as the sophists, as is evident in the debates over whether one discovers or invents a theory of sophistic rhetoric.⁵ It is certain that Protagoras was invested in pedagogy, though, since he was one of Plato's targets when he turned to criticizing the sophists for functionally equating knowledge to specific sums of currency.⁶ I will not rely on the portrayal of Protagoras in Plato's dialogue *Protagoras*, or even Plato's discussion of Protagoras' teaching in his *Theaetetus*, since it is

⁴ Scott Consigny, "The Styles of Gorgias," *Rhetoric Society Quarterly*, 22 (3), 1992: 43-53.

⁵ For the disputes concerning how to "correctly" interpret the sophists, consult: Scott Consigny, Edward Schiappa's Reading of the Sophists," *Rhetoric Review*, 14 (2), 1996: 253-269; Edward Schiappa, "History and Neo-Sophistic Criticism: A Reply to Poulakos," *Philosophy and Rhetoric* 23 (1990): 307-15; Edward Schiappa, "Neo-Sophistic Rhetorical Criticism or the Historical Reconstruction of Sophistic Doctrines?" *Philosophy and Rhetoric* 23 (1990): 192-217; John Poulakos, "Interpreting Sophistic Rhetoric: A Reply to Edward Schiappa," *Philosophy and Rhetoric* 23, 1990: 218-28.

⁶ James Fredal, "Why Shouldn't the Sophists Charge Fees?" *Rhetoric Society Quarterly*, 38 (2), 2008: 148-170.

uncertain how much Plato's animosity toward the sophists affects his portrayal of their doctrines. There is also the question of whether this portrayal is accurate in its details to the historical teaching practices of Protagoras.⁷ How he taught his students is subject to speculation, but it seems likely that he worked with his pupils in small group settings that privileged argument and debate along with the declamation of longer example speeches. His fragments, repeated in a range of sources beyond Plato, will also prove valuable to piecing together some of Protagoras' key themes and beliefs. Even if our construction of Protagoras must be, to some extent, an inferred creation, the question will be—what is its use, especially when held up next to Dewey's moral theory, in helping us to understand contemporary demands of ethics, argument, and moral pedagogy? It is in this reconstructive spirit that this study proceeds.

The commitment to the power of discursive argument and language comes across in some of Protagoras' surviving fragments. The most notable fragment in this regard is the *dissoi logoi* ("two *logoi*" or argument) fragment. This fragment was first recorded and attributed to Protagoras, at least in regard to surviving sources, by Diogenes Laertius some 600 years after Protagoras could have uttered it. This fragment may very well be a paraphrase of what Protagoras asserted, but it is what we have—and it offers enough hermeneutic mystery for our purposes of exploring the possibilities inherent in rhetorical education. Edward Schiappa has fleshed out the difficulties in interpreting, or even translating, this fragment.⁸ Put simply, what one believes the statement entails is important for how you translate the words. Schiappa arranges most translations of

⁷ For a discussion of these concerns, see F. Rosen, "Did Protagoras Justify Democracy?" *Polis: The Journal for Ancient Greek and Roman Political Thought*, 13 (1-2), 1994: 12-30.

⁸ Edward Schiappa, *Protagoras and Logos: A Study in Greek Philosophy and Rhetoric* (Columbia, SC: University of South Carolina Press, 2003).

this sentence into two types: the *subjective interpretation* and what he labels the *Heraclitean interpretation*. The former sort of translation emphasizes the existence of two opposed arguments on any given issue or question: “On every issue there are two arguments opposed to each other” (Michael J. O’Brien) or “On every question there are two speeches, which stand in opposition to one another” (Theodor Gomperz).⁹ These are defensible translations of the *dissoi logoi* fragment, but Schiappa’s point is that they inevitably involve preliminary choices or assumptions about the fragment’s scope and application. Such translations tend to focus on the speaking *subject’s* ability to produce arguments or speeches on either side of any issue. This parsing of the fragment illustrates a path forward to rhetorical training that emphasizes the ability to debate or dispute any given point or issue. There are clear resonances here with modern pedagogical practices of switch-side debate in which participants are forced to argue for either side of some proposition.¹⁰

This interpretation and translation is not incorrect, and it is satisfying insofar as the rhetorical tradition has interpreted *dissoi logoi* in a manner that often seems to leverage and train the ability to argue for any given side. According to authorities such as Diogenes Laertius, Protagoras was supposedly the first to utilize debates in his training sessions, the first thinker to use “eristic,” and the first to use questioning techniques in the way that is now associated with the “Socratic Method.”¹¹ There was a clear connection between the politics of Periclean democracy and Protagoras, and an implied pedagogical connection with his method of honing the debating skill of his students: one them that seems to arise from the various

⁹ Ibid., 90.

¹⁰ R. W. Greene & W. Hicks, “Lost Convictions: Debating both Sides and the Ethical Self-fashioning of Liberal Citizens,” *Cultural Studies*, 19 (1), 2005: 100-126.

¹¹ Edward Schiappa, *Protagoras and Logos: A Study in Greek Philosophy and Rhetoric*, 186.

accounts of Protagoras, whether they stem from sources that are friendly or unfriendly, is that of “participation by the many—through discourse—in making judgments.”¹² For the rhetorical tradition after Protagoras, the pedagogical tool of *dissoi logoi* was a way to train any given individual for such political and rhetorical activity. As Jeffrey Walker points out in his reconstruction of Isocrates’ *techne* or book of speaking exercises, the skills of variable confirmation and refutation would surely have played an advanced pedagogical role.¹³ Later rhetorical textbooks seem to concur with this pedagogical implementation. *Progymnasmata* such as the 4th century (A.D.) work known as *The Preliminary Exercises of Aphthonius the Sophist* feature sections on refutation, or the “overturning of some matter at hand” and advise its use in a matter that “is neither very clear nor [that] is altogether impossible, but what holds a middle ground.”¹⁴ Similar statements and techniques continue to be found and explicated in the 9th century (A.D.) commentary to Aphthonius’ text by the author known as “John of Sardis.”¹⁵ The idea of debate-ability has clear echoes in the pedagogy of early and later sophists.

There is another reading of Protagoras’ fragment, however, that does not contradict the subjective interpretation but instead extends its meaning by bringing in a metaphysical structure to Protagoras’ philosophy of rhetoric. This metaphysical context is provided by a pair of important ancient thinkers—Parmenides and Heraclitus. Parmenides is well-known as the writer of one of the first sustained arguments about the metaphysical nature of the world, a partially preserved poem that is often referred to as “On Nature.” Divining his exact philosophical commitments is difficult, as the

¹² Ibid., 184.

¹³ Jeffrey Walker, *The Genuine Teachers of This Art: Rhetorical Education in Antiquity*, 109-111.

¹⁴ George A. Kennedy (Translator), *Progymnasmata: Greek Textbooks of Prose Composition and Rhetoric* (Atlanta, GA: Society of Biblical Literature, 2003), 101.

¹⁵ Ibid., 200.

work is incomplete and rendered in poetic verse. One traditional account emphasizes a monistic reading of Parmenides, focusing on the claims that what exists is singular and changeless in its essential nature, and that the world of change is only apparent and not truly real.¹⁶ Thus, true knowledge focuses on the timeless and certain versus the ever-changing ephemera of the world of appearance and opinion, themes that would reoccur in Plato's works. Opposite of this account was Heraclitus, another thinker living around 500 B.C.E. Like Protagoras, much of what we "know" about Heraclitus is what we construct or infer from the available evidence. One of the themes we see in the handful of fragments that survive from his works is a commitment to a world in constant flux. *Logos* (sometimes translated as "word") may thread through this world of change, but the presence of fluctuation and contraries is ever-present. Unlike Parmenides, Heraclitus intimates no escape from such a condition, nor any unifying metaphysical structure behind the flux that resolves the changing properties and their clashes. Like a river, the world and its properties never calm down for Heraclitus, leaving humans to deal with a world of less certainty and continuous change.

If one reads Protagoras as an enemy of Parmenides and his monistic proto-philosophy, and as an ally of Heraclitus and his philosophical emphases on flux, one can position this fragment as part of a rejoinder to views that see the world as settled or even as "one" in some deep sense. This would involve seeing Protagoras and his *dissoi logoi* fragment as "a logical extension of the Heraclitean theses popularly referred to in modern times as his theory of flux and

¹⁶ For this reading, see W.K. C., Guthrie, *A History of Greek Philosophy, Volume 2: The Presocratic Tradition from Parmenides to Democritus* (Cambridge: Cambridge University Press, 1965). A different account is presented in Alexander P. D. Mourelatos, *The Route of Parmenides: A Study of Word, Image, and Argument in the Fragments* (New Haven, CT: Yale University Press; 1970).

his ‘unity of opposites’ doctrine.”¹⁷ Instead of pointing to the ability of argumentative subjects to dispute virtually anything under contention, the fragment instead reads in a more metaphysically-inclined fashion and would seem to assert that the nature of the world holds contradictory properties. If Schiappa is right that the “fragment is clearly a claim about the relationship between language and the things of reality,” the ability to argue contrary claims or positions about some reality or “thing” stems from that reality holding contrary properties.¹⁸ If our language tracks some part of the world, and if contrary uses of language are both allowable, this all would be explainable through the world itself enshrining contradiction. In this way, Protagoras can be seen as extending Heraclitus’ intuition that much of the world that we experience is constantly changing, and what is more, contains opposite powers or tendencies in its very nature. This all is incompatible with the monism of Parmenides, who saw a perfect and unchanging reality that was simple one thing; it also jarred with the sensibilities of the later thinker, Plato, who desired truths that were certain, unchanging, and without contradiction.¹⁹

This reading of Protagoras’ *dissoi logoi* fragment fits well with some of his other philosophical commitments. For instance, his “man is the measure” fragment (“A human being is the measure of all things, of those things that are, that they are, and of those things that are not, that they are not”) seems to imply a human-centered relativism of knowledge and perception.²⁰ Thus, objects can exist or

¹⁷ Edward Schiappa, *Protagoras and Logos: A Study in Greek Philosophy and Rhetoric*, 92.

¹⁸ *Ibid.*, 98.

¹⁹ Another source of support for this anti-Parmenidean reading can be found in older commentaries, such as the mention by Porphyry that he found “Protagoras using similar counterarguments against those who propose being as one.” See Rosamond Kent Sprague, *The Older Sophists* (Indianapolis, IN: Hackett, 2001), 20.

²⁰ For this fragment, see Michael Gagarin and Paul Woodruff (eds.), *Early Greek*

not exist (depending on the perceiving agents), or have contrary properties. This relativism that animated Plato's counter-charges in his dialogues such as the *Theaetetus* is compatible with the reading of the *dissoi logoi* fragment given above—the world's deep conflicts and ambiguity could easily ground the perceptual and epistemic divergences among agents.

Reading the *dissoi logoi* fragment as pointing beyond mere argument and into the nature of the world is a powerful, and seemingly counter-intuitive, position. It is challenging insofar as it seems to give up on what we know as the "law of the excluded middle" and the "law of non-contradiction."²¹ The Protagorean position reconstructed here would give up on the demands that any matter about the world must be one way and not its opposite, and that holding such contradictory views would be a problem, a position that also has its rare advocates in other eliminate traditions beyond Greece.²² Given this deep metaphysical pluralism rooted in the contradictory nature of reality itself, Protogoras' *dissoi logoi* fragment becomes "Two contrary reports [*logoi*] are true concerning every

Political Thought from Homer to the Sophists (New York: Cambridge University Press, 1995), 186.

²¹ These labels connote the meaning that Aristotle gave them in his account of metaphysics and logic, and arose in response to Protagoras' instigations.

²² For instance, for more on Jaina philosophy and the similar doctrine of *anekantavada* in the Indian context, see Bimal Krishna Matilal, *The Central Philosophy of Jainism (Anekānta-Vāda)* (Ahmedabad, India: L.D. Institute of Indology, 1981); Scott R. Stroud, "Anekāntavāda and Engaged Rhetorical Pluralism: Explicating Jaina Views on Perspectivism, Violence, and Rhetoric," *Advances in the History of Rhetoric*, 17 (2), 2014: 131-156; Scott R. Stroud, "Comprehensive Rhetorical Pluralism and the Demands of Democratic Discourse: Partisan Perfect Reasoning, Pragmatism, and the Freeing Solvent of Jaina Logic," *Philosophy and Rhetoric*, 47 (3), 2014: 297-322; Jonardon Ganeri, "Jaina Logic and the Philosophical Basis of Pluralism," *History and Philosophy of Logic*, 23 (4), 2002: 267-81.

experience.”²³ Training students in debating both sides of almost any issue then becomes a pedagogical extension of—and philosophical recognition of—the metaphysical position that the world is not settled or sedimented in one particular order or way. One can see this in the text we know as the *Dissoi Logoi* (c. 400 B.C.E.), likely influenced by Protagoras’ thought. This text fits the spirit of the sophist’s fragment of the same name, as it is filled with arguments both for and against assertions ranging from properties of existent objects to judgments of what is shameful.²⁴ Its thorough-going relativism is of a piece with what we know of Protagoras through his various fragments, as well as in partially trustworthy accounts such as those of Plato’s dialogues. What is certain, however, is that this text embodies the sort of skill of argument for and against in almost any subject that Protagoras thought was vital to a skilled—and possibly virtuous—rhetor. In this way, we can see how Protagoras’ philosophy and pedagogy result in an attempt to cultivate able citizens, ones empowered to argue virtually any point that seems important to them, and not simply in students skilled in Socratic dialectic aimed at unveiling the certain and unchanging Forms behind changeable appearance. The world was inherently unsettled, and pedagogy that assumed or strived for order and certainty was not metaphysically accurate or useful. Protagoras, on this reading, wanted to create skilled navigators of the flux of human experience, be it in natural or social environments.

Pragmatist Ethics, Moral Education, and Complexity

The preceding analysis of Protagoras and his important, but

²³ Edward Schiappa, *Protagoras and Logos: A Study in Greek Philosophy and Rhetoric*, 100.

²⁴ See *Dissoi Logoi* in Michael Gagarin and Paul Woodruff (eds.), *Early Greek Political Thought from Homer to the Sophists* (New York: Cambridge University Press, 1995), 296-308.

enigmatic, fragment on *dissoi logoi* fragment illustrates its connection to both philosophy *and* to specific practices of cultivating speaking skill. In other words, it highlights rhetoric in both the form of theory and in theory-inspired practice. I want to argue that this unique merging of theory and practice in rhetorical pedagogy has something to teach us in the important arena of moral argument. I will do this by engaging the account of moral judgment that comes from John Dewey, one of the central figures in the emergence of American pragmatism around the turn of the 20th century. Like Protagoras' cryptic utterances, Dewey is a sort of enigma for those interested in rhetorical theory and pedagogy. He clearly *should* have explored and even promoted the thought of the sophists, as Robert Danisch comprehensively shows in his study of pragmatism's affinity with classical rhetorical figures.²⁵ But Dewey too often rejected practical training in argument—especially “debate”—and often took the side of Plato when he dreamily thought back to antiquity.²⁶ Of course, many of these returns to Plato were done to push a pragmatist vision of the world as uncertain, and to brand the Platonic project of finding essences behind the appearances of flux as a fool's errand. But that is the point—ideally, Dewey should have found an ally in Protagoras and the democratic entailments he derives from the philosophy of flux. Historical oversights aside, it is a useful question to ask—how can the pedagogy of *dissoi logoi*, especially when matched with a metaphysic of radical complexity in the nature of the world,

²⁵ Robert Danisch, *Pragmatism, Democracy, and the Necessity of Rhetoric* (Columbia, SC: University of South Carolina Press, 2007). For more on the conceptual connections between pragmatism and the sophists, see the essays contained in Steven Mailloux (ed.), *Rhetoric, Sophistry, Pragmatism* (New York: Cambridge University Press, 1995).

²⁶ William M. Keith, *Democracy as Discussion: Civic Education and the American Forum Movement* (Lanham, MD: Lexington Books, 2007), Scott R. Stroud, “Mindful Argument, Deweyan Pragmatism, and the Ideal of Democracy,” *Controversia: An International Journal of Debate and Democratic Renewal*, 7 (2), 2011: 15-33.

enlighten our practices of teaching moral judgment and ethical reasoning?

Pragmatist ethics, at least in the form of Dewey's account, has many similarities with the traditions of rhetorical teaching that teach moral reasoning through argument. This includes those sources in antiquity that emphasize a rational pathway for rhetorical skill that involves the ability to argue contrary sides to any given issue, but it also includes the tradition of casuistry that reached its apex between 1550 and 1650 A.D.²⁷ In their important study of moral reasoning, Albert R. Jonsen and Stephen Toulmin position casuistry as the unstable middle path between the eternally-popular method of sorting out moral problems by finding putatively certain and universal moral principles and the path of everything-goes relativism. Instead of being captivated by the "dream of an ethical algorithm—a universal and invariable code of procedures capable of providing unique and definitive answers to all of our moral questions," Jonsen and Toulmin attempt to recover casuistry as the useful art of "the practical resolution of particular moral perplexities" through analyzing specific cases.²⁸ Moral argument and the applied practice of rhetorical sensitivities becomes important in such a practice, as moral judgment becomes less about applying the right rule and more about creatively sensing opposing arguments and finding a way to identify the strongest course of judgment and action in the midst of complexity. One can see how this sort of practice serves as a later evolution of the theme enshrined in Protagoras' fragments, as well as the image of his pedagogy that we catch glimpses of from our distant contemporary vantage point. Moral

²⁷ Albert R. Jonsen and Stephen Toulmin, *The Abuse of Casuistry: A History of Moral Reasoning* (Berkeley: University of California Press, 1988).

²⁸ *Ibid.*, 7, 13. These themes parallel Toulmin's concerns with rationality and reasonableness in his other works, such as *Return to Reason* (Cambridge: Harvard University Press, 2003).

theory still has an allure, however, because casuistry and moral argument centering on a range of cases seems to need some order. It is here where the “middle-level” moral theory of Dewey’s pragmatism can be rhetorically important and pedagogically useful.

Grounding much of Dewey’s thought on moral reflection was his more general theory of inquiry. In works such as *Experience and Nature* and *Logic: The Theory of Inquiry*, Dewey explicates a procedure that reflection often takes, progressing from an indeterminate or problematic situation to the proposing of a problem and hypothesizing of solutions or effective reactions that might “fix” the meanings of the situation so as to make it determinate or satisfactory (given our purposes and goals). The idea he has is simple—experience sometimes (but not always) jars with our meanings and expectations, so the secondary or reflective experience of thinking through a problem emerges, one that identifies “facts” and “patterns,” connects them with antecedent states and consequents, and tries to give order to a situation noticed as disordered. Inquiry does not unearth the “truth” to a situation in some part of the world, instead it introduces a temporary and useful order to one part of our experience.²⁹ Inquiry was Dewey’s term for the use of human reason to think through aspects of the world that became a temporary stumbling block for us.

Dewey’s theory of inquiry is based upon longstanding commitments he had concerning epistemology, and it connects to the concerns this study focuses on in moral argument. In terms of epistemology, inquiry extends Dewey’s arguments—perhaps as early as 1903 in his *Studies in Logical Theory*—concerning the value of appearance in experience. Shunning a Platonic division between appearances and reality, Dewey maintains that objects and experiences can be divided in a range of ways, all depending on

²⁹ For a useful summary of Dewey on inquiry, see James Campbell, *Understanding John Dewey* (Peru, IL: Open Court Publishing, 1995), 45-53.

contingent purposes. In essays such as “The Postulate of Immediate Empiricism” from 1905, he argues that the scientific account of the objects of experience do not hold some trumping claim over other, less rigorous, reactions to experience.³⁰ He gives the example of the perception of a horse—the horse trader, the biologist, and the child will all see different things with different meanings, but it is not clear that one account is the real account and the others are some sort of illusion. Seeing the horse as an object that takes up certain expanses of space or as having a certain biological nature are not more fundamental or true than experiencing the horse as a sound investment or as a personified companion; each is a valid and real reaction, and one cannot be said to be reducible to or more true than another. What can be said, however, is that certain reactions or ways of experiencing an object or situation are more useful, or more in need of reflection and refinement, than other ways. Thus, Dewey’s theory of inquiry recognizes the plurality of ways of experiencing the world, *as well as* the idea that each of these ways can be corrigible and subject to improvement. In some cases, one might even abandon a way of reacting to the world through acts of perception as not worth maintaining. Inquiry or reflection takes over in those moments when something about our engagement with the ever-changing world needs rectification or improvement, as judged by our own purposes and values.

This sort of complexity of the world not only connects to Dewey’s epistemology, but it also grounds his approach of moral judgment. Dewey’s moral theory values complexity, and like any conceptual edifice associated with the long-lived American philosopher, it changed and evolved in its details over his many decades of life. Before 1904, and especially in the 1890s, Dewey put

³⁰ John Dewey, “The Postulate of Immediate Empiricism,” in Jo Ann Boydston (ed.), *The Middle Works of John Dewey*, vol. 3 (Carbondale, IL: Southern Illinois University Press, 1977).

forward a view of ethics that was heavily influenced by Hegelian notions of self-realization. In early works such as *Outlines of a Critical Theory of Ethics* (1891) and *The Study of Ethics* (1894), Dewey focuses on optimizing the functional relationship between the internal capacities of an agent and the resources in a social situation.³¹ As his pragmatism changed into a more naturalistic idiom after 1904, Dewey's ethics focused less on the goal of realizing one's "self" in its connection with society and more on the idea of *growth*. This state of progressive equilibrium-reaching grounded his aesthetics in *Art as Experience* (1934) as well as his constantly evolving reading of ethics. One constant in his later ethics, however, was the idea that with optimized habits, individual agents can grow in ways beneficial to their own projects as well as in regard to the larger endeavor of forming integrated communities.

The idea of moral growth as related to individual habits was central to Dewey's later thought, and it often intersected with his work on moral judgment and communication. For instance, in his 1927 work, *The Public and Its Problems*, we see the invocation of the ideal of growth alongside of his diagnosis of the challenge of democracy in America: "The essential need, in other words, is the improvement of the methods and conditions of debate, discussion and persuasion. That is *the* problem of the public."³² After 1915, Dewey's ethics becomes more clearly focused on how such intelligent communication and judgment would proceed in moral matters. It

³¹ John Dewey, "Outlines of a Critical Theory of Ethics," in Jo Ann Boydston (ed.), *The Early Works of John Dewey*, vol. 3 (Carbondale, IL: Southern Illinois University Press); John Dewey, "The Study of Ethics," in Jo Ann Boydston (ed.), *The Early Works of John Dewey*, vol. 4 (pp. 221–364) (Carbondale, IL: Southern Illinois University Press). For an extensive study of Dewey's early ethics, consult Jennifer Welchman, *Dewey's Ethical Thought* (Ithaca, NY: Cornell University Press, 1995).

³² John Dewey, "The Public and its Problems," in Jo Ann Boydston (ed.), *The Later Works of John Dewey*, vol. 2 (pp. 235–372) (Carbondale, IL: Southern Illinois University Press, 1984), 365.

would center on what he would call in the 1930s “three independent factors” in morality.³³

Before I explore what these factors are, and how they relate to the rhetorical tradition of education through opposing arguments, it is important that we see the orientation toward moral theory in general that Dewey takes. This orientation will illustrate how close he is to what Jonsen and Toulmin call the tradition of casuistry. In Dewey’s lecture “Three Independent Factors in Morals” from 1930, we see the pragmatist clearly lay out the entailments to his commitment to a world at least partially in flux. Put simply, major moral theories in the western tradition err insofar as they seek to reduce moral judgment—and consequent argumentation with others—to one foundation: “Whatever may be the differences which separate moral theories, all postulate one single principle as an explanation of moral life.”³⁴ All of these theories, including approaches that we would classify as Kantian or as utilitarian, assume that the world *is* one way, and that our moral discourse can capture that in consistent and abstract theories of the moral life. For these traditional approaches that seek certainty, “it is not possible to have either uncertainty or conflict: *morally* speaking, the conflict is only specious and apparent.”³⁵ As Jonsen and Toulmin note in a different context, such an orientation to moral judgment means that those who oppose you in moral disagreement are assumed to be wrong, or at best, competitors for the true or just account of some aspect of our moral experience. In other words, this orientation encourages us to see moral matters as through the lens of certainty and as holding one best description of the moral value of what was done and what is yet

³³ John Dewey, “Three Independent Factors in Morals,” in Jo Ann Boydston (ed.), *The Later Works of John Dewey*, vol. 5 (pp. 279-288) (Carbondale, IL: Southern Illinois University Press, 1984).

³⁴ *Ibid.*, 280.

³⁵ *Ibid.*, 280.

to be done. On the contrary, Dewey's commitment to a world without foundations or certainty—a central theme of his important 1925 work, *Experience and Nature*—leads him to assert that “uncertainty and conflict are inherent in morals; it is characteristic of any situation properly called moral that one is ignorant of the end and of good consequences, of the right and just approach, of the direction of virtuous conduct, and that one must search for them.”³⁶

The important point of morality for Dewey then turns toward the individual in the form of habits of judgment. As he puts it in his lecture in 1930, moral progress means individuals possessing “the ability to make delicate distinctions, to perceive aspects of good and of evil not previously noticed, to take into account the fact that doubt and the need for choice impinge at every turn.”³⁷ Thus, moral education for Dewey becomes a matter of inculcating through practice the right habits of attention and imagination to complex moral situations. In this lecture, as well as in the 1932 edition of his co-authored book *Ethics* (with James H. Tufts), Dewey posits three factors that are essential in moral situations. These are independent variables, and he labels them as “the good,” “the right,” and “the virtuous.” *The good* as a concept is extracted from the experience of desire that organisms experience in their course of striving for various things or states connected with pleasure. Hedonistic theories like utilitarianism fixate on this factor and reduce morality to a pursuit of the maximal pleasure across all involved community members. Alternative theories grow from another aspect of human moral experience, one that appears when more than one agent pursues objects of idiosyncratic desire. This is the concept of *the right*, a notion that deals with agents coordinating their abilities to act among and with other agents. Kant's system of deontology emphasizes this aspect with his elevation of law-like regularity

³⁶ Ibid., 280.

³⁷ Ibid., 280.

among equally-free agents to a universal normative status in his various formulations of the moral law. Finally, the aspect of *the virtuous* arises from the part of our experiences that involve our observation of, and reaction to, the actions of others that do not directly affect us (or our happiness). We often experience reactions of approval or disapproval, and Dewey finds that this experiential factor grounds theories such as Aristotle's that focus on community-approved virtues that are encouraged and inculcated in agents.

The challenge to moral *judgment* and ethical *inquiry* is simple—none of these variables can be reduced to one or both of the other variables, or dismissed outright. Each has an important basis in the phenomenology of human experience, and each plays a role in moral situations insofar as these situations become moral when there is a conflict among these values. Traditional moral theories err insofar as they focus primarily on one aspect to the complex situation of moral experience—"one cause for the inefficacy of moral philosophies has been that in their zeal for a unitary view they have oversimplified the moral life. The outcome is a gap between the tangled realities of practice and the abstract forms of theory."³⁸ For Dewey, moral cultivation must instead focus on the realization that "each human being has to make the best adjustment he can among forces which are genuinely disparate, [which] would throw light upon actual predicaments of conduct and help individuals in making a juster estimate of the force of each competing factor."³⁹ Dewey's form of pragmatist ethics thereby becomes an act of training agents to balance moral values in a complex world, and among other contending arguers. It becomes a matter of how we *attend* to or mind the various readings of situations that matter, and it moves our "attention away from rigid rules and standards" and instead encourages moral agents "to attend more fully to the concrete

³⁸ Ibid., 288.

³⁹ Ibid., 288.

elements entering into the situations in which they have to act.”⁴⁰ This is the only advisable path to take, Dewey believes, once one has given up on the idea of the world as holding one truth (moral or otherwise) that can be captured in the right proposition or argument. If one sees the world as one that holds *both* stability and change, the ultimate fixation on or quest for certainty becomes secondary, and one’s projects then seek a fallible, temporary equilibrium between one’s present needs and one’s present natural or social environment. All of this can change, of course, as our needs and environments evolve and change through time.

Pragmatist Ethics, *Dissoi Logoi*, and the Pedagogy of Moral Case Studies

For Dewey, moral judgment and consequent moral argumentation err when they assume or entail that there is one right answer for some problematic situation that is defined by conflict among *prima facie* values. The world is not that simple, and our moral judgments must also not be that simple if they are to ultimately be useful in our present and future experience. What this means for moral inquiry in group situations is clear. These conflicting values must be noticed, and then balanced through argument in and among other arguers. This gloss on Dewey’s moral theory brings it very close to the tradition of *dissoi logoi* that started with Protagoras teaching his students to argue both sides of any given issue concerning the world disclosed through human experience. How can Dewey’s account of morality as imaginative balancing add to this tradition of confirmation and refutation? What can the tradition gain from Dewey’s account of moral exigency relating to an irreducible conflict among or between desire, coordination of action, and our reactions

⁴⁰ Ibid., 288. For more on Dewey’s mature system of ethics, see Gregory F. Pappas, *John Dewey’s Ethics: Democracy as Experience* (Bloomington, IN: Indiana University Press, 2008).

to the actions of others? I will end this article with the same synthetic and reconstructive spirit that scholars such as Jeffrey Walker display when they creatively use and appropriate the resources of long-past traditions and thinkers. For a pragmatist, such synthetic activity is a good thing, since it shows that we can utilize past thinkers and theories as resources for our present social and intellectual needs.

If a central metaphysical theme to both Protagoras *and* Dewey is that the world is not set or simple, we can see an interesting path forward to the cultivation of moral judgment and argumentation. Like Jonson and Toulmin's account, my reading of these thinkers would bring cases or important problematic instances to the foreground of moral pedagogy. Casuistry, however, seems to desire a moral taxonomy that arises out of similar but disparate cases, so Dewey's pragmatist moral theory is not exactly on the same track—it is a theory, or a general account of how moral judgment *in any given case of conflict* should proceed. But it is not a reductive theory that fixates on one of the independent factors or variables in moral experience. Thus it shares the case-focused instinct of casuistry, but it offers more deductive guidance on how to sort out various aspects of a novel case of moral disagreement. Part of the pedagogical practice of this moral theory will involve what the rhetorical tradition would label as *dissoi logoi*.

Let us take an example from the world of digital ethics. New AI-enhanced programming has allowed for the merging of real videos to make fake videos, or videos depicting an identifiable agent doing something that he or she never did. This technology is often called “deepfakes” technology after its programmer's internet handle. This technology has raised *moral* issues because of its connection to courses of action that proffer extreme harm to individuals or communities. For instance, this technology causes worries insofar as its creators and first adopters often used it to create fake porn videos featuring identifiable individuals who never actually appeared in

adult content. This might represent an intrusion on the privacy of individuals, or a tortious course of false light or slander, that current law is having trouble keeping up with. There is also worry about its implementation in fake news or propaganda to create panics or crises when world leaders are seen as saying something inflammatory or harmfully false.⁴¹ How can moral inquiry proceed in regard to such a topic? Like similar concerns such as “revenge” or non-consensual pornography, the case of this technology seems very simple to many observers—the phenomenon is simple to grasp, and it is clearly and always morally wrong.⁴² Yet these are precisely the sort of simplified reactions that Dewey’s ethics wants to delay or derail.

It is here that the tradition of rhetorical pedagogy can add something to the practice of Dewey’s ethics in educational settings. How might we really do justice to the complexity of inquiry and argument in moral situations, such as those involving deepfakes technology? The first goal that Dewey’s ethics ask us to accomplish is to unpack the various values in conflict. This can be conceptualized in a Protagorean manner in the form of opposing arguments. For instance, the deepfakes scenario actually involves a range of considerations—the action of making these videos, the harms of sharing them, and so forth. The aspect of *the good* could implicate the

⁴¹ Robert Chesney & Danielle Citron, “Deep Fakes: A Looming Crisis for National Security, Democracy and Privacy?” *Lawfare*, February 26, 2018. Available at: <https://www.lawfareblog.com/deep-fakes-looming-crisis-national-security-democracy-and-privacy>; also see James Felton, “‘Deep Fake’ Videos could be used to influence Future Global Politics, Experts warn.” *IFLScience*, March 13, 2018. Available at: <http://www.iflscience.com/technology/deep-fake-videos-could-be-used-to-influence-future-global-politics-experts-warn/>; Megan Farokhmanesh, “Is It Legal To Swap Someone’s Face Into Porn Without Consent?” *The Verge*, January 30, 2018. Available at: <https://www.theverge.com/2018/1/30/16945494/deepfakes-porn-face-swap-legal>.

⁴² Scott R. Stroud, “The Dark Side of the Online Self: A Pragmatist Critique of the Growing Plague of Revenge Porn,” *Journal of Mass Media Ethics*, 29 (3), 2014: 168-183.

reputational harm that could come from someone featured in a pornographic deepfakes video, but it must also be weighed against uses of deepfakes technology that aim to satirize or criticize some agent. Also included might be artistic employments that serve as updated video versions of the nude statues anonymous critics constructed and publicly displayed of the controversial President Donald Trump shortly after his inauguration.⁴³ Each of these employments could serve as data for a more nuanced reading of the conflict within the aspect of the consequences of deepfakes technology. Beyond this, moral inquirers could be spurred to construct opposing arguments as to the impact of deepfakes technology on the coordination of action in a community. Clearly, causing harm is something that is often curtailed by an individual's legal rights and protections, but it is not an absolute trumping factor to the rhetorical actions of others—many legitimate and legal uses of free speech (such as harsh criticism or investigative reporting) are intended to do some amount of harm to an individual or entity. The aspect of *the right* becomes prominent when the issue of free speech enters the discussion about deepfakes. The technology might prove harmful in some employments, but is this enough to limit its use *in toto* by all speakers or creators? Furthermore, one might argue that even if you were justified in disliking this technology, can one craft legislation precise enough to step on its harmful uses and not its beneficial or artistic uses? Our reaction to the deepfakes case also involves a reaction of global disapproval—the technology and the falsity it integrates in its operation are repulsive, some might think. But not all instances of this technology's use are public; some videos may simply be created for one person's enjoyment or amusement.

⁴³ Mazin Sidahmed, "Anarchist Group installs Nude Donald Trump Statues in US Cities," *The Guardian*, August 18, 2016.

Available at: <https://www.theguardian.com/us-news/2016/aug/18/nude-donald-trump-statues-new-york-indecline>.

How might this added dimension of public and non-public uses add to the deepfakes controversy or complexify our reaction to its moral worth—what Dewey calls the factor of *the virtuous*?

Dewey's moral theory would call for an agent to interrogate this sort of complex case with the orientation that there is not one right answer or straightforward judgment; such quick judgments would undoubtedly oversimplify the phenomena at hand, or would prove unable to provoke consensus with others disagreeing on the grounds of some other factor or aspect buried in the complex instance. As is the case in the ancient implementation of *dissoi logoi*, the rush to find *the* correct answer is delayed by an exploration of contrary arguments and conflicting factors. Dewey gives a theoretical typology of what is at stake in each specific case of conflict, even though he would be the first to admit that the complexity and ever-changing nature of the world ensures that the specific conflicts will be instantiated in unpredictable ways. Issues of individual pleasure and the protection of agential rights will be very different in street protests and sharing viral deepfakes videos online. Identifying and balancing these novel conflicts is the charge of moral education, and the pedagogical tool of anticipating and looking for opposing arguments is clearly in line with Dewey's account of moral theory as imaginative attention and balancing of valuable features in conflict.

If we take Dewey's commitment to inquiry in the face of uncertainty, we can see him as residing closer to the Heraclitean intuitions in Schiappa's interpretation of Protagoras' *dissoi logoi* fragment than the "anything is arguable" sort of subjective orientation, since for Dewey the world is not reducible to one certain and true set of propositions that track "the real" in a consistent way. The use of problematic cases designed to be—in an adaptation of the phrasing of the *progymnasmata* that followed the early sophists—not clearly absurd and not obviously (in the sense of truistic) correct would be a very useful method of training agents to make sensitive

distinctions in complex issues like that of the currently pressing deepfakes controversy. Creating or forming such case studies with materials that enshrine the conflicting interests and values in a given controversy would provide the instructor—and his or her pupils—with the materials to search for and construct contrary positions. The elucidation of conflict in such heated areas of controversy is a partial victory, since much of moral thinking (on any side of a moral issue) is a simple rush to confirming one's own view, or the view of their in-group, as correct and any opposing view as benighted or unjust.⁴⁴ This is not only unjustified in terms of the nature of the world on the accounts of Dewey and Protagoras (for the world most likely enshrines some changing or contradictory aspects), but it is less than useful when seen from a civic or democratic perspective. If moral argument is meant to resolve conflicts, or at least form community in such a way as to allow for a path forward on some issue that matters, dividing and rejecting opposing views in a strong sense is not strategic—it holds a way to merely create more motivated and recalcitrant opponents. Instantiating some amount of imaginative sympathy with the capacities and judgments of others, even if they are a partial account of some moral conflict, seems to promise the most sustainable account for solving communal conflicts now and also in the future.⁴⁵

Some actions seem to reveal no conflict or disagreement about their description, value, or adjudication. Not every situation is

⁴⁴ For more on what could be called “partisan perfect reasoning,” see Scott R. Stroud, “The Challenge of Speaking with Others: A Pragmatist Account of Democratic Rhetoric,” *Journal of Speculative Philosophy*, 29 (1), 2015, 91-106.

⁴⁵ Sympathy occupied an important part of Dewey's ethics, as well as the accounts residing within his political thought. See Steven Fesmire, *Dewey* (New York: Routledge, 2014); Scott R. Stroud, “Democracy, Partisanship, and the Meliorative Value of Sympathy in John Dewey's Philosophy of Communication,” *Journal of Speculative Philosophy*, 30 (1), 2016: 75-93; Gregory Pappas, *John Dewey's Ethics: Democracy as Experience* (Bloomington: Indiana University Press, 2008).

problematic, in the terms of Dewey's theory of inquiry. Few, if any, would argue in favor of a serial killer murdering an unsuspecting jogger. But things become more difficult when the killing of innocent people is tied to wartime strategies that may save many more innocent lives. The same may be true of other vexing social issues. Most cases of moral importance that we seem compelled to discuss and deliberate involve reasoned disagreement by community members. Complexity besets us in the issues that divide us and that animate a range of mutually exclusive action paths. But the rub of moral inquiry comes in these difficult cases, the cases or situations that allow for rich disagreement and passions both for and against some action. Even in the case of heated arguments over something related to "racism," one can see the room for dispute. One side describes some utterance as "pure racism," but the other side believes that the controversial utterance is simply telling the harsh truth about, say, welfare or immigration politics. How do we proceed to judgment among others in such a situation? How can we preserve and promote community with disagreeing others in and through the engagement with this specific moral dispute? How can moral inquiry engage—and perhaps even transform—individuals we judge to be undeniably racist? These are the sorts of questions foregrounded by the embrace of complexity and uncertainty in the Deweyan approach to moral problems. Dewey, like Protagoras, seems both resigned and excited to be inhabiting a world without much certainty, a world of flux amidst moments of temporary stability that still demands of us at least temporarily consistent paths of judgment and action.

The rhetorical implications of the challenge of moral judgment in diverse community settings shows us how the use of arguable and conflict-ridden cases could serve as a way to bring the pedagogical and metaphysical commitments of Dewey and Protagoras closer together in the realm of moral inquiry and argumentation. Ideally, pupils analyze and address moral dilemmas in

a way that persuades those who disagree with them, or those that elevate a different value inherent in the case (say, free speech rights over preventing harm). Moral theory, as Dewey tells us, is not a quest for *the* right answer to our moral questions, nor does it allow us to *solve* any controversies. There are not right answers on Dewey's or Protagoras' account of the world and in our uses of language to know it. Instead, moral judgment is an artistic balancing act regarding situations that are important precisely because they contain values that cannot be rendered absolutely consistent.

Moral inquiry has more in common with the *techne* proffered by the sophistical tradition than the forms of certainty-seeking readings of moral virtue or worth that fill important tomes from western thinkers. Presenting opportunities to find conflict in important cases and then enunciate the balance that one believes needs to be struck is a moment of pedagogical gain that both Dewey and the sophists would recognize. In this way, a case-based method that asks students to find—or charitably construct—opposing arguments in important moral situations implements both the pedagogical intuitions of Dewey's ethical theory and Protagoras' program for training effective and engaged citizens. These similarities can be usefully leveraged in exploring the potentials of Dewey's thought for rhetoric and the training of democratic citizens. These ways of recognizing the potential and actual diversity in arguments and beliefs around any given issue makes Dewey's—and I would add, Protagoras'—account of moral judgment and inquiry well-fitted for our modern democratic challenges of polarization and severe division in our communities. How do we train our students to be the sort of democratic citizens that can function in, and possibly heal, such a fractured electorate? Do we present the *right* theory or account that captures what it means to be ethical in any situation? Or do we present cases or instances that ultimately reveal *the* right answer, a sort of moral fable that students engage with until they see

what they should have seen all along? All of these seem too unimaginative, at least on the terms of the account of ethical inquiry and argument presented here.

What is needed are difficult cases, instances that enshrine the conflict and uncertainty of truly problematic situations in communal life. These are the core of ethics, at least its interesting and difficult parts that exercise so much of our activity as community members. Part of the way to teach engagement with the difficult decisions we face is through the engagement with such cases in pedagogical contexts. If used effectively, they enable the inculcation of the imaginative skills required in sensing a range of reasonable opinions, even if they are always contingent and corrigible, and allow us to see how they might be defended and argued. In finding a path forward through moral argument in a democracy, the account we have extracted from Protagoras adds an element that's often not emphasized as much in Dewey's accounts of moral judgment or moral inquiry—these processes are often *group* activities, not one of a *lone* individual rendering indeterminate situations determinate. Using the moral imagination alone, and in concert with others, can help us respect the diversity of opinions and perspectives on contentious issues, and can therefore go a good distance toward instantiating and training the habits we need for democratic citizenship. The method of *dissoi logoi* therefore becomes an integral part to forming the sort of ethical reasoner and reflective citizen that diverse democracies need to solve the problems of the present, as well as to sustain the communal bounds to solve the problems that face the community tomorrow.⁴⁶

⁴⁶ The Center for Media Engagement at the University of Texas at Austin has produced a series of ethics case studies inspired by this line of thinking. These cases, funded in part by the John S. and James L. Knight Foundation, can be found at www.mediaengagement.org.