

Argumentation Library

Frans H. van Eemeren
Bart Garssen *Editors*

Topical Themes in Argumentation Theory

Twenty Exploratory Studies

 Springer

Topical Themes in Argumentation Theory

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Editors

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Twenty Exploratory Studies

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Chapter 1

Some Highlights in Recent Theorizing: An Introduction

Frans H. van Eemeren and Bart Garssen

Since the early 1990s it has been our habit to publish regularly volumes with a collection of essays that are indicative of the kind of developments taking place at that moment in the study of argumentation. These volumes are intended to be a service to the discipline by presenting a selection of representative specimens of the state of the art to researchers and students of argumentation theory. As a rule the essays included in these volumes are based on papers presented at the preceding ISSA Conference. Among the earlier volumes are *Argumentation Illuminated* (van Eemeren et al. 1992), *Logic and Argumentation* (van Benthem et al. 1996), *Anyone Who Has a View* (van Eemeren et al. 2003), *Argumentation in Practice* (van Eemeren and Houtlosser 2005), *Controversy and Confrontation* (van Eemeren and Garssen 2008), *Pondering on Problems of Argumentation* (van Eemeren and Garssen 2009). *Topical Themes in Argumentation Theory* (van Eemeren and Garssen 2012b) fits into this tradition – as does, by the way, *Exploring Argumentative Contexts* (van Eemeren and Garssen 2012a).

In *Topical Themes in Argumentation Theory* we have, again, made a selection of some highlights in recent theorizing from an enormous amount of candidates. This time we have chosen to include six themes which are prominent in current research and fall under the following headings: (I) Theoretical Perspectives, (II) Views on Dissensus and Deep Disagreement, (III) Types of Argumentation, (IV) Classical Themes Revisited, (V) Visual Argumentation, and (VI) Empirical Research. Each of the themes is represented by three or four interesting essays. We will introduce the six themes by giving for each theme a brief summary of the essays that are included followed by a short characterization of the theoretical perspectives from which the authors operate and a brief indication of the specific contribution the essays make to the development of the study of argumentation. In providing these characterizations

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and indications we make use not only of the essays themselves but also of the responses given by the authors to a number of questions we requested them to answer.

In Part I three theoretical perspectives are presented. In James F. Klumpp's essay the central issue is the confusion that seems to exist over the coherence of rhetorical study of argument. Maurice A. Finocchiaro focuses on the nature, value, and viability of studying meta-argumentation: what is meant by meta-argumentation, what does focusing on meta-arguments involve, how valuable or fruitful is such a focus and is it feasible or viable? Ralph H. Johnson's central question is how to understand the concept of 'dialectical' deployed by Hamblin in *Fallacies*.

In 'Rhetorical Argument' (Chap. 2) Klumpp's point of departure is that it is problematic what rhetorical study is, where it originated, how it has evolved, and whether it is a coherent mode of study. The roots of rhetorical argument are in classical rhetoric, but the study of rhetoric has had an uneven history. In Western thought its importance changed continually and eventually diminished until the late twentieth century. According to Klumpp, the recovery of rhetorical argument in the twentieth century flourished within the growth of analytic inquiry and the linguistic turn. After providing a brief survey of the rich variety of research in rhetorical argument at the dawn of the twenty-first century he attempts to weave the fabric in this variety. Finally, Klumpp distills the central characteristics that define the study of rhetorical argument from its grounding in its historical roots and current practice of rhetorical argument.

In 'Meta-Argumentation' (Chap. 3), Finocchiaro makes a plea for the theoretical and methodological case of meta-argumentation in general and for approaching from this perspective the specific topic of analyzing William of Orange's *Apologia* dating from 1581. He summarizes some work which follows what he calls the 'historical-textual' approach to the study of argumentation and then describes the project of extending that approach into the new subject matter of meta-argumentation. In Finocchiaro's view, a systematic study of meta-arguments would be fruitful because it offers an understanding of a special class of arguments, but it would also be a distinctive way of doing argumentation theory in general.

Finocchiaro's more specific goal in this essay is motivating the project of a meta-argumentative analysis of William "the Silent"'s *Apologia*, which attempts to justify William personally and the Dutch revolt generally against King Philip II of Spain's arguments in his *Ban Edict* (1580). The *Apologia* is a classic document in the struggle for freedom of religion, national liberation and the democratic ideal. This particular "Dutch" project can be conceived as a case study of the historical-textual approach, applied to famous meta-arguments.

In 'Wittgenstein's Influence on Hamblin's Concept of "Dialectical"' (Chap. 4), Ralph H. Johnson discusses a crucial argument from Hamblin's influential study *Fallacies* in which Hamblin states that "dialectical concepts have a certain claim to be considered the fundamental ones" (1970, p. 244). Hamblin does not explain what he means by the term *dialectical*, but from the way in which he uses it, Johnson infers that he means something like "related to acceptance". In Chaps. 8 and 9 of his study, however, the term *dialectic* seems to have a different sense. In his explanation of what he means by 'dialectic', Hamblin refers to Wittgenstein, but this part of his explanation is not really clear. Johnson claims that in order to understand what

Hamblin means we need to understand how he derives his sense of ‘dialectical’ from his reading of Wittgenstein and how this helps us to understand senses of the term *dialectical* from Chaps. 8 and 9 of *Fallacies*. His conclusion is that, in spite of differences in the various uses he makes of the term *dialectic*, Hamblin’s deployment of this concept is fundamentally coherent.

The theoretical perspective offered by Klumpp is obviously rhetorical. Johnson’s theoretical perspective stems from ‘informal logic’ (“provided that [informal logic] is understood as relating to theorizing the logical issues surrounding the idea argument (as opposed to implication or entailment)”, Johnson adds in response to our enquiries). In Finocchiaro’s case the situation is somewhat more complex. As a first approximation, his contribution can be considered as being part of the ‘informal logic’ approach. However, when it is characterized more precisely, Finocchiaro follows a historical textual approach which is his own variation on the approaches advocated by several other scholars. His approach derives partly from Scriven’s probative logic, Toulmin’s methodological approach (as distinct from his substantive model of argument), Johnstone Jr.’s combination of philosophy and rhetoric and Barth’s empirical logic. Moreover, Finocchiaro’s approach overlaps with that of Johnson’s and Blair’s informal logic, Fisher’s logic of real arguments, Govier’s philosophy of argument and Krabbe’s immanent dialectical approach.

From Klumpp’s essay a focused understanding of the coherence of rhetorical argument can be gained, together with a view on the history of the relationship between rhetoric and argument and the variety of studies that interact within rhetorical argument. In addition, Klumpp explains the connection between rhetorical argument and the great intellectual movements of the twentieth century. Finocchiaro elegantly combines in his contribution rhetoric, dialectic and logic. The knowledge and insight that is to be gained from his essay is primarily methodological (epistemological, philosophical, self-reflective), in the sense that it consists of normative claims that prescribe fruitful avenues of research. By providing a better understanding of a crucial concept in Hamblin’s *Fallacies*, Johnson’s essay can lead to a better appreciation of what Hamblin is up to. According to Johnson, Hamblin is not just interested in critiquing the treatments given by logicians but also seeks to develop a different approach based on his idea of dialectic. For Hamblin, the key to understanding the fallacies is to situate them within dialectic rather than (formal) logic.

In Part II of this volume three views on dissensus and deep disagreement are presented. In James B. Freeman’s essay the central issue is the extent to which disagreements can be resolved rationally through argumentation. David Zarefsky concentrates on whether it is possible to overcome deep disagreement and recover productive argumentation in a situation that presents itself as a case of deep disagreement. The questions dealt with in the essay contributed by Manfred Kraus are what is polemic argument and how can purely polemic argument reasonably contribute to a critical discussion of important issues in public life.

In ‘Can Argumentation Always Deal With Dissensus?’ (Chap. 5) Freeman responds to a challenge to argumentation theorists issued by the literary critic Stanley Fish. Dissensus cannot be resolved rationally, Fish claims, since dissenters accept incompatible basic premises not on evidence but as constituting what evidence is. There are no objective principles of evidence or value to which one could

appeal in resolving disagreements about opinions. One's basic principles rather express core self-defining commitments, accepted on faith. Different faith means different principles of evidence. One's basic faith is immune both to critical scrutiny and to support through argumentation. According to Fish, the liberal stance holds that some basic premises are open to objective agreement while others are matters of ideology. Only those positions open to objective discussion are reasonable. Argumentation theory presupposes the liberal stance, which is in the view advocated by Fish itself an ideological view betraying an intolerance of ideological commitment antithetical to the liberal stance. Liberalism is involved in a dilemma. In his essay Freeman argues that argumentation theory can deal with Fish's dilemma and explains how it can do so. Basic principles of evidence in effect are warrants and Fish has ignored that warrants can be backed in various ways. Not all warrants need be matters of faith. Fish's skepticism of argumentation is therefore not justified.

In 'The Appeal for Transcendence' (Chap. 6) Zarefsky offers a possible response to cases of deep disagreement in which a conflict is so fundamental that there appears to be no underlying shared understanding by the arguers at any level. It is generally held that in such a case productive argument is not possible. Any claim the one party makes can be challenged by the other party in a potentially infinite regress, because there is no moment at which the interlocutor, by virtue of his or her prior commitments, is obligated to accept any standpoint. Overcoming deep disagreement requires transcending the impasse in the argument, seeing the controversy in a different light. Zarefsky identifies four pairs of strategies that involve rhetorical moves to reset the disagreement and reshape the argument. In addition, he presents two case studies to illustrate them.

In 'Cultural Diversity, Cognitive Breaks, and Deep Disagreement' (Chap. 7) Kraus takes as his starting point that all argumentation starts from dissent, but needs common ground to build on. Such common ground is ideally provided by a common cognitive or cultural environment that is shared by the arguers. In cases of radical cognitive or cultural diversity there is little or no such common ground so that only polemic argument (but not argumentation) will be possible. According to Kraus, polemic argument, characterized by *cantankerousness* and gainsaying rather than veritable argumentation, informs much of our present argument culture, particularly so in TV talk shows, in political debate, and even in academic dispute.

In today's pluralistic societies various groups with divergent cultural backgrounds and different cultures of argument share the same living space, but often cannot even acknowledge the rationality of each other's arguments. Although polemic argument is generally condemned as futile or fallacious, the free expression of antagonist views, and thus conflict and polemics are basic to our Western democratic political culture. Kraus makes clear that while in polemic argument both contending parties are mutually blocked and cannot reach any common ground to resolve their deep disagreement, such polemic argument can nevertheless be useful for clarifying and better defining the issue at stake for the benefit of a third party: those people (assembly, jury, electorate, general public) who will ultimately decide the issue pragmatically (e.g. by ballot).

In responding to the challenge concerning dissensus issued by Fish, Freeman makes a general case on behalf of argumentation theory. Zarefsky's contribution is

grounded in the theoretical approach of rhetoric. Combining insights from informal logic, rhetoric, but also discourse analysis and cultural studies, Kraus starts in his essay from the concept of antilogical reasoning as developed by the ancient Greek sophists to establish the underlying logic and rhetoric of polemic argument and to delineate conditions under which it can be reconciled with the standard of a rational and critical discussion. More specifically, he makes use of Fogelin's notion of 'deep disagreement' and Angenot's theoretical insights concerning 'cognitive breaks' to describe the background of polemic argument.

Freeman's paper presents a reply to relativism in the face of a culture in which relativism is rampant. He replies to Fish by giving counterexamples, illustrating principles of evidence that one can recognize apart from any basic commitments, and argues that we may find such objective principles even for issues of world view. According to Freeman, one may seek to hold individual judgments of meaning or value and world view commitments in mutually supportive reflective equilibrium, but one can objectively assess the extent of reflective equilibrium, which involves assessing support and thus questions of evidence. From Zarefsky's essay, which creates an important linkage between theory and case studies, we can gain that there are specific rhetorical moves that can be used to transcend deep disagreement, with success that depends on various factors in the situation. Kraus not only sheds a new light on the epistemic function polemic argument fulfills in the resolution of deep disagreement, but also introduces Angenot's concept of cognitive breaks and the theory of cultural diversity to argumentation theorists.

Part III of this volume is devoted to the examination of types of argumentation. The central issue of Manfred Kienpointner's contribution is the critical evaluation of figurative analogies. Thomas Fischer defends in his contribution the claim that the concept of 'argument weight,' which is used widely in everyday discourse, is also a crucial concept in normative argumentation theory. Constanza Ihnen focuses on the question of how pragmatic argumentation can be systematically evaluated.

In 'When Figurative Analogies Fail' (Chap. 8) Kienpointner tackles the problem of evaluating arguments from figurative analogy. He formulates a list of four critical questions. The third critical question (CQ3) is in his view the most important one: "Are the important (that is, the most relevant) differences (dissimilarities) between C1 and C2 too overwhelming to allow a conclusion which crosses the different domains of reality to which C1 and C2 belong?" In addition, Kienpointner formulates five pragmatic parameters for the evaluation of arguments from figurative analogy, which clarify the argumentative value of these arguments (e.g. their use as the only, independent argument or as an additional, supportive argument). Kienpointner also presents eight empirical case studies from political discourse in Austrian newspapers and parliamentary debates or from reports, interviews and advertising texts in the Austrian media. Many instances of the argument from figurative analogy prove to be fallacious or at least highly problematic. Nevertheless, there are also more or less plausible uses of this type of argument. Often, arguments from figurative analogy can be classified as weak, defeasible arguments, which can, however, legitimately shift the burden of proof. A generally negative attitude towards arguments from figurative analogy cannot explain the substantial differences as to their degree of

plausibility which manifest themselves when authentic examples from everyday argumentation are taken into consideration. The eight case studies also show that in pragma-dialectical terms arguments from figurative analogy can be seen as specific cases of ‘strategic manoeuvring,’ which can be legitimate in some cases, but can also ‘derail’ in others.

In ‘Current Issues in Conductive Argument Weight’ (Chap. 9) Fischer revisits Wellman’s account of conductive premise weight, particularly his distinction between ‘automated’ or ‘mechanical’ scale weight and his concept of ‘heft’ weight. Fischer argues that Wellman’s concept of heft weight provides a suitable metaphor for premise weight in that both are non-numerically quantitative, comparative, and objective in the sense of intersubjective. He references recent work in cognitive psychology in support of the concept of quantitative but non-numerical judgment in cognitive functioning. Then he applies his interpretation of Wellman’s model to Govier’s account of conductive premise weight evaluation in terms of generalities and *ceteris paribus* clauses. He argues that there are certain parallels between Govier’s treatment of conductive evaluation in terms of exceptions and the role of social values in case-based legal arguments in AI and Law. Bench-Capon and others in AI and Law have shown how cases are decided partly on the basis of values, with case decisions sometimes altering value rankings for future cases. According to Fischer, recent work by Pinto in informal logic shows interesting parallels with Bench-Capon’s work on cases and values. Fischer’s analysis of Wellman, Govier, Bench-Capon and Pinto strongly suggests that differences over individual premise weight can be rationally addressed through constructing an ‘argument to classification’ to one of the strength categories – at least for value-based conductive arguments. The existence in value-based argument and argumentation of deep disagreements does not, Fischer argues, imply that premise weight is subjective in nature. It is in his view a major implication of his findings that the concept of argument weight is central to argumentation theory, so that conductive pro and con, issue-based argument and argumentation deserve to be given more attention.

In ‘Instruments To Evaluate Pragmatic Argumentation’ (Chap. 10) Ihnen provides a pragma-dialectical perspective on the evaluation of a type of argumentation which is frequently used in political discourse. She elaborates on and supplements earlier contributions to the study of pragmatic argumentation. As regards the argument scheme for pragmatic argumentation, she distinguishes a material premise and a connection premise in the argument scheme. She defines the connection premise of the argumentation as a complex premise, and analyses it into two propositions, one causal and the other evaluative. When outlining a dialectical profile for the pragma-dialectical Intersubjective Identification Procedure, Ihnen discusses some of the complexities involved in establishing the acceptability of these two propositions. She gives a rationale for the relevance of each of the critical questions proposed in the Intersubjective Testing Procedure for pragmatic argumentation and situates these questions in a dialectical profile in order to make clear that certain critical questions have priority over others and that there may sometimes be more than one reasonable type of response to the same critical question. Finally, the author discusses in which ways the critical questions outlined in the profile also account for situations

in which there is a more desirable objective that is in some way incompatible with the desirable consequences mentioned in a pragmatic argument.

Kienpointner's, Fischer's and Ihnen's approaches all combine various theoretical perspectives. In Kienpointner's case, arguments from figurative analogy are reconstructed with the help of a slightly revised version of the descriptive and normative argument schemes and the list of critical questions established by Walton et al. (2008). However, insights taken from the new rhetoric, from pragma-dialectics and from Woods' (2004) formal analysis of figurative analogies have also been taken into account. In the case of Fischer's interpretation of Wellman, the theoretical perspective stems basically from informal logic, but theoretical work from AI and Law and insights from European argumentation theorists such as Wohlrapp are also taken into account. Ihnen has a pragma-dialectical approach, but also includes insights from other approaches.

Specific merits of Kienpointner's essay are not only the explicit and detailed reconstructions of the structure of arguments from figurative analogy and the explicitly formulated evaluative parameters and questions, but also the empirical justification of his central assumption by a detailed analysis of a corpus of authentic specimens of arguments from figurative analogy in Austrian political discourse. Kienpointner makes clear that figurative analogies need to be evaluated case by case, because they may be often fallacious or at least weak and defeasible arguments, but they can also be plausible arguments. Fischer's essay starts from the observation that although the phrase "argument weight" is widely used in the parlance of everyday argument the concept is comparatively seldom addressed by argumentation theorists, let alone in a unified way. His contribution is an attempt to "restart" or intensify the theoretical discourse on conductive arguments. In a pragma-dialectical vein, the instruments for evaluating pragmatic argumentation presented by Ihnen consist of an argument scheme representing the types of propositions involved in pragmatic argumentation – one causal and the other evaluative – together with the justificatory relationship that connects these propositions with the standpoint and two dialectical profiles, one specifying the Intersubjective Identification Procedure to assess the acceptability of the two propositions and another outlining the Intersubjective Testing Procedure to evaluate the justificatory function of pragmatic argumentation.

In Part IV four contributions about ancient rhetoric and dialectic are brought together. Martha Spranzi writes about the epistemological value of a genuine approach to dialectic. Janja Žmavc analyses the Greek and Roman concepts of *ethos*. Andreas Welzel and Christopher W. Tindale try to find an answer to the question how Aristotle describes and characterizes emotions as social emotions in his *Rhetoric*. Anders Eriksson goes deeper into the role of *topoi* for a rhetorical theory of argumentation.

In 'The Nature and Purpose of Aristotelian Dialectic Revisited' (Chap. 11) Spranzi discusses the epistemological value of dialectical approaches to argumentation. Aristotelian dialectic has inspired important developments in contemporary argumentation theory, the rhetoric of science and the theory of controversies. Spranzi analyses the relationship between dialectic and rhetoric, two sister disciplines dealing specifically with effective discourse and the meaning of 'endoxa,' the

premises of dialectical reasoning. She shows how contemporary developments take different forms which correspond to two separate trends. The first trend emphasizes rhetorical persuasion and sees dialectic as a particular kind of discourse whose ultimate goal is to create consensus about a controversial claim. The second trend, which better corresponds to Aristotle's own approach, sees dialogue and disputation as the distinctive feature of dialectic. Finally, Spranzi goes into the specific contribution that dialectic can make to the advancement of knowledge: dialectic allows one of the two interlocutors in a disputation to shift the burden of proof and acquire a presumption of truth in his favor by forcing an adversary to concede to objectively acceptable premises.

In 'The *Ethos* of Classical Rhetoric' (Chap. 12) Žmavc tries to establish in what way the Greek and Roman conception of *ethos* can be helpful for the development of modern argumentation theory: can a study of the Greek and Roman conceptions of *rhetorical ethos* that includes social perspective provide us with interesting and useful starting points for analysis? More specifically, can such a study refine our conception of the role of the speaker in the contemporary models of rhetorical and argumentative analysis? Rhetorical *ethos* is known and studied mostly either solely from Aristotle's conceptualizations of *pisteis entekhnoi* or from the perspective of a *moral character* that comes from Isocrates and Plato; ancient *rhetorical ethos* in fact reveals a multifaceted nature that comes from different conceptions of the role of the speaker in Greek and Roman society. Žmavc presents examples of different ancient conceptions of character presentation and proposes two interpretative directions that, only when joined together, fully constitute a complex concept of classical rhetorical *ethos*. Her reconstruction of a model of classical rhetorical *ethos* reveals the multifaceted nature *ethos*.

The central question in Welzel and Tindale's contribution 'The Emotions' Impact on Audience Judgments and Decision-Making in Aristotle's Rhetoric' (Chap. 13) is: how does Aristotle describe and characterize emotions as social emotions in his *Rhetoric* and what is the analytical structure underlying them? Early in Book I of his *Rhetoric*, Aristotle claims that audiences are persuaded when led by a speech to feel emotion. We do not give the same judgment when grieved as we do when we are rejoicing, or when being friendly as when we are hostile. It would seem, then, that emotions ground judgment. But Aristotle never explicitly addresses the question of how emotion comes to affect judgment. The answer to this question lies in the social nature of Aristotle's account of the emotions and the structure of intentionality that this implies. In their contribution, Welzel and Tindale draw out both the social account of the emotions and the type of intentionality that this reveals. In the first part of their chapter they explore the ways in which the account of the emotions in the *Rhetoric* is other-regarding. In each case, emotional responses find us outside of ourselves in the world, navigating difficult interpersonal matters that can be understood and converted to sources of persuasion. Anger, for example, is directed toward others; fear is of others. The common element here is the social nature of the emotions. Building on this account, they subsequently turn to argue that the mainstream concept of intentionality is insufficient to capture social emotions as presented by Aristotle in Book II of his *Rhetoric*. What is required is a different

model of intentionality that captures the move from individual existence to social existence. Social emotions are embedded in social interactions and such emotions therefore require a structure of intentionality that is both other-directed and directed back on the agent.

In 'Argumentative *Topoi* for Refutation and Confirmation' (Chap. 14) Eriksson compares the classical rhetorical method of teaching argumentation to modern dialectical theories. He claims that the rhetorical *topoi* are better for teaching argumentation to students than modern approaches to argumentation. *Topos* is an important concept both in rhetorical and dialectical argumentation theories. In dialectical theories, *topos* often signifies a kind of argument scheme, divorced from the context. In rhetoric, *topos* is intimately connected with the invention of argument for specific contexts. Long lists of *topoi* therefore fill the rhetorical handbooks. These lists are heuristic guides helping students to acquire a habit of thinking by which they will be able to creatively find arguments for the occasion. In the rhetorical tradition, the art of finding arguments for and against a position is taught in the twin rhetorical exercises refutation and confirmation. They belong to the *progymnasmata*, a set of preliminary exercises designed to teach students the art of rhetoric. Both refutation and confirmation are built around a set of *topoi* which function both as heuristic guides and as analytical tools. These *topoi* are 'the clear,' 'the persuasive,' 'the possible,' 'the logical,' 'the appropriate' and 'the advantageous.' Each of these *topoi* is accompanied by its opposite so that the student will look both for the clear and the unclear, for the persuasive and the unpersuasive, for the possible and the impossible, the logical and the illogical, the appropriate and the inappropriate, the advantageous and the disadvantageous. The students begin by clarifying the issue and defining the terms. Secondly they look to the audience for whom the position would be persuasive. Thirdly, they continue to consider the physical world and its limitations. Fourthly, they consider the formal relationship between the propositions in the argument. Finally they consider the appropriate conventions in the rhetorical situation and the advantage for which the different participants argue.

The theoretical perspective chosen in Part IV is in all cases rhetorical. A prominent feature of the contributions is a renewed interest in very well-known concepts from classical argumentation theory: dialectic and its relation to rhetoric, *ethos* and the *topoi*. Furthermore, in all four chapters the ancient accounts are carefully compared to modern approaches to argumentation in order to find out how classical rhetoric and dialectic can be helpful in developing contemporary argumentation theory. Starting from an epistemological angle, Spranzi studies the tight relationship between rhetoric and dialectic. She singles out dialectic as having a unique and specific epistemic value (rule-bound disputations). Žmavc provides an insight into different notions of rhetorical *ethos* in the context of rhetorical system and their connections to the Greco-Roman social practices. A special merit of her paper is the realization that the reconstruction of a model of classical rhetorical *ethos* leads to a *complex* concept, which, when presented from the social perspective, enables us to identify the relationship between *constructed* and *preexisting* image of a speaker and thus further opens possible research questions regarding the nature of rhetorical discourse. Welzel and Tindale regard the application of a Brentano-Aristotle based

concept of intentionality as an important aspect of their paper. This appears as a natural frame for analysing social emotions in Aristotle's *Rhetoric*. Because of its broader scope, it might replace the intentionality model of analytic philosophy in emotion studies. Eriksson's main idea is more practical, as he sees as an important point of his paper the contribution to a good topical system teachable to unsophisticated learners.

In Part V four chapters on visual argumentation are presented. Ian J. Dove writes about the logical strength of visual material. Jens E. Kjeldsen tries to explain the effects of visual tropes and figures in argumentation. Paul van den Hoven compares visual argumentation to verbal argumentation. Georges Roque investigates the possibilities for an adequate definition of visual argumentation.

In 'On Images as Evidence and Arguments' (Chap. 15) Dove raises the question whether visuals can have argumentative strength. There can be no doubt that the addition of visuals, be they pictures, diagrams or charts, can make an argument more persuasive. There is still a question as to whether visuals can make a logical difference as opposed to enhancing the rhetorical strength of an argument. Here opinions divide. Some are skeptical that images can do any work other than rhetorical. Others think that images can carry arguments independently. And some think that images can carry at least some parts of some arguments. In this chapter Dove argues for a modest position: in assessing argumentation, the truth of some claim is verified, corroborated or refuted by some visual means. Moreover, the manner in which these visuals do their work is evidentiary. This evidentiary role for visuals can be extended to account for the use of visuals in some mathematical argumentation.

The central issue in Kjeldsen's paper 'Visual Tropes And Figures As Visual Argumentation' (Chap. 16) is the question whether visual argumentation is possible and what its characteristics are. Departing from the facts that imagery dominates advertising and that advertising is a kind of argumentation, Kjeldsen examines the argumentation of advertisements that are predominantly pictorial. In most cases, visual argumentation is best elicited through the audience knowledge of a specific rhetorical situation with a mixed difference of opinion, where two parties hold opposing standpoints. Commercial advertising, on the other hand, is best described as a single, non-mixed difference of opinion where only one party (the advertiser) is committed to defending only one standpoint, namely the common claim shared by all advertising: buy this! This ultimate proposition is defined as the *final claim*. Knowing the final claim, the advertising genre and its general context of difference of opinion gives the viewer a starting point for discovering the premises supporting the final claim, which makes it possible to reconstruct pictorial argumentation. Such reconstruction is challenged by the semiotic ambiguity of pictures. However, Kjeldsen proposes that visual rhetorical figures (both tropes and figures) can help delimit the possible interpretations, thus supporting the evocation and creation of the intended arguments about product and brand. Because figures are regularised patterns, they offer cognitive schemes enabling the (re)construction of the embedded arguments. This theoretical point is illustrated through analysis of four predominantly pictorial advertisements. Kjeldsen's analyses support three general theoretical points. Firstly, it illustrates the ethotic argumentation of an artful visual execution.

Secondly, it demonstrates how the presence of visual figures helps delimit the possibilities of interpretation, creating advertisements that are semantic and semiotically open in some respects and closed in others. They are closed in the sense that particular rhetorical figures guide the viewer's construction of the arguments in the ad in question. Thirdly, the analyses support the theoretical claim that pictures can offer a rhetorical enthymematic process where something is condensed and omitted, and, as a consequence, the spectator has to provide the unspoken premises.

In 'The Narrator and the Interpreter in Visual and Verbal Argumentation' (Chap. 17) van den Hoven explores differences in the division of labor between the narrator and the interpreter in visual and verbal argumentation. He wants to know how it can be determined what the accountability of a protagonist is when a multi-modal argumentative text is presented. Van den Hoven constructs pairs of dominantly verbal texts and dominantly pictorial texts that invite an interpreter to reconstruct a roughly similar argumentation. Comparing the role of abstract narrator in such 'equivalent' pairs reveals that in pictorial texts the narrator dominantly presents the signs in their iconic aspect, while in verbal texts the narrator dominantly presents the signs in their indexical and symbolic aspect. For argument theory this raises the problem of the accountability for diegetic elements in the argumentative reconstruction of dominantly pictorial texts because these elements are largely formulated by the interpreters. It raises the problem of the accountability for mimetic elements in dominantly verbal texts as these are largely formulated by the interpreter. Both problems may also affect the concept of propositionality that we often find to be an element in the definition of argumentation.

In 'Visual Argumentation' (Chap. 18) Roque stresses the importance of providing an adequate definition of visual argumentation, since he feels uncomfortable with the existing ones. He explores the relationship between 'visual' and 'argument,' in order to propose a definition of 'visual argument' that goes beyond the standard definition of it as an argument expressed visually, as this definition still assumes that arguments are essentially verbal. This leads him to the question to what extent an argument displayed visually is different from the same argument displayed verbally. In order to answer this question he proposes to distinguish between arguments expressed either verbally or visually (like arguments of authority) and arguments better expressed visually (like arguments by analogy). He then goes into the relation between verbal and visual in visual arguments. In most cases of visual arguments, indeed, the argument is not purely visual, but mixed, since the argumentation is both verbal and visual.

Visual argumentation is a new area of research and this is reflected in the contributions to Part V. Most contributions are about meta-theoretical issues such as the basic characteristics of visual argumentation, the possibility of visual argumentation and the definition of visual argumentation. The papers are mostly written from mixed theoretical perspectives (pragma-dialectical, rhetorical and informal logic). Dove, Kjeldsen and Roque acknowledge the possibility and importance of visual argumentation. Dove focuses on the logical strength of visual argumentation, Kjeldsen tries to explain the nature of visual argumentation, while Roque is more interested in the theoretical matter of a suitable definition. Van den Hoven deals with important differences between visual and verbal argumentation when it comes to accountability.

In Part VI three papers dealing with empirical research are presented. Daniel J. O’Keefe discusses the problem of scattered research findings, which, on the surface, appear not to cohere in any meaningful way. Dale Hample, Fabio Paglieri and Ling Na report on research about factors that make people engage in discussion. Frans H. van Eemeren, Bart Garssen and Bert Meuffels describe the preliminary conditions for effectiveness research within the framework of the extended pragma-dialectical theory and the results of the tests they consecutively carried out.

In his paper ‘The Argumentative Structure of Some Persuasive Appeal Variations’ (Chap. 19) O’Keefe analyses the conceptual relationships among the argument forms embodied in a number of message variations that have figured prominently in persuasion research. The central claim is that one relatively simple argumentative contrast underlies a great many of the – seemingly different – message variations that have been studied by persuasion researchers. This underlying unity has been obscured, however, precisely because persuasion researchers have not been attentive to the fundamental argumentative structures of the messages under investigation. The persuasion research of central interest studies different kinds of appeals based on consequences or outcomes – the kind of argument Perelman termed a *pragmatic argument* and Walton labeled *argument from consequences*. Although not explicitly acknowledged anywhere, a good deal of social-scientific persuasion research has addressed the question of the relative persuasiveness of different forms of consequence-based arguments, and specifically the differential persuasive effects of variation in the evaluative extremity of the consequences invoked by such arguments. Specifically, findings from a variety of different lines of research – self-monitoring, consideration of future consequences, regulatory focus, individualism-collectivism, argument quality – all buttress the conclusion that consequence-based arguments emphasizing relatively more desirable consequences of the advocated action are likely to be more persuasive than arguments emphasizing relatively less desirable consequences. And research on fear appeals has shown that threats perceived as more severe (i.e., more undesirable) make for more effective persuasive appeals than threats perceived as less severe (less undesirable). So consequences that are evaluated more extremely (more desirable consequences of adopting the advocated action, or more undesirable consequences of failing to adopt the advocated action) make for more persuasive appeals than do consequences that are less extremely evaluated. The research to date does add something beyond this unsurprising generalization, because it identifies various substantively different kinds of outcomes whose evaluations might vary. But these substantive variations represent different surface manifestations of an underlying argumentative unity.

In ‘The Costs and Benefits of Arguing’ (Chap. 20) Hample, Paglieri and Na report on an empirical study about the decision of people to engage in a discussion or not. When a situation makes an interpersonal argument possible, sometimes people engage in arguing and sometimes they avoid it. This empirical study construed the engagement decision as being based on the type of argument topic (personal, public, or workplace), individual differences (argumentativeness and verbal aggressiveness) and the anticipated costs and benefits of arguing. Costs and benefits included projections of appropriateness, civility, other’s reasonableness, likelihood of winning,

the argument's apparent resolvability and more general measures of costs and benefits. Each topic type produced a somewhat different set of influential costs and benefits. The individual differences did not strongly affect the engagement decision. Across topic types, the most important costs and benefits were appropriateness and likelihood of winning.

In 'The Extended Pragma-Dialectical Argumentation Theory Empirically Interpreted' (Chap. 21) van Eemeren, Garssen and Meuffels explore the possibilities of effectiveness research within the pragma-dialectical framework of argumentation. The introduction of the concept of strategic maneuvering into the pragma-dialectical theory makes it possible to formulate testable hypotheses regarding the persuasiveness of argumentative moves that are made in argumentative discourse. After summarizing the standard pragma-dialectical approach to argumentation, van Eemeren, Garssen, and Meuffels explain what the extension of the pragma-dialectical approach with strategic maneuvering involves and discuss the fallacies in terms of the extended pragma-dialectical approach as derailments of strategic maneuvering. Then they give an empirical interpretation of the extended pragma-dialectical model in which they report the testing of three hypotheses which formulate preliminary conditions for effectiveness research within the framework of the extended pragma-dialectical theory and the results of the tests they consecutively carried out.

O'Keefe's chapter is based on the general conceptual equipment afforded by argumentation studies rather than on any specific theoretical approach. Hample, Paglieri and Na's quantitative social science investigation is contextualized within the pragma-dialectical theory of the stages for a critical discussion. Van Eemeren, Garssen and Meuffels' contribution is written from a purely pragma-dialectical perspective. O'Keefe offers an illustration of the benefits of an ongoing dialogue between argumentation studies and persuasion research (or, expressed more generally, between argumentation studies and other domains of intellectual inquiry). Hample, Paglieri and Na's contribution is the first application of costs and benefits models to interpersonal arguing. These sorts of models have been very useful in understanding quite a few other social phenomena. Here, too, the approach is quite explanatory. These positive results should encourage replication (especially in countries other than the U.S.) and should promote theorizing about why people do or do not engage in arguing. Van Eemeren, Garssen and Meuffels' contribution is an attempt to bridge the concept of reasonableness to the empirical concept of effectiveness. Bridging these concepts requires both theoretical considerations and empirical research.

References

- van Benthem, J., van Eemeren, F. H., Grootendorst, R., & Veltman, F. (Eds.). (1996). *Logic and argumentation*. Amsterdam: North-Holland.
- van Eemeren, F. H., & Garssen, B. (Eds.). (2008). *Controversy and confrontation. Relating controversy analysis with argumentation theory*. Amsterdam: John Benjamins.
- van Eemeren, F. H., & Garssen, B. (Eds.). (2009). *Pondering on problems of argumentation. Twenty essays on theoretical issues*. Dordrecht: Springer.

- van Eemeren, F. H., & Garssen, B. (Eds.). (2012a). *Exploring argumentative contexts*. Amsterdam/Philadelphia: John Benjamins.
- van Eemeren, F. H., & Garssen, B. (Eds.). (2012b). *Topical themes in argumentation theory*. Dordrecht: Springer.
- van Eemeren, F. H., & Houtlosser, P. (Eds.). (2005). *Argumentation in practice*. Amsterdam: John Benjamins.
- van Eemeren, F. H., Grootendorst, R., Blair, J. A., & Willard, Ch. A. (Eds.). (1992). *Argumentation illuminated*. Amsterdam: Sic Sat.
- van Eemeren, F. H., Blair, J. A., Willard, Ch. A., & Snoeck Henkemans, A. F. (Eds.). (2003). *Anyone who has a view. Theoretical contributions to the study of argumentation*. Dordrecht: Kluwer.

Part I
Theoretical Perspectives

Chapter 2

Rhetorical Argument

James F. Klumpp

At the 2006 ISSA conference, one of my European colleagues began a conversation with the question: What is your project? My response – “rhetorical argument” – drew a confused stare and an “Oh!” As I pondered this moment, the texture of modern argumentation studies came to the fore. We are a coalition of approaches and projects, gazing somewhat at the same human phenomenon, but from different perspectives and with different sensitivities. In this coalition, there are groups that we recognize and generally understand regardless of our own interests. There is the pragma-dialectical approach most vibrantly practiced under the influence of those here at the University of Amsterdam. There are the informal logicians spawned principally from philosophy departments in North America. There are the studies of conversational argument applying qualitative and quantitative social scientific methods to understand day-to-day interpersonal argument. These are three easily identifiable groups.

But those whose work is closest to mine are not so easily captured in a single thought or with a single name. There are those of us who study the history of the theory of argumentation from the classical period to the present. There are those who examine arguments in their historical context, tracing their power to direct social order in particular ways. There are those who are concerned with the place of argument in political processes, the challenges of the moment in the texture of democratic life, and the improvement of argument’s contributions to the public sphere. In fact, these diverse concerns were arguably the founding agenda of modern argumentation studies. Yet, those pursuing them today often seem to us – at least to my interlocutor at the last conference in Amsterdam – as more intellectual waifs than children of a common and seminal argumentation study. So, my purpose in this

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essay is to focus, to explain, and to encourage: to provide an account of that parentage; to locate the origins of the commonality in this work; to trace its development to the present day; and to bring its blurry lines into sharper focus; to consider the questions and approaches of rhetorical argument. To accomplish this purpose, I will offer a history, a characterization, and finally a distillation.

2.1 Rhetoric and Argument

I begin with a history of the relationship between rhetoric and argument. Of course, rhetoric has a long and storied tradition in Western culture. That history traces from humble beginnings in the Greek classical era, through a lofty status as one of the seven liberal arts in the medieval university, and back into relative obscurity. But argument has not always been a part of that history. For a millennium and a half after its classical heights rhetorical theory emphasized elements other than argument. Then, in the seventeenth century, the influential Port Royalists formally separated argument from rhetoric, placing the former into the domain of logic. As the enlightenment proceeded that division held. Thus, our story is not of the long history of argument in rhetoric, but of the recent recovery of rhetorical argument. That history must be traced in two phases, pivoting in the 1960s around evolving definitions of rhetoric. In that evolution, rhetorical argument participated in the great intellectual movements of the twentieth century.

By the 1960s, a well rounded study of rhetorical argument had emerged built within the context of neo-Aristotelianism. There were two forces shaping this study. The cultural force shared the movement within American education away from a notion of education as a refining and polishing of human character toward a more practical endeavor. This force had begun in the nineteenth century in the United States with the industrial revolution and the Morrill Act, which placed the federal government into the business of encouraging education in technology and agriculture. When the political organization of the American university into departmental divisions picked up steam near the turn of the twentieth century, a revolt began within English departments – the home of language study – championing the practical uses of language over the normative study of literatures. In this move, Aristotle’s *Rhetorica* (322 b.c.e) was broadly rediscovered and gave force to the practical study of argument. This was a particularly astute choice in the environment of the day. Spotlighting Aristotle reached across the divide in pedagogy to the proponents of classical education, and identified rhetoric with the Greek Revival and its celebration of democracy.

Rhetoric is, Aristotle (322 b.c.e) proffered, “the faculty of discerning in every case the available means of persuasion” (1355b). By the early twentieth century, departments of English in the United States were beginning to spawn departments of speech or oratory composed of these practicality rebels, and built around practical uses of language. David Zarefsky (1995), in his keynote at this conference in 1994, traced

the contribution of this developing discipline to argumentation study. As the twentieth century proceeded, scholars concerned with the practical – both those remaining in English departments and those joining the new departments – developed an interest in rhetoric and Aristotle’s definitions took the lead.

By 1925, William Utterback (1925) noted that all roads to understanding rhetoric led back to Aristotle. He praised Aristotle not only for his fit to the practical demands of the culture – “The function of rhetoric is to provide the speaker with the tools of his trade” (p. 221) – but also because his method was adaptable to twentieth century intellectual change. The social sciences were developing at the time, based in admiration for the scientific advances of the early industrial age, and seeking to bring what Stephen Pepper (1942) called a “mechanistic” understanding of human behavior to the practical questions of human activity. Replacing the normative and formal concerns of the earlier age, the mechanistic was marked by analytic methods, that is, the tendency to proceed by dividing things into their parts, exploring each of those parts, and constructing a theory of the relationship among the parts. In addition, this intellectual move focused on the importance of causal chains, particularly those that related to effectiveness.

Utterback (1925) praised Aristotle’s rhetoric for providing a vocabulary to study rhetoric in this fashion. In his account, dichotomies and category systems helped to sort elements of rhetoric. And one of these elements that could be studied was, of course, argument. Argument was conceptualized as that component of the “means of persuasion” denoted as *logos*. Arguments in turn could be broken into their parts: premises and conclusions. A particularly important dichotomy in this study was that between conviction and persuasion, with argument relating to the former and emotion to the latter. Arguments were understood in terms of their potential effectiveness in practical settings. Rhetorical argument, Utterback noted, was marked by a near-universal model for practical discourse: speakers, seeking to accomplish persuasive purposes, analyzed subjects and audiences. Based on this intellectual understanding, speakers called upon systems of argument to formulate practical messages seeking to convince others of the truth or goodness of their position. Thus, a facility for argument was located in mental, perhaps even cognitive, processing, with the test of that processing resting in the power of the arguments to effect the convictions and behaviors of others.

Of course, Aristotle’s *Organon* identified three modes of argument – scientific demonstration, dialectic, and rhetorical argument. But his laying out of the differences among these modes was imprecise enough that the place of the enthymeme – the rhetorical syllogism – and the rhetorical topoi became a convenient inquiry to mature neo-Aristotelian argument. By the 1950s and 1960s, much inquiry was focusing on the meaning of these terms in Aristotle. Because the central thrust of this work was practical, the exploration of argument extended beyond the theory of argument formation to also consider argument as situated in history. Guided by Herbert Wichelns’ “The Literary Criticism of Oratory” (1925), scholars of rhetorical argument studied the great arguments of history and how their use by great men effected the course of history.

By the 1960s a substantial volume of scholarship had accumulated around neo-Aristotelian argument. Wiley (1956), Bitzer (1959), Mudd (1959), Walwick (1960), Fisher (1964), Aly (1965), and Chronkite (1966) had built on the seminal work of James McBurney (1936) to explore the enthymene. Characteristic patterns of proof – neo-Aristotelian versions of Aristotle’s topics – had been developed and described. Standard histories of influential speakers and writers had been written with attention to their important and powerful arguments, most notably in the three volume set on *The History and Criticism of American Public Address* edited by Brigrance (1943) and Hochmuth (1955). In addition to these intellectual moves, well developed pedagogical systems for teaching neo-Aristotelian argument had developed in departments of English and speech in American universities, particularly in the land grant universities established by the Morrill Act as homes for practical education.

2.2 A Second Tradition

But there is a critical point of change in the historical narrative. Near mid-century, the dominance of the mechanistic perspective on human behavior began to tease out lively alternatives. By the 1970s the so-called “linguistic turn” had reoriented the study of human activity. The linguistic turn emphasized the centrality of language in understanding and action, thus placing language acts at the center of inquiry. Quite literally, the linguistic construal of context became the central process in which humans related to the world around them. The resulting spread of what Pepper (1942) called “contextualism” through intellectual circles from philosophy through social science and into the humanities turned the attention of those studying the powers of language from mechanical effectiveness to organizing perception and action. Cultures were shaped in the performance of language. Patterns of power were instantiated through the perceptual and volitional possibilities of language forms.

A broad range of intellectual disciplines now turned to understand the powers of language. Certainly Wittgenstein’s ideas about language were key to the linguistic turn, but so also were those in the movements known as structuralism and post-structuralism. The interaction between European and American interest in rhetoric became a fruitful and complex dialogue of influences. Even the term “rhetoric,” still more likely to be embraced as a key term in North America than in Europe, became current on the continent after Perelman and Olbrechts-Tyteca (1958) subtitled their 1958 book *A New Rhetoric*.¹

As the linguistic turn energized rhetorical studies, definitions of rhetoric began to change. The powers of rhetoric were drawn more broadly in a definition that defined rhetorical study as concerned with the relationship between language and social order. Language under mechanistic ways of thinking was referential: words were assumed to re-present some aspect of non-linguistic reality, and the manipulations of

language were judged by their correspondence to manipulations of this non-linguistic world. But after the linguistic turn, contextualist ways of thinking viewed the possibilities and powers of language as shaping human interaction with the world. As opposed to the analytic inquiry of mechanism, the synthetic inquiry of contextualism sought to understand how language's power to construct context through the assertiveness of text enacted environment into human consciousness and action.²

From the perspective of this broadened view of rhetoric, the inventional process merged many forces drawn from biography and society into a socially meaningful discursive action. Human symbolic exchange replaced the mental processes of strategic design at the center of rhetoric. To this exchange, each participant brought a biography of particular and shared interests and capabilities. The exchange filtered and shaped these into a socially coordinated texture of understanding and action. Argument performed negotiation within this exchange, adapting understanding to circumstances, and participants to understandings, that together guided action (Bryant 1953).

Obviously, such a move dramatically altered the place of rhetorical argument. The sociolinguistic power of argumentative form to influence ongoing human activity was unmistakable. To be sure, these strands in rhetorical argument predated the linguistic turn by decades. As early as 1917, Mary Yost (1917) had authored "Argument from the Point-of-view of Sociology" in which she argued, "Argument as we read and hear it and use it every day is directly and fundamentally communication between members of a social group, a *society* in the sociological meaning of the term" (113). In the old dichotomous thinking of the time, Yost was rejecting argument's association with analytic logic in favor of a practical effectiveness. Yet, the emphasis on the social group as a context for argumentative power was to become a key to understanding the linguistic turn. In 1947, Ernest J. Wraga's (1947) "Public Address: A Study in Social and Intellectual History" had emphasized that the power of argument to evolve ideas was a vital creative force driving historical change. By 1963, Karl R. Wallace's (1963) "The Substance of Rhetoric: Good Reasons" had fixed the motivational qualities of rhetoric in their sociolinguistic force rather than their referential power. During the same time period, Perelman and Olbrechts-Tyteca (1958/1969) had grounded a rhetoric – still mechanical and concerned with effectiveness in many ways – in social contexts. And Stephen Toulmin had written *The Place of Reason in Ethics* (1950) and *The Uses of Argument* (1958) which together made the case for grounding the motivational powers of human language in cultural contexts. This developing European thought had infiltrated American thinking on rhetorical argument by the 1960s. By the time Robert L. Scott (1967) declared rhetoric to be a "way of knowing" in 1967, the linguistic turn was well established in rhetorical argument.

Thus, the two great intellectual movements of the twentieth century – mechanism and contextualism – had spawned two understandings of rhetoric. These two interpretations were not inconsistent, but related from the more narrowly defined neo-Aristotelianism with its analytic patterns and practical concern for effectiveness, to the more general definition of the linguistic turn, highlighting the synthetic power of rhetoric to transform human experience into social activity.

2.3 Today's Study of Rhetorical Argument

Now, let me turn from this narrative history of the perspective of rhetorical argument to characterize the disparate research I pointed to earlier – seemingly unfocused forays by theorists, historians and critics associated with the rhetorical tradition. If I have achieved my purpose to this point, my account of the evolution of rhetorical study with the shifting intellectual forces of the twentieth century will indicate the generative coherence of research in rhetorical argument. So, a survey of research tracing to the influences of the tradition is in order.

Many studies today are motivated by a belief that the neo-Aristotelian project remains incomplete: we are learning ever more about the pragmatic effort to invent arguments that will effectively influence others. Indeed, our interest in a historical and useful understanding of Aristotle's thinking on argument remains alive. Particularly active in the last few years, especially among European classicists, is work to better understand the topics as an approach to rhetorical argument. Interest in reinvigorating Aristotle's distinction between demonstration, dialectic, and rhetorical argument remains an active pursuit. But our efforts to develop ways of thinking through the strategic, pragmatic problem of invention has extended attention beyond Aristotle to contemporary theorists. David Frank's recent conference on the work of Chaim Perelman and the Ontario Society's conference on the work of Stephen Toulmin (Hitchcock 2005; Hitchcock and Verheij 2006) deepened our appreciation of the potential of those twentieth century theorists. No doubt Toulmin's recent death will spur retrospectives that will add to our facility with his working logic.

Our theoretical work has not, however, only attempted to round out the theory of the giants of the neo-Aristotelian project. Pursuit of a better understanding of pragmatic argument has extended to new theoretical work. Most noteworthy among these new approaches is the effort to account for the pragmatic power of visual argument. I would also be remiss if I were not to acknowledge the active project of incorporating the work of informal logicians, the findings of experimental scholars, and the implications of the pragma-dialectical approach of the Amsterdam school into the advice we provide to arguers inventing discourse. The neo-Aristotelian's vision of effective arguers achieving their defined purposes by formulating arguments after a structured analysis of subject matter and audience remains a primary concern of rhetorical argument.

The pragmatic power of argument has always animated the work of historians who have featured its contribution in biographies of leaders and accounts of political change. Today, our historians continue to document the pragmatic power of effective argument in these contexts. US presidents have been a favorite, a focus no doubt stimulated by general academic interest in the rhetorical presidency during the late twentieth century. But recent work has extended the focus of leadership beyond the obvious target of the head of state, and beyond the American head of state. I would point particularly, for example, to Kelly Carr's (2010) recent study of Justice Lewis Powell's invention of diversity as a legal value in the Bakke decision of the United States Supreme Court. Other studies have extended to strategies employed by corporate

businesses in encountering the challenges of business life. James Wynn's (2009) recent study of Darwin's use of inductive argument illustrates the line of work in scientific argument. This research has established a firm record of the importance of rhetoric in historical development in many venues of life. In the process it has also enriched the theoretical understanding of how arguers go about achieving pragmatic goals.

But as the definition of rhetoric broadened with the linguistic turn in the late twentieth century, historians of argument have also altered their project. Taking the view of Ernest Wrage (1947), these scholars have moved beyond the documentation of effectiveness to document the cultural evolution of argumentative forms. I believe one of the most underappreciated but important documents in rhetorical studies in the twentieth century was *The Prospect of Rhetoric*, the report of the 1970 National Developmental Conference on Rhetoric. The report of the Committee on Invention took a notably Wragean perspective calling for understanding "the processes of change and habituation which constitute" life, and finding the key to that understanding in "a generative theory of rhetoric" (Bitzer and Black 1971, p. 230). The most noteworthy early work in this line of inquiry may have been John Angus Campbell's (1970) essay on Darwin's development of the evolutionary argumentative form. Campbell traced how Darwin synthesized strains of old form into a new way to structure scientific and popular thought. The argumentative form that Darwin loosed on the world – an evolution driven by natural variety and mechanisms of selection – has carried beyond biology into multiple aspects of life. For example, I call upon the form quite literally in my recent work on argumentative ecology (Klumpp 2009). Campbell's interest in science as a domain of argumentative power was a focus of Toulmin's later work (1972) and the POROI group (Project on the Rhetoric of Inquiry) centered at the University of Iowa whose work has been prominent at our conferences.

But the influence of the Wragean notion that the ideas that drive history are a product of culturally authorized argumentative form has animated our historians of argument beyond the sciences. Robert Ivie's interest in the motivations for war led him to track the characteristic arguments with which American presidents call for war. More broadly his book *Dissent from War* (2007) critiques the argumentative form that justifies war. Another important cluster of work in this tradition has studied the development of nationalistic and democratic form in Central and Eastern Europe since the revolutions of 1988–1990.

The detailed catalogs of arguments by the great arguers of the past that characterized the neo-Aristotelian studies in *The History and Criticism of American Public Address* (Brigance 1943; Hochmuth 1955) helped to establish an historical record of success and leadership, and suggested to theorists the patterns of invention that characterized consequential argument. Historical work within the newer definitions of rhetoric has emphasized a kind of social history in contrast to the "great man" history of the neo-Aristotelians. Their histories of the evolution and power of justification complexes project the central role that their perspective gives to argumentative forms in defining cultures. The evolutionary dynamic at the heart of this approach to rhetorical argument places this study near the center of modern intellectual history.

Another characteristic focus of scholarship in rhetorical argument through the neo-Aristotelian era and since is the importance of the public sphere. Christian Kock (2009) recently argued that the essential characteristic of rhetorical argument is its domain: “issues of choice in the civic sphere” (77). He traced this influence through classical rhetorical theory and down into contemporary times. Kock’s emphasis on the venue of argument owes much to the neo-Aristotelian impulse. Indeed, as I have argued, one of the reasons that Aristotle was the favored figure in early work in rhetorical argument was his connection to Greek democracy in the *polis*, or as Kock calls it “the civic sphere.”

But the most energetic work in the public sphere followed the linguistic turn. Focusing on the public sphere as a context that placed demands on argument posed different trajectories of inquiry. When the contextualist view on politics began to ask about the quality of participation in democratic social order, rhetorical argument began a necessary exploration of the place and form of argument in the democratic context. Indeed, beside Perelman and Toulmin, the third great European intellectual who has most influenced the study of rhetorical argument is Jürgen Habermas. Habermas began his work as a historian and critic in *The Structural Transformation of the Public Sphere* (1962/1989) and *The Legitimation Crisis* (1973/1975). His history illustrated the usefulness of a new contextualist vocabulary to characterize communication in democracies. But the theory that animated his history turned from more generally rhetorical to explicitly argumentative in his *Theory of Communicative Action* (1981/1984, 1987). That work also turned from an historical project to a normative one. In rhetorical argument, Tom Goodnight’s (1982) adaptation of Habermas differentiated the personal, technical, and public spheres of argument. This separation became germinal, perhaps because it posed most forcefully the tension between a pragmatic and the more general definitions of rhetoric that were marking the emergence of newer rhetorical concerns. His distinction charted the need to make that transition to normative study of the public sphere.

Habermas’ public sphere also became important because criticisms of his work were extremely fruitful in turning normative ideas about the public sphere into critical treatments of argumentative practice within the contemporary world. By the time the influence of Habermas’ public sphere had worked its way through rhetorical argument, a vast literature sought to understand modern public argument as a social practice. Theoretically, there has been much development, most thoroughly in Gerald Hauser’s (1999) *Vernacular Voices*, and most recently in Robert Asen’s (2004) search for “a discourse theory of citizenship.”

Critical work since Habermas has been decidedly normative, suggesting that contemporary argumentative praxis comes up short when evaluated against democratic theory (Tannen 1998). Concern for the breadth of meaningful participation in argument has been primary. But in addition, particular characteristics of modern argumentative form – highlighted by Goodnight’s (1982) focus on the public sphere and Walter Fisher’s (1987a, b) idea of narrative rationality – have spawned considerable critical normative work seeking to improve democratic practice.

The linguistic turn dictated, however, that not all critical work in the public sphere would be normative. One of the accomplishments of the linguistic turn was to transform criticism from an objective, distanced, normative evaluation of rhetoric

into an active force in socio-political dialogue. Students of rhetorical argument have responded by overtly offering critique to correct or improve argument within the public sphere. The United States government's adventure in Iraq in the early twenty-first century presented an obvious argumentative morass that reopened many of the questions about deliberative argument and war-making in modern democratic states. For example, my 2005 keynote at the Alta Conference (Klumpp 2006) drew on the Iraq experience to critique the failure to attend to questions of veracity within argumentation theory.

The theoretical, historical, and critical work with the democratic public sphere carried the initial interest of the neo-Aristotelians – citizens governing through argument – into contemporary interest in the power of argumentative form to embody democratic participation. Because argumentative form was viewed as structuring democratic praxis beyond pragmatic decision, the scope of criticism expanded with the definition of rhetoric: who argues, the structural limits on the power of their argument, the appropriate subjects of democratic argument, the quality of argument performed in the argumentative structure, all moved into the purview of rhetorical argument.

This expansive view of the public sphere hints at the final type of study that has become a part of contemporary inquiry in rhetorical argument. Contemporary rhetorical theory's view that argumentative forms provide a structure of justification for social practice has turned critics to consider that productive power. Absorbing the sensitivities of cultural studies, justificatory implication has become a way to assess the qualities of the argumentative relationships reproduced through performance of argumentative form. Thus, the power of justification highlighted by this expansive view of the public sphere becomes diffused throughout social arrangements in the culture. Michel Foucault's studies of the praxis of discourse formation, particularly *Discipline and Punish* (1975/1977), *Birth of the Clinic* (1963/1973), and *History of Sexuality*, (1976/1978) has influenced this work. Raymie McKerrow's (1993) focus on cultural approaches in the 1993 Alta conference he directed has facilitated the development of this line of research. Ron Greene's (for example, 2002, 2003) recent work illustrates this interest. It is the justificatory power of argumentative form, founded in revisionary precepts of contemporary contextualist rhetorical theory that have turned students of rhetorical argument toward these diverse interests.

2.4 The Commitments of Rhetorical Argument

I hope this very brief survey of the variety of studies that compose rhetorical argument has succeeded in seating that variety in the evolving perspective on rhetoric as the intellectual movements of the twentieth century unfolded. But beyond the characterization of these relationships I promised a distillation of the common intellectual commitments, born of that history, that unite this work from the Neo-Aristotelians to the post-moderns. I believe the commitments can be distilled to three. First, rhetorical argument recognizes that arguments are *per-formed in language*. In saying this, I emphasize that the power of argument lies not in the correspondence of word-maps with underlying non-linguistic reality, but in deploying the resources of language to negotiate human

influence on the environment. This commitment highlights that argument calls upon the resources of language to invent culturally adapted forms through which it transforms human experience into intellectual and volitional influence. Arguments transform experience into a constructed, meaningful context, and in that ordering of experience humans take their place as players in shaping environment. It is in this way that argument is a source of human power. Thus, this commitment originates the study of rhetorical argument in the potentialities and performance of language.

The second commitment follows: argument inherently *engages the social*. Humans do things with other humans in a complex dance of reasons and justifications that shape the world and their relationships with others. The social context manifests many dimensions – the cultural, political, historical, even rhetorical tradition – but whatever the highlighted social context, the tradition of rhetorical argument depicts argument grounded in an awareness of, and ultimately achieving, social connectivity. Argument is performed within this connectivity. Thus, the power exercised in argument is at once instrumental and social, one and inseparable. Through argument humans array the power of their language to accomplish their interaction with their environments, material and social.

The third commitment structures our inquiry: rhetorical argument is an *observable* and *consequential* activity. We can see it, read it, hear it. Rhetorical argument is neither a mere window into the mind nor the soul. It is manifest in human activity. Humans use argument to form the texture of human interaction with each other and with the world around them. The capacity for language entails the unique human capacity to relate to others and to nature through complex argument. Understanding this capacity conceptually and pragmatically requires theoretical, historical, and critical insight. Those working in rhetorical argument do that work.

These commitments orient the way. There is an empiricism of experience as the starting point, with sensitivities to the resources of language and their powers to manifest reasons and justifications in social praxis. The neo-Aristotelians champion the arguer and his or her power to wield influence through this complex. Those influenced by the linguistic turn see the power as more diffuse in cultural processes and social activity. But all focus our study on human use of language to shape activity within society through the power of reason and justification. We believe that taken together the diverse studies in which we engage as we study argument in this way will provide us a well rounded understanding of a fundamental human activity.

2.5 Rhetorical Argument in the Context of Argumentation Studies

Those working in argumentation studies today are blessed with a structure of reporting our research that provides a vital circulatory system. We have two wonderful journals that anchor our work, *Argumentation and Advocacy*, and

Argumentation. Other journals supplement these two including *Controversia*, *Informal Logic*, and several forensics journals in the United States. This list could be far longer. We have multiple conferences that regularly bring us together for interaction including this conference, the Alta conference, the Wake Forest conference, the OSSA conference, the Tokyo conference. I have no doubt left out some that I should have recognized. We have a well established book series in Europe, although we still lack one in North America. The volume of work we have produced in these outlets has encouraged our experimentation with the limits of our study. Indeed, it makes singling out authors a chancy practice in a presentation like this.

It is the vitality of argumentation study that we should all take great pride in. And an important part of that vitality is how we reach across our identities to encounter each other's work. When van Eemeren and Houtlosser (2000) reach out to incorporate rhetorical issues in their pragma-dialectical project, when Christopher Tindale (1999) reaches out to center his work on rhetorical concerns, when Dale Hample frames precepts of rhetorical theory into experimental hypotheses to refine our understanding of argumentative processes, it testifies to the vitality of our research venues.

And I believe that truly valuing each other's interests entails a fulsome appreciation for the depth of intellectual heritage that establishes identity. So, that has been my purpose today: to trace that intellectual heritage of rhetorical argument. I have sought to identify the common origins and interests of those who work in rhetorical argument; to trace the diachronic track that evolved rhetorical argument through the twentieth and into our own century; to see the linkages of the key intellectual movements of the twentieth century to that work and how today those movements provide ample roots to turn the diversity of our work from cacophony to symphony. And, yes, were I to repeat that conversation at this conference about what my project is, I would hope that I have created the tapestry from which my interlocutor and I would find that my response "rhetorical argument" would fruitfully carry us into a conversation for a luncheon rather than for pastry and tea.

Christopher Tindale has it about right. To make a society, people argue. They give reasons; they attempt to set each other right. They urge particular interpretations; they attempt to motivate each other to act. As they do this, cultures acquire their character, for good or ill. They progress in dealing with the circumstances of their shared lives, or they fail. They make choices that evolve their day-to-day activities, and create their histories. The relationship between humans as creators and users of symbols and the social practices that define their political, social, and cultural activities captures our gaze. Whether framed as the pragmatic skills of arguers seeking influence or the justificatory power of culturally constructed and reproduced argumentative forms, whether pursued theoretically, historically, or critically, these interests have carved rhetorical argument into the texture of our research in productive and lasting ways.

Notes

1. Tellingly when the English translation by Wilkinson and Weaver was published in 1969 it reversed the title and subtitle acknowledging the greater currency of rhetoric in North America.
2. Although the linguistic turn was a very broadly based movement, many rhetoricians taking the turn in North America were heavily influenced by Kenneth Burke. Yet, Burke's relationship to argumentation theory has not been an obvious one. In introducing a special issue of *Argumentation and Advocacy* entitled *Dramatism and Argumentation*, guest editor Donn W. Parson (1993) observed, "'Finding' a theory of argument, or positions that inform argument theory, [in Burke's work] will be an inferential process, and the work may be that of a detective" (146). That special issue explored the relationship between Burke and argumentation theory in some depth, highlighting the relationships of language and social order. In doing so, it may provide an interesting case study on how the evolution of rhetorical theory alters the study of argument after the linguistic turn.

References

- Aly, B. (1965). Enthymemes: The story of a lighthearted search. *Speech Teacher*, 14(4), 265–275.
- Aristotle. (322 b.c.e.). (1909). *Rhetorica* (R. C. Jebb, Trans.). Cambridge: University Press.
- Asen, R. (2004). A discourse theory of citizenship. *The Quarterly Journal of Speech*, 90(2), 189–211.
- Bitzer, L. (1959). Aristotle's enthymeme revisited. *The Quarterly Journal of Speech*, 45(4), 399–408.
- Bitzer, L., & Black, E. (Eds.). (1971). *The prospect of rhetoric*. Englewood Cliffs: Prentice-Hall.
- Brigance, W. H. (Ed.). (1943). *History and criticism of American public address* (Vols. 1–2). New York: McGraw-Hill.
- Bryant, D. (1953). Rhetoric: Its functions and its scope. *The Quarterly Journal of Speech*, 39(4), 401–424.
- Campbell, J. A. (1970). Darwin and the origin of species: The rhetorical ancestry of an idea. *Speech Monographs*, 37(1), 1–14.
- Carr, M. K. (2010). *Rhetorical contingency and affirmative action: The paths to diversity in regents of the University of California v. Bakke*. Unpublished doctoral dissertation, University of Maryland, College Park.
- Cronkhite, G. (1966). The enthymeme as deductive rhetorical argument. *Western Speech*, 30(2), 129–134.
- Fisher, W. (1964). Uses of the enthymeme. *The Speech Teacher*, 13(3), 197–203.
- Fisher, W. R. (1987a). *Human communication as narration: Toward a philosophy of reason, value, and action*. Columbia: University of South Carolina Press.
- Fisher, W. R. (1987b). Technical Logic, rhetorical logic, and narrative rationality. *Argumentation*, 1, 3–22.
- Foucault, M. (1973). *The birth of the clinic: An archaeology of medical perception* (A. M. Sheridan Smith, Trans.). New York: Random House. (Original French edition, 1963.)
- Foucault, M. (1977). *Discipline and punish: The birth of the prison* (A. Sheridan, Trans.). New York: Pantheon Books. (Original French edition, 1975.)
- Foucault, M. (1978). *The history of sexuality* (R. Hurley, Trans.). New York: Pantheon Books. (Original French edition, 1976.)
- Goodnight, G. T. (1982). The personal, technical, and public spheres of argument: A speculative inquiry into the art of public deliberation. *Journal of the American Forensic Association*, 18(3), 214–227.

- Greene, R. (2002). Citizenship in a global context: Towards a future beginning for a cultural studies inspired argumentation theory. In G. T. Goodnight (Ed.), *Arguing communication and culture* (Vol. 1, pp. 97–103). Washington, DC: National Communication Association.
- Greene, R. (2003). John Dewey's eloquent citizen: Communication, judgment, and postmodern capitalism. *Argumentation and Advocacy*, 39(3), 189.
- Habermas, J. (1975). *Legitimation crisis* (T. McCarthy, Trans.). Boston: Beacon Press. (Original German edition, 1973.)
- Habermas, J. (1984, 1987). *A theory of communicative action* (Vols. 1–2) (T. McCarthy, Trans.). Boston: Beacon Press. (Original German editions, 1981.)
- Habermas, J. (1989). *The structural transformation of the public sphere: An inquiry into a category of bourgeois society* (T. Burger, Trans.). Cambridge, MA: MIT Press. (Original German edition, 1962.)
- Hauser, G. A. (1999). *Vernacular voices: The rhetoric of publics and public spheres*. Columbia: University of South Carolina Press.
- Hitchcock, D. (Ed.). (2005). *The uses of argument: Proceedings of a conference at McMaster University* (n.p.). Hamilton: Ontario Society for the Study of Argumentation.
- Hitchcock, D., & Verheij, B. (Eds.). (2006). *Arguing on the Toulmin model: New essays in argument analysis and evaluation*. Dordrecht: Springer.
- Hochmuth, M. K. (Ed.). (1955). *History and criticism of American public address* (Vol. 3). New York: McGraw-Hill.
- Ivie, R. L. (2007). *Dissent from war*. Bloomfield: Kumarian Press.
- Klumpp, J. F. (2006). Facts, truth and Iraq: A call to stewardship of democratic argument. In P. Riley (Ed.), *Engaging argument* (pp. 1–17). Washington, DC: National Communication Association.
- Klumpp, J. F. (2009). Argumentative ecology. *Argumentation and Advocacy*, 45(4), 183–197.
- Kock, C. (2009). Choice is not true or false: The domain of rhetorical argumentation. *Argumentation*, 23(1), 61–80.
- McBurney, J. (1936). The place of the enthymeme in rhetorical theory. *Speech Monographs*, 3(1), 49–74.
- McKerrow, R. E. (Ed.). (1993). *Argument and the postmodern challenge*. Annandale: Speech Communication Association.
- Mudd, C. (1959). The enthymeme and logical validity. *The Quarterly Journal of Speech*, 45(4), 409–414.
- Parson, D. W. (1993). Kenneth Burke and argument? An introduction. *Argumentation and Advocacy*, 29(4), 145–147.
- Pepper, S. C. (1942). *World hypotheses*. Berkeley: University of California Press.
- Perelman, C., & Olbrechts-Tyteca, L. (1958). *Traité de l'argumentation: La nouvelle rhétorique*. Paris: Presses universitaires de France.
- Perelman, C., & Olbrechts-Tyteca, L. (1969). *The new rhetoric: A treatise on argumentation* (J. Wilkinson, & P. Weaver, Trans.). Notre Dame: University of Notre Dame Press. (Original work published, 1958.)
- Scott, R. L. (1967). On viewing rhetoric as epistemic. *Central States Speech Journal*, 18(1), 9–17.
- Tannen, D. (1998). *The argument culture: Stopping America's war of words*. New York: Random House.
- Tindale, C. W. (1999). *Acts of arguing: A rhetorical model of argument*. Albany: State University of New York Press.
- Toulmin, S. E. (1950). *An examination of the place of reason in ethics*. Cambridge: Cambridge University Press.
- Toulmin, S. E. (1958). *The uses of argument*. Cambridge: Cambridge University Press.
- Toulmin, S. E. (1972). *Human understanding*. Princeton: Princeton University Press.
- Utterback, W. (1925). Aristotle's contribution to the psychology of argument. *The Quarterly Journal of Speech*, 11(3), 218–225.
- Van Eemeren, F., & Houtlosser, P. (2000). Rhetorical analysis within a pragma-dialectical framework. *Argumentation*, 14(3), 293–305.

- Wallace, K. (1963). The substance of rhetoric: Good reasons. *The Quarterly Journal of Speech*, 49(3), 239–249.
- Walwik, T. (1960). Enthymeme revisited. *The Quarterly Journal of Speech*, 46(1), 84–85.
- Wichelns, H. (1925). The literary criticism of oratory. In D. C. Bryant (Ed.), *The rhetorical idiom: Essays in rhetoric, oratory, language, and drama* (pp. 5–42). Rpt. Ithaca: Cornell University Press, 1958.
- Wiley, E. (1956). The enthymeme: Idiom of persuasion. *The Quarterly Journal of Speech*, 42(1), 19–24.
- Wrage, E. (1947). Public address: A study in social and intellectual history. *The Quarterly Journal of Speech*, 33(4), 451–457.
- Wynn, J. (2009). Arithmetic of the species: Darwin and the role of mathematics in his argumentation. *Rhetorica*, 27(1), 76–97.
- Yost, M. (1917). Argument from the point-of-view of sociology. *The Quarterly Journal of Public Speaking*, 3(2), 109–124.
- Zarefsky, D. (1995). Argumentation in the tradition of speech communication studies. In F. H. van Eemeren, R. Grootendorst, J. A. Blair, & C. A. Willard (Eds.), *Perspectives and approaches* (pp. 32–49). Amsterdam: Sic Sat.

Chapter 3

Meta-argumentation: Prolegomena to a Dutch Project

Maurice A. Finocchiaro

What I want to do in this essay is to discuss the notion of meta-argumentation by summarizing some past work and motivating a future investigation (which, for obvious reasons, I shall label the “Dutch” project). The discussion is meant to make a plea partly for the theoretical and methodological importance and fruitfulness of meta-argumentation in general, and partly for approaching from the viewpoint of meta-argumentation a particular (Dutch-related) topic that is especially relevant for reasons other than methodology and theory. I hope that the potential appeal of this aspect of the essay—combining methodological orientation and theoretical conceptualization with empirical and historical content—will make up for whatever shortcomings it may possess from the point of view of substantive detail about, and completed attainment of, the project.

3.1 Historical Context of William the Silent’s *Apologia* (1581)

In May 1581, the States-General of the Low Countries met in Amsterdam¹ to draft a declaration of independence from Philip II, King of Spain, who had ruled this region since 1555. In the course of the summer, this congress moved to The Hague, where the declaration was concluded at the end of July. This declaration is called the “act of abjuration,” meaning that the provinces of the Low Countries were thereby abjuring their allegiance to the King of Spain.²

This act of abjuration was taking place in the midst of an armed conflict that had already lasted 25 years and was to continue for another quarter century. The conflict was partly a war of national independence for the modern Netherlands. However, the conflict was also a civil war within the Low Countries stemming from religious

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and ethnic differences: the main religious difference was between Catholics and Protestants, while the main ethnic difference was between Dutch-speaking northerners and French-speaking Walloons in the south; eventually this civil war was partially, although not completely, resolved by the split between Belgium and The Netherlands. Finally, the conflict was partly a democratic revolution, in which the people were objecting to taxation without representation and defending local rights vis-à-vis centralized government.

The act of abjuration was occasioned by a proclamation issued the previous year by King Philip against the leader of the revolt, William of Nassau, Prince of Orange, now known as William the Silent. Philip's proclamation banned William from the Low Countries and called for his arrest or assassination, promising the assassin a large sum, a title of nobility, and a pardon for any previous crimes.

William was the most important leader of the revolt, popular among the nobility as well as common people, influential among Catholics as well as Protestants, and fluent in both French and Dutch. He was becoming increasingly effective in his leadership, especially in the provinces of Holland and Zeeland, which were more independent-minded than the other 15. Although the difficulty of the struggle and his assassination 4 years later prevented him from seeing his efforts come to fruition, he paved the way for the later success. For even after his death his qualities could serve as a model: he was usually regarded as thoughtful, prudent, moderate, tolerant, and politically astute and skillful.

William had been the first-born, in 1533, to the Protestant Count of Nassau, in Germany. At age 11, he inherited from a cousin vast possessions in the Low Countries and elsewhere, including the small principality of Orange in France and the title of Prince. This inheritance was approved on one condition by Charles V, Holy Roman Emperor, King of Spain, and father of Philip II: that William's parents relinquish their parental authority. Thus, he was thereafter educated as a French-speaking and Dutch-speaking Catholic in the Low Countries. Later, however, in 1573, he re-joined the Reformed Church, while continuing to uphold as supreme the right of freedom of conscience.

In response to Philip's proclamation, William produced a document entitled *Apologia* (William 1581, 1858, 1969). This was presented to the States-General in December 1580. The following year it was published as a booklet of 100 pages in the original French version, as well as in English, Dutch, German, and Latin translations. Copies were sent to all rulers of Christendom.

Thus, in the years 1580–1581, in the context of the ongoing armed conflict in the Low Countries, the Netherlands revolt produced a remarkable triad of documents: a proclamation of proscription and assassination by King Philip II of Spain against William of Orange; a defense by William from Philip's accusations; and a declaration of independence from Philip's sovereignty by the States-General of the Low Countries. Of these documents, William's *Apologia* is the most informative, because it is the longest, because it summarizes Philip's charges, and because it anticipates the declaration of independence. It is not surprising that the *Apologia* went through 16 editions in the following two decades (Wansink 1969, p. vii).

William's *Apologia* is also a more argumentative text than the other two. It is an intense piece of argumentation, for it attempts to do several things: to refute Philip's accusations; to advance countercharges; to justify William's own behavior; and to justify the right of the Low Countries to independence.

This judgment about the argumentational import of William's *Apologia* is widely shared. For example, Voltaire described it as one of the most beautiful arguments in history.³ The nineteenth-century American historian John Motley expressed the following judgment: William "possessed a ready eloquence—sometimes impassioned, oftener argumentative, always rational. His influence over his audience was unexampled in the annals of that country or age, yet he never condescended to flatter the people" (Motley 1883, vol. 3, p. 621); and Motley was the author of a monumental history of the Netherlands revolt, in seven volumes, totaling 3,400 pages (Motley 1856, 1860). Even a more critical historian, himself a Dutchman, who was the dean of twentieth-century scholars of Dutch history, Pieter Geyl, judged the following: William of "Orange's greatness as a leader of the Netherlands people lay precisely in his unsurpassed talent for co-operating with the States assemblies ... Persuasion was what he excelled in" (Geyl 1958, p. 193). Finally, in the past decade William's *Apologia* has attracted the attention of Frans van Eemeren and Peter Houtlosser (1999, 2000, 2003), who have examined it from the point of view of the pragma-dialectical theory of argumentation. In fact, I can report that it was their articles that first awakened my interest in this text. Their judgment, added to that of Voltaire, Motley, and Geyl, and my earlier historical considerations, suggest that William's *Apologia* is a candidate for analysis on my part.

3.2 Universal Cultural Significance of William's *Apologia*

Nevertheless, I hesitate to undertake an analysis of this work. For I am sensitive to the potential criticism that it is risky, rash, or arrogant for an outsider like myself who lives about 10,000 km from The Netherlands to rummage through local history and expect to find anything new or insightful to tell locals (or other interested parties). It's as if a visitor were to lecture at my University of Nevada, Las Vegas, and pretend to give locals lessons about gambling, hotel administration, or popular entertainment.

On the other hand, an analysis of William's *Apologia* may be worthwhile for other reasons, above and beyond the *ad hoc*, localistic, or antiquarian considerations advanced so far. These additional reasons are philosophical or general-cultural, as well as methodological or epistemological.

The main cultural reason is that William's *Apologia*, and the Netherlands revolt which it epitomizes, are of universal significance, and not historical curiosities of interest merely to people who happen to descend from those protagonists.

For example, I have already mentioned that a crucial issue over which William fought was freedom of religion and of individual conscience. Now, let me simply add the obvious, namely that this cluster of freedoms and individual rights is one of the great achievements of modernity, and that it certainly is not going to be superseded

by anything which so-called post-modernists have proposed or are going to propose. To be sure, this freedom is subject to abuse, misuse, and atrophy from non-use, as well as perversion and subversion, and so it must be constantly safeguarded and requires eternal vigilance. But these caveats too are a lesson that can be learned from the Netherlands revolt. In fact, in that period, it often happened that, once the Calvinist Protestants got the upper hand in a town or province, they had the tendency to reserve that freedom only for themselves and deny it to the Catholics. However, in William we have someone who defended the legitimate rights of both sides, and opposed the abuses of both.

A second example is provided by the similarities between the 1581 act of abjuration and the American Declaration of Independence of 1776. The similarities center on the political right of the governed to give or withhold their consent to the governors. That is, the Netherlands declaration antedates by about two centuries the American declaration, and thus must be regarded as one of the founding documents in the history of political democracy. And again, needless to say, the same caveats apply to the democratic ideal that apply to the ideal of religious liberty.

Let me conclude these considerations on the universal significance of the Netherlands revolt and William's *Apologia* with some quotations from the works of John Motley, the nineteenth-century American mentioned earlier as the author of a monumental history of the revolt. For the eloquence and inspired zeal of this outsider are themselves eloquent and inspiring testimony of that universality.

Motley's book begins with these words: "The rise of the Dutch Republic must ever be regarded as one of the leading events of modern times ... [It was] an organized protest against ecclesiastical tyranny and universal empire ... [For] the splendid empire of Charles the Fifth was erected upon the grave of liberty. It is a consolation to those who have hope in humanity to watch, under the reign of his successor, the gradual but triumphant resurrection of the spirit over which the sepulchre had so long been sealed" (Motley 1883, vol. 1, p. iii).

Here, Motley is attributing to the Netherlands revolt two merits, namely its contribution to the ideals of religious freedom and national liberation. But next he speaks of a third merit, which is an epoch-making contribution to the art of politics: "To the Dutch Republic ... is the world indebted for practical instruction in that great science of political equilibrium which must always become more and more important as the various states of the civilized world are pressed more closely together ... Courage and skill in political and military combinations enabled William the Silent to overcome the most powerful and unscrupulous monarch of his age" (Motley 1883, vol. 1, pp. iii-iv).

3.3 The Historical-Textual Approach to Argumentation

So much for the universal significance of William's *Apologia*, providing a cultural reason for undertaking an analysis of its argumentation. Now, I go on to the methodological considerations. These are really more pertinent, and it is they that hold

the promise of making me overcome my hesitation in tackling a subject that is apparently so distant from my scholarly concerns.

For a number of years, I have advocated an empirical approach to the study of argumentation which I call the historical-textual approach (Finocchiaro 1980, pp. 256–307; 2005, pp. 21–91). In this approach, the working definition—indeed almost an operational definition—of argumentation is that it occurs typically in written or oral discourse containing a high incidence of illative terms such as: therefore, so, thus, hence, consequently, because, and since.

Here, I contrast the empirical primarily to the apriorist approach, an example of the latter being formal deductive logic insofar as it is regarded as a general theory of argument. On the other hand, I do not mean to contrast the empirical to the normative, for the aim of the historical-textual approach is the formulation of normative and evaluative principles besides descriptive, analytical, and explanatory ones. Another proviso is that my empirical approach ought not to be regarded as empiricist, namely as pretending that it can study argumentation with a *tabula rasa*.

This historical-textual approach is my own variation on the approaches advocated by several scholars. They have other labels, different nuances, and partly dissimilar motivations and aims. Nevertheless, my approach derives partly from that of Michael Scriven and his probative logic; Stephen Toulmin and his methodological approach, as distinct from his substantive model of argument; Henry Johnstone Jr. and his combination of philosophy and rhetoric; and Else Barth and her empirical logic.⁴ Moreover, my approach overlaps with that of Ralph Johnson, Tony Blair, and informal logic; Alec Fisher and his logic of real arguments; Trudy Govier and her philosophy of argument, meaning real or realistic arguments; and Krabbe's immanent dialectical approach.⁵

Typically, the historical-textual approach involves the selection of some important text of the past, containing a suitably wide range and intense degree of argumentation. Many of the classics fulfill this requirement, for example, Plato's *Republic*, Thomas Aquinas's *Summa Theologica*, *The Federalist Papers* by Alexander Hamilton, John Jay, and James Madison, and Charles Darwin's *Origin of Species*. Not all classics would be appropriate: some for lack of argumentation, some for insufficient intensity, and some for insufficient variety. In some cases works other than the classics would serve the purpose, for example collections of judicial opinions by the United States Supreme Court or the World Court in The Hague.

Given this sketch of the historical-textual approach, together with my earlier remarks about William's *Apologia*, now perhaps you can begin to see the connection, that is, a possible methodological motivation for undertaking an analysis of that work. But this is just the beginning, and I am not sure that what I have said so far would provide a sufficient motivation for me. So let me go on with my methodological justification.

Following such an historical-textual approach, many years ago I undertook a study of Galileo Galilei's book, *Dialogue on the Two Chief World Systems, Ptolemaic and Copernican*, first published in 1632. This book is not only the mature synthesis of astronomy, physics, and methodology by the father of modern science, but also the work that triggered Galileo's Inquisition trial and condemnation as a suspected

heretic in 1633; it is also full of arguments for and against the motion of the earth. My study led me to a number of theoretical claims (Finocchiaro 1980, pp. 311–431; 1997, pp. 309–72; 2005, pp. 34–91, 109–80).

For example, the so-called fallacies are typically either non-fallacious arguments, or non-arguments, or inaccurate reconstructions of the originals; but many arguments can be criticized as fallacious in various identifiable ways. There are important asymmetries between the positive and the negative evaluation of arguments, although one particular alleged asymmetry seems untenable, namely the allegation that it is possible to prove formal validity but not formal invalidity. One of the most effective ways of criticizing arguments is to engage in *ad hominem* argumentation in the seventeenth century meaning of this term, namely to derive a conclusion unacceptable to opponents from premises accepted by them (but not necessarily by the arguer). Finally, argumentation plays an important and still under-studied and unappreciated role in science.

3.4 The Meta-argumentation Project

All this may be new to some of you, familiar to a few others, but almost ancient history to me. For more recently, I have been focusing on meta-argumentation. It's not that I have abandoned my historical-textual approach, but that I have found it fruitful to apply it to a special class of arguments, called meta-arguments. On this subject, I want to acknowledge Erik Krabbe (1995, 2002, 2003) as a source of inspiration and encouragement. Paraphrasing his definition of metadialogue, I define a meta-argument as an argument about one or more arguments. A meta-argument is contrasted to a ground-level argument, which is typically about such topics as natural phenomena, human actions, or historical events.

Meta-arguments are special in at least two ways, in the sense of being crucially important to argumentation theory, and in the sense of being a particular case of argumentation. First, meta-arguments are crucially important because argumentation theory consists, or ought to consist, essentially of meta-argumentation; thus, studying the meta-arguments of argumentation theorists is a meta-theoretical exercise in the methodology of our discipline. Second, meta-arguments as just defined are a particular case of argumentation, and so their study is or ought to be a particular branch of argumentation theory.

Consequently, my current project has two main parts. In both, because of the historical-textual approach, the meta-arguments under investigation are real, realistic, or actual instances of argumentation. But in the meta-theoretical part, the focus is on important arguments from recent argumentation theory. In the other part, the focus is on famous meta-arguments from the history of thought.

Before illustrating this project further, let me elaborate an immediate connection with William's *Apologia*. In fact, William's text is not just an intense and varied piece of argumentation, as mentioned before, but it is also a meta-argument since it is primarily a response to King Philip's proclamation. But Philip's proclamation

gave reasons why William should be proscribed and assassinated, and however logically incoherent and morally mean-spirited those reasons may have been, they constitute an argument, at least for those of us who uphold the fundamental distinction between an argument and a good argument. On the other hand, Philip's proclamation is a ground-level argument, and the same is true of the States-General's act of abjuration. Thus, my motivation for undertaking an analysis of William's *Apologia* can now be fleshed out further. I can go beyond my earlier remark that it is a candidate for study by argumentation scholars because it is a famous example of intense and varied argumentation; now I can add that the text is a *good* candidate for analysis in a study of *meta-argumentation* conducted in accordance with the *historical-textual approach*.

However, how promising is such a project? I must confess that the stated motivation, even with the addition just made, would still be insufficient, at least for me, if this were my first study of a famous meta-argument in terms of the historical-textual approach; that is, if I had not already conducted some such studies and obtained some encouraging results. Moreover, it is important that this project plans to study famous meta-arguments in conjunction with currently important theoretical arguments because, as mentioned earlier, the hope is not merely to contribute to a particular branch of argumentation studies, however legitimate that may be, but also to address some key issues of argumentation theory in general. Thus, I need to at least summarize some of my previous meta-argumentative studies, in order to strengthen my methodological plea for an analysis of William's *Apologia*.

3.5 Meta-argumentation in the Subsequent Galileo Affair

Let me begin by saying a few words about one of my previous studies of meta-argumentation (Finocchiaro 2010) that is intermediate between my current project and my earlier study of the ground-level arguments in Galileo's *Dialogue*. At a subsequent stage of my research, I discovered a related set of significant arguments that are primarily meta-arguments. Their existence was not as easily detectable, because they are not found within the covers of a single book, and because initially they do not appear to focus on a single issue. This discovery required a laborious work of historical interpretation, philosophical evaluation, and argument reconstruction.

I am referring to the arguments that make up the subsequent Galileo affair, as distinct from the original affair. By the original Galileo affair I mean the controversy over the earth's motion that climaxed with the Inquisition's condemnation of Galileo in 1633. By the subsequent affair I mean the ongoing controversy over the rightness of Galileo's condemnation that began then and continues to our own day. The arguments that define the original affair (and that are primarily ground-level) are relatively easy to find, the best place being, as mentioned, Galileo's own book. On the other hand, the arguments that make up the subsequent affair (and that are primarily meta-arguments) must be distilled out of the commentaries on the original trial produced in the past four centuries by all kinds of writers: astronomers,

physicists, theologians, churchmen, historians, philosophers, cultural critics, playwrights, novelists, and journalists.

Let me give you some examples, both to give you an idea of the substantive issues of the subsequent affair and of the fact that it consists of meta-arguments. To justify the claim that the Inquisition was right to condemn Galileo, the following reasons, among others, have been given at various times by various authors (see Finocchiaro 2010, pp. xx–xxxvii, 155–228). (1) Galileo failed to conclusively prove the earth's motion, which was not accomplished until Newton's gravitation (1687), Bradley's stellar aberration (1729), Bessel's annual stellar parallax (1838), or Foucault's pendulum (1851). (2) Galileo was indeed right that the earth moves, but his supporting reasons, arguments, and evidence were wrong, ranging from the logically invalid and scientifically incorrect to the fallacious and sophistical; for example, his argument based on a geokinetic explanation of the tides is incorrect. (3) Galileo was indeed right to reject the scientific authority of Scripture, but his supporting reasoning was incoherent, and his interference into theology and scriptural interpretation was inappropriate. (4) Galileo may have been right scientifically (earth moves), theologically (Scripture is not a scientific authority), and logically (reasoning), but was wrong legally; that is, he was guilty of disobeying the Church's admonition not to defend earth's motion, namely not to engage in argumentation, or at least not to evaluate the arguments on the two sides of the controversy.

After such meta-arguments are found and reconstructed, one must evaluate them. In accordance with my historical-textual approach, part of the evaluation task involves reconstructing how such arguments have been assessed in the past four centuries. But I also had another idea. One could try to identify the essential elements of the approach which Galileo himself followed in the original controversy over the earth's motion, and then adapt that approach to the subsequent controversy. This turned out to be a fruitful idea.

In particular, two principles preached and practiced by Galileo were especially relevant. Influenced by the literature on informal logic, I label them the principles of open-mindedness and fair-mindedness, but here I am essentially paraphrasing his formulations. Open-mindedness is the willingness and ability to know and understand the arguments against one's own claims. Fair-mindedness is the willingness and ability to appreciate and strengthen the opposing arguments before refuting them.

Thus, I was led to the following overarching thesis about the meta-arguments making up the subsequent Galileo affair: that is, the anti-Galilean arguments can and should be successfully criticized by following the approach which Galileo himself used in criticizing the anti-Copernican arguments, and this is an approach characterized by open-mindedness and fair-mindedness. In short, at the level of interpretation, I argue that the subsequent Galileo affair can be viewed as a series of meta-arguments about the pro- and anti-Copernican ground-level arguments of the original affair; at the level of evaluation, I argue that today, in the context of the Galileo affair and the controversies over the relationship between science and religion and between institutional authority and individual freedom, the proper defense of Galileo should have the reasoned, critical, open-minded, and fair-minded character which his own defense of Copernicanism had.

3.6 Theoretical Meta-arguments

Let us now go on to my current project studying meta-argumentation in an historical-textual manner. I begin with some examples of the meta-theoretical part of this project.⁶

One of these meta-arguments is Ralph Johnson's justification of his dialectical definition of argument (cf. Finocchiaro 2005, pp. 292–328). I start with a contrast between the illative and the dialectical definitions, but distinguish three versions of the latter: a moderate conception for which the dialectical tier is sufficient but not necessary; a strong conception for which the dialectical tier is necessary but not sufficient; and an hyper conception for which the dialectical tier is necessary and sufficient. Johnson's conclusion is the strongly dialectical conception. His argument contains an illative tier of three supporting reasons, and a dialectical tier consisting of four criticisms of the illative conception and replies to six objections. The result of my analysis is the conclusion that the moderate conception is correct, namely, that an argument is an attempt to justify a conclusion by *either* supporting it with reasons, *or* defending it from objections, *or both*. My argument contains supporting reasons appropriated from the acceptable parts of Johnson's argument, and criticism of his strong conception. I also defend my moderate conception from some objections.

Another example involves the justification of the hyper dialectical definition of argument advanced by Frans van Eemeren and the pragma-dialectical school (cf. Finocchiaro 2006). The hyper dialectical definition of argument claims that an argument is simply a defense of a claim from objections. Their meta-argument is difficult to identify, but it can be reconstructed. Before criticizing it, I defend it from one possible criticism, but later I argue that it faces the insuperable objection that the various analyses which pragma-dialectical theorists advance to support their definition do not show it is preferable to all alternatives. Then I advance an alternative general argument for the unique superiority of the hyper definition over the others, but apparently it fails because of the symmetry between supporting reasons and replies to objections. My conclusion is that the moderately dialectical conception is also preferable to the hyper dialectical definition.

Next, I have examined the arguments for various methods of formal criticism by Erik Krabbe, Trudy Govier, and John Woods (cf. Finocchiaro 2007a). This turned out to be primarily a constructive, analytical, or reconstructive exercise, rather than critical or negative. Krabbe (1995) had shown that formal-fallacy criticism (and more generally, fallacy criticism) consists of metadialogues, and that such metadialogues can be profiled in ways that lead to their proper termination or resolution. I reconstruct Krabbe's metadialogical account into monolectical, meta-argumentative terminology by describing three-types of meta-arguments corresponding to the three ways of proving formal invalidity which he studied: the trivial logic-indifferent method, the method of counterexample situation, and the method of formal paraphrase. A fourth type of meta-argument corresponds to what Govier (1985) calls refutation by logical analogy. A fifth type of meta-argument represents my reconstruction of arguments by parity of reasoning studied by Woods and Hudak (1989).

Another example is provided by the meta-arguments about deep disagreements. Here, I examine (Finocchiaro 2011b) the arguments advanced by such scholars as Robert Fogelin, John Woods, and Henry Johnstone, Jr., about what they variously call deep disagreements, intractable quarrels, standoffs of force five, and fundamental philosophical controversies (see Fogelin 1985, 2005; Woods 1992, 1996; Johnstone 1959, 1978). As much as possible their views, and the critiques of them advanced by other scholars, are reconstructed as meta-arguments. From my analysis, it emerges that deep disagreements are rationally resolvable to a greater degree than usually believed, but that this can be done only by the use of such principles and practices as the following: the art of moderation and compromise (codified as Ramsey's Maxim); open-mindedness; fair-mindedness; complex argumentation; meta-argumentation; and *ad hominem* argumentation in a sense elaborated by Johnstone and corresponding to the seventeenth-century meaning, mentioned earlier.

Finally, another fruitful case study has dealt with conductive meta-arguments. The term "conductive" argument was introduced by Carl Wellman (1971), as a third type of argumentation besides deduction and induction. In this context, a conductive argument is primarily one in which the conclusion is reached nonconclusively based on more than one separately relevant supporting reason in favor and with an awareness of at least one reason against it. Conductive arguments are more commonly labeled pro-and-con arguments, or balance-of-considerations arguments. They are ubiquitous, especially when one is justifying evaluations, recommendations, interpretations, or classifications. Here I reconstruct Wellman's original argument; the constructive follow-up arguments by Govier and David Hitchcock; and the critical arguments by Derek Allen, Robert Ennis, Frank Zenker, and Harald Wohlrapp.⁷ My own conclusion (Finocchiaro 2011a) from this analysis is that so-called conductive arguments are good examples of meta-arguments; for a crucial premise of such arguments is a balance-of-considerations claim to the effect that the reasons in favor of the conclusion outweigh the reasons against it; such a claim can be implicit or explicit; but to justify it one needs a subargument which is a meta-argument; hence, while the conclusion of a conductive argument is apparently a ground-level proposition, a crucial part of the argument is a meta-argument.

3.7 Famous Meta-arguments

These examples should suffice as a summary of the meta-theoretical part of my study of meta-argumentation in accordance with the historical-textual approach. The other part was a study of famous meta-arguments that are important for historical or cultural reasons. Obviously, the meta-arguments in William's *Apologia* are of the latter sort. So it will be useful to look at what some of these previous studies have revealed.

A striking example is provided by chapter 2 of John Stuart Mill's essay *On Liberty* (cf. Finocchiaro 2007c). It can be reconstructed as a long and complex argument

for freedom of discussion. The argument consists of three subarguments, each possessing illative and dialectical components. The illative component is this. Freedom of discussion is desirable because, first, it enables us to determine whether an opinion is true; second, it improves our understanding and appreciation of the supporting reasons of true opinions, and of their practical or emotional meaning; and third, it enables us to understand and appreciate every side of the truth, given that opinions tend to be partly true and partly false and people tend to be one-sided. The dialectical component consists of replies to ten objections, five in the first subargument, three in the second, one in the third, and one general.

So reconstructed, Mill's argument is a meta-argument, indeed it happens to be also a contribution to argumentation theory. For its main conclusion can be rephrased as the theoretical claim that freedom of argument is desirable. A key premise, which Mill assumes but does not support, turns out to be the moderately dialectical conception of argument. And one of his principal claims is the thesis that argumentation is a key method in the search for truth.

Another famous meta-argument occurs in Mill's book on *The Subjection of Women* (cf. Finocchiaro 2007b). The whole book is a ground-level argument for the thesis that the subjection of women is wrong and should be replaced by liberation and equality. The meta-argument is found in the first part of chapter 1. Then in the rest of that chapter, he replies to a key objection to his own thesis. Finally, in the other three chapters he articulates three reasons supporting that thesis. Mill begins by formulating the problem that the subjection of women is apparently a topic where argumentation is counterproductive or superfluous. He replies by rejecting the principle of argumentation that generates this problem and replacing it by a more nuanced principle. However, this more nuanced principle places on him the burden of causally undermining the universal belief in the subjection of women, to pave the way for argumentation on the merits of the issue. Accordingly, he argues that the subjection of women derives from the law of the strongest, but that this law is logically unsound and morally questionable, and hence that custom and feeling provide no presumption in favor of the subjection of women. Additionally, Mill thinks that in this case he can make a predictive extrapolation; accordingly, he argues that there is a presumption against subjection based on the principle of individual freedom. This predictive extrapolation and the causal undermining are complementary meta-arguments.

Now, these two meta-arguments may also be viewed, respectively, as the criticism of an objection, and the statement of a supporting reason, and hence as elements of the dialectical and illative tiers, rather than as a distinct meta-argumentative part of the overall argument. This possibility raises the theoretical issue that there may be a symmetry between meta and ground levels analogous to the symmetry between illative and dialectical tiers; if so, then meta-argumentation would be not only an explicit special type of argument, but also an implicit aspect of all argumentation,⁸ distinct from but related to the illative and dialectical components.

A third example of famous meta-argumentation is the critique of the theological design argument found in David Hume's *Dialogues concerning Natural Religion* (cf. Finocchiaro 2009). Hume's critique is a complex meta-argument, consisting of

two main parts, one interpretive, the other critical. His interpretive meta-argument claims that the design argument is an inductive ground-level argument, with a complex structure, consisting of three premises and two sub-arguments, one of which sub-arguments is an inductive generalization, while the other is a statistical syllogism. Hume's critical meta-argument argues that the design argument is weak because two of its three premises are justified by inadequate sub-arguments; because its main inference embodies four flaws; and because the conclusion is in itself problematic for four reasons. Finally, he also argues that the design argument is indirectly undermined by two powerful ground-level arguments, involving the problem of evil; they justify conclusions that are in presumptive tension with the conclusion of the design argument, while admittedly not in strict contradiction with it.

Here, the main theoretical implication is along the following lines. Hume's critique embodies considerable complexity, so much so that it could be confusing. However, such complexity becomes quite manageable in a meta-argumentation approach; this means that the concept of meta-argument can serve as a principle of simplification, enhancing intelligibility, but without lapsing into over-simplification.

3.8 Conclusion

In summary, (F) the analysis of William the Silent's *Apologia* is a very promising project in argumentation studies, for two reasons, a general one involving my historical-textual approach, and a more specific and important one involving my meta-argumentation project.

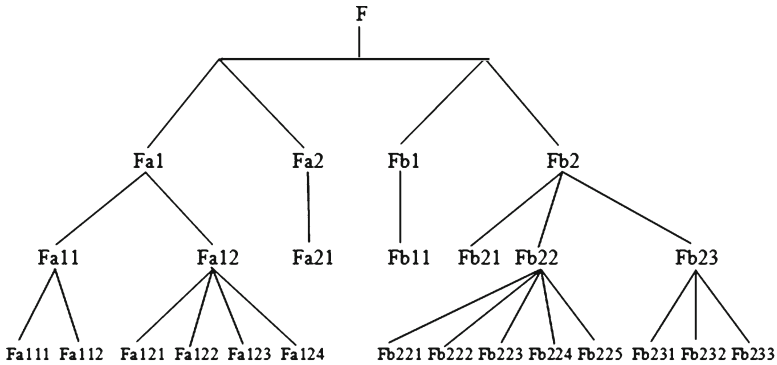
First, generally speaking, (Fa11) this work contains argumentation that is intense and varied, as revealed by (Fa111) even a cursory reading, as well as (Fa112) the considered judgment of many authorities. Moreover, (Fa12) the issues it discusses are universally significant because they involve (Fa121) freedom of religion, (Fa122) the right to national independence, (Fa123) the ideal of democratic consent, and (Fa124) the art of political equilibrium. Thus, (Fa1) this text is susceptible of being analyzed in accordance with the historical-textual approach to argumentation in general. But we have seen that (Fa2) the historical-textual approach is fruitful; for example, (Fa21) it has yielded interesting results by studying the arguments about the motion of the earth in Galileo's *Dialogue*.

More specifically and more importantly, (Fb1) William's *Apologia* is a piece of meta-argumentation since (Fb11) it is a response to a proclamation that is itself an argument. But we have seen that (Fb2) the historical-textual study of meta-arguments is proving to be a fruitful project. For example, (Fb21) it has already yielded some results with regard to the meta-arguments that constitute the subsequent Galileo affair. More to the point, (Fb22) it is yielding interesting results with regard to the meta-arguments of leading argumentation theorists, dealing with topics such as (Fb221) the strongly dialectical concept of argument, (Fb222) the hyper dialectical concept of argument, (Fb223) methods of formal criticism, (Fb224) deep disagreements, and (Fb225) conductive arguments; and (Fb23) it is

also yielding interesting results with regard to famous meta-arguments, such as Mill on (Fb231) liberty of argument and on (Fb232) women’s liberation, and (Fb233) Hume on the theological design argument.

What I have just summarized is (dare I say it?) my argument, such as it is, in this essay; that is, the reasons why I think it would be fruitful to analyze William’s *Apologia* from the point of view of meta-argumentation and the historical-textual approach; that is, my prolegomena to a future meta-argumentative and historical-textual study of this Dutch classic.

If I had more space, I might discuss the details of the propositional macrostructure of my argument, as you can visualize in the following diagram:⁹



This would reinforce the fact that, after all, in the preceding pages, I have been arguing, however modestly in intention, execution, and results. Could I have done anything less? Or different? I suppose I could have described and reconstructed the details of William’s meta-argumentation, which of course I am now committed to doing sooner or later. But this description and reconstruction, even without motivation or justification, would have taken up all those preceding pages. Moreover, by itself, my description of William’s meta-argumentation would not have been an actual instantiation of argumentation on my part, let alone meta-argumentation. On the contrary, in this essay I wanted, among other things, to practice what I preached.

Notes

1. A shorter version of this essay was delivered as a keynote address to the Seventh Conference of the International Society for the Study of Argumentation at the University of Amsterdam, on 30 June 2010.
2. This episode is discussed in Motley 1883, vol. 3, pp. 507–9; Wedgewood 1944, p. 222; Geyl 1958, pp. 183–84; and Swart 1978, p. 35. My account in the rest of this essay is also based on these works, but from here on no specific references will usually be given, except for quotations and a few other specific items.
3. Quoted in van Eemeren and Houtlosser 2003, p. 178. I am paraphrasing, for Voltaire said *monument*, which I am reading as *argument* because the “monument” we are dealing with is linguistic rather than physical. Motley (1883, vol. 3, p. 493) paraphrases *monument* as *document*.

4. See Scriven (1976, 1987) and cf. Finocchiaro 2005, pp. 5–7; see Toulmin 1958 and cf. Finocchiaro (1980, pp. 303–305; 2005, pp. 6–7); see Johnstone (1959, 1978) and cf. Finocchiaro (2005, pp. 277–91, 329–39); see Barth 1985, Barth and Krabbe 1992, Barth and Martens 1982, Krabbe et al. 1993, and cf. Finocchiaro (2005, pp. 46–64, 207–10).
5. See Blair and Johnson 1980, Johnson 1987, Johnson and Blair 1994, and cf. Finocchiaro (2005, pp. 21–33); see Fisher (1988, 2004) and Govier (1987; 1999; 2000, pp. 289–90), and cf. Finocchiaro (2005, pp. 1–105, 329–429); and see Krabbe 1999 and Houtlosser and van Laar 2007, and cf. Finocchiaro 2007a.
6. One of the referees raised an objection to this part of the project along the following lines: in order to assess the arguments that make up a given argumentation theory, one has to use either the evaluation criteria of the same theory or those of another theory; but if one uses the same criteria, it is not obvious that such self-reflective exercise is possible or fair (the latter because it might automatically yield a favorable assessment); on the other hand, if one uses the evaluation criteria of another theory, then it is also not obvious that such an external evaluation is possible or fair (the latter because it might automatically yield an unfavorable assessment); therefore, this meta-theoretical project is doomed from the start since it may very well be impossible or unfair.

My reply is that this objection seems to assume uncritically a relationship between the theory and the practice of argumentation that may be the reverse of the right one. My inclination is practically oriented, in the sense of giving primacy to the *practice* of meta-argumentation. That is: let us try to do the meta-theoretical exercise; if it can be done, that shows that it is possible; moreover, let us try to be fair-minded in doing it; if we succeed in doing it fairly, that shows that the meta-theoretical evaluation can be fair; thus, let us postpone questions of possibility and fairness until afterwards. Moreover, the objection perhaps proves too much, in the sense that if what it says about evaluation or assessment were correct, then it would be likely to apply also to interpretation or reconstruction, in which case it would be suggesting that theoretical meta-arguments perhaps cannot even be understood, at least not from an external point of view; and such a parallel objection strikes me as being a *reductio ad absurdum* of its own assumptions.

7. See, respectively, Govier (1980; 1987, pp. 55–80; 1999, pp. 155–80); Hitchcock (1980; 1981; 1983, pp. 50–53, 130–34; 1994); Allen (1990, 1993); Ennis (2001, 2004); Zenker 2009; and Wohlraup (1995, 1998, 2008).
8. As one of the referees pointed out, this hypothesis may be viewed as a special case of a thesis widely held in communication studies. For example, Bateson (1972, pp. 177–78) has claimed that “human verbal communication can operate and always does operate at many contrasting levels of abstraction. These range in two different directions ... metalinguistic ... [and] metacommunicative.” Similarly, Verschueren (1999, p. 195) has maintained that “all verbal communication is self-referential to a certain degree ... all language use involves a constant interplay between pragmatic and metapragmatic functioning ... reflexive awareness is at the very core of what happens when people use language.”

I take this coincidence or correspondence as an encouraging sign, but I think it would be a mistake to exploit it for confirmatory purposes. In particular, such general theses cannot be used to justify my particular hypothesis about meta-argumentation because they are formulated and defended in a context and with evidence that does not involve the phenomenon of argumentation, but rather other linguistic and communicative practices. For example, Bateson (1972, pp. 177–93) is dealing with such phenomena as playing, threats, histrionics, rituals, psychotherapy, and schizophrenia; and of Verschueren’s (1999, pp. 179–97) 54 examples of metapragmatic use of language, only two involve (simple, ground-level) arguments. Thus I feel they have not established that their generalizations apply to argumentative communication, and the question whether this particular application holds is the same question whether my meta-argumentation hypothesis is correct. Moreover, I would stress that both authors (Bateson 1972, p. 178; Verschueren 1999, pp. 183–87) are keen to point out that the metalevel aspect of the phenomena they study is a matter of degree and is usually implicit; on the other hand, my own meta-argumentation project focuses on very explicit cases.

The same referee also pointed out the other side of the coin of this potential confirmation of my hypothesis by the widely held generalization from communication studies. That is, perhaps my distinction between ground-level and meta-argumentation, together with my hypothesis about the implicitly meta-argumentative aspect of all argumentation, is afflicted by the difficulties stemming from the self-referential paradoxes such as Russell's and the liar's paradox. For example, Bateson (1972, pp. 179–80) is worried that when two humans or animals are playing by simulating a physical combat, the meta-communicative "message 'This is play' ... contains those elements which necessarily generate a paradox of the Russellian or Epimenides type—a negative statement containing an implicit negative metastatement. Expanded, the statement 'This is play' looks something like this: ... 'These actions in which we now engage, do not denote what would be denoted by those actions which these actions denote.'" Recall that Russell's paradox exposes the self-contradiction of the notion of a set of all sets that are not members of themselves, and that the liar's paradox is the self-contradiction of the statement that this statement is false.

However, my reply to this potentially negative criticism is analogous to my reply to the earlier potentially strengthening confirmation. I see the difficulty with the Russellian set and with the liar's sentence, and I see some similarity between them and Bateson's meta-communicative message that "this fighting is play"; but I see no similarity with my notion of a meta-argument, its distinction from a ground-level argument, and their relationship; and until and unless a similar paradox is specifically derived regarding meta-argumentation, I shall not worry.

9. For an explanation of such diagrams, which are now common in the literature and come in various slightly different versions, see, for example, Scriven (1976, pp. 41–43) and Finocchiaro (1980, pp. 311–31; 1997, pp. 309–35; 2005, pp. 39–41).

References

- Allen, D. (1990). Trudy Govier's *problems in argument analysis and evaluation*. *Informal Logic*, 12, 43–62.
- Allen, D. (1993). Relevance, conduction, and Canada's rape-shield law. *Informal Logic*, 15, 105–122.
- Barth, E. M. (1985). A new field: Empirical logic. *Synthese*, 63, 375–388.
- Barth, E. M., & Krabbe, E. C. W. (Eds.). (1992). *Logic and political culture*. Amsterdam: Royal Netherlands Academy of Arts and Sciences.
- Barth, E. M., & Martens, J. L. (Eds.). (1982). *Argumentation: Approaches to theory formation*. Amsterdam: John Benjamins.
- Bateson, G. (1972). *Steps to an ecology of mind*. New York: Ballantine Books.
- Blair, J. A., & Johnson, R. H. (Eds.). (1980). *Informal logic: The first international symposium*. Inverness: Edgepress.
- Blair, J. A., & Johnson, R. H. (Eds.). (2011). *Conductive argument: An overlooked type of defeasible reasoning*. London: College Publications.
- Ennis, R. H. (2001). Argument appraisal strategy. *Informal Logic*, 21, 97–140.
- Ennis, R. H. (2004). Applying soundness standards to qualified reasoning. *Informal Logic*, 24, 23–39.
- Finocchiaro, M. A. (1980). *Galileo and the art of reasoning: Rhetorical foundations of logic and scientific method* (Boston studies in the philosophy of science, Vol. 61). Dordrecht: Reidel [now Springer].
- Finocchiaro, M. A. (Ed. & Trans.). (1997). *Galileo on the world systems: A new abridged translation and guide*. Berkeley: University of California Press.
- Finocchiaro, M. A. (2005). *Arguments about arguments: Systematic, critical, and historical essays in logical theory*. New York: Cambridge University Press.
- Finocchiaro, M. A. (2006). Reflections on the hyper dialectical definition of argument. In P. Houtlosser & A. van Rees (Eds.), *Considering pragma-dialectics* (pp. 51–62). Mahwah: Lawrence Erlbaum.

- Finocchiaro, M. A. (2007a). Arguments, meta-arguments, and metadialogues: A reconstruction of Krabbe, Govier, and Woods. *Argumentation*, 21, 253–268.
- Finocchiaro, M. A. (2007b). Famous meta-arguments: Part I. Mill and the tripartite nature of argumentation. In H. V. Hansen, C. W. Tindale, J. A. Blair, R. H. Johnson, & D. M. Godden (Eds.), *Dissensus and the search for common ground*. Windsor: Ontario Society for the Study of Argumentation.
- Finocchiaro, M. A. (2007c). Mill on liberty of argument: A dialectical approach. In V. Hansen & R. C. Pinto (Eds.), *Reason reclaimed* (pp. 121–134). Newport News: Vale Press.
- Finocchiaro, M. A. (2009). Meta-argumentation in Hume's critique of the design argument. In J. Ritola (Ed.), *Argument cultures: Proceedings of OSSA 09*. Windsor: OSSA.
- Finocchiaro, M. A. (2010). *Defending Copernicus and Galileo: Critical reasoning in the two affairs* (Boston studies in the philosophy of science, Vol. 280). Dordrecht: Springer.
- Finocchiaro, M. A. (2011a). Conductive arguments: A meta-argumentation approach. In J. A. Blair & R. H. Johnson (Eds.), *Conductive argument: An overlooked type of defeasible reasoning* (pp. 224–261). London: College Publications.
- Finocchiaro, M. A. (2011b). Deep disagreements: A meta-argumentation approach. In F. Zenker (Ed.), *Argumentation: Cognition & community: Proceedings of the 9th international conference of the Ontario Society for the Study of Argumentation, May 18–21, 2011*. Windsor: Ontario Society for the Study of Argumentation.
- Fisher, A. (1988). *The logic of real arguments*. Cambridge: Cambridge University Press.
- Fisher, A. (2004). *The logic of real arguments* (2nd ed.). Cambridge: Cambridge University Press.
- Fogelin, R. J. (1985). The logic of deep disagreements. *Informal Logic*, 7, 1–8.
- Fogelin, R. J. (2005). The logic of deep disagreements. *Informal Logic*, 25, 3–11.
- Gabbay, D. V., & Ohlbach, H. J. (Eds.). (1996). *Practical reasoning*. Berlin: Springer.
- Geyl, P. (1958). *The revolt of the Netherlands, 1555–1609* (2nd ed.). London: Ernest Benn.
- Govier, T. (1980). Carl Wellman's *Challenge and response*. *Informal Logic Newsletter*, 2(2), 10–15.
- Govier, T. (1985). Logical analogies. *Informal Logic*, 7, 27–33.
- Govier, T. (1987). *Problems in argument analysis and evaluation*. Dordrecht: Foris.
- Govier, T. (1999). *The philosophy of argument*. Newport News: Vale Press.
- Govier, T. (2000). Critical review: Johnson's *Manifest rationality*. *Informal Logic*, 20, 281–291.
- Hansen, H. V., & Pinto, R. (Eds.). (2007). *Reason reclaimed*. Newport News: Vale Press.
- Hansen, H. V., Tindale, C. W., Blair, J. A., Johnson, R. H., & Godden, D. M. (Eds.). (2007). *Dissensus and the search for common ground* [CD-ROM]. Windsor: Ontario Society for the Study of Argumentation. ISBN: 978-0-9683461-5-0.
- Hitchcock, D. (1980). Deductive and inductive types of validity. *Informal Logic Newsletter*, 2(3), 9–10.
- Hitchcock, D. (1981). Deduction, induction, and conduction. *Informal Logic Newsletter*, 3(2), 7–15.
- Hitchcock, D. (1983). *Critical thinking*. Toronto: Methuen.
- Hitchcock, D. (1994). Validity in conductive arguments. In R. H. Johnson & J. A. Blair (Eds.), *New essays in informal logic* (pp. 58–66). Windsor: Informal Logic Publications.
- Houtlosser, P., & van Laar, J. A. (2007). Metadialogues: Krabbe's Immanent dialectic. *Argumentation*, 21, 205–208.
- Houtlosser, P., & van Rees, A. (Eds.). (2006). *Considering pragma-dialectics*. Mahwah: Lawrence Erlbaum.
- Johnson, R. H. (1987). Logic naturalized. In F. H. van Eemeren, R. Grootendorst, J. A. Blair, & C. Willard (Eds.), *Argumentation: Across the lines of discipline* (pp. 47–56). Dordrecht: Foris Publications.
- Johnson, R. H., & Blair, J. A. (Eds.). (1994). *New essays in informal logic*. Windsor: Informal Logic Publications.
- Johnstone, H. W., Jr. (1959). *Philosophy and argument*. University Park: Pennsylvania State University Press.
- Johnstone, H. W., Jr. (1978). *Validity and rhetoric in philosophical argument*. University Park: The Dialogue Press of Man & World.
- Komlósi, L. I., Houtlosser, P., & Leezenberg, M. (Eds.). (2003). *Communication and culture*. Amsterdam: Sic Sat.

- Krabbe, E. C. W. (1995). Can we ever pin one down to a formal fallacy? In F. H. van Eemeren, R. Grootendorst, J. A. Blair, & C. A. Willard (Eds.), *Proceedings of the third ISSA conference on argumentation II: Analysis and evaluation* (pp. 333–344). Amsterdam: Sic Sat.
- Krabbe, E. C. W. (1999). The dialectic of quasi-logical arguments. In F. H. Van Eemeren, R. Grootendorst, J. A. Blair, & C. A. Willard (Eds.), *Proceedings of the fourth international conference of the International Society for the Study of Argumentation* (pp. 464–471). Amsterdam: Sic Sat.
- Krabbe, E. C. W. (2002). Profiles of dialogue as a dialectical tool. In F. H. Van Eemeren (Ed.), *Advances in pragma-dialectics* (pp. 153–167). Amsterdam: Sic Sat.
- Krabbe, E. C. W. (2003). Metadialogues. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & A. F. Snoeck Henkemans (Eds.), *Proceedings of the fifth conference of the International Society for the Study of Argumentation* (pp. 641–644). Amsterdam: Sic Sat.
- Krabbe, E. C. W., Dalitz, R. J., & Smit, P. A. (Eds.). (1993). *Empirical logic and public debate*. Amsterdam: Rodopi.
- Motley, J. L. (1856). *The rise of the Dutch republic: A history*. New York: Harper & Brothers.
- Motley, J. L. (1860). *History of the United Netherlands from the death of William the Silent to the twelve years' truce, 1609*. New York: Harper & Brothers.
- Motley, J. L. (1883). *The rise of the Dutch republic: A history* (3 Vols). New York: Harper & Brothers.
- Ritola, J. (Ed.). (2009). *Argument cultures: Proceedings of OSSA 09* [CD-ROM]. Windsor: Ontario Society for the Study of Argumentation. ISBN 978-0-920233-51-1.
- Scriven, M. (1976). *Reasoning*. New York: McGraw-Hill.
- Scriven, M. (1987). Probative logic. In F. H. van Eemeren, R. Grootendorst, J. A. Blair, & C. A. Willard (Eds.), *Argumentation: Across the lines of discipline* (pp. 7–32). Dordrecht: Foris Publications.
- Suzuki, T., Yano, Y., & Kato, T. (Eds.). (2000). *Proceedings of the first Tokyo conference on argumentation*. Tokyo: Japan Debate Association.
- Swart, K. W. (1978). *William the Silent and the revolt of the Netherlands*. London: Historical Association.
- Toulmin, S. (1958). *The uses of argument*. Cambridge: Cambridge University Press.
- van Eemeren, F. H. (Ed.). (2002). *Advances in pragma-dialectics*. Amsterdam: Sic Sat.
- van Eemeren, F. H., Blair, J. A., Willard, C. A., & Snoeck Henkemans, A. F. (Eds.). (2003). *Proceedings of the fifth conference of the International Society for the Study of Argumentation*. Amsterdam: Sic Sat.
- van Eemeren, F. H., Grootendorst, R., Blair, J. A., & Willard, C. A. (Eds.). (1987). *Argumentation: Across the lines of discipline: Proceedings of the conference on argumentation, 1986*. Dordrecht: Foris.
- van Eemeren, F. H., Grootendorst, R., Blair, J. A., & Willard, C. A. (Eds.). (1995). *Analysis and evaluation: Proceedings of the third ISSA conference on argumentation* (Vol. 2). Amsterdam: Sic Sat.
- van Eemeren, F. H., Grootendorst, R., Blair, J. A., & Willard, C. A. (Eds.). (1999). *Proceedings of the fourth international conference of the International Society for the Study of Argumentation*. Amsterdam: Sic Sat.
- van Eemeren, F. H., & Houtlosser, P. (1999). William the Silent's argumentative discourse. In F. H. van Eemeren, R. Grootendorst, J. A. Blair, & C. A. Willard (Eds.), *Proceedings of the fourth international conference of the International Society for the Study of Argumentation* (pp. 168–171). Amsterdam: Sic Sat.
- van Eemeren, F. H., & Houtlosser, P. (2000). The rhetoric of William the Silent's *Apologie*: A dialectical perspective. In T. Suzuki et al. (Eds.), *Proceedings of the 1st Tokyo conference on argumentation* (pp. 37–40). Tokyo: Japan Debate Association.
- van Eemeren, F. H., & Houtlosser, P. (2003). Strategic manoeuvring: William the Silent's *Apologie*, a case in point. In L. I. Komlósi et al. (Eds.), *Communication and culture: Argumentative, cognitive and linguistic perspectives* (pp. 177–185). Amsterdam: Sic Sat.
- Verschueren, J. (1999). *Understanding pragmatics*. New York: Oxford University Press.

- Wansink, H. (1969). Introduction. In H. Wansink (Ed.), *The apologie of Prince William of Orange against the proclamation of the king of Spaine*. Leiden: Brill.
- Wedgewood, C. V. (1944). *William the Silent: William of Nassau, Prince of Orange, 1533–1584*. London: Cassell.
- Wellman, C. (1971). *Challenge and response*. Carbondale: Southern Illinois University Press.
- William, Prince of Orange. (1581). *The apologie or defence of the most noble Prince William, by the grace of God, Prince of Orange*. Delft.
- William, Prince of Orange. (1858). *Apologie de Guillaume de Nassau, Prince d'Orange, contre l'Édit de Proscription Publié en 1580 par Philippe II, Roi d'Espagne, avec les Documents à l'Appui*. Brussels: Émile Flatau.
- William, Prince of Orange. (1969). In H. Wansink (Ed.), *The apologie of Prince William of Orange against the proclamation of the king of Spaine*. Leiden: Brill.
- Wohlrapp, H. (1995). Resolving the riddle of the non-deductive argumentation schemes. In F. H. van Eemeren, R. Grootendorst, J. A. Blair, & C. A. Willard (Eds.), *Proceedings of the third ISSA conference on argumentation II: Analysis and evaluation* (pp. 55–62). Amsterdam: Sic Sat.
- Wohlrapp, H. (1998). A new light on non-deductive argumentation. *Argumentation*, 12, 341–350.
- Wohlrapp, H. (2008). The pro- and contra-discussion (a critique of Trudy Govier's 'conductive argument') (Trans. by F. Zenker from H. Wohlrapp's *Der Begriff des Arguments*, chapter 6.4, pp. 316-34). Wuerzburg: Koenigshausen und Neumann. Available at: <http://www.frankzenker.de/academia.html>
- Woods, J. (1992). Public policy and standoffs of force five. In E. M. Barth & E. C. W. Krabbe (Eds.), *Logic and political culture* (pp. 97–108). Amsterdam/New York: North-Holland.
- Woods, J. (1996). Deep disagreements and public demoralization. In D. V. Gabbay & H. J. Ohlbach (Eds.), *Practical reasoning* (pp. 650–662). Berlin: Springer.
- Woods, J., & Hudak, B. (1989). By parity of reasoning. *Informal Logic*, 11, 125–139.
- Zenker, F. (2009). Complexity without insight: *Ceteris paribus* clauses in conductive argumentation. In S. Jacobs (Ed.), *Concerning argument: Proceedings of the 2007 NCA/AFA conference on argumentation, Alta, Utah* (pp. 810–818). Washington, DC: National Communication Association. Independently paginated version available at: <http://www.frankzenker.de/academia.html>.
- Zenker, F. (Ed.). (2011). *Argumentation: Cognition & community: Proceedings of the 9th international conference of the Ontario Society for the Study of Argumentation (OSSA), May 18–21, 2011* [CD-ROM]. Windsor: Ontario Society for the Study of Argumentation.

Chapter 4

Wittgenstein's Influence on Hamblin's Concept of 'Dialectical'

Ralph H. Johnson

4.1 Introduction

While working on the question of what influence Wittgenstein had on the development of informal logic, I faced the question of whether Wittgenstein had any influence on Hamblin. I checked the references to Wittgenstein in *Fallacies*, and found that there were four, two to the *Tractatus* and two to works of the later Wittgenstein, one identified by Hamblin as the *Preliminary Studies*, known to us as the *Blue Book* and the *Brown Book*, the other to the *Philosophical Investigations*. I was particularly struck by the reference on p. 285:

If we want to lay bare the foundations of Dialectic, we should give the dialectical rules themselves a chance to determine what is a statement, what is a question, and soon. This general idea is familiar enough from Wittgenstein.

The footnote states that "The best examples of dialectical analysis are in the 'Brown Book': Wittgenstein, *Preliminary Studies for the 'Philosophical Investigations.'*"

This text strongly supports the idea that Hamblin was influenced by his reading of Wittgenstein. That came as something of a surprise to me, and I found myself puzzling over the above reference to "examples of dialectical analysis." I also found myself puzzling over Hamblin's notion of 'dialectical', for it seemed to me that the use of 'dialectical' here was quite different from the way it had been used in Chapter 7.¹ I hope to out these puzzles to rest in this paper.

In the sections that follow, I proceed to examine Hamblin's use of the term 'dialectical' in Chapters 7, 8 and 9 of *Fallacies*.² In each case, I start by setting up the context in which his use of the term arises. I then state what I take to be the meaning

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of ‘dialectical’ in that context. I then take up any issues that occurred to me about that use. In Section 4.5, I gather together the assorted meanings together and ask: What is the relationship among them? Can we fashion a coherent account of Hamblin’s use of ‘dialectical’ in these three chapters? Then, in Section 4.6, I discuss, rather more briefly, the matter of Wittgenstein’s influence on Hamblin. Section 4.7 is my conclusion.

4.2 The Meaning of ‘Dialectical’ in Chapter 7

The context. Chapter 7 is about the concept of argument. Hamblin starts by making some comments about the concept of argument that seem primarily directed at logicians. At p. 232, Hamblin sets aside the question of what an argument is, and instead pursues the questions of how we evaluate argument: by what criteria, he asks, should we evaluate an argument? He begins by examining alethic criteria—criteria based on truth—the sort of criteria that occur in Formal Logic. He argues that they will not work and then turns to a discussion of epistemic criteria—criteria based on knowledge—with which he also finds problems. That is the context in which we first encounter ‘dialectical’ in Chapter 7.

The meaning. The term ‘dialectical’ is introduced in Chapter 7 on p. 241, at a point where Hamblin has already discussed both alethic and epistemic criteria. The ramp into the passage is found at the bottom of p. 240 where he says:

In practice, we often proceed on less than knowledge; namely on more or less strong belief or acceptance. An argument that proceeds from *accepted* premises on the basis of an *accepted* inference process may or may not be a good one in the full, alethic sense but is certainly a good one in some other sense which is much more germane to the practical application of logical principles. (240–41)

Hamblin provides a name for this other sense of goodness that an argument may have—he calls it ‘dialectical’. Why? The answer occurs on p. 241, where Hamblin deals with an objection he anticipates will be raised by “puristic logicians” who will accuse him of selling out, of lowering his sights by being satisfied with arguments that persuade as distinct from arguments which are valid (but may not persuade). In response, Hamblin says that we must distinguish different purposes an argument may have. One of these is to convince; here Hamblin’s point is that we have to get the person whom we want to convince to accept the premises; otherwise even if the argument is valid, we will not succeed. So we must aim at securing acceptance of the premises if we seek to convince. Logicians can hardly complain that an argument is not an argument because it proceeds *ex concessio* (meaning, by gaining acceptance of the other) or that such arguments have no rational criteria of worth. We are, he says, in fact talking about the class of arguments Aristotle called “dialectical” (241) which he glosses as “that class of argument that work on the basis of acceptance.” Hamblin admits that the dialectical merits of an argument may differ from its merits judged alethically, “but we would still do well to set down a set of criteria for

them”(241). Hamblin calls these dialectical criteria; they are based on acceptance rather than truth or knowledge.¹

Issues. There are at least two questions concerning his use of 'dialectical'. First, exactly what is meant by acceptance? And how does it relate to belief, acceptability etc? This issue has been much discussed by others and myself, and I do not propose to take it up here.

A second issue is its relationship to the Aristotelian account. One standard account of Aristotle's concept of 'dialectical' as it applies to reasoning/argument is that it is the kind of reasoning that proceeds on the basis of premises that are widely believed (generally accepted) or endorsed by the learned (*Topics*, 100a 30, b 21). If Hamblin now uses that term to refer to a premise that is accepted by one's interlocutor [which may be neither widely believed, nor endorsed by the learned], it does seem like at least a significant extension, if not an outright change, from its Aristotelian meaning. And Hamblin seems to be taking just such a path, for he states, "Aristotle is not satisfied to leave it at this, but his actual definition of dialectical arguments is less than satisfactory" (60). And now he quotes the above definition from *Topics* and writes: "This marks them off from didactic arguments, and, as defined above, contentious arguments but does not give any clue to their supposed exceptional merit" (60). Now Hamblin says: "In fact, Aristotle is in transition from a pure Platonic view to a more measured one that treats Dialectic as mere technique, unessential to the pursuit of truth" (60). It seems fairly clear that Hamblin's view of Dialectic is closer to Plato's view (as understood by Hamblin) than to Aristotle's (as understood by Hamblin); thus his apparent departure from the strict Aristotelian sense seems intentional.

In Chapter 7, then, the term 'dialectical' refers to a type of criterion for the evaluation of argument, which Hamblin distinguishes from alethic criteria (based on truth) or epistemic criteria (based on knowledge). There are four criteria in his set of dialectical criteria, the first of which is: "(D1) The premises must be accepted." The other criteria all invoke this notion of acceptance.

4.3 The Meaning of 'Dialectical' in Chapter 8

The story about 'dialectical' in Chapter 8 is relatively straightforward.

The context: In Chapter 8, Hamblin seeks to develop what he calls "a dialectical system" which, he says is "no more nor less than a regulated dialogue or family of dialogues. We suppose that we have a number of participants—in the simplest case just two—to debate, discussion or conversation and that they speak in turn in accordance with a set of rules or conventions"(255). In Hamblin's view, Formal Dialectic is the study of such systems, the pursuit of which he now briefly justifies:

¹ On p. 245, Hamblin sets forth five criteria (D1-D5) he calls "dialectical, ones formulated without the use of the words 'true' and 'valid.'" The literature has tended to focus on D1: "The premises must be accepted."

There is a case to be argued, even in modern times, on behalf of studies like Dialectic and Rhetoric against a Logic which is pursued in disregard of the context of its use. Logic is an abstraction of features of flesh and blood reasoning; and it is entirely natural that a formal theory of fallacies should be seen as simply abstracting features of fallacies (69)

The meaning: In Chapter 8, then, ‘dialectical’ is used chiefly as the adjectival form of the term ‘dialectic’ where ‘Dialectic’ refers to Hamblin’s system of Formal Dialectic. Thus here it means: ‘pertaining to a system of Formal Dialectic.’

Issues: First, one wonders why Hamblin here chose ‘dialectical’ and rather than ‘dialogical.’ Dialogue logics had been in existence for some time when he wrote *Fallacies*.³ I believe there is a good answer to this question that will emerge later. Second, what is the relationship between the meaning of ‘dialectical’ here and its meaning in Chapter 7? Clearly here it has a different sense than had in the previous chapter where it referred to a type of criterion for evaluating arguments. I return to this question in Section 4.5, turning next to the meaning of ‘dialectical’ in Chapter 9.

4.4 The Meaning of ‘Dialectical’ in Chapter 9

The context: Having set forth his system of Formal Dialectic in Chapter 8, Hamblin turns in Chapter 9 to the issue of the authority for these dialectical rules that he has been discussing in Chapter 8. He begins: “Where do dialectical rules derive their authority, and who enforces them?” He writes:

If we want to lay bare the foundations of Dialectic, we should give the dialectical rules themselves a chance to determine what is a statement, what is a question and so on. This general idea is familiar enough from Wittgenstein [the footnote refers to *Preliminary Studies*...] I do not think, however, that it has ever been worked out in any detail. The programme is too large a one to be undertaken but certain features of it are of fundamental importance for us. (285)

Just what is meant here by ‘the programme’ is not clear, but I will later refer to the views of two scholars (David Hitchcock and J. D. Mackenzie) who have offered their thoughts about it. In any event, the context here is that of providing justification for the rules of the system of Formal Dialectic. That justification will be dialectical.

The meaning: The meaning of the term ‘dialectical’ in this context is made clear when Hamblin goes on to say: “The thesis that I shall adopt is that all properties of linguistic entities are dialectical in the sense of being determinable from the broad pattern of their use” (285). Here we have the basis for Hamblin’s understanding of ‘dialectical’ in Chapter 9. He takes ‘dialectical’ to mean the broad pattern of use of linguistic entities which, he holds, is to be appealed to determine their properties.

Issues: What are we to make of this text? Here is how J.D. Mackenzie (a student of Hamblin’s) construes it:

I would approach the passage on p. 285 of *Fallacies* in this way. As logicians, we have an understanding of terms like “statement” built up from familiarity with axiomatic and natural

deduction systems, and we use that understanding in describing dialogue. But strictly speaking, we should study dialogue on its own terms, and only later come to that very specialist sort of dialogue in which axiomatic systems are developed. And we should develop an understanding of the word "statement" from dialogue, and then modify its meaning for use in axiomatic systems, rather than the other way round. [Private correspondence with the author, used with permission.]

According to Mackenzie, Hamblin is arguing against the view that there is a pre-established meaning of what a statement is:

Wittgenstein (in the *Brown Book*) was also interested in dealing with dialogue by beginning with what people say (how expressions are used), rather than by beginning with some pre-established semantics (their "meaning"). In Formal Dialectic, we will study dialogue and how expressions are used, and from that we will develop an account of 'statement.' [Private correspondence with the author, used with permission.]

This exposition seems to me to be accurate. Hamblin wants us to generate our idea of what a statement is by looking at how that expression is used, and says that to do this is to proceed in a dialectical way. Confirming texts appear later on in the chapter:

Both accounts (Quine, and Grice and Strawson) are 'dialectical', in that they refer their respective explications of analyticity or incorrigibility to patterns of verbal behavior. (290)

Meanings of words are...always relative to a language-user or a group G of language users. ... There is a reverse side to this doctrine...: Since the language behavior of some person or group may be unsystematic or incoherent, it is not necessarily the case that questions of meaning are resolvable... It is only in so far as regular pattern of use can be determined that it is possible to make suitable judgements about meaning. (291)

By 'dialectical' in this chapter, then, Hamblin means a way of proceeding to assign meaning to fundamental terms in the system of Formal Dialectic. This is to be done by examining how they are used, "the broad pattern of their use." This is the connection with Wittgenstein.⁴

4.5 Summary and Synthesis: Hamblin's Conception of 'Dialectical'

Let me summarize the findings thus far. In Chapter 7, the term 'dialectical' refers to a type of criterion for the evaluation of argument. It is a criterion of premise adequacy based on acceptance rather than knowledge (epistemic) or truth (alethic). In Chapter 8, the term 'dialectical' has a different meaning. It is now used as the adjectival form of 'Dialectic' by which Hamblin means "the study of regulated dialogue or family of dialogue." In Chapter 9, the term is assigned yet another meaning. The term is here used to denote a method by which the rules for Formal Dialectic are to be justified. These rules are said to be determinable by the broad pattern of their use, and here Hamblin has invoked what he takes to be Wittgenstein's views. So 'dialectical' as it is used in Chapter 9 refers us to neither acceptance, nor to a study called Dialectic, but rather to a method or procedure for adopting rules

that govern meaning of terms that are found in Formal Dialectic—that basis being the broad pattern of use.

There appears to be a marked difference between these three meanings. Is Hamblin equivocating? Or, is there an acceptable account that brings them into some proper relationship?

I believe there is a way in which these disparate uses can be brought together and unified. The key is to focus on Hamblin's concept of Dialectic. When we understand exactly what he has in mind by Dialectic and how he understands the project he calls Formal Dialectic, we will clearly understand 'dialectical' as it is used in Chapter 8. From there it is easy enough to explain 'dialectical' as used in Chapter 9. That leaves 'dialectical' as used in Chapter 7, but I think that it can readily be seen to be a part of this family.

I noted above that Hamblin's concept of Dialectic appears to be closer to Plato's concept than to Aristotle's (or, I should say, closer to how Hamblin understands Plato's and Aristotle's concepts). I believe we should view Hamblin as attempting to revive Dialectic, as an inquiry distinct from Logic (he is well aware of the conflation that took place⁵) and indeed as more important than Formal Logic for the study of argument. We have already met that concept in Chapter 8 where Dialectic is conceived of as the study of regulated dialogue, or family of dialogues. So Hamblin's concept of dialectical is dialogical. Yet he does not go the route of Dialogue Logic. Why not? It may have something to do with how Hamblin thinks of Formal Logic.

Hamblin wants his study to be a study of argument as situated, as engaged in by participants in the practice, thereby avoiding the on-looker status, the "God's-eye view of things" (242) that he associates with Formal Logic. This may be the opportune moment to point out that Hamblin is not opposed to Formal Logic, but is opposed to the view that it should be employed as the exclusive tool in analyzing and evaluating arguments. Indeed, one of his aims in *Fallacies* is to show that something like what he calls Formal Dialectic is a much better tool for handling the fallacies.

Now in Chapter 9: If we ask how the rules for Formal Dialectic are to be justified, the only answer can be that these rules are to be justified by reference to the practices of those engaged in the dialogue, and that refers us inevitably to the use made by the interlocutors: the broad pattern of use referred to above.

That leaves the use in Chapter 7 where it refers to a type of criterion for premise adequacy. For Hamblin, that criterion is "acceptance by the party the argument is aimed at" (242). When we understand that the context Hamblin has imagined is two people engaged in a dialogue, then what determines whether a statement is functioning properly is whether it is accepted by the other party, accepted by one's interlocutor. Thus it makes sense to see acceptance as a 'dialectical' (in the broad sense) criterion for the evaluation of argument.

My conclusion is that Hamblin is neither inconsistent nor equivocating in the way he makes of use 'dialectical' in these chapters. There is a coherent relationship among the different meanings.⁶

4.6 Wittgenstein's Influence on Hamblin

While Hamblin thought of himself as Wittgensteinian (there is both internal and external evidence for this), the two explicit references to the views of the later Wittgenstein in *Fallacies* that I have discussed provide some basis for thinking that he may have been overestimating that influence. For it in one case (p. 242, referring to what has come to be known as the “pain and private language argument”), he seems to me to have misread Wittgenstein. He writes:

In the limiting case in which one person constructs an argument for his own edification-- though we might follow Wittgenstein in finding something peculiar about this case--his own acceptance of premises and inference is all that can matter *to him*.

In the footnote, Hamblin refers to the “well-known private language argument in *Philosophical Investigations*, #258, which can be adapted here.” Since Hamblin wrote, the so-called “private language argument” has been much discussed. #258 is one of the passages involved in that argument, but the argument itself is generally thought to commence at #243 and continue on up to #321. [Kripke (1982) thinks it starts earlier, at #198.] The following points occur to me. First, #258 is not about argument at all. It is about whether or not a person can keep track of a supposedly private sensation, ‘S’. The drift of this thought experiment is to allow the reasoner to discover the enormous problems associated with this task. The inference that Wittgenstein himself draws is that there can be no criterion of correctness here. Second, I do not see anything in the #258, or in the so-called private-language argument, or in his general position that would rule out for Wittgenstein that a person might construct an argument for his own edification, in order to see where a certain line of thinking leads—which could take place in any number of language-games: speculating, for example.

In the other case (the passage on p. 285 connecting ‘dialectical’ with the Wittgensteinian idea of meaning as use), Hamblin has taken Wittgenstein in a direction he might not have followed. I think that when we look to the issues Hamblin is addressing and how he is addressing them and ask: “Is Hamblin operating here in a Wittgensteinian manner?” it is far from clear that he is. Indeed Hamblin here offers a positive doctrine or theory (Formal Dialectic), whereas Wittgenstein seems not to be engaged in any such effort and indeed is often seen as encouraging us to avoid such efforts in philosophy. However, the most important indicator is that Wittgenstein called his type of investigation “a grammatical one” (PI, #90), whereas Hamblin thinks of it as dialectical. There is a significant difference between Wittgenstein’s concept of *grammatical* and Hamblin’s conception of *dialectical*, but that is a subject for another occasion.

In no way are these comments meant to detract from Hamblin’s ideas, which have been so enormously important in the development of Informal Logic and Argumentation Theory. It is just to say that his own understanding of what Wittgenstein meant may not have been altogether warranted.

4.7 Conclusion

In this paper, I have attempted to set forth as clearly as I can Hamblin's conception of "dialectical" particularly as it occurs in Chapters 7, 8, and 9 of *Fallacies*. I think I have been able to provide an account of its meaning in those three chapters and a way of understanding them as flowing from a coherent conception of Dialectic which, I believe, lies at the very core of what he is up to in *Fallacies*. Hamblin thought that at least one of these uses (that in Chapter 9) was inspired by the sort of analysis practiced by Wittgenstein in the *Brown Book*, though I have expressed doubts about whether that is so.

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Notes

1. For my discussion of this chapter, see my (2000), pp. 182–189.
2. For my take on the complex story surrounding the term 'dialectical', see my OSSA 2009 paper: "Revisiting the Logical/Dialectical/Rhetorical Triumvirate."
3. See *Fundamentals of Argumentation Theory*, Chapter 9, pp. 246–274 for a history.
4. David Hitchcock has offered the following account of what Hamblin was up to: "The idea that all properties of linguistic entities are determinable from the broad pattern of their use (Hamblin, bottom of p. 285) is clearly Wittgensteinian, but with a dialectical/dialogical twist. It is not a matter of depth grammar, but of defining what it is to be a statement, to be a question, to have the same meaning at one occurrence as at another, and so forth, in terms of how words and strings of words are used in dialogues, in particular, what are the standard (expected, required) sequences of locutions in a conversation. It's a radical agenda, not yet fully appreciated. It is comparable in its reformism to the attempt of Sellars and Brandom to replace representational semantics with inferential semantics. Hamblin wants to replace both of them with dialogical semantics." [Private correspondence, used with permission.] Hitchcock suggests that the thesis above is the cornerstone of what he calls Hamblin's dialogical semantics. That seems to me a credible interpretation of the passage that would explain the programme to which Hamblin made reference, though clearly a departure from what Wittgenstein himself did.
5. On p. 92, Hamblin notes that 'dialectic' has come to mean 'logic'; it has dropped its old meaning and simply become the standard word for 'logic' 'It seems clear that he does not approve of this development.
6. If one were inclined to further press the case for Hamblin as a Wittgensteinian, one could say that the term 'dialectical' is probably a family-resemblance concept. See *PI* (# 67).
7. Hamblin seems to use 'convince' and 'persuade' interchangeably.

References

- Hamblin, C. L. (1970). *Fallacies*. London: Methuen.
- Hitchcock, D. (2009). (Private correspondence, used with author's permission.)
- Johnson, R. H. (2000). *Manifest rationality*. Mahwah: Lawrence Erlbaum Associates.
- Johnson, R. H. (2009). Revisiting the logical/dialectical/rhetorical triumvirate. In J. Ritola (Ed.), *OSSA8: Argument cultures. Proceedings of the OSSA conference* [CD-ROM]. Windsor: OSSA.
- Kripke, S. (1982). *Wittgenstein on rules and private language*. Cambridge: Harvard University Press.
- Mackenzie, J. M. (2009). (Private correspondence, used with author's permission.)
- van Eemeren, F. H., Grootendorst, R., Snoeck Henkemans, F., et al. (1996). *Fundamentals of argumentation theory: A handbook of backgrounds and contemporary developments*. Mahwah: Lawrence Erlbaum Associates.
- Wittgenstein, L. W. (1952). *Philosophical investigations* (G. E. M. Anscombe, Trans.). Oxford: Basil Blackwell.
- Wittgenstein, L. W. (1958). *Preliminary studies for the 'philosophical investigations'* [Generally known as *The blue & brown books*]. Oxford: Basil Blackwell.

Part II
Views on Dissensus and Deep
Disagreement

Chapter 5

Can Argumentation Always Deal with Dissensus?

James B. Freeman

5.1 A Case of Unreconciled Dissensus

Book V of Milton's *Paradise Lost* presents a striking dissensus between Satan and the Archangel Abdiel over the nature of the Deity. Each presents an argument for his view which – not unsurprisingly – the other rejects. Milton sets the scene – The Almighty before a convocation of all angels has decreed his Son their Lord and has mandated that “to him shall bow/All knees in Heav’n, and shall confess him Lord” (V, 607–608). This decree Satan cannot abide. He resolves to rebel, never bending the knee, nor, if he can persuade them, will any of the angels under his command. Milton ascribes to him words of great rhetorical power, not least to arouse in those gathered that sense of envious hurt which he himself feels. But his discourse contains an argument. After characterizing the Almighty’s decree as imposing a yoke, Satan proceeds

Will ye submit your necks, and choose to bend
The supple knee? ye will not, if I trust to
know ye right, or if ye know yourselves
Natives and Sons of Heav’n possest before
By none, and if not equal all, yet free,
Equally free;...
Who can in reason then or right assume
Monarchy over such as live by right...
In freedom equal?

(V, 787–792, 794–795, 797)

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Paraphrasing to bring out the underlying argument, Satan proposes

- (1) Prior to this decree, all Natives of Heaven (including the Almighty and his Son) have been equally free.
- (2) No one has a right to assume monarchy over one's equals in freedom. Hence
- (3) The Almighty has no right to proclaim this decree.

Abdiel concedes premise (2) but challenges premise (1), first explicitly rejecting the implicit conclusion (3):

... unjust thou say'st
 Flatly unjust, to bind with Laws the free
 And equal over equals to let Reign, ...
 God ...made
 Thee what thou art, and form'd the Pow'rs of Heav'n
 Such as he pleas'd, and circumscrib'd thir being
 ... But to grant it thee unjust,
 That equal over equals Monarch Reign:
 Thyself though great and glorious does thou count,
 Or all Angelic Nature join'd in one,
 Equal to him begotten Son, by whom
 As by his Word the mighty Father made
 All things, ev'n thee, and all the Spirits of Heav'n
 By him created in their bright degrees,
 Crown'd them with Glory ...

(V, 818–820, 822, 823–825, 831–839)

Abdiel's argument can be laid out quite straightforwardly:

- (1) The Almighty created you and indeed all the spirits of heaven, and endowed all with their glory. Therefore
- (2) Neither you nor all angels taken together are equal to the Almighty. Therefore
- (3) Justice gives you no right to enter with God in determining what are the laws or principles governing your relation. Therefore
- (4) The Decree of the Almighty is just.

Satan replies first by questioning Abdiel's first premise. What evidence is there for this creation, he asks. Who observed it? Do you remember your own making? Satan then continues

We know no time when we were not as now;
 Know none before us, self-begot, self-rais'd
 By our own quickening power...
 Our puissance is our own.

(V, 859–861, 864)

We are not creatures of or subordinate or inferior to the Almighty. Satan ends his discourse by ordering Abdiel quickly to report his sentiments to the King. The dialectic thus ends at this confrontation stage.

With passions running as high as Milton portrays them, one wonders whether the argument could be advanced to a further stage. However, even assuming dispassionate interlocutors, the literary critic and legal scholar Stanley Fish has argued

that it could never proceed to a rational resolution. Since his argument presents a challenge to the whole enterprise of argumentation, it deserves the attention of argumentation theorists.

5.2 Fish's Challenge to Argumentation

In arguing that rational resolution of their dispute is impossible, Fish focuses on Satan's asking Abdiel to show that we are created beings and construes the passage, already quoted,

We know no time when we were not as now;
Know none before us, self-begot, self-rai's'd

as an argument, our self-creation being inferred from our lack of knowledge of a time when we were other than as now. Fish asks us to contrast this argument with that of the newly created Adam, aware for the first time both of his surrounding world and its beauty and of his body with its powers:

But who I was, or where, or from what cause
Knew not, ...
... how came I thus, how here?
Not of myself; by some great Maker then,
In goodness and in power preëminent;

(VIII, 270–271, 277–279)

Fish sees Adam arguing from the premise that he does not know how he came into being to the conclusion that he owes his being to a Maker first in goodness and power. In the context of his argument that all the angels are creatures of the Almighty, Abdiel has made a remark whose relevance he might have highlighted should Satan have permitted him to give evidence of that claim:

Yet by experience taught we know how good,
And of our good, and of our dignity
How provident he is, ...

(V, 826–828)

Adam and Abdiel's reasoning share this epistemological point: Our inferences may pass beyond the realm of experience in finding an explanation of the experienced realm or seeing some significance, e.g. the Deity's benevolent nature, which it points to. By contrast, Satan rejects both inferences *a priori*.

Fish sees both arguments as incompletely stated, both lacking a first premise. Given recent work on enthymemes,¹ I believe it better to say that both arguments instance substantial, as opposed to formal, inference rules or warrants.

Satan's warrant:

Given that x is consciously aware of no time when x was other than
as now nor of any predecessor or progenitor of x
 x may take it that x is self-created

Adam's warrant:

Given that	x knows not how x got to this place of preëminent beauty possessed of a body of preëminent vitality
x may take it that	x is the work of a Maker unsurpassed in goodness and power.

Fish now makes a crucial point for his argument that this exchange between Satan and Abdiel cannot go beyond the confrontation stage:

Since the first premise is what is missing, it cannot be derived from anything in the visible scene; it is what must be imported—on no evidentiary basis whatsoever—so that the visible scene, the things of this world, can *acquire* the meaning and significance they will now have. (Fish 1996, p. 19, italics in original)

It is a commonplace that corresponding to an argument is a conditional statement, the conjunction of the premises being the antecedent, the conclusion the consequent. As Hitchcock (1985) has shown, arguments which some analyze as first-order enthymemes assume more than this associated conditional, namely some universal generalization of that conditional. As we have argued (2011), this universal generalization must be nomic, supporting subjunctive conditionals, and not merely accidental. It is never a description, an extensional statement whose truth conditions concern just the actual world. In many instances, it is an interpretation,² an intensional statement whose truth-conditions involve considering other possible worlds.³ Hence, if to be derived from the visible scene means simply to describe some aspect of one's surroundings of which one is aware just through sense perception, we agree with Fish that the first premise cannot be derived in this way. We also agree that in the light of interpretive generalizations, certain descriptive features acquire meaning (or their meaning becomes disclosed). This point may be appreciated better in connection with warrants. Consider again Adam's warrant. Although the premise involves an aesthetic evaluation rather than a mere description, in light of this warrant Adam does not see himself in a randomly beautiful world but in one whose beauty is attributable to conscious agency. But if one has an explanation for some event or condition, that event or condition has meaning, at least in some sense or to some degree. Likewise, Satan's warrant is interpretive. It associates a meaning, being self-created, with the non-awareness of one's origination or of any originating progenitor.

Fish elaborates his position that first premises—alternatively warrants—cannot be based on evidence by saying

In the absence of a fixed commitment—of a first premise that cannot be the object of thought because it is the enabling condition of thought—cognitive activity cannot get started. One's consciousness must be grounded in an originary act of faith—a stipulation of basic value—from which determinations of right and wrong, relevant and irrelevant, real and unreal, will then follow. (Fish 1996, pp. 19–20)

Following Fish, let us refer to this as the Miltonian position. Hence we understand the position asserting that by virtue of our warrants, we recognize what is relevant to what, that something's possessing a certain property is evidence that it possesses

some further property, but that these warrants as principles of evidence are not themselves capable of support or defense through evidence and thus not defensible through argument. They are and must be accepted on faith, the faith constituting at least part of one's world view. One might say that warrants used in particular arguments derive in some sense from some fundamental warrant or warrants. But those basic warrants are not based on any evidence, their acceptance being an act of faith.

Continuing within the framework of the Toulmin model, we see another point at the core of the Miltonian position. Recall that non-demonstrative warrants are open to rebuttal. We have already seen that it is part of Satan's epistemological stance to recognize as real only what is disclosed by descriptive belief-generating mechanisms analogous to perception, memory, introspection. Hence, any warrant permitting us to infer something non-observable from what is observable must be rejected. The principle identifying "experience" with being is a blanket rebuttal of all such warrants. Again, such a rebuttal cannot be defended with evidence, but derives from the basic act of faith which stipulates what is real and unreal. Warrants, then, as constituting principles of evidence, and rebuttals, as ruling out certain inferential moves, are ultimately articles of faith, not subject to critical scrutiny or support through argumentation.

Fish sees in this picture of the structure of cognitive activity a challenge to the liberal ideal of open mindedness to all positions, including those incompatible with one's cherished opinions, an open mindedness including a willingness to revise one's viewpoints in light of argumentation. As such, the picture challenges much of the argumentation community's understanding of the practice of argument and its ideal conditions. For example, consider the pragma-dialectical code of conduct for rational discussants. Van Eemeren and Grootendorst require that "the discussants must be able to advance every point of view and must be able to cast doubt on every point of view" (1984, p. 154). If asked, a party advancing a standpoint must defend it with cogent argument. If the defense fails, the proponent must retract the standpoint. If it succeeds, the challenger must retract her doubt. (Compare Rules 2 and 9 in (1992, pp. 208–209).) Clearly, on Fish's picture if one tried to argue for a claim expressing the propositional content of a warrant one accepts, one would at best be arguing in a circle. Since the warrant determines what is deemed relevant or irrelevant, the very warrants one's argument would instantiate would ultimately be acts of faith. Any proponent who realizes this realizes that he cannot argue cogently for that claim.⁴

Even if the proponent failed to realize the futility of his attempted argument, it is hard to see how the discussion could ever proceed to the argumentation stage. This stage presupposes agreement on the rules of discussion. But if proponent and challenger have different, indeed incompatible originating acts of faith concerning their warrants, their very inference rules and rebuttals, grounded in such originating acts of faith, will differ and essentially differ. Remember these originating acts of faith are not subject to rational appraisal. Even if the parties attempted to bypass agreement on rules and to proceed to argumentation, I do not see how the proponent could realize that his argument failed, if it did, or the challenger realize that the proponent's argument was successful, if it was. If the proponent's argument depends

on an inference rule the challenger does not accept or the proponent would not recognize the force of a rebuttal from the challenger, the discussion could never reach the concluding stage. A critical discussion in the pragma-dialectical sense is impossible on the Miltonian position.

Again, the Miltonian view seems to wreck havoc with Johnson's theory of argument as manifest rationality, where "rationality is the ability to engage in the practice of giving and receiving reasons" (2000, p. 14). If cognitive activity begins in an originating act of faith, which determines what is deemed relevant or irrelevant, there can be no giving or receiving of reasons between persons not sharing the originating act (at least to the extent that their originating acts do not overlap). A proponent cannot offer reasons to a challenger not sharing the originating act of faith and she receive them, because she cannot see them *as* reasons for the claim the proponent is trying to defend.

This position also spells disaster for Siegel's considerations for a theory of rationality in (1988). Siegel specifically raises the question of justifying rationality, where rationality "is to be understood as being 'coextensive with the relevance of reasons'" (1988, p. 33, quoting I. Scheffler, *Conditions of Knowledge*, p. 107). Implicit in Siegel's discussion is the understanding that reasons are reasons *simpliciter*. That *A* is a reason for *B* is an objective fact about how *A* and *B* are related. True, someone may fail to recognize that *A* is a reason for *B* or fail to be moved by that reason. We might say that *A* does not count as a reason for *B* from that person's perspective. But if *A* *is* a reason for *B*, it makes no sense to relativize that to any person, or to ask for whom it *is* a reason. The Miltonian position holds all reasons as relative to a person's originating commitments, which are made without any reason whatsoever. "Why should one be moved by reasons?" Unless one's originating commitment constituted a given claim *A* as a reason for the claim that one should be moved by reasons, the question is meaningless. If the originating commitment did in fact constitute *A* as a reason for the claim, the question whether *A* is a good reason for that claim would seem ultimately unanswerable. It goes back to why one should accept the originating commitment, for which there is no answer. It is hard to see then how reasons could have an objective force to be recognized and reckoned with.

For the Miltonian, the belief expressing the faith of the originating act constitutes what is understood as reasonable by the person making that act of faith. Any viewpoint challenging that originating belief will be dismissed as unreasonable. "A reasonable mind is a mind that refuses to be open" (Fish, 1996, p. 20). Fish sees this Miltonian stance as typifying religious commitment, the shared faith of a religious community. Indeed, we might see it as typifying ideological commitments in general, and more generally as typifying world-view commitments. For the adherents of a religious tradition or an ideology with a core creed, challenges to the tenets of that creed might seem impossible. Again, a challenge to any facet of one's world-view would seem absurd.

Is there any way to adjudicate this impasse between the liberal stance presupposed by argumentation theory's very understanding of argument as dialectical and the Miltonian stance of commitment? One might ask first to what extent are differences

of opinion the result of differences over principles of evidence? Perhaps not all differences of opinion involve such differences, and this leaves a door open for the liberal view of argument.

One way for the advocates of argument to deal with this dissensus over world-view commitments would be to rule out argument over those commitments or over opinions essentially deriving from them, and to rule out appealing to any principles of evidence essentially dependent on them in any dialectical exchange, at least in any dialectical exchange between persons differing in world views. Not only does this accord with a liberal stance, Fish argues that it itself actually expresses a core ideological commitment of liberalism:

Liberalism rests on the substantive judgment that the public sphere must be insulated from viewpoints that owe their allegiance not to its procedures—to the unfettered operation of the market-place of ideas—but to the truths they work to establish. (Fish 1996, p. 22)

Liberalism presupposes that at least some issues of fact and principles of evidence can be disentangled from issues of ideology. That “a stage of perception...exists *before* interest kicks in” is a “prime tenet of liberal thought” (Fish 1996, p. 25). For liberalism, we might say, a viewpoint not justifiable through principles independent of ideological commitments cannot be taken seriously. It is as unreasonable from the liberal point of view as the viewpoints challenging that view are unreasonable for those committed to the challenged viewpoint.

If this characterization of liberalism is correct and the argumentation community is committed to the liberal stance, then it would seem that the argumentation community is intolerant of ideological commitment, including religious commitment. Such commitments are beyond the pale of argumentation and attempts to resolve them through argument futile. Such a viewpoint may well have negative social consequences for the argumentation community. It suggests that most of the commitments by which persons see meaning and value fail to be rationally grounded, with all the negative emotive force of that characterization. Those with world-view commitments who might take umbrage over this characterization have a riposte. Liberalism’s commitment to principles of evidence regarded as independent of world-view commitments and rejection of ideologically dependent principles is simply part of *its* ideological commitment! Liberalism is an ideology on all fours with other ideologies, but involving this distinct paradox: Liberalism’s core principles concerning evidence are originating ideological commitments not subject to justification through evidence and therefore contradictory to those very principles themselves! How may we come to the rescue of argumentation?

5.3 Is Argumentation Caught in a Dilemma?

Let us say first that Fish’s epistemological view contains a very important insight, one which I believe he shares with Peirce. (See “What is a Leading Principle” in (1955), pp. 129–134.) Peirce analyzes belief as a habit which develops under the stimulation of various experiences which in effect are irritations, and the pathways

we find most successful in dealing with these irritations. One type of belief-habit conveys us from one judgment, the premise, to another judgment, the conclusion, i.e. the belief-habit allows us to *infer* the conclusion from the premise. Clearly, since the experiences of different individuals will be different, we may expect them to develop different belief-habits, including different inferential belief-habits. These differences will affect intuitions of what counts as a reason for what, intuitions of relevance. Hence we find Fish on solid ground when he allows that different persons will recognize evidence differently. To be able to infer a conclusion from a premise is to recognize that the premise or what it expresses has a certain *meaning*. Different persons then will recognize meaning differently and interpret situations differently. But we cannot agree that the first premise of any argument is imported or must be imported “*on no evidentiary basis whatsoever.*” Taking the assumption as a warrant rather than a premise, Fish in effect is claiming that no warrants can be backed, in Toulmin’s sense, more generally that they and their associated nomic universal generalizations are immune to logical or epistemological evaluation. Is this true? Are they simply matters of faith?

By including backing for warrants in the layout of arguments, Toulmin is allowing that warrants are subject to evidentiary support. As is well known, given his notion of argument fields, Toulmin allows distinctly different types of such evidentiary support.⁵ But this does not gainsay the fact that warrants can be supported with evidence. Indeed the very considerations showing that Peirce and Fish would agree that different persons reason according to different warrants also shows that they would disagree on warrants not having evidentiary support. The experiences which led to the formation of a belief-habit constitute evidentiary backing for it. Furthermore, as Toulmin has taught us, not only can warrants be backed, they can be rebutted. But this is to bring negative evidentiary considerations to bear on evaluating the reliability of the warrant. Further yet, a challenger may raise the question of whether a rebuttal holds and a proponent may show that it does not, thus giving a further type of evidentiary support to the warrant.

Pace Fish, we can subject both Satan’s and Adam’s warrants to rational scrutiny. Consider the premise of Satan’s warrant:

x is consciously aware of no time when *x* was other than as now nor of any predecessor or progenitor of *x*.

Substituting for ‘*x*’ a referring expression denoting some being with a capacity for memory, the intended domain of this warrant, produces a logically consistent statement. There is nothing self-contradictory in saying

John is consciously aware of no time when John was other than as now nor of any predecessor or progenitor of John.

But consider the conclusion—John created John. Is the notion of a self-created being logically consistent? Although this, like all substantive philosophical positions, is open to debate, common sense might vote that self-creation is not coherent. But surely a warrant allowing one to pass from a consistent statement to one metaphysically incoherent is totally unreliable, if not invalid. That no being can create itself constitutes a serious rebuttal to Satan’s warrant. By contrast, Adam’s

warrant passes from a description/evaluation to an explanation. But one can certainly argue for an explanation by arguing that it is superior to its alternatives, which constitute possible or potential rebuttals. Such an argument, better the evidence included in the premises of the argument, constitute evidence for the warrant. Although Adam may reason according to his warrant without reflection, this *in itself* does not show that his warrant can only be accepted on faith.

Fish may now object that the critique betrays a superficial understanding of his position. Satan's warrant derives from his "faith" that the limits of his experience determine the limits of reality. This faith is essential to Satan. "The habit of identifying the limits of reality with the limits of his own horizons defines Satan—it makes him what he is" (1996, 19). Since you do not share Satan's essential commitment, you may judge that Satan's warrant may be rebutted. But you yourself have essential commitments, or at least commitments to one or more overarching basic or first principles, not open to *your* consideration because they determine the very structure of your rationality, including your capacity to critique other viewpoints. Fish endorses this position in a striking epistemological statement:

Evidence is never independent in the sense of being immediately perspicuous; evidence comes into view (or doesn't) in the light of some first premise or "essential axiom" that cannot itself be put to the test because the protocols of testing are established by its pre-assumed authority. (1996, 23)

Is *this* true? Suppose one's experience leads to forming an inferential belief-habit expressible as a warrant. Suppose one meets another whose stock of inference habits does not include this warrant. If one presents the evidence or paradigm instances of the evidence which led to the forming of one's belief habit, why cannot the other appreciate that they constitute positive evidence for that warrant, and indeed may even constitute sufficient evidence for acceptance? How is some essential axiom necessary to recognize this evidence *as* evidence? Again, on what essential axiom does one's recognition of the incoherence of a self-created being rely? The newly created Adam could have entertained an additional hypothesis in considering how he came to be in the environment in which he found himself with his body having the powers he is aware of. It all just popped into existence by chance. Does Adam need an originating faith to see which hypothesis he is aware of has higher probability? What essential axiom is necessary for him to see that given two rival hypotheses, the one with the greater likelihood is the one better supported by the evidence—the prime principle of confirmation? Again could not Satan and Abdiel agree on at least some statement if asked, agree on the evidence which might support it and that this evidence does support it? Since the Deity has called a convocation of *all* angels, they were both present when he appointed his Son their Head. Could they not agree that their experience constitutes evidence, indeed all the evidence they need, that the Almighty had made this proclamation? Suppose one angel had lost his way and arrived at the convocation late. Could not both Satan and Abdiel relate what the Almighty had done and would not both regard their testimony as providing evidence that the Almighty had published this decree? Should the angel remain doubtful, could they not urge him to consult other angels in the confidence that their convergent testimony would constitute evidence sufficient

to convince rationally? Is not the evidential value of this first hand experience and testimony transparent? How does it derive from some originating commitment?

Let us return to the confrontation between Satan and Abdiel. Satan believes he is the equal of the Almighty, at least in freedom. Abdiel believes he is a creature of the Almighty, and thus not equal. These “articles of faith” have a bearing on why Satan accepts the warrant

Given that x has declared the son of x Lord over all Y’s
 One may take it that x has made a power grab with respect to the Y’s

while Abdiel does not. Satan and Abdiel thus differ radically on the meaning of the event and thus on whether their experience constitutes evidence for their contrary interpretations. Now there is a profound epistemic difference between saying that the Deity made a certain proclamation and saying that by making this proclamation the Deity made a power grab. The first is a simple description of a publically observable event. The second is a claim about the intentions of the Deity, not open to public inspection. That Satan’s and Abdiel’s different views on the intentions of the Deity are due to fundamental differences in their originating commitments over their creaturely status constitutes a plausible explanation for their dissensus. By virtue of their different originating commitments, they interpret experienced features of reality differently. Could one amend the Miltonian claim to allow that accepting principles of evidence for descriptions of observable events may be independent of any originating commitment, together with recognizing when broadly logical concepts hold and making judgments or estimations of probability, but that accepting principles of evidence involving interpretive principles, including evidence for those principles themselves, is consequent upon an originating commitment?

Such an amendment constitutes a significant concession for the Miltonian to liberalism. Some principles of evidence may be disentangled from ideology. But if our examples of experiential backing for warrants, considerations of the incoherence of self-causation, or best explanations for evidence are cogent, we do have some sources of objective evidence and objective critique of principles of evidence. Hence, although we can agree with Fish that many rules of evidence one person acknowledges may differ from the rules of evidence acknowledged by someone else, and we can also agree that a person’s commitments, especially in connection with value, ideology, and world view, issue in a set of inference habits specifically reflecting those commitments, we do not agree that these need to constitute the entire set of evidence principles and inference habits a person employs.

However, excluding argumentation from a significant role in the areas of meaning and value may make its role and the liberalism it expresses seem quite thin. Do most arguments in the public sphere confine themselves just to descriptions and the generalizations they support, assertions about broadly logical relations, or estimations of probability and their epistemic consequences? Do not significant arguments in the public sphere concern meaning and value? The Miltonian can urge: True, you have shown that there are principles of evidence independent of originating commitments. But by contrast with the big existential questions, are not the issues of these arguments superficial? Contrast such concerns with the commitments of

Satan and Abdiel. For Satan, the world, as disclosed to us by our experience, is all there is, and this experience, in itself, discloses no being on whom the world is metaphysically dependent. This core commitment determines his refusal to acknowledge any creaturely dependence. Hence any worship of another is “prostration vile” (V, 782). By contrast, at the core of Abdiel’s world view is acknowledgment of creaturely dependence on the Almighty and trust in his providence. Are not these contrasting world views each the product of radially different originating commitments? But if you concede that argumentation cannot deal with dissensus over such world-view issues, you have made a great concession to my Miltonian position.

But why are Satan’s and Abdiel’s contrasting metaphysical beliefs immune to scrutiny on the basis of commonly recognized epistemic principles of evidence? Do ideological or metaphysical commitments and what they entail always lie outside what can be subject to critical discussion? Can argumentation play no role in adjudicating such disagreements? We turn to that issue in the next section.

5.4 Can Argumentation Not Deal with Certain Cases of Dissensus?

Fish has claimed that these metaphysical commitments constitute “an originary act of faith” from which judgments of meaning and value follow. The propositional content of such an act of faith is some ultimate premise or “essential axiom.” The warrants we apply in the “lower level” arguments we have been considering or the associated universal generalizations of these warrants are consequences of these essential axioms. It is by virtue of subscribing to some essential axiom that we recognize some statement as evidence for some other. In addition to the examples of evidentiary relations we have been considering – particular instances supporting and thus backing generalizations, recognition of broadly logical entailment and related concepts such as coherence or incoherence, recognition of relations of conditional probability – we may add recognition that certain descriptive properties such as having made a promise are relevant to certain evaluative properties, here being morally bound to fulfill it.

As we have seen, our previous considerations here cast real doubt on Fish’s claim that recognizing relevance, i.e. recognizing what constitutes evidence for what, is dependent on originating commitments, when dealing with evidence for descriptive, as opposed to interpretive or evaluative claims. We can raise the same issue for Fish over lower level arguments of value. How are originating commitments involved in seeing that my making a promise is a reason why I am bound to keep it, at least a *prima facie* reason from which my obligation follows *ceteris paribus*? If someone disagreed about the obligation or just failed to see it, one might invite the person to carry out a thought experiment, imaginatively entering into a situation with the same deontically relevant properties, where that person would admit that the obligation was binding. But where does some essential axiom enter into this argument? The burden of proof, we may urge, is on Fish to show in all these

lower-level cases how the recognition of evidential relevance derives from some essential axiom and would be impossible without the recognition of such an axiom. In light of the fact that expecting agreement over relevance in many lower-level cases seems straightforward, Fish has a heavy burden of proof. We shall see the import of this point shortly.

One strategy Fish might use to discharge this burden of proof would be to argue that we are being provincial. We are simply assuming that our recognitions of evidentiary relevance are universal. The fact that we can confidently expect agreement on judgments of relevance only shows that we have confined our circle of acquaintance to those sharing our originating act of faith or some basic principle overlapping with it significantly. That explains our intuitions of relevance and expected consensus. But imagine someone who holds that our making a promise is not much of a reason for saying we are obligated to keep it. Indeed, suppose the person held that our perceiving where making a promise with no intention to keep it would advance our self-interest in a given situation, we have reason to do just that. Now we are faced with someone with a different essential axiom from which it does *not* follow that making a promise is relevant to keeping it, or that self-interest always trumps moral regard for others. How would you argue with that person?

This question gains significant poignancy in light of our diverse world. People do disagree on fundamental commitments – for or against democracy as the proper form of government, for or against seeing the human individual as having a value superior to the human collective, for or against seeing facts in the world having a transcendental import. Can argumentation deal with dissensus over such commitments, which we may call world-view commitments? It is here that our considerations on recognizing evidentiary relations independently of world-view commitments come to the fore. We may see world view commitments providing an overall, overarching, or comprehensive explanation, investing events in the world with meaning, or setting limits on the scope of any explanation. We have already seen how Satan’s view of reality as co-extensive with experience and of himself and his angels as self-made led to radically different value commitments from Abdiel’s view of his creaturely status. Given conscious recognition of a world-view, then, one is confronted with two sources for one’s judgments of evidentiary relevance – one’s individual recognition of relevance apart from any world-view commitment and judgments deriving from that commitment. Where such judgments agree, they are mutually reinforcing. Where they do not, adjustment either on the part of the world-view commitment or on the part of certain individual judgments or both is required to maintain consistency. The goal is to reach what Rawls (1971) calls reflective equilibrium. The point is that when in reflective equilibrium, there is a mutually reinforcing evidentiary relation between the world-view commitment and the individual judgments of relevance. “From below,” the individual judgments support the “essential axiom” of the world-view commitment. “From above,” that the individual judgments may derive from such an axiom supports such judgments. World-view commitments may then be supported by evidence and it seems we may recognize these support relations independently of the commitment.

We may now address the question of what should be the function of argumentation when dealing with world-view dissensus. Clearly, although complete reflective equilibrium may be an ideal, we expect that in actual cases equilibrium will be a matter of more or less. The more equilibrium, the greater the evidential support, the less the lower. Clearly also, *ceteris paribus*, reflective equilibrium is a sign of the reasonableness of both the fundamental commitment and the individual judgments, and a system in which there is greater reflective equilibrium is one with greater reasonableness. When persons or cultures with divergent world-views meet, they may be able then, to recognize the reasonableness of each other's world view commitments through recognizing degree of reflective equilibrium. An argument which *prima facie* showed why one's world view commitments functioned as basic principles for one's judgments of meaning and value would be a case for the *prima facie* reasonableness of both the world view commitments and the judgments of meaning and value. Surely such an argument could be appreciated as *prima facie* reasonable by someone not sharing those commitments, and indeed such an appreciation would be an act of respect and deepening respect for those who do hold these commitments. But here is an obvious role for argumentation.

The role of argumentation goes further. Those holding one world view might come to recognize that the basic commitment, essential axiom of those in some other culture may possibly be in better reflective equilibrium or hold promise of better reflective equilibrium with their own individual judgments than their own basic axiom. Greater reflective equilibrium would be possible by either accepting the other culture's basic axiom or by modifying their own essential axiom to approximate that of the other culture. But this is tantamount to arguing for an essential axiom. That individual judgments are better accommodated constitutes evidence for the basic commitment.

Furthermore, this new essential axiom may account for individual judgments which the old did not. Consider a materialist and a theist with their contrasting world views. Could not both agree that human beings have human rights? Could not both substantially agree on what are those rights? But is it not conceivable that given one's world view, one might construct a *prima facie* more reasonable or otherwise better explanation of why humans have rights and justification for respecting those rights than one might be able to construct given a contrasting world view? Might this not move an adherent of the other world view, at least in some way, to reconsider her world view commitments? That is, has the dialogue not taken a step toward the resolution of the disagreement through argument? Again, we are speaking quite generally here, surely could not a *prima facie* acceptable explanation of human equality in one culture on the basis of its world view commitments influence the ongoing argumentation in another culture whose world view commitments may not provide an equally *prima facie* adequate explanation of human equality? Could not such ongoing argumentation lead to an increased convergence of points of view between the two cultures? At the least, entering such a dialogue may lead to a deeper understanding of one's world view and a more mature commitment to it.

Surely, it is plausible that dialogues involving cross-cultural argumentation might lead to such an outcome. But such dialogues have a necessary condition – the participants must be genuinely open to valuing reasonableness. But need this always be the case? Our considerations here have not shown any reason to refuse to invite those with divergent world view commitments or indeed with any difference in viewpoint over significant, existential issues into a critical discussion. The question, of course, is whether they will accept the invitation. Satan certainly would not. If one's world view denies that there can be evidence of a certain type, or that certain values are not genuinely positive but rather perverse, or claims that certain explanations which in open court might be judged best explanations are not viable at all, there may simply be nothing to say to that person in a critical discussion aimed at showing the reasonableness of one's world view. Argumentation is limited by the willingness to enter into such dialectical exchanges. But for those who do accept the invitation, critical discussion offers a way of at least appreciating the reasonableness of others' world views, and quite possibly of deeper understanding and refinement of one's own. Issues of fundamental commitments, essential axioms, world-views are not then beyond the realm of argumentation. These claims are subject to support through argumentation where the recognitions of evidentiary relevance are independent of originating acts of faith. We see Fish's skepticism of argumentation not justified on any level.

What then is the place of argumentation (and thus the importance of argumentation theory) for the present time with its deep cultural differences, which militants may seek to exploit, even violently. Such militants may be closed to entering a critical discussion. But this is not because their world view commitments and those whom they oppose are based on originating commitments which for all parties are arbitrary and immune to rational evaluation. Their refusal in no way shows that the invitation to inquiry was conceptually incoherent or critical discussion an impossibility. By contrast, if critical discussion is a genuine possibility, then there is at least one place in this pluralistic but currently increasingly polarized world where divergent cultures may meet to critically examine their differences in peace, where argumentation provides the framework for such meetings.

Notes

1. For our analysis of enthymemes and references to related literature, see our (Freeman 2011), Chapter 7.
2. For our definition of interpretation as a type of statement and our distinction of the basic types of statements, see our (2005a, Chapter 5.2, especially p. 105).
3. The types of associated conditionals assumed parallels the types of warrants an argument may involve. For a discussion of these types, see our (2005b).
4. He realizes this unless, of course, his originating act sanctions circular inference.
5. Some argumentation theorists have found Toulmin's notion of field problematic. In (2005b), we argue for replacing this notion with an epistemic classification of warrants. The points are still the same. Warrants can be backed, albeit in different ways, and different persons may develop different bodies of warrants.

References

- Eemeren, F. H. van & Grootendorst, R. (1984). *Speech acts in argumentative discussions*. Dordrecht/Cinnaminson: Foris Publications.
- Eemeren, F. H. van & Grootendorst, R. (1992). *Argumentation, communication, and fallacies: A pragma-dialectical perspective*. Hillsdale: Lawrence Erlbaum Associates.
- Fish, S. (1996). Why we can't all just get along. *First Things*, 60, 18–26.
- Freeman, J. B. (2005a). *Acceptable premises: An epistemic approach to an informal logic problem*. Cambridge: Cambridge University Press.
- Freeman, J. B. (2005b). Systematizing Toulmin's warrants. *Argumentation*, 19, 331–346.
- Freeman, J. B. (2011). *Argument structure: Representation and theory*. Dordrecht: Springer.
- Hitchcock, D. (1985). Enthymematic arguments. *Informal Logic*, 7, 83–97.
- Johnson, R. H. (2000). *Manifest rationality: A pragmatic theory of argument*. Mahwah: Lawrence Erlbaum Associates.
- Milton, J. (1962). *Paradise lost: A poem in twelve books*. In M. Y. Hughes (Ed.), New York: The Odyssey Press.
- Peirce, C. S. (1955). *What is a leading principle?* In J. Buchler (Ed.), *Philosophical writings of Peirce*. New York: Dover Publications.
- Rawls, J. (1971). *A theory of justice*. Cambridge, MA: Harvard University Press.
- Siegel, H. (1988). *Educating reason: Rationality, critical thinking, and education*. New York/London: Routledge.

Chapter 6

The Appeal for Transcendence: A Possible Response to Cases of Deep Disagreement

David Zarefsky

6.1 The Emphasis on Agreement

It is almost a truism in argumentation studies that productive disagreement must be grounded in agreement. Shared understandings of the goal, shared commitment to particular procedures, and shared adherence to basic truth-claims are thought to be necessary in order for arguers to engage each other rather than to talk past each other. Among the many writers who offer some version of this postulate are Perelman and Olbrechts-Tyteca (1969: 65), who say, “The unfolding as well as the starting point of the argumentation presuppose indeed the agreement of the audience. ... from start to finish, analysis of argumentation is concerned with what is supposed to be accepted by the audience.” In a similar vein, Ehninger (1958: 28) wrote, “Debate is not a species of conflict but of co-operation. Debaters ... co-operate in the process of submitting a proposition to rigorous tests. ... They believe ... not so firmly that they are unwilling to put their convictions to a severe test and to abide by the decision of another concerning them.” These underlying beliefs about purpose and mode of procedure are agreed to by all disputants. Brockriede (1975: 182), identifying indicators of argumentation, includes among them “a frame of reference shared optimally.” Argument is pointless, he suggests, if two people share too much in their underlying presuppositions, but it is impossible if they share too little. And MacIntyre (1984: 8) notes the impossibility of reasoning with one another when there are no shared standards to undergird rational talk. These are only four representative examples.

It is not hard to see why there would be so much agreement on the need for agreement. First, as Aristotle acknowledged, we do not argue about matters that are certain. But claims that are not self-evident must be evaluated by reference to some standards to determine whether they are strong or weak, better or worse.

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Second, though, neither the foundationalism of traditional philosophy nor the universal standards of formal logic and mathematics encompasses ordinary argumentation. So consensus of the arguers about standards becomes the substitute for formal validity.

6.2 Deep Disagreement

But what happens when this underlying stratum of agreement is, or is thought to be, lacking? Then any claim advanced by one arguer can be challenged by the other, in a potentially infinite regress, because there is no point at which the interlocutor, by virtue of his or her own prior commitments, is obligated to accept any standpoint. This state of affairs was first characterized by Robert J. Fogelin (1985) as *deep disagreement*. Each arguer's claims are based on assumptions that the other arguer rejects. Deep disagreement is the limiting condition at which argumentation becomes impossible. Most discussions of deep disagreement assume that it is a relatively rare occurrence that hardly denies the utility of argumentation for enabling ordinary arguers to resolve their disagreements peacefully. And because many discussions of argumentation presume a dialogue framework, deep disagreement is often dismissed as if it had no serious consequences beyond the immediate dialogue participants.

Both of these assumptions are dubious: the first because of the growth of fundamentalism and the second because deep disagreement has been found politically useful. The past generation has seen the increased appeal of fundamentalism within many of the world's major religious traditions – ultra-Orthodox Judaism, evangelical Christianity, and radical Islam. Fundamentalism rejects the modernist assumption of human fallibility and the resulting tolerance of diverse viewpoints. Fundamentalists believe that it is possible to know God's will for sure. God has made it clear, and the Divine Word can be read and understood by anyone willing to try. Deviation from God's word in order to demonstrate tolerance to misguided others is not only unnecessary but perverse, implicating the righteous in the sins of the godless.

Because of the conflict between fundamentalism and modernism (or, even more so, postmodernism), many disagreements are understood by one side in moral and religious terms and by the other in pragmatic and secular terms. This is true not only with respect to matters of personal identity and rights, such as abortion, feminism, and gay rights, but increasingly to issues ranging from taxation and fiscal policy, to protection of the environment, to theories of criminal justice and penology. Even when shorn of an obviously religious dimension, public discussions of health care, economic stimulus, and financial regulation seem with increasing frequency to devolve very quickly to bedrock assumptions about the rights of the individual and the role of the state, assumptions on which agreement seems impossible. So advocates on either side of these issues talk increasingly to the like-minded, and the belief that argumentation can be used productively to resolve differences is hollowed out and withers. The difficulty may be more pronounced in the U.S. because of the greater influence of fundamentalism there. Yet from what I read about the immigration

issue, the economic integration of the EU, and the question of whether religion has a public role, it seems that Europe is moving in the same direction.

The second assumption also is questionable. If deep disagreement is politically useful, it may affect all who are interested in the policy that is at issue. This has happened in the United States particularly over the past 20 years. The minority party often has seen more advantage in simply opposing the administration in power than in working cooperatively to solve problems. They have behaved as if the two parties were in a state of deep disagreement, and this produces an impasse in public deliberation. Issues will be unsolved or will be settled by numbers, money, or force, rather than by reasoned discourse.

If anything, this tendency has become more pronounced since the election of Barack Obama. Republicans in the Senate and House of Representatives have voted almost unanimously against most of the president's initiatives, delaying or obstructing their passage and making it necessary for Obama to make old-fashioned political deals to hold the Democrats together. This may not be a true case of deep disagreement, although it is argued as if it were. When Obama has incorporated into his legislation initiatives that Republicans previously had supported, they have changed stance and voted against them. They have portrayed Obama's center-left positions as "socialism" and have seen the contest as one between extending the reach of government and protecting the liberty of the people – ostensibly a sharp clash between incompatible world-views. The Obama administration has not been the unique object of such partisan division, although it does seem to be more extensive and systematic than under either George W. Bush or Bill Clinton.

If deep disagreement is prevalent and consequential, then argumentation studies should pay more attention to it. A decade ago, Nola Heidlebaugh (2001: xi) explored these concerns in depth. As she posed the question, "Without consensus on standards of reason, how can we have good public argument? And without the eloquence and enriched conversation of good public argument, how can we reason together in order to reach consensus on the issues before us?" These questions give argumentation scholars an interest in exploring means to surmount deep disagreement and get deliberation back on a productive track.

6.3 Incommensurability: End or Beginning of Analysis?

Heidlebaugh observes that in a case of deep disagreement, the competing positions are incommensurable. They cannot be compared because they do not rely on the same rule-based way of making and legitimizing judgments. But if incommensurability makes further discussion impossible for the logician, she says, for the rhetorician the fun is just beginning. One or more of the arguers must find a way to transcend the deadlock and pursue the argument on another basis. As Heidlebaugh (2001: 74) describes it, "the rhetor has to find something to say that will aid in solving a particular problem perceived by the rhetor." Incommensurability is not something to be "cured" but a situation calling for practical wisdom. The arguer's task is to discover "a particular

vantage point from which new similarities and differences emerge,” because doing so “places value on discovering new things to say” (Heidlebaugh, 2001: 128). Although Heidelbaugh combs the tradition of classical rhetoric and claims that commonplaces, topics, and *stasis* offer resources for the task of invention, she does not identify particular strategies of transcendence. I would like to do that now, by way of speculation based in experience and in the analysis of case studies.

6.4 Possibilities for Overcoming Deep Disagreement

I group these possible strategies in pairs under the headings of inconsistency, packaging, time, and changing the ground. Each of these moves reflects the assumption that advancing one’s own claim in an ordinary manner will be unproductive in breaking the impasse because it is not commensurable with the other’s standpoint. One must think in different ways about the clash between standpoints.

6.4.1 *Inconsistency: Hypocrisy and the Circumstantial ad hominem*

The first two moves attempt to get inside the opponent’s frame of reference and discredit it on grounds of inconsistency. They rely on the law of non-contradiction, that a soundly reasoned claim cannot be at odds with itself.

The charge of *hypocrisy* is that the advocate now maintains a position that is inconsistent with one he or she has maintained previously. In the absence of any explanation for the change, the reasonable implication is that the advocate is being hypocritical and represents only expediency, not principle.

In early 2010, some leading Republicans in the U.S. opposed more government funding to stimulate the economy because it would add to an already large budget deficit and swell the national debt. Many of the same Republicans, however, had voted for even larger deficits during the Bush administration, to support the costs of the war in Iraq or the prescription drug benefit for senior citizens, or as a consequence of tax cuts that were enacted without comparable spending reductions. A Democrat might respond to the Republican complaints about deficit spending as follows:

1. You are bothered by the deficit now.
2. But you were not bothered by it when your party was in power.
3. [There is no apparent explanation for the change in your position.]
4. Therefore you are a hypocrite. Your concern is not with the deficit but just political expediency. You just want to insulate yourself from the Tea Party supporters and to shore up your political base.

5. Therefore your argument is not sustained by any principle and should be rejected.
6. Since your standpoint cannot satisfy the consistency test and your standard is in conflict with mine, my standpoint prevails by the process of elimination.

Not all of these steps will be articulated explicitly, but these are the steps in the move. My standpoint is advanced not by my supporting it with additional reasons but by my demonstration that yours cannot withstand the test of consistency.

Of course, this strategic move is vulnerable. It depends on the unstated assumption that there is no apparent explanation for the change in position. People generally do not knowingly maintain inconsistent positions that will open them to the charge of hypocrisy, so the opponent will work hard to distinguish between the positions. It may be that deficit spending is justified for national security but not for economic stimulus. Or perhaps it is all right if it stimulated the economy by putting more money in individuals' hands but not if it involves government spending. Or maybe it is acceptable if targeted to senior citizens but not if it supports the general population. Any of these explanations would need support, of course, but the burden of proof would be light precisely because we assume that advocates generally do not advance hypocritical claims.

Related to the charge of hypocrisy is the *circumstantial ad hominem*. This is not a personal attack on the opponent's character. Rather, it is an assertion that the adversary's expressed standpoints are at odds with his or her own behavior in a specific situation. On the commonplace belief that "actions speak louder than words," the inference is that one's actions reveal one's true commitments far more than do one's words (Walton 1998: 2–6, 108–112). So the standpoint fails because it cannot be supported by the arguer's own actions. Since my standpoint is the alternative to yours, mine prevails, again through residues. Johnstone (1959) has gone so far as to suggest that all valid philosophical argumentation is of this type.

Suppose that A is a lawyer for whom protection of civil liberties is a prominent value. A spoke out against the efforts during the Bush administration to expand the president's powers in response to terrorism, believing that these measures unduly violated individuals' rights to privacy. Yet A accepts an invitation to argue before the Supreme Court in defense of those expanded powers when the Obama administration seeks to retain them. "You must not really be committed to civil liberties," a critic alleges, "when you abandon that commitment for a chance to appear before the Supreme Court to defend President Obama." A's actions reveal his true commitment – to the Obama administration – and discredit A's professed commitment to civil liberties. That position having lost, the alternative position prevails by elimination: A thinks that defense of the nation against terrorists outweighs protection of civil liberties, at least with regard to the case at hand – the hierarchy that A's interlocutor is trying to discredit.

As in the hypocrisy example, the opponent's likely response will be to distinguish between the two situations, placing statements and actions on two different planes. He or she might oppose new restrictions on civil liberties and yet maintain that removal of existing restrictions would convey to other nations the impression

that the U.S. was weak. Or the opponent might want to keep the current restrictions because of trust that Obama will use them judiciously and as a last resort, trust that was lacking with respect to President Bush. If the adversary can succeed in distinguishing between the situation in which one made commitments and the situation in which one is called to the test, then the circumstantial *ad hominem* will lose its force and the perception of deep disagreement will be maintained. Alternatively, the opponent might claim that he or she is just doing the job of a lawyer, seeing that each client receives the strongest possible defense.

6.4.2 *Packaging: Incorporation and Subsumption*

A second pair of strategies has to do with packaging arguments. One is *incorporation*, in which an advocate includes incommensurable arguments (and the proposals that accompany them) into a larger package. The success of this strategy depends upon a perception by both advocates that simply perpetuating the impasse is intolerable. Neither advocate is willing to concede but neither is willing to prolong the stalemate. The Obama administration attempted this approach in fashioning its health-care bill, when it incorporated some Republican proposals, such as “tort reform” to curtail lawsuits for malpractice. Obama’s supporters did not concede their own standpoints about the causes of health-care costs – indeed they maintained that “tort reform” would address only a very small part of the problem – but they included some degree of “tort reform” in the bill so that Republicans could act consistently with their professed principles and still support health care reform.

This effort clearly failed, and the failure exposes the difficulty with the strategy of incorporation. Both advocates must desire to overcome the impasse. In this case, passage of health-care legislation was not an important priority for the Republican opponents unless it could be passed on their own terms. Even though tort reform was part of the bill, they did not have enough incentive to swallow other elements of the bill that they found objectionable. Some actually preferred to vote against the bill while others, noting that the administration wanted desperately to get a bill passed, could hold out to see whether their hard-line stance would yield even more concessions.

Related to incorporation is *subsumption*, a strategy which seeks to subsume both of the irreconcilable standpoints within a larger frame. One advocate initiates the move, inviting the other to cooperate. The standard form of the argument would be something like this:

7. Our positions X and Y appear to be incommensurable.
8. If you support X, you should support Z because it will advance the cause of X.
9. If I support Y, I should support Z because it will advance the cause of Y.
10. So we can subsume the disagreement about X and Y under our agreement on Z.

The difference between incorporation and subsumption is that incorporation aims only to overcome the impasse in arguments whereas subsumption also aims to develop positive identification with the common term Z.

The abortion controversy offers an interesting example of an attempt at subsumption. The controversy between “pro-life” and “pro-choice” quickly reaches an impasse; the competing standpoints reflect incommensurable world-views and differ on such basic questions as whether we are in control of our own bodies. But arguers may be willing to subsume these differences under the question, How can we best prevent unwanted pregnancies? Both sides have an interest in this question, because it will reduce the circumstances under which the moral dilemma of abortion presents itself. As a practical matter, it might work.

Then again, the phrase “as a practical matter” is a warning signal. The dispute between “pro-life” and “pro-choice” does not take place on the ground of practicality but as a matter of principle. One can imagine the dispute playing out almost the same way regardless of whether the two sides support a program to reduce unwanted pregnancies. Either side could accept the reduction of unwarranted pregnancies as well and good, taking that benefit off the table, and then immediately revert to its standpoint rooted in incommensurable principles and world-views.

Incorporation and subsumption can be combined. A famous example is the U.S. Senate debate over the Compromise of 1850, originally presented as an omnibus bill to resolve all outstanding disputes over slavery. Incompatible goals were somewhat incorporated into a package, but these individual actions were subsumed under the rubric of finality. Those on either side could see the appeal of settling the controversy, regarding every square inch of U.S. territory, once and for all. Both political parties committed themselves in their 1852 election platforms to the Compromise of 1850 as the final resolution of the controversy. Yet the compromise was vulnerable. Over time each side could (and ultimately did) think it gave up more than it gained, suffering a raw deal. This is approximately what happened during the years leading to the American Civil War.

6.4.3 *Time: Exhaustion and Urgency*

The third pair of strategic moves deploy time and timing as a way to break the argumentative impasse. One such move is the appeal to *exhaustion*. Cases of deep disagreement can remain in an impasse for some time. Eventually, one party may decide that the duration of the controversy has become disproportionate to its importance and try to entice the other to move on. The original disputants may even have passed from the scene, and their successors may be less disposed to carry on the fight. Or time may have passed the controversy by as the consequences of either participant’s position have diminished. Or the impasse may itself become uncomfortable because “life’s too short” to obsess over it. For any of these reasons, one party may try to convince the other that the time has come, not necessarily to resolve the deep disagreement but at least to set it aside and move on.

Something like this attitude motivated the late Israeli Prime Minister Yitzhak Rabin in the early 1990s to make overtures toward peace negotiations with the

Palestinians. Bitter enmity over the years had exacted a terrible toll. The Palestinians had not become Israel's friends, but as Rabin pointedly noted, one does not need to make peace with one's friends.

Like some of the other moves, the pitfall of this one is that it depends upon a mutual state of exhaustion. The party making the argument must convince the other to feel the same way. Otherwise one arguer may see the other's appeal to exhaustion as a confession of weakness. If the non-exhausted party will just hold on, the other may lose heart and give up the fight. This is about what happened in the case of the Vietnam war.

More often than appealing to exhaustion, though, advocates will appeal to *urgency* caused by a crisis in order to get beyond a deep disagreement. The suggestion is that while deep disagreement is a luxury to be tolerated during normal times, we cannot afford it now; time is of the essence and the severity of the situation demands a prompt response.

During the fall of 2008, the U.S. financial system was threatened with implosion, with major repercussions likely around the world. To avert disaster, the Bush administration advocated massive infusions of cash and loan guarantees in order to restore confidence in the U.S. economy. These proposed "bailouts" were castigated by many in Bush's own party who were convinced of the resilience of an unaided free market. Even President Bush acknowledged that he was uncomfortable with the measures he was proposing and that in normal times he would not suggest them. But the belief that a major crisis was looming required him to set his ideological commitments aside. Not so for many Republicans in the House of Representatives. Not prepared to accept that the U.S. faced financial meltdown, they initially defeated the proposed bailout. Only when the stock market plunged in response did they reassess their position and pass a modified version of the bailout bill.

Recognizing a state of affairs as a crisis is in the eye of the beholder. If one party holds out and refuses to regard the situation as a crisis, the argument from crisis will be ineffective and perhaps even counterproductive. On the other hand, the perception of a situation as a crisis is a powerful impetus to action. This perhaps is the reason that White House Chief of Staff Rahm Emanuel reportedly said, "never let a crisis go to waste."

6.4.4 *Changing the Ground: Interfield Borrowing and Frame-Shifting*

The final pair of moves may be the most ambitious in that they focus on shifting the ground on which the deep disagreement takes place. One such move is what Willard (1983: 267–270) called *interfield borrowing*. Willard observes that argument fields have distinctive standards of evidence and modes of reasoning, but also observes that many disputes cannot be assigned uniquely to a particular field. Euthanasia, for instance, is both a scientific and a moral issue, but scientists and moralists will be

likely to see the question differently. Deep disagreement will result unless one set of advocates is willing – for the sake of the argument – to invoke the other field’s standards for the purpose of defeating the adversary on his own terms. With respect to accounting for human origins, for example, moralists might “borrow” the scientific understanding of evolution and then attempt on scientific grounds to reduce evolution to the status of an unproved theory. Or, conversely, the scientist may take on the persona of a moralist in order to contend that a Biblical account of creation is not at odds with judgments regarding evolution.

The point of “borrowing” from another field is to put both sides of the argument onto the same plane and then to discredit the “other” field on its own terms. But the borrower never will be as knowledgeable as the person who genuinely occupies the field from which the advocate borrows. The second party can find reasons that the borrowing is not genuine or fair, or allege that the borrower has a stereotyped and limited notion of the other party’s field.

The other strategic move related to changing the argumentative ground is *frame-shifting*, in which one party will seek to move the argument from one context or frame of reference to another. The famous Lincoln-Douglas debates of 1858 offer an interesting example. The central issue was whether it was right or wrong to permit slavery to spread into new territories. Lincoln believed that it was wrong because slavery itself was wrong and it made no sense to say that it was right to expand what was wrong. His standpoint was defended with a substantive moral argument (Zarefsky 1990). But for Douglas the real question was who should decide whether slavery was right or wrong. It was a complex moral question on which good people disagreed, and he did not presume to make the decision for the people who actually would go to the territories and live with the results. Accordingly, he championed “popular sovereignty” and his standpoint was buttressed by a procedural argument. The substantive and procedural positions were incommensurable. This may be why arguments about the morality of extending slavery occupied such a small portion of the debate time. Instead the two candidates disputed about, among other things, what the nation’s founders would have done about the issue if they were alive. The candidates thus shifted the debate from a moral frame to a historical one. Here there could be shared standards, because both men venerated the founding fathers and both believed that their insight could inform present deliberations. And there could be argument, because the question could not be answered conclusively. The founders never were confronted with the question at hand, so one would need to infer their likely position from statements made and actions taken on other topics over the years.

Frame-shifting was helpful to the Lincoln-Douglas debates because both candidates could accept the surrogate frame, each believing that it worked to his advantage. But this is not always the case. The advocate who tries to shift the frame of reference might encounter resistance. For example, Lincoln or Douglas could have insisted that historical speculation was an irrelevant distraction from the issues of the moment. Or the candidates might have experienced deep disagreement about what was the relevant historical evidence or whether it was being understood correctly.

6.5 Two Case Studies

It should be noticed that each of these eight strategies for moving beyond deep disagreement is an available option with probative force but that none is assured of success. Like all rhetorical moves, they must be adapted to the particular situation. Sometimes an advocate will be able to show that they fit well and sometimes another advocate will succeed in showing them to be inapplicable. This will be clear from two brief case studies, one a success and the other a failure.

6.5.1 *Johnson on Education*

In the U.S., elementary and secondary education traditionally has been seen as a responsibility of state and local governments and of the private sector. While there have been some exceptions, such as federal subsidies for schools located near military bases that add to their enrollment, general federal aid to education did not become government policy until the 1960s even though a majority of legislators and of the population supported it. Part of the reason was that supporters were divided on the question of whether federal aid should be extended to religious schools. Some said that to do so would be to dissolve the separation between church and state, creating an establishment of religion in violation of the U.S. Constitution. Were such a provision in the aid to education bill, they would oppose the legislation, even though they supported federal aid to education in principle. But it was no solution simply to keep religious schools out of the bill, because other legislators were convinced that omitting them would be discriminatory, denying equal protection of the laws to those families who sought a religious education for their children. Their tax money would be used to support education but they would be unable to receive the benefit. This, some legislators said, was interference with the free exercise of religion – also a violation of the U.S. Constitution. Meanwhile, the minority who opposed federal aid to education under any circumstances hardly needed to defend their standpoint since supporters of federal aid were in deep disagreement over a subsidiary question.

So matters stood at an impasse until the ascendancy of Lyndon Johnson to the presidency of the United States. Johnson successfully engaged in frame-shifting. He urged that the matter be seen not as aid to either secular or religious schools, but to children (Dallek 1998:197). His proposal involved aid formulas that were based on the number of children in a jurisdiction whose families had incomes below the poverty line. Figuratively, the children would take the aid to whatever school they attended. In practice, schools acted as agents for the children, applying for aid based on their number of qualifying children. This reformulation of the issue, shifting the frame, satisfied both groups who previously were at an impasse. Both sides could view the reformulated proposal as consistent with their strongly held convictions.

6.5.2 *Zarefsky on Abortion*

My second case study has a less salutary result, particularly since it involves me. Some years ago I produced an audio- and videocourse on argumentation for commercial sale (Zarefsky 2005). In one of the early lectures I made the point that argumentation presumes uncertainty because there is no need to dispute matters that we know for sure. One of my examples was that there was no way to know for sure when human life began; I said that this was a major reason that the abortion controversy was so intractable.

Some time later I received a group of nearly identical letters from several home-schooled teenagers in Minnesota. The letters took strong exception to my statement that there was no way to know when human life began. Of course there is, they replied. Everyone knows that human life begins at conception; it says so in the Bible. They quoted what they thought were applicable Biblical verses. So abortion is murder, they told me. Some people apparently believe that it is acceptable for society and the government to condone murder of the unborn. That's why there is a controversy.

I could have ignored these letters, but I wanted to recognize their serious and respectful tone. So I wrote the students back. I tried interfield borrowing – specifically, to use the Bible, their source of privileged evidence – to argue that the origin of human life was uncertain. I quoted passages from Exodus saying that if a man struck a pregnant woman and she died, the man would be punished for murder. If the woman lived but miscarried, there was a lesser penalty limited to monetary damages. The fetus was valued less than a living person. Here was evidence, I said, that challenged their view that the Bible regarded abortion as murder. My goal, remember, was not to deny their claim outright but only to argue that its status was uncertain, because the point at which human (as distinct from animal) life began was itself uncertain. It seemed like a relatively weak burden of proof and I thought I had shouldered it.

I was surprised when I received a reply not from the students but from their teacher. She thanked me for writing to the students but complained that I was misleading them. Her translation of the Exodus text distinguished between the expulsion of a live fetus and the death of the fetus in the womb. She said that monetary penalties applied in one case but capital punishment was warranted in the other. Since my translation did not make this distinction, she said, it was erroneous if not fraudulent, and for the sake of my own enlightenment I should obtain a better text and recant my heresy. She prayed for my soul. (I note in passing that she did not ask or seem to care what my text was.)

I am not a sophisticated Biblical scholar, but I think the problem here is that the original Hebrew verb is ambiguous with respect to whether the fetus is expelled alive or dead. I have some reason to think that my translation was more authoritative than hers, since it reflects usage conventions at the time the Biblical text was redacted. But all I was trying to establish was that the matter was uncertain and hence a fit and necessary subject for argument.

At this point I abandoned the discussion. My correspondent's attack on my source without ever knowing what it was suggested to me that her world-view would brook no uncertainty. Counter-evidence would be dismissed in advance so that the argument was self-sealing. This was a case of fundamentalism vs. modernism. My position depended at its root on uncertainty; hers on certainty; and there seemed no way to bridge the two. My effort at interfield borrowing was unsuccessful because in her view I could not establish my *bona fides* within her field.

Now perhaps I did the wrong thing. Maybe I should have tried harder, whether by defending my choice of text, or trying to find a passage in her own translation that worked against her claim, or perhaps even looking for different ground than the authority of the Bible. But I thought such efforts would be futile, I had other things to do, and so I left the discussion agreeing to disagree. I would not change the statement in my lecture that when human life began was uncertain, and she would not abandon her conviction that this statement in my lecture was inaccurate. Remaining at an impasse was a harmless outcome for an interpersonal dialogue between two individuals. As I have suggested above, though, it is not so innocuous when multiplied many times over and when it affects social policy as well as individual judgment.

6.6 Conclusion

In models of dialogical argument, the outcomes generally affect only the individual arguers. In models of rhetorical argument, however, there is a third party, an audience that is affected by the exchange. As Schmitt (2010: 10) recently wrote, "The consequences of this apocalyptic rhetoric and all-or-nothing politics fall on the rest of us when government can't act." The audience is ill served by continued deep disagreement. Its demand to advance the discussion can put external pressure on the disputants to overcome their impasse. Currently in the U.S., audience dissatisfaction with stalemated political argument is widespread. But it is manifested in an unsophisticated and, in my view, unhelpful way: as largely indiscriminate right-wing populism symbolized by the Tea Party and its demands to "take our government back." It has unleashed a widespread prejudice against incumbent office-holders and a political discourse in which inexperience is exalted as a virtue. This popular prejudice of the moment stymies efforts to work collaboratively for compromise solutions, because that represents consorting with the enemy. And fear of being accused of such treachery further deepens the sense of fundamental disagreement between the dominant U.S. political parties. But there is a sizeable if underrepresented middle ground consisting of people who also are unhappy with the current impasse but who are unwilling to yield to the oversimplification and further polarization exemplified by Tea Party supporters. They are the ones who must be aroused to demand that our political discourse move past the polarization of deep disagreement to recover the tradition of deliberation through public argument. Some of the strategic moves I've discussed here, if skillfully executed, might be means to accomplish that goal. At least they are places to start.

References

- Brockriede, W. (1975). Where is argument? *Argumentation and Advocacy*, 9, 179–182.
- Dallek, R. (1998). *Flawed giant: Lyndon Johnson and his times, 1961–1973*. New York/Oxford: Oxford University Press.
- Ehninger, D. (1958). Debating as critical deliberation. *Southern Communication Journal*, 24, 22–30.
- Fogelin, R. J. (1985). The logic of deep disagreements. *Informal logic*, 7, 1–8.
- Heidlebaugh, N. J. (2001). *Judgment, rhetoric, and the problem of incommensurability: Recalling practical wisdom*. Columbia: University of South Carolina Press.
- Johnstone, H. W., Jr. (1959). *Philosophy and argument*. University Park: Pennsylvania State University Press.
- MacIntyre, A. (1984). *After virtue* (2nd ed.). Notre Dame: University of Notre Dame Press.
- Perelman, Ch., & Olbrechts-Tyteca, L. (1969). *The new rhetoric: A treatise on argumentation*. Notre Dame: University of Notre Dame Press. (Originally published in French in 1958.)
- Schmitt, M. (2010, July/August). Boring politics, please. *The American prospect*, 21(6), 10.
- Walton, D. (1998). *Ad hominem arguments*. Tuscaloosa: University of Alabama Press.
- Willard, C. A. (1983). *Argumentation and the social grounds of knowledge*. Tuscaloosa: University of Alabama Press.
- Zarefsky, D. (1990). *Lincoln, Douglas, and slavery: In the crucible of public debate*. Chicago: University of Chicago Press.
- Zarefsky, D. (2005). *Argumentation: The study of effective reasoning*. Chantilly VA: The Teaching Company. [Audio and video]

Chapter 7

Cultural Diversity, Cognitive Breaks, and Deep Disagreement: Polemic Argument

Manfred Kraus

7.1 Introduction

Almost every argumentation scholar will be familiar with the famous skit by Monty Python's Flying Circus called *The Argument Clinic* (Monty Python 1987, 2006). A young man (played by Michael Palin) comes to the 'Argument Clinic', requesting to "have an argument". After various failed attempts he finally enters a room where an "arguer" (played by John Cleese) announces to offer such service. Yet the argument does not develop quite the way the client has expected, since when he double-checks that he is in the right room, Cleese confronts him with a bluntly dishonest statement ("I told you once."), thereby provoking contradiction from the client, but in the subsequent dialogue confines himself to simply contradicting any statement the client will make. Even when the client tries to define that an argument is not "the automatic gainsaying of any statement the other person makes", but "a connected series of statements intended to establish a proposition", and tries to use logic and reasoning to defeat Cleese, the latter continues to proceed in exactly the same way, until in the end the enervated client rushes out of the room with an exasperated "Oh shut up!"

This sketch makes us laugh, and this is what it is meant to do. But what it draws its funny esprit from is the fact that we will all remember having experienced such or similar scenes in real life. Seemingly futile polemic argument appears to be characteristic of our present-day argument culture. TV talk shows confront us daily with disputers yelling at each other and flinging arguments into each other's faces without ever listening to the other side's statements. And are not today's political debates more often than not characterized by mere cantankerousness and gain-saying rather than by veritable argumentation? To be honest, even academic discussions oftentimes hardly do any better.

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Dissatisfaction with what she feels is a deplorable trait of our Western ‘argument culture’ provoked Deborah Tannen’s notorious book *The Argument Culture* (Tannen 1998, 1999). Tannen’s claim is that in our Western societies we argue too much, even when we do not really essentially disagree. In contrast, she advocates a concept of society that would search for common ground rather than dissent and for ‘truth’ rather than endless debate.

It is easy to see that the little dispute in the *Argument Clinic* violates each and every one of the pragma-dialectical procedural rules for a critical discussion (van Eemeren and Grootendorst 1984, pp. 151–175, 2003, 2004, pp. 135–157) and in fact never gets beyond the confrontation stage. Such an argument that shows no noticeable attempt at resolving the basic dissent by rational means, but consists in nothing but repeated contradiction and gainsaying, we will call a polemic argument.

This chapter will try to analyse the preconditions under which and the situations in which such cases of polemic argument are likely if not bound to occur. In this endeavour, we will make use of the concept of “deep disagreement” developed by Robert Fogelin (1985) and the notion of “cognitive breaks” (“coupures cognitives”) recently identified by Marc Angenot in his book *Dialogues de sourds* (Angenot 2008, p. 19). It will emerge that deep disagreements typically arise from a lack of common ground between arguers, and that one of the major sources for such a lack and hence for cognitive breaks and deep disagreement is the diversity of the cultural backgrounds of the individual arguers, a problem that rapidly gains in importance in our increasingly multicultural societies, in which conflicting groups with different world-views share the same space (see Amossy 2010, p. 60). We will determine the sectors and areas in which cultural diversity manifests itself and the ways in which these diversities may affect the forms, functions, contents, and evaluations of arguments. Based on the theory of antilogical reasoning developed as a cognitive method by the Greek sophists, we will ultimately seek to establish an underlying logic and rhetoric of purely polemic arguments and to delineate the conditions under which they may still be integrated into a standard of a rational and critical discussion and may play a useful role in helping clarify the issue at stake and the conflicting positions for a broader third-party audience.

7.2 Common Ground, Deep Disagreement, and Cognitive Breaks

All argumentation starts from dissent; without dissent there would be no reason for arguing. But it needs common ground to build on, if it is meant to make any substantial progress. Such common ground is usually provided by a common cognitive, normative, or cultural environment shared by the arguers. The more common ground there exists between the arguers, the better the prospects for a statement to be successful as a speech act and argument. This ‘common ground’ has been described as “shared knowledge” by Ralph Johnson and J. Anthony Blair (2006, p. 77), as “mutual knowledge” or “mutually manifest cognitive environment” by

Dan Sperber and Deirdre Wilson (Sperber 1982; Sperber and Wilson 1986, pp. 39–42), a term also adopted by Christopher Tindale (1999, pp. 101–115), and as “the normative environment the arguers inhabit together” by Jean Goodwin (2005, p. 111). In the same sense, Michael Billig speaks of “common sense” (Billig 1991, p. 144) and of “communal links, foremost among which are shared values or beliefs” (Billig 1996, p. 226), and Douglas Walton of “common knowledge” (Walton 2001, pp. 108–109) or “general knowledge shared by the speaker, hearer, and audience” (Walton 1996, p. 251).

In a similar way, Aristotle bases the plausibility of dialectical arguments on what he calls *endoxa*, i.e. generally accepted opinions, which according to a definition that he gives in the *Topics* (1.1, 100b 21–23) is “what is acceptable to everybody or to the majority or to the wise”, as opposed to that which is true by necessity. Aristotle’s notion of *endoxa* introduces a clearly audience-related element. According to him, arguing is a cooperative cognitive process that happens between arguer and recipient. Accordingly, it is essential that the arguer make sure not only that his or her argument’s premises are adequate, but also in particular that their adequacy is made manifest to the recipient (Goodwin 2005, pp. 99, 111). This cognitive process on the side of the recipient is clearly enhanced by the extent of common understandings, concepts or ideas that are shared by both sides.

Yet more often than not such common ground or environment that would guarantee successful argumentation is not universal. Rather, values or beliefs arrange themselves into sets of beliefs or belief systems, the importance of which for a correct understanding of the communicative process of argumentation has been multiply emphasized by theorists (see Gough 1985; Groarke and Tindale 2001; Rescher 2001). Yet such systems of belief “are relative to different individuals in different groups in different contexts” and may thus come into conflict with each other, as Jim Gough has argued (Gough 2007, p. 499).

In cases in which there is little or no such common ground, however, the communicative process of argumentation may entirely fail, even to such an extent that no resolution of the conflict by means of rational argument seems possible. It was for such cases that Robert J. Fogelin first introduced his notion of “deep disagreement”. Such “deep disagreements” would be characterized by “a clash of framework propositions” in a Wittgensteinian sense (Fogelin 1985, p. 5). Fogelin distinguishes between two kinds of argumentative exchange: He assumes that “an *argumentative exchange* is normal when it takes place within a context of *broadly* shared beliefs and preferences” (p. 3), which would include that “there must exist shared procedures for resolving disagreements” (p. 3). In cases, however, “when the context is neither normal nor nearly normal”, for Fogelin “argument [...] becomes impossible,” since “the conditions for argument do not exist” (pp. 4–5). “The language of argument may persist, but it becomes pointless since it makes an appeal to something that does not exist: a shared background of beliefs and preferences” (p. 5). It is with respect to such cases that Fogelin speaks of deep disagreements (p. 5).

A natural reaction to this would be to simply stop arguing. Yet Fogelin seems to be aware of the fact that this is not what normally happens. In most cases, people will nonetheless continue their argument, in spite of the fact that it has become

“pointless” since it is bound to fail on a rational level. This gives rise to the question Angenot poses: Why is it that people continue arguing so frantically even though there are obvious “coupures” in their argumentative logic (Angenot 2008, p. 15) and cognitive systems (“coupures cognitives”, pp. 17, 19) that are more or less “insurmontables” (p. 17) and separate arguers from each other to such an extent that they even fail to understand each other’s arguments, since they don’t apply the same “code rhétorique” (p. 15)? Angenot’s ultimate answer is that most people do not argue in order to convince anyone, but in order to justify and assert their own position (pp. 439–444) with a certain “impermeabilité” (p. 21; see also Declercq 2003, p. 20). As a consequence, each side will bluntly deny the rationality of the other side’s arguments and declare them plainly absurd, a situation Fogelin describes in terms of “radical perspectivism” (Fogelin 2003, pp. 73–74), which means that “conceptual frameworks” may not only not be shared by opposed parties in an argument (p. 72), but even “wall us off from others enveloped in competing conceptual schemes” (p. 74). If, under such conditions, the argument continues – and more often than not it so does –, then the result can only be a “dialogue of the deaf”, as Angenot aptly dubs it, or polemic argument, as we define it, yet no argumentation in the true sense of the word. In a similar fashion, in an analysis of seventeenth-century polemics between Jansenists and Jesuits, Dominique Maingueneau describes the structure of polemical discourse as based on “une grammaire de l’*interincompréhension*” (1983, p. 23) in which, by way of systematic “*conversion*” (pp. 26, 33–35), “each arguer inverts the positions of his opponent: the speakers are blocked in symmetric systems forever incompatible in a structure of mutual misunderstanding preventing any possibility of agreement” (Amossy 2010, p. 54).

Polemic argument, of course, may be just wilfully polemic, and the deep disagreement may be feigned for the purpose of provocation, without there being any real deep disagreement (as is the case in many TV talk shows, and oftentimes also in politics, and most certainly is the case in the *Argument Clinic* example). But in other cases it may as well be the result of a genuine deep disagreement, as is the case for instance in debates on abortion or reverse discrimination, in the Terri Schiavo case on the removal of life-supporting measures, in the debate on separation of francophone Québec from Canada, or in political dissent on the wars in Iraq and Afghanistan.

Fogelin’s radical and shocking claim that nothing could be done to resolve deep disagreements on a rational level has met with diverse reactions notably from Informal Logicians, and from argumentation scholars in general. It has been attacked by a number of scholars: Andrew Lugg (1986) wished to save Informal Logic from this challenge by pointing out that Fogelin’s standard examples of the abortion and positive discrimination debates were in fact inappropriate, since in both cases, in spite of the enduring debate, a perfectly “normal” argumentative exchange was going on, and that even if reason was insufficient to decide the issue here and now, rational argument might nonetheless lead to a shifting of grounds and to a possible solution later on (Lugg 1986, p. 48). Don S. Levi likewise failed to see how deep disagreements would impose any restrictions on what could be achieved by critical thinking, since in his view the main focus should not be placed on the final verdict

about the argument, but on the acquisition of a better understanding of the issue involved (Levi 2000, pp. 96–110). Richard Feldman, while in principle sympathizing with Fogelin’s pessimistic view, proposed that “suspending judgment” could be a rational solution, and that consequently there could be no “reasonable disagreement” (Feldman 2005a, b, 2006, 2007). Richard Friemann (2005) suggested that, by practicing openness, empathy, and identification on both sides, since “feeling is not really distinct from thinking” (Friemann 2005, pp. 53, 59), deep disagreements could indeed be rationally resolved on an emotional level. David M. Adams (2005) objected that Fogelin had failed to specify any *a priori* conditions that would make a disagreement deep, and that any two contesting parties should hence engage in rational argumentation at least to find out *if* a certain disagreement was deep. Dana Phillips (2008) finally argued that Fogelin’s arguments did not prove that deep disagreements were not rationally resolvable in principle, but rather that they were just extremely difficult to resolve in practice.

Yet on the other hand, Fogelin’s theory has also been basically accepted, among others by Peter Davson-Galle (1992), who grants that deep disagreements may not be resolved through what Fogelin calls “normal” argumentation, by Dale Turner and Larry Wright (2005), who acknowledge that deep disagreements are intractable to ordinary brief “epigrammatic reason-giving” as opposed to highly complex, multiple and long chains of reasoning, by Christian Campolo (2005), who assumes that they cannot be resolved through the use of simple arguments without long-run “training, practice, study, apprenticeship, immersion in a tradition or way of doing something” (Campolo 2005, p. 45), or by van Eemeren, Grootendorst, Jackson & Jacobs, who do admit that such types of disagreements may mean a serious challenge to the pragma-dialectical model of a critical discussion, since in those cases participants do not enter into the discussion with a resolution-minded attitude, but each with their own very personal interests which each of them regards as privileged and beyond discussion (van Eemeren et al. 1993, pp. 171–172). In a similar way, under the name of “standoffs of force five”, John Woods describes what he calls “closed-minded disagreements”, in which contending parties disagree not only about facts, values, and procedures, but also on the propriety of third-party determination or of political solutions by way of legislation (Woods 1992, 1996, 2004, pp. 194–199); with respect to those, he speaks of “paralysis” and “argumentational blockages” (Woods 1996, p. 650), and declares them in fact intractable to rational methods, but still amenable to rhetorical persuasion, which in such cases is called for as an appropriate solution. But even as early as in the 1950s, Henry W. Johnstone, Jr. had pointed to the possibility of “radical conflicts” and “radical disagreement” in fundamental philosophical controversies (Johnstone 1954, 1959, pp. 2–3, 132–133).

7.3 Cultural Diversity and Deep Disagreement

One of the major factors that may account for fundamental diversity of belief systems between arguers, and hence also for deep disagreement, is most certainly the cultural environment each individual has been brought up in or acculturated to. It is

only in our globalized and multicultural postmodern world that this obvious fact has become fully manifest, explicably so since culture-specific presuppositions in argumentation frequently remain implicit in terms of unstated premises. In the same sense, Aristotle's *endoxa* have also been interpreted as "culturally shared values" vs. *topoi* as culturally shared rules of inference (Rigotti and Rocci 2005, p. 128).

Whereas culture-specific belief systems may enhance mutual understanding in an argumentative exchange when employed *within* a cultural community (i.e. when shared by both sides), they are highly likely to create problems in the case of cross-cultural argumentation (see LeBaron 2003). In a cross-cultural argumentative dialogue, substantial parts of one arguer's set of beliefs may not be shared by the other arguer, a fact that may cause incomprehension or misapprehensions. Arguments can thus be culture-specific, culture-determined, and therefore culture sensitive (see Kraus 2010).

Some such notion of cultural sensitivity appears to be addressed by Johnson and Blair, when, in *Logical Self-Defense*, they define 'ethnocentrism' as "a tendency to see matters exclusively through the eyes of the group or class with which one identifies and/or is identified" and declare "most prominent among such groupings [...] those by religion, culture, nation, gender, race, and ethnic background" (Johnson and Blair 2006, p. 192). While for Johnson and Blair 'ethnocentric attachments' are legitimate, in fact even inevitable, a problem arises whenever they turn into an 'ethnocentric attitude', i.e. "one that assumes (probably never explicitly) that our culture is somehow better than others' culture or else that what is true of our culture is also true of others' culture" (p. 192). For Johnson and Blair, an 'ethnocentric attitude' is one of the principal causes of fallacious reasoning (p. 192), by reason that it violates the standard of acceptability (p. 58); yet one might as well say that it may result in a "clash of framework propositions", which, according to Fogelin, will produce deep disagreement.

"Argumentation is a cultural phenomenon," says Danielle Endres (2003, p. 293; 2007, p. 381), and she is most certainly right. The study of diversity in argument cultures and of cross-cultural or intercultural argumentation has become a thriving field of global research. But while in earlier times cultural studies rather searched for commonalities between cultures, in recent years, based on empirical field research, the focus has progressively shifted to differences between cultures.

Endres identifies three basic respects, in which arguments may differ across cultural boundaries: forms, functions, and evaluations of argumentation (Endres 2003, p. 294), to which one might wish to add contents. Fogelin, in his analysis, seems to focus on functions and evaluations when he insists that, in a "normal" exchange of arguments, "there must exist shared procedures for resolving disagreements" (Fogelin 1985, p. 3), whereas Angenot appears to concentrate mainly on forms and contents.

The most popular current approach to cultural diversity is the so-called 'cultural dimensions approach', which is "based on the assumption that a culture is best represented by the values and beliefs that a group of people hold in common" (Hazen 2007, p. 7). Its most influential version has been developed by the Dutch scholar Geert Hofstede (1991, 2001). According to Hofstede, cultures can be differentiated on the basis of four value dimensions: (1) individualism vs. collectivism (the degree to which individuals are autonomous from or integrated into groups), (2) power

distance (the degree to which people accept or do not accept unequal distribution of power, i.e. hierarchies), (3) uncertainty avoidance (the amount of tolerance for or avoidance of uncertainty and ambiguity), and (4) masculinity vs. femininity (the degree to which gender roles are fixed and respected).

Hofstede's fairly abstract and generalizing categories are certainly useful, but need to be fleshed out by some material contents. In this respect a taxonomy developed by Barry Tomalin and Susan Stempleski is helpful. According to Tomalin and Stempleski, cultures can be defined (and contrasted) by three interrelated elements: (1) ideas (values, beliefs, institutions); (2) products (e.g. customs, habits, food, dress, lifestyle); (3) behaviours (e.g. folklore, music, art, literature) (Tomalin and Stempleski 1993, p. 7).

As far as contents of arguments are concerned, cultural diversity may be said to manifest itself in any one or a combination of the following elements: First and foremost, there are values, norms, codes, and institutions. These may be of religious provenance (including e.g. religious values, beliefs, dogmas, commandments, taboos, views of gender roles etc.), associated with political ideas (e.g. freedom, democracy, legal systems, civil rights vs. hierarchic thinking), or of a more general philosophical and ethical character (e.g. human rights, ethical codes, rules of conduct).

A second group is represented by the elements that form the collective memory of a cultural group, such as the narratives of a society's myths and history, but also outstanding cultural achievements such as products of literature and art, etc.

A third tier is formed by the standards that regulate everyday social life and interaction, such as language, customs, habits, routines, codes of honour, sense of shame, sense of humour, eating and drinking habits, etiquette, fashion and general lifestyle. With this group would also belong what is called popular culture.

It is easy to see how for instance religious or political values and norms, but also more everyday customs and habits that may enter into an argument as premises may clash in a cross-cultural dispute, so as to create deep disagreements that will not be resolvable as long as the differences in fundamental values are not resolved, which appears not to be feasible by way of rational argument.

As far as functions are concerned, there are cultural communities, such as many Asian or Native American ones, in which the aim of argumentation is not, as in our Western tradition, to win a case against an opponent, but to talk controversial matters over patiently until consensus and harmony can be reached (Endres 2003, p. 294; LeBaron 2003, pp. 108–111, 118–119). The focus is on community rather than rivalry and competition.

Forms of arguments and styles and patterns of reasoning, too, may be valued differently in different cultural communities. An argument from authority or expert evidence, for instance, will have a much different effect in communities with high power distance such as most Asian societies, as opposed to communities with low power distance such as Western societies. But even so, a particular authority that is acknowledged by one cultural group need not necessarily be so regarded by another one. This notably applies to religious authorities, as is obvious from the debate on abortion, in which one side claims that abortion is murder since their religion tells them so, which is however declared absurd or non-relevant by their opponents.

Similar discrepancies obtain for arguments from popular opinion (Goodwin 2005, pp. 108–109). A statement such as “Everybody thinks that English should be spoken all over the world” may perhaps hold good for the U.S., but other nations and language communities may think differently. Even ad hominem arguments, particularly in their abusive variant, are clearly open to cultural sensitivity, since there is substantial disagreement among different cultures as to what qualifies as a personal affront.

But even a simple argument from example will only work well if the example is known to and acknowledged as such by the interlocutor. Otherwise there will be no common ground to build on, and the argument will go unheard. This applies to all examples taken from a specific cultural group’s collective memory, i.e. from its myths, history or literature. For instance, an argument such as “Non-violence may ultimately prevail, as Gandhi’s example proves” will presuppose some knowledge of modern Indian history.

Evaluation of arguments, finally, is the most delicate point of all. A first issue is relevance. An argument that holds good for one cultural community will appear completely irrelevant to another. For instance, a Native American tribe’s argument that no nuclear waste site should be built on a particular mountain, since that mountain was a serpent lying asleep that would get angry when awakened (Endres 2007, p. 383), was bound to fall on deaf ears with local politicians and engineers. Similarly, the local First Nations’ argument that Mount Uluru (Ayers Rock) in the central Australian outback must not be climbed, because the path crosses an important dreaming track (see LeBaron 2003, p. 222), was bluntly ignored by the Australian Prime Minister, who made access to Uluru for tourists a condition for handing the title to the area back to its original owners.

In a similar way, an argument that would be regarded as sufficient support for a claim in one cultural community, may appear insufficient to a different community. That we must not pollute this planet, since it is God’s creation, might be considered a sufficient argument by devout Christians, but clearly less so in a more secular environment, even if the argument is not considered irrelevant.

Cultural diversity will also strongly affect the strength of arguments. For instance: “You should work more than is requested in your contract, since this is for the best of your company” will be a strong argument in collectivism-oriented cultures such as most Asian societies, but a fairly weak one in highly individualist societies such as most Western ones.

Arguments may even backfire if the addressee, by supplying a contrary premise, interprets them to the contrary of what they were meant to say; or they may unwillingly embarrass or insult the addressee, such as when the former French president Charles de Gaulle defended French colonial policy in Guinea by arguing that France had conferred many benefactions on that country, as was amply demonstrated by the impeccable French spoken by its president Sekou Touré (Kienpointner 1996, pp. 49–50). De Gaulle’s argument presupposed that francophonization of the colonial population was a positive value. But to African anti-colonialists, to whom the argument was actually addressed, it will surely have appeared as a condescending and patronizing expression of cultural imperialism.

Of course, not every argument that is culture sensitive will necessarily produce deep disagreement. According to Danny Marrero, cultural difference in argumentative dialogues comes in three grades: slight, moderate and radical (Marrero 2007, pp. 4–6). In dialogues with slight cultural difference, the arguers belong to different groups with minor cultural variations, but still share a clearly defined common ground (p. 4). In a dialogue with moderate cultural difference there is an intersection of the sets of cultural beliefs, but only certain items are shared between the arguers, so that there is only limited common ground (p. 5). In an argumentative dialogue with radical cultural difference, however, there is no common ground at all. “Each arguer has a cultural-specific system of beliefs, values and presuppositions” (p. 5). This is the basis for deep disagreement.

On the other hand, by far not all arguments are culture sensitive at all. Arguments of the type “John should be at home, since there is light in his apartment” or “You should take your coat, since it is raining outside” may qualify as culture-independent. But it can nonetheless be reasonably stated that cultural diversity may be one of the principal causes for deep disagreements.

7.4 Antilogical Reasoning

If deep disagreements and the corresponding polemic arguments they provoke are so intractable to rational solution and so alien to reasonable and critical discussion, why then are they so omnipresent in the public life of our modern Western societies? Ruth Amossy calls due attention to the “discrepancy between the condemnation of polemics and the frequency of its use”, which “calls for a revision of its evaluation and a re-elaboration of the basis on which this evaluation is established” (2010, p. 58). In her view, this “undermining” of polemics “derives from the pre-eminence given to consent over dissent, to agreement over conflict,” in contrast to which “the frequency of polemics testifies to the centrality of conflict in public life. It manifests the importance conferred upon the free expression of antagonist views in a democratic sphere where the formulation of dissent and the competition of divergent points of view are basic rights and sacred principles” (p. 59). Taking up Pierre-André Taguieff’s demand for a revision of Perelman and Olbrechts-Tyteca’s consensus-based approach in favor of an approach focusing on conflict and polemics as the core of political interaction (Taguieff 1990, p. 273), and in stark contrast to Tannen’s “appeasing” view mentioned above in the introduction, Amossy herself advocates a democratic political culture that would heartily welcome dissent and antagonistic confrontation of ideas as its very basis, yet without in principle undermining the ideal of a rational dialogue (Amossy 2010, p. 59).

At this point, let us for an instant return to the *Argument Clinic*. When, after long minutes of mere gainsaying from the part of his opponent, the client complains that “an argument isn’t just contradiction,” John Cleese retorts: “It can be” (Monty Python 1987). Can it? Is there a way in which mere contradiction can be a basis for an argumentative resolution of problems?

In that respect, it is helpful to look back some two-and-a-half millennia to the age of the Greek sophists. Those early thinkers had developed a serious method of establishing knowledge by opposition of two contrary statements. This method was to be employed in cases in which certain knowledge was unavailable. Practical examples of this strategy can be found in a judicial context in Antiphon's *Tetralogies* (four antilogical speeches in a judicial case; Mendelson 2002, pp. 110–112; Tindale 2010, p. 107), in a political context in Thucydides' pairs of opposed speeches (Mendelson 2002, pp. 103–106; Tindale 2010, pp. 107–108), or in a more philosophical context in the anonymous treatise called *Dissoi Logoi* ("Opposed speeches"; Mendelson 2002, pp. 109–110; Tindale 2010, pp. 102–104) as well as in Gorgias's treatise *On Not-Being*. It was the sophist Protagoras who formulated the axiom that with respect to any topic two contradictory statements may be formulated and confronted with each other (frg. B 6a), which became the basic principle of the sophistic technique of *antilogia* or 'anti-logic' (Mendelson 2002, pp. 45–49; Schiappa 2003, pp. 89–102; Kraus 2006, p. 11).

This theory, however, had a well-defined epistemological foundation (Kraus 2006, pp. 8–9). In his treatise *On Not-Being or On Nature*, Gorgias advocated the following three statements: There is nothing; even if there were something, it would be unknowable; and even if it both existed and could be known, it could not be communicated to others. Based on such sceptical epistemological views, Gorgias eliminated any reliable criterion of truth. There will be no way of distinguishing a false statement from a true one. All statements will be gnoseologically equal. Hence, since there is no criterion of truth, but only *doxa* (appearance), any *doxa* may easily be replaced by some other more powerful one by means of *logos* (speech or reasoning). There is thus, according to Gorgias, always, and necessarily so, a clear cognitive break between individual arguers.

Regarded from this point of view, it is certainly not by accident that all the preferred examples for cases of deep disagreement that are constantly evoked by modern theorists (abortion, positive discrimination, artificial life-supporting measures, political separatism etc.) involve discussions of basic ethical, religious or political values, i.e. topics that typically belong to the realm of *doxa* (see Angenot 2008, p. 46), in which there can be no question of ultimate truth, but both sides may equally claim to have good arguments.

Moreover, it appears that the sophists regarded the 'art of *logoi*' (as they used to tag what was later called rhetoric) basically as an art of combat, as a competition (Kraus 2006, pp. 3–5). Plato, in his dialogue *Protagoras* (335a 4–8), has Protagoras boast that he would be able to win any competition of *logoi*, provided that he was master of the rules; similarly, in the *Gorgias* (456c 7–457c 2), the sophist from Leontini compares rhetoric with combative sports such as boxing, fencing or wrestling. The pivotal term in all these passages is *agōn*, 'competition'. Likewise in the *Sophist* (225a 2–226a 4), as one of the subdivisions of the 'art of competition' (*agōnistikē*) there appears the art of 'arguing contradictorily', or 'contradiction' (*antilogikē*), which then becomes Plato's standard term for what he thinks to be the general sophistic practice of employing *logos*. This description may not be inappropriate, since references to *agōn*, to *antilogia*, and to combative or competitive

arts can be found all over the sophists' original texts. For instance, the title of one of the most famous works of Protagoras's, *Antilogiai*, alludes precisely to the technique described by Plato.

The repeated reference to competition and sports is significant. For sports imply rules and umpires, champions and prizes. The *agōn* of *logoi* which the sophists have in mind is thus more than just mere altercation, it is a well-regulated competition, governed by rules and supervised by impartial umpires, in other words, a formal debate. It may be important to note in this context that the sophistic movement grew and flourished in the environment of a democratic society, namely of fifth- and fourth-century Athens, where vital political and judicial decisions were in fact made by way of popular vote by great masses upon extended agonistic and oftentimes polemic debate.

In the course of the contemporary turn toward a renaissance of sophistic thinking championed by scholars such as John and Takis Poulakos (Poulakos 1983, 1987, 1988, 1989, 1995), Bruce McComiskey (2002) and others—not to speak of Victor Vitanza's idea of a modern 'third' sophistic (Vitanza 1991)—, the technique of antilogical reasoning has been revalued. Michael Mendelson, in a recent book (2002, p. 49), finds in it “the conscious effort to set contrasting ideas or positions side by side for the purpose of mutual comparison”, and he identifies it as a “radically egalitarian” strategy that protects no position as sacrosanct, but, “[i]n giving voice to ‘all pertinent’ logoi, [...] creates an opportunity not only for conventionally ‘weaker’ positions to be heard, but, in the juxtaposition of probabilities, for the dominant order to be challenged and even overturned if the alternative case can be made to the satisfaction of those involved” (p. 56). He thus makes it the root of modern debate.

Nola J. Heidlebaugh, too, in an attempt to tackle the question how, in an age of fractured diversity and pluralism, contemporary society can productively address issues of deep disagreement such as, for instance, the abortion problem, which are considered intractable owing to an “incommensurability” (using Thomas S. Kuhn's term) of the fundamental conceptions underlying the conflicting positions, draws on the “antithetical method” of the ancient sophists in order to overcome such disagreements by means of an application of classical rhetoric that understands itself as situated, contingent, and practical (Heidlebaugh 2001, pp. 29–48). She observes that, for Gorgias, “the saying of one thing is what makes possible the emergence of its opposite,” and “contradictories emerge as a means of generation in Gorgias' thought” (p. 39).

Christopher Tindale, in his most recent book on sophistic argument, devotes a whole chapter to the analysis of antilogical argument. He emphasizes the open-mindedness and fairness of this technique which “sets before the audience a full range of possibilities from which they (and the author) might choose” (Tindale 2010, p. 110). “Selective biases that favor one perspective over the other” are avoided, so that the audience's own choice is encouraged and is left completely free and autonomous; there is no advocacy or preference for whatever side (p. 111). Hence, “[n]ot insisting on a truth from among opposing views but working to gain common insights from them is a strength of this approach” (p. 111).

How might this model be helpful in cases of deep disagreement? Can it help establish an underlying logic of purely polemic argument and delineate conditions under which a standard of a rational and critical discussion may still be maintained?

Maybe the common interest two polemic arguers share in a certain issue already establishes a minimum of common ground that can be built on (see Lueken 1992, p. 283). Maybe even agreement on the fact that there is incommensurability of conceptions and hence the disagreement is intractable may be a rational progress (Lueken 1992, p. 280). The possibility of “reasonable disagreement” (in John Rawls’s sense) in cases of epistemic underdetermination has recently been defended against Feldman’s scepticism (2007) by Marc A. Moffett (2007), Christopher McMahon (2009), and Alvin I. Goldman (2010). With a bit of luck, and some further reflection on both sides, however, even if there is disagreement on a basic level, maybe more common ground can be gained on a higher level, by the “subsumption” of the competing positions under a more comprehensive or overarching problem, by the “elaboration of a more global view which could embody the opposing theses,” as was Chaïm Perelman’s optimistic view (1979, p. 115; see also Woods 2004, p. 189 on “Ramsey’s Maxim”, and Amossy 2010, p. 57 on an example from contemporary Israeli politics). Other authors have called for other pragmatic solutions by way of “games” of reasoning (“Begründungsspiele”) and “stagings” of situations (“Situationsinszenierungen”) such as “free” exchanges of views (with rational discussion rules temporarily suspended), or “learning games” (Lueken 1992, pp. 215–347), or by the tried and tested methods of classical rhetoric such as commonplaces, topics, and stasis theory (Heidlebaugh 2001, pp. 49–137).

But even if the antagonist arguers never reach any common ground themselves, the repeated assertion of their contrary positions, and be it by mere gainsaying, may still help clarify the contending positions for the benefit of a third party, namely the greater audience that listens to the dispute. Models for such a view are close at hand. There will always, by definition, be something like deep disagreement between contending parties or advocates in court or in a political debate, even if this disagreement is sometimes unduly exaggerated or even feigned. None of the two parties will accept any of the opponent’s arguments (or pretend not to do so). But the real addressee of their arguments, the one who is really capable of being influenced (see Bitzer 1968) and who will really need to be persuaded, is not the immediate opponent, but the body in a position to decide, i.e. the jury, the assembly, or the electorate. Hence, for instance, a polemical and seemingly aporetic TV debate between representatives of opposed political parties may, by forcing both sides to make their positions and arguments explicit, still help the witnessing TV viewer find or better define his or her own position in the controversy.

In democratic societies, questions on which there is disagreement must be, can be, and are in fact routinely decided in a pragmatic way: “when action has to be taken, the institutional frameworks of a given society provide the desired answer: the latter is the result of a vote, of a referendum, of a law, or of a juridical or governmental decision” (Amossy 2010, p. 60). Such decisions by ballot or executive decision may not ultimately settle the disagreement or the dispute (which may go

on and at some later point call for a new and revised decision), but for the time being “they create a fact that cannot be dismissed.” (p. 60). Yet to be able to take a responsible decision, the members of the deciding body will need to collect any information they can get on the issue. And such information can be cast into sharp relief by polemical dispute.

Possible solutions of situations of deep disagreement by introducing a third party have been advocated earlier, e.g. by Richard Friemann (2001), Vesel Memedi (2007) or Simona Mazilu (2009). Christian Plantin has identified as basic to any argumentative communication “les trois rôles actanciels de Proposant, d’Opposant et de Tiers” (2003, p. 381), based on which Ruth Amossy emphasizes as a constitutive feature of polemical exchange “its tripartite nature: it is composed not only of a proponent and an opponent, but also of a third party” (2010, p. 56). Michelle LeBaron has also pointed to the specific role of third parties in bridging cultural conflicts (2003, pp. 271–288). What we suggest here is that, based on the model of the cognitive method of two *logoi* as developed by the sophists, a rational and critical discussion of issues about which there is deep disagreement may be substantially furthered even by polemic argument, by way of setting out to a broader audience all possible positions in full clarity and in stark contrast so as to enable them to make their choices. For if there really is deep disagreement that cannot be resolved by rational argument, yet decisions must be taken in limited time (as is generally the case for instance in jurisdiction or legislation), such decisions will only be possible by way of deliberate choices that must be made on the basis of an impartial presentation of competing positions. And even if Michael Gagarin may be right in stating that “opposed speeches cannot have the aim of persuading the audience” (Gagarin 2002, p. 30), this may just not be their proper aim; they may well fail in persuading their immediate opponent, but they may nonetheless still help enunciate, highlight, and clarify the essential points in a controversial debate for a third party—the party that ultimately makes decisions—, and thus lead to a “better understanding of the issues,” as Levi (2000, p. 109) has postulated.

7.5 Conclusion

Our considerations started out from the observation that situations of deep disagreement may arise when common ground between arguers is minimal or non-existent, and when cognitive breaks are involved, and that, if the argument is continued in spite of that situation, it will turn into merely polemic argument that consists in nothing but contradiction, gainsaying and endless repetition of the same arguments without any substantial move forward.

It was demonstrated that one of the major sources of such lack of common ground, of cognitive breaks and hence also of deep disagreements may be cultural diversity between arguers, which can bring about a clash of basic religious, political, or ethical values that are not considered open to discussion by the parties involved.

Since owing to the process of globalization clashes of cultural values are getting increasingly frequent and relevant in processes of argumentation in our present-day multicultural and pluralistic societies, this problem cannot be neglected.

Yet it turned out that, based on the model of the sophistic technique of *antilogia*, a solution may nonetheless be possible. The model suggests that contrasting arguments can have a cognitive function and may produce insight on a higher level. By making explicit the basic points of disagreement by way of setting them out in contrast, even purely polemic argument may play a useful role in the rational discussion of controversial issues in a broader public as a vital element of democratic political culture, so that there is after all a way of integrating polemic argument into the rational model of a critical discussion—maybe not for the *Argument Clinic*, though, for that case is really hopeless.

References

- Adams, D. M. (2005). Knowing when disagreements are deep. *Informal Logic*, 25, 65–77.
- Amossy, R. (2010). The functions of polemical discourse in the public sphere. In M. Smith & B. Warnick (Eds.), *The responsibilities of rhetoric* (pp. 52–61). Long Grove: Waveland Press.
- Angenot, M. (2008). *Dialogues des sourds. Traité de rhétorique antilogique*. Paris: Mille et une nuits.
- Billig, M. (1991). *Ideology and opinions: Studies in rhetorical psychology*. London: Sage.
- Billig, M. (1996). *Arguing and thinking: A rhetorical approach to social psychology* (new ed.). Cambridge: Cambridge University Press.
- Bitzer, L. F. (1968). The rhetorical situation. *Philosophy and Rhetoric*, 1, 1–14.
- Campolo, C. (2005). Treacherous ascents: On seeking common ground for conflict resolution. *Informal Logic*, 25, 37–50.
- Davson-Galle, P. (1992). Arguing, arguments, and deep disagreements. *Informal Logic*, 14, 147–156.
- Declercq, G. (2003). Rhétorique et polémique. In G. Declercq, M. Murat, & J. Dangel (Eds.), *La parole polémique* (pp. 17–21). Paris: Honoré Champion.
- Endres, D. (2003). Responding to Multiculturalism in the real world: Re-envisioning argumentation pedagogy to include culturally diverse methods of argumentation. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & A. F. Snoeck Henkemans (Eds.), *Proceedings of the fifth conference of the International Society for the Study of Argumentation* (pp. 293–299). Amsterdam: Sic Sat.
- Endres, D. (2007). “Yucca Mountain will become unhappy and angry.” Culture, metaphor, and argument. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & B. Garssen (Eds.), *Proceedings of the sixth conference of the International Society for the Study of Argumentation* (pp. 381–387). Amsterdam: Sic Sat.
- Feldman, R. (2005a). Deep disagreement, rational resolutions, and critical thinking. *Informal Logic*, 25, 13–23.
- Feldman, R. (2005b). Respecting the evidence. *Philosophical Perspectives*, 19, 95–119.
- Feldman, R. (2006). Epistemological puzzles about disagreement. In S. Hetherington (Ed.), *Epistemology futures* (pp. 216–236). Oxford: Oxford University Press.
- Feldman, R. (2007). Reasonable religious disagreements. In L. Antony (Ed.), *Philosophers without gods: Meditations on atheism and the secular life* (pp. 194–214). Oxford: Oxford University Press.
- Fogelin, R. J. (1985). The logic of deep disagreements. *Informal Logic*, 7, 1–8.
- Fogelin, R. J. (2003). *Walking the tightrope of reason*. Oxford: Oxford University Press.
- Friemann, R. (2001). The role of the third party in reducing deep conflicts between ordinary people. In H. V. Hansen, C. W. Tindale, J. A. Blair, R. H. Johnson, & R. C. Pinto (Eds.), *Argumentation and its applications* [CD-ROM]. Windsor: OSSA.

- Friemann, R. (2005). Emotional backing and the feeling of deep disagreement. *Informal Logic*, 25, 51–63.
- Gagarin, M. (2002). *Antiphon the Athenian: Oratory, law, and justice in the age of the Sophists*. Austin: The University of Texas Press.
- Goldman, A. I. (2010). Epistemic relativism and reasonable disagreement. In R. Feldman & T. A. Warfield (Eds.), *Disagreement* (pp. 187–215). New York: Oxford University Press.
- Goodwin, J. (2005). Designing premises. In F. H. van Eemeren & P. Houtlosser (Eds.), *Argumentation in practice* (pp. 99–114). Amsterdam: John Benjamins.
- Gough, J. (1985). The psychological parameters of argumentation. *Past and Present*, 10, 25–29.
- Gough, J. (2007). Accepting premises and systems of belief. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & B. Garssen (Eds.), *Proceedings of the sixth conference of the International Society for the Study of Argumentation* (pp. 497–503). Amsterdam: Sic Sat.
- Groarke, L., & Tindale, C. (2001). *Good reasoning matters! A constructive approach to critical thinking*. Oxford: Oxford University Press.
- Hazen, M. D. (2007). Dissensus as value and practice in cultural argument: The tangled web of argument, con/dis-sensus, values and cultural variations. In H. V. Hansen, C. W. Tindale, J. A. Blair, R. H. Johnson, & D. M. Godden (Eds.), *Dissensus and the search for common ground* [CD-ROM] (pp. 1–43). Windsor: OSSA.
- Heidlebaugh, N. J. (2001). *Judgment, rhetoric, and the problem of incommensurability: Recalling practical wisdom*. Columbia: The University of South Carolina Press.
- Hofstede, G. (1991). *Cultures and organizations*. London: McGraw-Hill Ryerson.
- Hofstede, G. (2001). *Culture's consequences: Comparing values, behaviors, institutions and organizations across nations* (2nd ed.). Thousand Oaks: Sage.
- Johnson, R., & Blair, J. A. (2006). *Logical self-defense* (U.S. ed.). New York: International Debate Education Association.
- Johnstone, H. W., Jr. (1954). Some aspects of philosophical disagreement. *Dialectica*, 8, 245–257.
- Johnstone, H. W., Jr. (1959). *Philosophy and argument*. University Park: Pennsylvania State University Press.
- Kienpointner, M. (1996). *Vernünftig argumentieren. Regeln und Techniken der Diskussion*. Reinbek: Rowohlt.
- Kraus, M. (2006). Antilogia – Zu den Grundlagen sophistischer Debattierkunst. In O. Kramer (Ed.), *Rhetorik der Debatte. Rhetorik. Ein internationales Jahrbuch*, 25 (pp. 1–13). Tübingen: Niemeyer.
- Kraus, M. (2010). Culture sensitive arguments. In J. Ritola (Ed.), *Argument cultures: Proceedings of the 8th OSSA Conference, University of Windsor, 2009* [CD-ROM] (pp. 1–14). Windsor: OSSA.
- LeBaron, M. (2003). *Bridging cultural conflicts: A new approach for a changing world*. San Francisco: Wiley.
- Levi, D. S. (2000). *In defense of informal logic*. Amsterdam: Kluwer.
- Lueken, G.-L. (1992). *Inkommensurabilität als Problem rationalen Argumentierens*. Stuttgart-Bad Cannstatt: Frommann-Holzboog.
- Lugg, A. (1986). Deep disagreement and informal logic: No cause for alarm. *Informal Logic*, 8, 47–51.
- Maingueneau, D. (1983). *Sémantique de la polémique: Discours religieux et ruptures idéologiques au XVIIe siècle*. Lausanne: L'Age d'Homme.
- Marrero, D. (2007). How to evaluate arguments in multicultural argumentative dialogues? In H. V. Hansen, C. W. Tindale, J. A. Blair, R. H. Johnson, & D. M. Godden (Eds.), *Dissensus and the search for common ground* [CD-ROM] (pp. 1–9). Windsor: OSSA.
- Mazilu, S. (2009). The audience as a “third party” in the dispute over abortion. In Y. Cately, D. S. Urs, F. Popa, & B. Prepelită-Răileanu (Eds.), *Limbă, cultură și civilizație. Noi căi spre success, 12-13 iunie 2009* (pp. 396–402). București: Editura Politehnica Press.
- McComiskey, B. (2002). *Gorgias and the new sophistic rhetoric*. Carbondale: The Southern Illinois University Press.
- McMahon, C. (2009). *Reasonable disagreement: A theory of political morality*. Cambridge: Cambridge University Press.

- Memedi, V. (2007). Resolving deep disagreement. In H. V. Hansen, C. W. Tindale, J. A. Blair, R. H. Johnson, & D. M. Godden (Eds.), *Dissensus and the search for common ground* [CD-ROM] (pp. 1–10). Windsor: OSSA.
- Mendelson, M. (2002). *Many sides: A Protagorean approach to the theory, practice, and pedagogy of argument*. Dordrecht: Kluwer.
- Moffett, M. A. (2007). Reasonable disagreement and rational group inquiry. *Episteme*, 4, 352–367.
- Monty Python. (1987, August). *The argument sketch* (Transcribed by D. Kay). Retrieved July 14, 2010, from <http://www.mindspring.com/~mfpatton/sketch.htm>
- Monty Python. (2006, April 8). *Argument clinic* (video). Retrieved March 3, 2012, from video.google.com: <http://video.google.com/videoplay?docid=-572077907195969915#>
- Perelman, C. (1979). *New rhetoric and the humanities*. Dordrecht: Reidel.
- Phillips, D. (2008). Investigating the shared background required for argument: A critique of Fogelin's thesis on deep disagreement. *Informal Logic*, 28, 86–101.
- Plantin, C. (2003). Des polémistes aux polémiqueurs. In G. Declercq, M. Murat, & J. Dangel (Eds.), *La parole polémique* (pp. 377–408). Paris: Honoré Champion.
- Poulakos, J. (1983). Toward a sophistic definition of rhetoric. *Philosophy and Rhetoric*, 16, 35–48.
- Poulakos, J. (1987). Sophistical rhetoric as a critique of culture. In J. W. Wenzel (Ed.), *Argument and critical practices: Proceedings of the fifth SCA/AFA conference on argumentation* (pp. 97–101). Annandale: Speech Communication Association.
- Poulakos, T. (1988). Towards a cultural understanding of classical epideictic oratory. *Pre/Text*, 9, 147–168.
- Poulakos, T. (1989). Intellectuals and the public sphere: The case of the older sophists. In B. E. Gronbeck (Ed.), *Spheres of argument: Proceedings of the sixth SCA/AFA conference on argumentation* (pp. 9–15). Annandale: Speech Communication Association.
- Poulakos, J. (1995). *Sophistical rhetoric in classical Greece*. Columbia: The University of South Carolina Press.
- Rescher, N. (2001). *Philosophical reasoning. A study in the methodology of philosophizing*. Oxford: Blackwell.
- Rigotti, E., & Rocci, A. (2005). From argument analysis to cultural keywords (and back again). In F. H. van Eemeren & P. Houtlosser (Eds.), *Argumentation in practice* (pp. 125–142). Amsterdam: John Benjamins.
- Schiappa, E. (2003). *Protagoras and logos: A study in Greek philosophy and rhetoric* (2nd ed.). Columbia: The University of South Carolina Press.
- Sperber, D. (1982). Mutual knowledge and relevance in theories of comprehension. In N. V. Smith (Ed.), *Mutual knowledge* (pp. 61–85). London: Academic.
- Sperber, D., & Wilson, D. (1986). *Relevance: Communication and cognition*. Cambridge: Harvard University Press.
- Taguieff, P.-A. (1990). L'argumentation politique: Analyse du discours et Nouvelle Rhétorique. *Hermès*, 8–9, 261–287.
- Tannen, D. (1998). *The argument culture: Moving from debate to dialogue*. New York: Random House.
- Tannen, D. (1999). *The argument culture: Stopping America's war of words*. New York: Ballantine Books.
- Tindale, C. W. (1999). *Acts of arguing. A rhetorical model of argument*. New York: State University of New York Press.
- Tindale, C. W. (2010). *Reason's dark champions: Constructive strategies of sophistic argument*. Columbia: The University of South Carolina Press.
- Tomalín, B., & Stempleski, S. (1993). *Cultural awareness*. Oxford: Oxford University Press.
- Turner, D., & Wright, L. (2005). Revisiting deep disagreement. *Informal Logic*, 25, 25–35.
- van Eemeren, F. H., & Grootendorst, R. (1984). *Speech acts in argumentative discussions*. Dordrecht: Foris.

- van Eemeren, F. H., & Grootendorst, R. (2003). A pragma-dialectical procedure for a critical discussion. *Argumentation*, 17, 365–386.
- van Eemeren, F. H., & Grootendorst, R. (2004). *A systematic theory of argumentation. The pragma-dialectical approach*. Cambridge: Cambridge University Press.
- van Eemeren, F. H., Grootendorst, R., Jackson, S., & Jacobs, S. (1993). *Reconstructing argumentative discourse*. Tuscaloosa: The University of Alabama Press.
- Vitanza, V. J. (1991). ‘Some more’ notes. Toward a ‘third’ sophistic. *Argumentation*, 5, 117–139.
- Walton, D. (1996). *Argument structure: A pragmatic theory*. Toronto: University of Toronto Press.
- Walton, D. (2001). Enthymemes, common knowledge, and plausible inference. *Philosophy and Rhetoric*, 34, 93–112.
- Woods, J. H. (1992). Public policy and standoffs of force five. In E. M. Barth & E. C. W. Krabbe (Eds.), *Logic and political culture* (pp. 97–108). Amsterdam: North-Holland.
- Woods, J. H. (1996). Deep disagreements and public demoralization. *Lecture Notes in Computer Science*, 1085, 650–662.
- Woods, J. H. (2004). *The death of argument: Fallacies in agent-based reasoning*. Dordrecht: Kluwer.

Part III
Types of Argumentation

Chapter 8

When Figurative Analogies Fail: Fallacious Uses of Arguments from Analogy

Manfred Kienpointner

8.1 Introduction

In this paper, I would like to deal with potentially fallacious uses of figurative analogies. The latter can be briefly defined as follows: Figurative analogies (also called “a priori analogies”, cf. Govier 1987, p. 58 or “different-domain analogies”, cf. Juthe 2005, p. 5; Doury 2009, p. 144) are arguments where similarities between entities belonging to entirely different spheres of reality are invoked (on borderline cases cf. Mazzi 2011, p.1223f.). Some scholars dismiss such analogies as rationally insufficient means of argumentation. For example, eminent philosophers such D. Hume and J. St. Mill (cf. e.g. Hume 1896, 1.3.12.25; Mill 2005, p. 520f.; on Mill’s view of analogy cf. Woods 2004, p. 254; on Hume’s critical view of analogy cf. Perelman and Olbrechts-Tyteca 1983, p. 500) stressed the fact that arguments from analogy are based on a weak notion of similarity and often rely on false analogies. More recently, Lumer (1990, p. 288) criticized that arguments from analogy were given a place as a rational means of argumentation by Perelman and Olbrechts-Tyteca (1983); And Lumer even generally classified arguments from analogy as fallacies (cf. Lumer 2000, p. 414).

However, figurative analogies were considered not only as an ubiquitous, but also as a rational, albeit weak and often defeasible means of argumentation by other authors in many recent studies (cf. Kienpointner 1992, p. 392; Mengel 1995, p. 13; Woods 2004, p. 253; Juthe 2005, p. 15; Garssen 2009, p. 437; Garssen and Kienpointner 2011, p. 56; Langsdorf 2007, p. 853; Walton et al. 2008, p. 44). It is this perspective that I wish to take up and also consider to be the most plausible and fruitful one. The question, then, is not so much *whether* figurative analogies are

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fallacious. Rather, we have to ask *which* figurative analogies are fallacious, and in *which* contexts, and according to *which* parameters.

Starting from standard treatments of analogical arguments such as Perelman and Olbrechts-Tyteca (1983, p. 502ff.), but also taking into account recent treatments of figurative analogies within Pragma-Dialectics (cf. Garssen 2009), I would like to provide a systematic description of fallacious uses of arguments from figurative analogy. In order to do this, I will use a corpus of about 100 authentic examples, mostly taken from political discourse in Austrian newspapers and parliamentary debates, occasionally also from reports, interviews and advertising texts in Austrian media (on a comparison of figurative analogies in Dutch and Austrian political discourse cf. Garssen and Kienpointner 2011; on figurative and non-figurative analogies in historical argumentation cf. Mazzi 2011; on figurative analogies in visual argumentation cf. Kjeldsen 2011).

8.2 On the Structure of Figurative Analogies

In order to evaluate arguments from figurative analogy, we have to reconstruct their argumentative structure and to ask a series of critical questions. In the following, I take up suggestions made by Perelman/Olbrechts-Tyteca (1983), Coenen (2002) and Walton et al. (2008) for an explicit reconstruction of the structures underlying arguments from figurative analogy. This reconstruction can be supported by the presence of indicators of analogical argumentation, most of which also indicate arguments from direct comparison (cf. the following English, French and German indicators such as *to be (just) as/like*, *to be the same as*, *to be similar to*, *can be compared to*, *as if*, *as though*; *être (exactement) comme*, *être comparable avec*, *c'est comme si (on disait)*; *(genau) so zu sein wie*, *vergleichbar zu sein mit*, *Das wäre wie/als ob*; cf. also Snoeck Henkemans 2003, p. 970ff., van Eemeren et al. 2007, p. 141ff., Doury 2009, p. 148ff., Mazzi 2011, p. 1223).

Although Perelman & Olbrechts-Tyteca have not provided us with an explicit argument scheme underlying all arguments from figurative analogy, they plausibly follow Aristotle in analysing the basic structure of analogies. This basic structure is an essential part of arguments from figurative analogy, which occurs as a propositional element of the premises and conclusions of such arguments, namely, as the proposition “C : D = A : B” stating the relevant similarity between the figuratively analogical entities. Perelman & Olbrechts-Tyteca reconstruct the basic relation between these entities, which belong to clearly differing domains of reality, as this proportion “C : D = A : B”, much in the same way as Aristotle explained metaphor as an analogy between two pairs of concepts (e.g. “high age : life = evening : day”; cf. Aristotle (1965; poet. 1457b); (1991; rhet. 1410b); Coenen 2002, p. 109).

Perelman and Olbrechts-Tyteca (1983, p. 501) call the better known (often concrete) terms C and D the “phoros” (“phore”) of an analogy, and the less well known (often abstract) terms A and B the “theme” (“thème”) of an analogy. They call

an analogy adequate when the phoros is able to focus attention on those properties of the theme which are considered to be of prime importance. As to the problem of the evaluation of arguments from figurative analogy, Perelman & Olbrechts-Tyteca consider them an unstable means of argumentation (1983, p. 527), which has to be critically tested later on.

Variations of the basic structure “C : D = A : B” can be analogies with only three terms, for example, “B : A = C : B”. Perelman and Olbrechts-Tyteca (1983, p. 505) give the illustrative example of Heraclitus’ saying “In the sight of the divinity, man is as puerile as a child is in the sight of a man”, that is, “Man : divinity” = child : man” Analogies can be simpler (cf. above) or more complex than the prototypical four-term structure. More complex structures are analogies which involve a six-term structure “C : D : E = R : S. T” (cf. Coenen 2002, p. 195): “Marriage : spouse1 : spouse2 = prison : prison officer : prisoner”.

Valuable as it is as a first approximation, the analysis provided by Perelman & Olbrechts-Tyteca only allows a partial reconstruction of the structure of arguments from figurative analogies. Walton et al. are an important step forward in this respect, as they explicitly reconstruct all premises and the conclusion of arguments from figurative analogy (but cf. already Coenen 2002, p. 170; Woods 2004, p. 257f.; Juthe 2005, p. 11ff. for comparable attempts). Moreover, they reconstruct analogical arguments involving facts as well as analogical arguments concerning values and norms. That is, Walton et al. (2008, pp. 58, 62, 74) provide explicit reconstructions of descriptive and normative versions of schemes underlying arguments from figurative analogy, as well as a list of critical questions.

As to the plausibility vs. fallaciousness of arguments from figurative analogy, Walton et al. (2008, p. 61) insist that “argument from analogy is best seen as a defeasible argumentation scheme that is inherently weak and subject to failure, but that can still be reasonable if used properly to support a conclusion”. What does “be reasonable if used properly” mean? Walton et al. (2008, p. 83) explain that in spite of their inherent weaknesses, arguments from analogy can shift the burden of proof, if they are used together with other types of argument, such as arguments from expert opinion or appeals to witness testimony.

Below, I formulate slightly modified versions of these argument schemes: Unlike Walton et al. (2008), I use strictly parallel formulations for the descriptive and normative versions of the schemes. Furthermore, I formally distinguish the propositions “A” and “A’” in order to make clear that in the case of figurative analogies, proposition A and proposition A’ (and, likewise, action A and action A’) are only “figuratively” equivalent, as they belong to different domains of reality. Walton et al. (2008, p. 43ff.), however, use the term “analogy” indiscriminately both for “same domain” analogies and for figurative analogies.

Finally, I had to reformulate the original version of critical question 3 (“CQ3: Are there important differences (dissimilarities) between C1 and C2?”; cf. Walton et al. 2008, p. 62), because in the case of figurative analogies it is unavoidable that there exist important differences between Case 1 and Case 2 (cf. Juthe 2005, p. 5). The problem for the critical evaluation is whether these important differences are so

overwhelming that the argument becomes fallacious (“Generally” in the Major Premise is not to be understood in the sense of a universal statement, cf. Govier 1987, p. 59f.; Kienpointner 1992, p. 385; Juthe 2005, p. 16ff. and below, Sect. 8.2):

Argument from figurative analogy, descriptive version:

Major Premise: Generally, case C1 is similar to C2 and C1 and C2 belong to (totally) different domains of reality.

Relevant Similarity Premise: The similarity between C1 and C2 observed so far is relevant.

Minor Premise: Proposition A is true (false) in case C1.

Conclusion: Proposition A' is true (false) in case C2.

Argument from figurative analogy, normative version:

Major Premise: Generally, case C1 is similar to C2 and C1 and C2 belong to (totally) different domains of reality.

Relevant Similarity Premise: The similarity between C1 and C2 observed so far is relevant.

Minor Premise: To do A is right (wrong) in case C1.

Conclusion: To do A' is right (wrong) in case C2.

Critical Questions for Arguments from Figurative Analogy

CQ1: Is A true (false)/Is it right (wrong) to do A in C1?

CQ2: Are C1 and C2 similar, in the respects cited?

CQ3: Are the important (that is, the most relevant) differences (dissimilarities) between C1 and C2 too overwhelming to allow a conclusion which crosses the different domains of reality to which C1 and C2 belong?

CQ4: Is there some other case C3 that is similar to C1 except that A' is false (true)/to do A' is wrong (right) in C3?

8.3 Criteria for the Evaluation of Arguments from Figurative Analogy

The following five pragmatic parameters (which are to be applied by relying on information about the verbal and situational context of the arguments from figurative analogy) allow a relatively clear distinction between plausible, albeit defeasible arguments from figurative analogy on the one hand, and fallacious arguments from figurative analogy on the other:

Parameter 1 concerns the balance between “distance” and “closeness” of the differing domains of reality. If the analogically related terms are too distant from each other, that is, if they belong to domains which have some shared similarities, but lack relevant similarities, we compare “apples with oranges” and commit the fallacy of false analogy (cf. Juthe 2005, p. 14); if the analogically related terms are too close to each other, we pretend to make a figurative analogy, but rather make a straightforward comparison, a mistake nicely illustrated by Woods (2004) with the example “Verdi is the Puccini of music”, which incorrectly applies the structure “X is the Y of Z” to a straightforward comparison, unlike the figurative analogy “Amsterdam is the Venice of northern Europe”, where the structure “X is the Y of Z” is used appropriately.

Of course, this does not mean that the resulting straightforward comparison is necessarily fallacious in itself. However, whenever a speaker tries to formulate a figurative analogy, but in fact makes a straightforward comparison, he or she fails in applying the respective argumentation schemes appropriately. Such a misapplication of a certain type of argument scheme or an inappropriate mixing of argument schemes could be called a fallacy in the broader sense of being an illegitimate move within a critical discussion aimed at the rational resolution of a conflict of opinions (cf. van Eemeren et al. 1996, p. 299; van Eemeren and Grootendorst 2004, p. 172).

Parameter 2 concerns the burden of proof assigned to arguments from figurative analogy. If these arguments are used as independent means of argumentation, they carry a greater part of the burden of proof and hence are more vulnerable to criticism; if, however, they are used as additional elements of proof (or only as presentational device; cf. Garssen 2009), supporting other arguments brought forward to prove or make plausible a controversial standpoint, they carry a smaller part of the burden of proof or are only intended to shift the burden of proof together with these other arguments. Their use as independent means of argumentation does not necessarily make figurative analogies fallacious, but it becomes more difficult for them to shift the burden of proof without additional arguments brought forward to support the respective controversial standpoint.

Parameter 3 deals with the use of figurative analogies as pro or contra arguments. If arguments from figurative analogy are used as means of argumentation which cast doubt on the opponent's standpoint, they have a less ambitious goal than arguments intended to be a full proof of the own standpoint or a refutation or "reductio ad absurdum" of the opponent's standpoint (on the dialectical orientation of figurative analogies cf. Doury 2009, p. 147). That is, sometimes figurative analogies are only intended as an objection to the argumentation of the opponent rather than as an argument for the opposite standpoint of the opponent (cf. also Kienpointner 2011, p. 525f. on the refutative function of fictitious uses of figurative analogies, introduced by formulas such as: "This would be as if...").

Parameter 4 concerns the "didactic" value of figurative analogies (cf. Garssen and Kienpointner 2011, p. 46). If arguments from figurative analogy are used to provide a simplified access to highly complex controversial issues, their argumentative value cannot simply be dismissed because they are a too simple means of argumentation.

Parameter 5 has to do with the "seriousness" of analogical arguments. If arguments from figurative analogy are intended as a humorous or satirical means of argumentation which tend to entertain or "let off steam" rather than to argue seriously, they have to be judged differently than arguments which are intended to be fully serious means of argumentation. This does not mean that humorous or satirical figurative analogies can never be judged as fallacious arguments. In fact, they could be considered fallacies according to the standards of a critical discussion within the Pragma-Dialectical framework. However, they could be justifiable as weak, but not necessarily fallacious arguments within other, more emotional types of argumentative dialogue, such as a quarrel (an eristic type of dialogue, cf. Walton 1992, p. 22).

Together with the critical questions listed above, some of these parameters will now be used to analyse a few test cases in some detail. These eight case studies range from clearly fallacious uses of arguments from figurative analogy to clearly plausible uses, with cases of problematic, but not clearly fallacious instances in between.

8.4 Case Studies

The first case concerns a figurative analogy brought forward by Fiona Griffini-Grasser, a fashion designer and heiress of the Swarovski group, an Austrian crystal manufacturing enterprise. As a jet set lady, Griffini-Grasser has a record of making notorious public statements. In January 2010, in defence of her participation in the victory celebrations of skiing stars during the downhill races in Kitzbühel, Austria, two weeks after the catastrophic earthquake in Haiti (January 12, 2010) which killed approximately 230,000 people, Griffini-Grasser used the following argument from figurative analogy to justify her participation:

(1) *Unsere Schifahrer riskieren auch ihr Leben. Das ist genauso wie in Haiti. Warum soll man sie nicht feiern?*

(“Our skiers risk their lives, too. That’s just like in Haiti. Why shouldn’t we celebrate them?”) (Kleine Zeitung, 23.1.2010, <http://www.kleinezeitung.at/sport/schi/schialpin>; seen last time on May 9, 2010)

The figurative analogy invoked by Griffini-Grasser can be reconstructed as follows: “Professional skiers (= C) : their great personal risk at downhill races (= D)=inhabitants of Haiti (= A) : their great personal risk due to the earthquake of January 12, 2010”.

Major Premise: Generally, running the deadly risk of living in an earthquake zone such as Haiti (= C1) is essentially similar to running the deadly risk of participating in downhill races as a professional skier (= C2) and C1 and C2 belong to (totally) different domains of reality.

Relevant Similarity Premise: The similarity between C1 and C2 observed so far, namely to run a deadly risk, is relevant.

Minor Premise: “Living in an earthquake zone such as Haiti is running a deadly risk” is true in case C1.

Conclusion: “Participating in a downhill race as a professional skier is a deadly risk” is true in case C2 in exactly the same way.

Checking this argument with the help of the critical questions listed above, I would like to make the following remarks: There is no doubt that it is true that the inhabitants of Haiti took a great risk in Haiti during the earthquake, as the enormous numbers of dead victims have shown (cf. CQ1, concerning the Minor Premise: Is A true (false) in C1?). As to the second critical question (CQ2: Are C1 and C2 similar, in the respects cited?), one could say that although professional skiers, skiing downhill races, the inhabitants of Haiti and the dangers of earthquakes belong to clearly different domains of reality, there are not only differences, but also some similarities. As such similarities, one might adduce the following

ones: (1) Both downhill races and earthquakes pose a threat to the life of the persons who are regularly doing downhill races or persons who live in areas with a risk of dangerous earthquakes; (2) Both professional skiers and inhabitants of threatened areas are pursuing their potentially dangerous way of life intentionally (and as professional skiers could choose another job, Haitians could move away from Haiti, at least in principle, cf. below).

Of course, there are also differences, for example: You are paid for being a professional skier, but you are not paid for living in an area where dangerous earthquakes can occur; winning downhill races can bring you both economic success and social prestige, while living in areas threatened by earthquakes cannot bring you wealth or prestige just because you live there.

The third critical question (CQ3: Are the important (that is, the most relevant) differences (dissimilarities) between C1 and C2 too overwhelming to allow for a conclusion which crosses the different domains of reality to which C1 and C2 belong?) tries to check whether the similarities are relevant and important enough to counter these differences (cf. Juthe 2005, p. 14). While Griffini-Grasser's argument survives the first and the second critical question relatively well, the third critical question has to be answered affirmatively, in a way which clearly demonstrates the fallacious character of her argument: The similarities between professional skiers and the inhabitants of Haiti are not relevant, whereas the differences clearly are: Downhill racers risk their lives for considerable amounts of money and out of ambition, whereas the inhabitants of Haiti earn nothing for their risk, nor are they ambitious just because they stay in Haiti.

Moreover, most of the Haitians are much too poor to be able to move elsewhere, anyway: Haiti was already the poorest country in Latin America before the earthquake, with extremely high rates of unemployment, illiteracy and starvation (cf. <http://en.wikipedia.org/wiki/Haiti>; seen last time May 9, 2010). So Griffini-Grasser cannot plausibly justify her participation in the celebrations of professional skiers with the alleged "equivalence" of their endangerment of life with the victims of the Haiti catastrophe. Not only qualitatively, but also quantitatively, the 230.000 dead victims of the earthquake cannot be reasonably compared with the dead victims of accidents as a result of downhill races (probably not more than a few dozen in the last 50 years).

As to the parameters outlined in Sect. 8.2, the distance between the domains of life of professional skiers and of (mostly poor) Haitians is too great to allow a plausible comparison of their risks (so Griffini-Grasser is comparing "apples and oranges"). Furthermore, she is not relying on other types of arguments which would reduce the burden of proof for her analogy. Moreover, there are no verbal indications that Griffini-Grasser did not mean her argument seriously. Finally, there are no downtoners like "in a way", "somehow" or "almost", which would make her analogical comparison less vulnerable to criticism. On the contrary, she said that professional skiers risk their lives "just like" (using the German indicator *genauso wie*) the inhabitants of Haiti. This, then, is a clear example of a fallacious use of an argument from figurative analogy.

Other arguments from figurative analogy are less clear-cut cases of fallacies and have some degree of plausibility, but are formulated in such an exaggerated way

that they cannot claim to be acceptable in this formulation. Georg Schärmer, head of the Tyrolean section of “Caritas”, the charity organization of the Austrian Catholic church, is quoted by the ORF, the Austrian public television network, as harshly criticising the Austrian school system. This system allocates children at the age of 10 into two types of high schools: “Gymnasium” (10–18 years, the basis for college and university education) and “Hauptschule” (10–14 years, the basis for an apprenticeship, or, alternatively, for moving on to a “Gymnasium” or other types of advanced secondary schools, with an option of a following tertiary education). Schärmer is quoted calling this division “a system of apartheid” (*ein Apartheidssystem*), which divides up young children far too early and separates society into different layers:

(2) *Heute gebe es ein Apartheidssystem. Kinder würden heute viel zu früh auseinanderdividiert in Leistungsgruppen oder in Hauptschule bzw. Gymnasium. “Wenn wir Kinder schon so früh auseinanderdividieren, dividiere man eine Gesellschaft auseinander.”*

(“Today we have a system of Apartheid. Children are being separated much too early into different performance groups or into “Hauptschule” or “Gymnasium”. “If we divide children so early, we are dividing also society”; <http://tirol.orf.at/stories/401294/>; seen last time on 19 June 2010)

This assumption of an analogy between the Austrian school system and former South African apartheid was subsequently criticized by Thomas Plankensteiner, a Tyrolean school inspector, who calls it an example of “Geschmacklosigkeit” (“bad taste”) to compare the Austrian school system with a political system where citizens were deprived of their rights and persecuted because of the colour of their skin (in an article in the Tyrolean newspaper *Tiroler Tageszeitung*, November 12, 2009, p. 28). And indeed, it has to be conceded to Plankensteiner that the figurative analogy “the black majority and other “coloured” people in the South African apartheid system (= C) : the ruling white minority in South Africa during the time of apartheid (= D) = the allocation of the lower classes in the Austrian school system” (= A) : the allocation of the upper class in the Austrian school system” (= B)” is hardly tenable.

Schärmer has a point when he insists on the fact that the Austrian school system still tends to support existing social structures and hierarchies, but it cannot be denied that nowadays many children who go to “Hauptschule” later on move to the upper section of “Gymnasium” or other advanced secondary schools (according to Plankensteiner (*ibid.*), 70% of the pupils who pass the final exam of high schools at the age of 18 in Tyrol come from “Hauptschulen”). More important than this, he cannot plausibly try to relate the controversial and much debated issue of the best way to organize the Austrian national school system with the South African apartheid system of the years 1948–1994. Schärmer’s analogical comparison of the Austrian school system with an authoritarian, racist and exploitative society such as in South Africa during this period, where black and other “coloured” people were deprived of their citizen rights, is simply unacceptable. There is no relevant similarity which would be important enough to justify this analogical comparison. Therefore, Schärmer’s analogy fails to comply with CQ3. While his other critical arguments, involving the negative effects of an early division of school children, would certainly

deserve further consideration, their plausibility is weakened by his argument from figurative analogy.

Even more problematic is the following case. Although the presumption of innocence is to be respected for any person facing ongoing law suits, there are justified doubts about the acceptability of attempts by Silvio Berlusconi, Italy's Prime minister, to use his political power to modify Italian laws in order not to be found guilty in law suits concerning bribery and tax fraud. According to Berlusconi, the law suits against him are the attempts of subversive judges and state attorneys to overturn the government and to ruin his political career. Be that as it may, the following argument is formulated in such a clearly exaggerated way that it cannot successfully pass the examination with critical questions on arguments from figurative analogy (cf. especially CQ2 on similarities, CQ3 on relevant differences between the analogically related entities):

(3) *Berlusconi: "I miei processi? I legali mi sconsigliano di presentarmi, troverei un plotone d'esecuzione".*

(“Berlusconi: “My law suits? My lawyers discourage me from presenting myself, I would face an execution squad”; la Repubblica online, 20.1.2010; <http://www.repubblica.it/politica/2010/01/20/news/aula-processo-2016916/>; seen last time May 9, 2010)

[Already last year, Berlusconi was quoted in the Austrian newspaper Salzburger Nachrichten, November 28/29, 2009, p. 4 as follows: ““Die Gerichte, die über mich urteilen, sind Hinrichtungskommandos, denen das Handwerk gelegt werden muss”, erklärte der Premier”; “The courts which judge me are execution squads which have to be stopped, declared the Prime Minister”]

Berlusconi claims that “A person to be executed (= C) : the execution squad (= D) = Silvio Berlusconi (=A) : Italian courts (= B)”. Differently from further examples from political discourse which I will present below, this argument is not intended as a humorous or satirical attack, or at least there are no clear verbal indicators of irony or of a satirical hyperbole. So there are no mitigating factors, apart from the fact that Berlusconi does bring forward other arguments for his position, which are, however, weakened rather than supported by this implausible exaggeration.

The following examples are taken from parliamentary discourse. They contain arguments from figurative analogy which are part of heckling shouts on members of parliament. As far as their evaluation is concerned, they pose problems differing from those which have appeared in the other examples discussed so far. That is, on the one hand, they are clearly fallacious uses of the argument from figurative analogy because they evidently compare “apples with oranges”, and they are at the same time abusive attacks *ad hominem*; on the other hand, they clearly cannot be analysed according to standards of a critical discussion (cf. van Eemeren and Grootendorst 2004, pp. 123ff.), because they are a constitutive part of heckling in parliamentary discourse (cf. Stopfner 2010), that is, a quarrel, a dialogue type where very often standards for the rational solution of a conflict of opinion are suspended in order to “let off steam” and/or to make fun of the political opponent, frequently by using aggressive satirical formulations. This is clearly not rational and cooperative, but different from the other examples of problematic arguments from figurative analogy discussed so far, these instances of heckling are not intended to be taken seriously.

Therefore, the classification of fallacious arguments from figurative analogy must assign them a specific place.

Here are two examples, in which the political opponent – in these cases the Austrian Social Democrats (= SPÖ) – is compared to a mentally handicapped person, a (small) child, and a little side car, respectively, whereas the Austrian Conservatives (= ÖVP), who are currently working together with the Social Democrats in a government coalition, are portrayed as their trustee, their legal guardian, or as a car which has a little side car, respectively. Of course, it can hardly be justified that political parties of about equal strength as far as parliament members and percentage of voters are concerned, such as the SPÖ and the ÖVP (with the SPÖ at the moment being even slightly stronger and providing the prime minister), can be equated with asymmetric role distributions such as “parent/legal guardian : children” or “trustee : mentally challenged people”, where the ÖVP is made the superior partner. So again, the relevant similarities are lacking (cf. CQ3).

These heckling attacks often are aggressive reactions (interrupting shouts) to speeches presented by Social Democrats or by Conservatives. They are very often brought forward by members of the BZÖ, an Austrian right-wing conservative party, which was the result of internal conflicts and a following split within the Austrian right-wing Freedom Party (= FPÖ). These BZÖ members accuse the ruling government of trying to cover up several alleged political scandals, with the ÖVP acting as the leading partner and the SPÖ as the passive follower of the ÖVP. All three figurative analogies (e.g. “A trustee (= C) : a mentally challenged child (= D)=ÖVP (= A) : SPÖ (= B)”) mentioned above are (repeatedly) formulated in example (5):

(4) Nat. Abg. G. Grosz (a member of the BZÖ): *Die ÖVP ist eigentlich der Sachwalter der SPÖ!*

(“Member of Parliament G. Grosz: The ÖVP actually is the trustee of the SPÖ!”; Protocol of the 50th Session of the National Assembly (“Nationalrat”), November 12, 2009, p. 299)

(5) Nat. Abg. J. Bucher (another member of the BZÖ): *Lieber Herr Kollege Cap, heute haben wir es schon gehört, Sie sind das Beiwagerl der ÖVP, die ÖVP ist der Erziehungsberechtigte der SPÖ. Meine sehr geehrten Damen und Herren, die ÖVP ist mittlerweile der Sachwalter der SPÖ!* (Beifall beim BZÖ und bei Abgeordneten der FPÖ)

(“Member of Parliament J. Bucher: Dear colleague, Mr. Cap, today we have already heard that you are the tiny side car of the ÖVP, the ÖVP is the legal guardian of the SPÖ: My dear ladies and gentlemen, in the meantime the ÖVP has become the trustee of the SPÖ! (Applause from the BZÖ and some Members of Parliament of the FPÖ, the Austrian right-wing Freedom party)”; Protocol of the 50th Session of the National Assembly (“Nationalrat”), November 12, 2009, p. 305)

The cases I have analysed so far rather suggest that arguments from figurative analogy are indeed inevitably fallacious or at least in danger of becoming fallacies. However, the following example shows that this is not always the case. In fact, this example is a rather clear case of a plausible application of arguments from figurative analogy.

It is taken from a guest commentary in the Austrian newspaper “Der Standard”, written by Dr. Franz Fischler, Conservative politician and former Austrian Minister of Agriculture, also former EU Commissioner of Agriculture:

(6) Franz Fischler: [...] *Es wäre geradezu verantwortungslos, den Fehler, dass man bei der letzten Steuerreform einer Steuerstrukturdebatte aus dem Weg gegangen ist, zu wiederholen.*

Noch dazu, wo eine bessere Annäherung an die von uns selbst gewählten Kiotoziele [sic!] auch beträchtliche Einsparungen bringen würden.

Es ist eine Illusion zu glauben, dass wir beim Energieverbrauch weitermachen können wie bisher. Eine Ausrichtung unseres Steuersystems auf soziale und Klimaziele ist daher schon längst fällig. Nicht Ökosteuern sind „ein Schuss ins eigene Knie“, wie es derzeit von manchen Titelseiten prangt, sondern nichts zu tun und die Dinge laufen zu lassen wie bisher wäre ein „Schuss ins Knie“, nämlich ins Knie unserer Kinder und Enkelkinder.

(Franz Fischler: [...] It would really be irresponsible to repeat the mistake of evading a debate about the structure of taxes as was done during the last tax reform. And that in spite of the fact that a better approximation towards the Kyoto goals chosen by ourselves could also lead to considerable spending reductions.

It is an illusion to believe that we can continue our energy consumption as we have until now. An orientation of our tax system towards social and climate goals, therefore, is long overdue. Not ecotaxes are like “shooting ourselves in the foot”, as you can read on many front pages today. But to do nothing and carry as we have before would be to “shoot ourselves in the foot” – in the feet of our children and grandchildren”; Der Standard, March 27/28, 2010, p. 12)

In this passage, Fischler puts forward several arguments in favour of ecotaxes. These arguments are “pragmatic arguments” (cf. Perelman and Olbrechts-Tyteca 1983, p. 358; Schellens 1985, p. 153ff.; Kienpointner 1992, p. 340f.), which argue for or against the performance of certain acts with their assumed positive or negative effects. More particularly, according to Fischer, ecotaxes would have positive effects on the global climate and on the reduction of the budget deficit, whereas going on with the status quo would have a negative impact on the climate. Only after these pragmatic arguments does Fischler use an argument from figurative analogy, which is actually a counter argument against another figurative analogy, as he quotes, “the Austrian economy (= C) : the introduction of ecotaxes (= D)=a person (= A) : shooting oneself in the foot (= B)”. Fischler’s counter analogy claims that “the Austrian economy (= C) : continuing without the introduction of ecotaxes (= D)=a person (= A) : shooting in the feet of his/her children and grandchildren (= B)”.

The structure of Fischler’s argument can be reconstructed as follows:

Major Premise: Generally, to shoot in the feet of one’s children or grandchildren (= C1) is similar to performing acts which have very dangerous effects on one’s planet’s climate (= C2) and C1 and C2 belong to (totally) different domains of reality.

Relevant Similarity Premise: The similarity, namely, to do considerable harm, between C1 and C2 observed so far is relevant.

Minor Premise: “To shoot in the feet of one’s children or grandchildren is wrong” in case C1.

Conclusion: “To go on with the status quo as far as the tax system is concerned (with all the resulting bad effects on the climate)” is wrong in case C2.

I would now like to turn to the evaluation of Fischler’s argument from figurative analogy. There is no doubt that “shooting in the feet of one’s (grand-)children” is wrong (cf. CQ1). There are also similarities between C1 and C2, namely, doing considerable harm to somebody/something. Furthermore, this harm is both avoidable and the result of irresponsible, unacceptable acts both in C1 and C2 (cf. CQ2).

As to the decisive question whether this similarity is a relevant/important one, the following remarks seem to be justified: As the overwhelming majority of climatologists predict catastrophic consequences of the ongoing climate change,

Fischler's analogy is far from being exaggerated. One could even claim that it is an understatement and that doing nothing against climate change would rather be like "shooting in the head of one's children and grandchildren". So his analogy is not exaggerated and makes important and relevant similarities between different kinds of harm explicit, namely, the analogy between "harming oneself or one's children and grandchildren severely" and "harming the planet's climate severely".

The figurative analogy also has didactic merits, as it is far easier to understand that hurting one's (grand)children seriously is a most irresponsible and unacceptable kind of action than understanding how the current economic and ecological policies negatively affect the earth's climate: a complex of causes and effects which is far more complex and not easy to understand and evaluate for lay persons. Moreover, Fischler uses the figurative analogy only as a supportive additional argument for his pragmatic arguments, not as the only one or the most central and fundamental one. Finally, Fischler's figurative analogy is also used as a counter argument against the dubious assumption that ecotaxes would have very negative effects ("to shoot oneself in the foot"). Even if Fischler's argument from figurative analogy is not accepted as a full refutation of the status quo of tax policies and a definitive proof of his own standpoint, it has at least enough plausibility to cast doubt on the status quo as far as ecotaxes are concerned. So, all in all, this is a case of a plausible argument from analogy.

In the following, I would like to add a few further examples of arguments from figurative analogy, which are less plausible than the one treated above, but still have some strength and could shift the burden of proof in case of doubt.

The first one is taken from a report about the chances and problems of women as solo performers of classical music. Given the very small number of highly successful female soloists, the author concludes that it is not easy for women to successfully compete with men as serious musicians and adds the figurative analogy that this is almost like competing successfully within a pack of wolves:

(7) Einfach ist es jedenfalls nicht, sich als ernsthafte Musikerin durchzusetzen. Fast ein bisschen so, wie sich in einem Wolfsrudel zu behaupten.

("Anyway, it is not easy to make a breakthrough as a serious female musician. This is almost like competing successfully within a pack of wolves"; Freizeit-Kurier December 5, 2009, p. 36)

This analogy ("Female soloists performing classical music (= C) : male soloists performing classical music (= D) = individual wolves (= A) : wolves' pack (= B)") has its weak points: Generally, there is the problem of the legitimacy of comparisons between the domains of nature and the domains of human culture. More specifically, hierarchies within packs of wild animals such as wolves are not likely to be changed consciously, whereas there are many hierarchies within human societies which have been profoundly changed through revolutions and/or reform movements throughout human history. Finally, the analogy implies dubious anthropomorphic thought because it equates bad male habits and activities which are typical for patriarchal societies (such as the sexist attitudes of men, their hidden coalitions, their mobbing of successful women hitting "the glass ceiling"; cf. Tannen (1995), p. 137ff.) with corresponding cruel and deceptive behaviour within packs of wolves. However,

there is no such cruel and deceptive behaviour of wild animals. As they behave instinctively, wolves do not consciously mob and deceive other wolves.

These weaknesses are partially mitigated by the fact that the author does not use this argument from figurative analogy as the only or most important argument. Furthermore, there is the downtoning particle *fast* (“almost) which makes it clear that case 1 and case 2 are not strictly parallel, let alone identical cases. This makes the argument less vulnerable to criticism because the alleged analogy involves some similarity but not strict parallelism or identity. And “in a way” one can certainly claim that there are parallels between the difficulty to achieve top positions within the hierarchy of soloists of classical musical and the difficulty to achieve top positions within the hierarchy of wolves. This, therefore, is a weak argument, but not necessarily a fallacious one. It could shift the burden of proof if used together with other plausible arguments.

The next example is an argument from figurative analogy within an advertisement. This text argues for the advantages of “natural” sugar (made from sugar beets) over sugar substitutes. What is more important, the argumentative part of the text contains only one argument, a figurative analogy. This argument claims that “natural” sugar (= A) is preferable to artificial sweeteners (= B) in the same way as a natural beach (= C) is preferable to a solarium (= D):

(8) *Sie liegen doch lieber am Strand als im Solarium, warum sollten Sie sich dann beim Süßen für Künstliches entscheiden?*

(“You prefer to lie at the beach to using a solarium, don’t you? So why should you choose something artificial for sweetening food?”; Rolling Board, showing an advertisement for “Viennese Sugar” (“Wiener Zucker”), produced by the Austrian agricultural enterprise Agrana; observed 10.3.2010 in Innsbruck, Austria)

Here again, the plausibility of the figurative analogy can be legitimately doubted because also “natural sugar” is an industrial product where the basic material (sugar cane, sugar beets) is changed considerably to become the white sugar normally used by consumers. However, there are degrees of artificiality of food, and sugar produced from sugar beets as by Agrana is surely less artificial than purely chemically produced sugar substitutes (e.g. saccharin, aspartame). What is more, one could increase the analogical similarity between “natural sugar” and beaches by arguing that many beaches today are no longer totally natural due to multiple human construction work, but that they are still more “natural” than a solarium for getting a sun tan. So again, this argument from figurative analogy is a weak, defeasible argument (because the presupposed “naturalness” of normal white sugar and many beaches within holiday resorts can actually be doubted), but not necessarily a fallacious one.

8.5 Conclusion

Arguments from figurative analogy have been reconstructed with the help of a slightly revised version of the descriptive and normative argument schemes and the list of critical questions established by Walton et al. (2008). The most important

critical question is the following one (= CQ3): “Are the important (that is, the most relevant) differences (dissimilarities) between C1 and C2 too overwhelming to allow a conclusion which crosses the different domains of reality to which C1 and C2 belong?” In addition, a few pragmatic parameters for the evaluation of arguments from figurative analogy are useful for clarifying the argumentative value of these arguments (e.g. their use as independent arguments or as additional, supportive arguments; their status as pro or contra arguments; their seriousness etc.).

The 8 case studies analysed above have shown that many instances of the argument from figurative analogy are fallacious or that they are at least highly problematic types of argument. Nevertheless, there are also (more or less) plausible uses of this type of argument. Therefore, a general negative evaluation of arguments from figurative analogy as fallacies is out of place. Such a generally negative attitude towards these arguments cannot explain the substantial differences as to their degree of plausibility which manifests itself if authentic examples from everyday argumentation are taken into consideration. The case studies have also shown that arguments from figurative analogy can be seen as specific cases of “strategic maneuvering” (cf. van Eemeren 2008, 2010; van Eemeren and Houtlosser 2002; van Eemeren and Grootendorst 2004) which can be a legitimate means of argumentation in some cases, but can also “derail” in other situations. So I fully agree with the following remark by Juthe (2005, p. 4): “As with all the other types of arguments, there are good and bad arguments by analogy”.

References

- Aristotle. (1965). In R. Kassel (Ed.), *Poetics*: 1457b. Oxford: Clarendon.
- Aristotle. (1991). *On Rhetoric*: 1410b (G. A. Kennedy, Trans.). Oxford: Oxford University Press.
- Coenen, H. G. (2002). *Analogie und Metapher*. Berlin: de Gruyter.
- Doury, M. (2009). Argument schemes typology in practice: The case of comparative arguments. In F. H. van Eemeren & B. Garssen (Eds.), *Pondering on problems of argumentation* (pp. 141–155). New York: Springer.
- van Eemeren, F. H. (Ed.). (2008). Special issue: Strategic maneuvering in institutional contexts. Dedicated to Peter Houtlosser (1956–2008). *Argumentation*. 22(3).
- van Eemeren, F. H. (2010). *Strategic maneuvering in argumentative discourse*. Amsterdam: Benjamins.
- van Eemeren, F. H., & Grootendorst, R. (2004). *A systematic theory of argumentation*. Cambridge: Cambridge University Press.
- van Eemeren, F. H., & Houtlosser, P. (2002). Strategic maneuvering with the burden of proof. In F. H. van Eemeren (Ed.), *Advances in pragma-dialectics* (pp. 13–28). Amsterdam: SicSat.
- van Eemeren, F. H., Grootendorst, R., Snoeck Henkemans, A. F., Blair, J. A., Johnson, R. H., Krabbe, E. C. W., et al. (1996). *Fundamentals of argumentation theory*. Mahwah: Erlbaum.
- van Eemeren, F. H., Houtlosser, P., & Snoeck Henkemans, A. F. (2007). *Argumentative indicators in discourse. A pragma-dialectical study*. Dordrecht: Springer.
- Garssen, B. (2009). Comparing the incomparable: Figurative analogies in a dialectical testing procedure. In F. H. van Eemeren & B. Garssen (Eds.), *Pondering on problems of argumentation* (pp. 133–140). Amsterdam: SicSat.

- Garssen, B., & Kienpointner, M. (2011). Figurative analogy in political argumentation. In E. Feteris, B. Garssen, & F. Snoeck Henkemans (Eds.), *Keeping in touch with pragma-dialectics* (pp. 39–58). Amsterdam: Benjamins.
- Govier, T. (1987). *Problems in argument analysis and evaluation*. Dordrecht: Foris.
- Hume, D. (1896). In L. A. Selby-Bigge (Ed.), *A treatise of human nature*. Oxford: Clarendon Press. (orig. 1739)
- Juthe, A. (2005). Argument by analogy. *Argumentation*, 19(1), 1–27.
- Kienpointner, M. (1992). *Alltagslogik*. Stuttgart/Bad Cannstatt: Frommann-Holzboog.
- Kienpointner, M. (2011). Fiktive Argumente. In C. F. Gethmann (Ed.), *Lebenswelt und Wissenschaft* (pp. 505–538). Hamburg: Meiner.
- Kjeldsen, J. E. (2011). Visual tropes and figures as visual argumentation. In F. H. van Eemeren, B. Garssen, D. Godden, & G. Mitchell (Eds.), *Proceedings of the seventh conference of the International Society for the Study of Argumentation* (pp. 949–960). Amsterdam: Rozenberg/SicSat.
- Langsdorf, L. (2007). Changing our minds: On the value of analogies for extending similitude. In F. H. van Eemeren, J. A. Blair, Ch. A. Willard, & B. Garssen (Eds.), *Proceedings of the sixth conference of the International Society for the Study of Argumentation* (pp. 853–857). Amsterdam: SicSat.
- Lumer, C. (1990). *Praktische Argumentationstheorie*. Braunschweig: Vieweg.
- Lumer, C. (2000). Reductionism in fallacy theory. *Argumentation*, 14(4), 405–423.
- Mazzi, D. (2011). “Palmerston bustles around with the foreign policy of this powerful nation, like a furious and old drunkard...”. On the discursive formulation of argument by analogy in history. In F. H. van Eemeren, B. Garssen, D. Godden, & G. Mitchell (Eds.), *Proceedings of the seventh conference of the International Society for the Study of Argumentation* (pp. 1221–1233). Amsterdam: Rozenberg/SicSat.
- Mengel, P. (1995). *Analogien als Argumente*. Frankfurt/M: Lang.
- Mill, J. St. (2005). *A system of logic ratiocinative and inductive*. Boston: Elibron Classics/Adamant Media Corporation. (orig. 1843)
- Perelman, Ch, & Olbrechts-Tyteca, L. (1983). *Traité de l’argumentation*. Bruxelles: Editions de l’université de Bruxelles.
- Schellens, P. J. (1985). *Redelijke argumenten*. Utrecht: ICG Printing.
- Snoeck Henkemans, A. F. (2003). Indicators of analogy argumentation. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & A. F. Snoeck Henkemans (Eds.), *Proceedings of the fifth conference of the International Society for the Study of Argumentation* (pp. 969–973). Amsterdam: SicSat.
- Stopfner, M. (2010). *Streitkultur im Parlament. Linguistische Analyse der Zwischenrufe im österreichischen Nationalrat*. Unpublished Dissertation, Innsbruck.
- Tannen, D. (1995). *Job-Talk. Wie Frauen und Männer am Arbeitsplatz miteinander reden*. Hamburg: Kabel.
- Walton, D. N., (1992). *The place of emotion in argument*. University Park, PA: Penn State University Press.
- Walton, D. N., Reed, C., & Macagno, F. (2008). *Argumentation schemes*. Cambridge: Cambridge University Press.
- Woods, J. (2004). *The death of argument*. Dordrecht: Kluwer.

Chapter 9

Current Issues in Conductive Argument Weight

Thomas Fischer

9.1 Introduction

The concept of conductive argument remains unsettled and controversial in theory of argument after forty years of discussion. Carl Wellman (1971, p. 52) originally defined conduction as follows:

Conduction can best be defined as that sort of reasoning in which 1) a reason about some individual case 2) is drawn non-conclusively 3) from one or more premises about the same case 4) without appeal to other cases.

Wellman identified three types of conductive argument: *Type One* with a single pro reason, *Type Two* with multiple pro reasons, and *Type Three* with one or more pro reasons and one or more con reasons. Arguments of the conductive type are clearly non-deductive and, some theorists would argue, non-inductive as well. The term “conductive” indicates a ‘bringing together’ of independent reasons, much like an orchestra conductor brings together many instruments and musicians into a single performance.

The theoretical issues surrounding the concept of conductive argument are quite numerous. Are all conductive arguments case-based? Should we be talking of conductive *evaluations* rather than of *arguments*? Are deductive, inductive, and conductive argument (or evaluation) types an exhaustive and mutually exclusive list? If all conductive arguments are diagrammed as convergent, how do we distinguish non-conductive convergent arguments from conductive ones? More fundamentally, why should we model various pro and con arguments on a single issue as *one* conductive argument? There are other basic questions and issues that could be listed as well.

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The focus of the present paper is on the concept of premise weight in Type Three conductive pro and con arguments. Some theorists want to restrict the concept of ‘conductive’ to only Wellmanian Type Three pro and con arguments (or evaluations); others prefer to speak of also Type Two as conductive as well; and still others concur with Wellman that there are three types of conductive arguments. The present paper tables that issue and proceeds on a working hypothesis that understanding the more complex Type Three conductive arguments is likely a useful pathway for achieving a better understanding of the less complex Wellmanian types one and two.

9.2 Wellman’s ‘Heft’ and Premise Weight

Talk of ‘weighing’ reasons pro and contra is a common manner of speaking. “Premise weight” is an obviously metaphorical expression which some theorists view as an over-stretched and faulty metaphor with respect to its application in theory of argument. For example, Harald Wohlrapp wrote in his *Der Begriff des Arguments*:

The upshot of the discussion of conductive argument is the following: The conclusion reached with arguments presented is not the result of a weighing, whatever that may be. (2008, p. 333; Zenker trans. p. 21)

Trudy Govier is perhaps the only widely known theorist of argument who, in multiple publications, has endorsed and expanded upon Wellman’s concept of premise weight. For Govier, premise weight is not literally measurable, which implies that premise weight must be non-numerical in some sense.

It is important to note that “outweighing” is a metaphorical expression at this point. We cannot literally measure the strength of supporting reasons, the countervailing strength of opposing reasons, and subtract the one factor from the other. (1999, p. 171)

Carl Wellman, the originator of the concept of conductive argument, also seems to have understood premise weight to be non-numerical, as indicated in the following passage from his *Challenge and Response*:

Nor should we think of the weighing [of reasons] as being done on a balance scale in which one pan is filled with the pros and the other with cons. This suggests too mechanical a process as well as the possibility of everyone reading off the same result in the same way. Rather one should think of weighing in terms of the model of determining the weight of objects by hefting them in one’s hands. This way of thinking about weighing brings out the comparative aspect and the conclusion that one is more than the other without suggesting any automatic procedure that would dispense with individual judgment or any introduction of units of weight. (1971, pp. 57–58)

In this passage, Wellman distinguishes two concepts of weight which we might conveniently call *scale-weight* and *heft-weight*. Scale-weight involves machinery, even if only a simple balance type of scale. The output of the scale-weight process is numerical. Even on a simple balance scale, the use of standard weights can provide numerical weight outcomes. Scale-weight outcomes, being numerical, are

precise and absolute rather than non-numerically comparative. Scale-weight is probably the current default meaning of “weight” in both theory of argument and in everyday contexts.

As Wellman, Govier and others have noted, scale-weight is not suitable as the literal basis for the premise weight metaphor. Per Wellman, heft-weight is the correct literal basis for this metaphor, and Govier would likely agree. To my knowledge, heft-weight has not received very much analytical attention in the literature on conductive argument, perhaps because heft-weight is viewed as uselessly vague and subjective. If this characterization is indeed suitable, then the concept of premise weight in theory of argument falls prey to a destructive dilemma. If scale-weight is the literal basis of the premise weight metaphor, then the metaphor is faulty and over-stretched. If heft-weight is the literal basis of the metaphor, then the metaphor is suitable, but premise weight is thereby uselessly vague and subjective. Perhaps the only way to save the concept of premise weight is to further recharacterize heft-weight. But what would that be like?

In contemplating heft-weight, we can imagine a person lifting several items one at a time and making a verbal pronouncement on each one. Initially the pronouncements will be comparative in nature, such as: *much heavier than, heavier than, same weight as, lighter than, or much lighter than*. A set of comparative, ranked weight categories is thus progressively created. The objects ranked by comparative weight could then be divided into perhaps five or so categories of non-numerical, verbal weight quantities such as: *very heavy, heavy, medium, light, and very light*. We need not think of the objects as *individually* ranked *within* each weight category, however. The individual human being is here functioning as a comparative weighing machine. Due to the lack of precision of heft-weight, there would be blurred boundaries between categories, and some items would have disputable weight categories, even with just one individual doing the hefting.

The outcome of this individual weighing process is a series of judgments that is objective in the sense that the human body is typically a good, if only approximate, weighing machine that provides a non-numerical, comparative, quantitative output. If one object had a lot more heft than another but a mechanical scale reported the reverse, we would properly believe we had a broken scale. This individual judgment of heft-weight is thus not subjective in the sense of individual personal preferences such as ‘chocolate tastes much better than vanilla’. But is heft-weight valid only for each individual weigher and thus non-objective in the sense of not intersubjective?

It seems to me that heft-weight should be understood as potentially intersubjective and thus objective, despite being non-numerical. As Aristotle noted, the solitary human being is either a beast or a God; so the standard case of Wellman’s ‘hefting’ individual is that he is a member of a group. Let’s say this group has about 40 or so people, like the pre-Neolithic human bands, and that there is a mixture of the young and the old, and the frail and the robust. While Wellman’s individual lifter is doing his or her thing, the others are also picking up the same objects in the same way and classifying them into ranked weight categories.

It would soon be found that the mid-range of people in terms of physical ability generally find a group of objects heavy and another group of objects light in weight,

approximately speaking. These objects would then become *intersubjectively* heavy, light, etc. The fact that the Milo's of this group, the athletically trained weight lifters, found most of the common objects to be light in weight, and the small or frail of the group found most objects to be heavy would all be understood and adjusted for by members of the little group in the usual way. In effect, the mid-range of human strength becomes a kind of standard, much as color words are defined in the standard context of normal daylight. We do not think that red things turn black on a dark night, and we do not think that heavy things literally become light in Milo's hands.

According to the above account, heft-weight, properly understood is non-numerical, approximate, comparative, and objective (intersubjective). On this characterization, heft-weight has many of the virtues of scale-weight, the major exceptions being lack of numerical output and consequent precision. Instead of numerical output, heft-weight provides non-numerical, comparative quantity categories of an approximate nature. Understood in this way, heft-weight is a very plausible literal basis for the metaphor of premise weight.

It might be objected that approximate, non-numerical quantities are not really quantities at all because quantities are *by definition* expressed as *symbolic* numbers. Although such a stance may have numerous defenders, the science of cognitive psychology has recently produced some interesting findings about what has been called the *approximate number sense*. Perhaps the term "quantitative capacity" would have been a better choice here than "number sense", but the latter wording has taken hold. The distinction between two different quantitative 'senses' is more than just a conceptual one. While the *symbolic number sense* is processed in a spread-out fashion in the prefrontal cortex, the approximate number sense is embodied in another part of the brain called the *intraparietal sulcus* (Cantlon et al. 2009). The two number senses seem to be connected in interesting ways. Current research by Halberda et al. (2008) provides preliminary indications that math education can benefit by co-developing the approximate sense and the symbolic number sense. Professional mathematicians are known to exercise their approximate number capacities when socializing at conferences. Classifying the approximate number sense as 'mere intuition' is likely an inappropriate over-simplification, given recent findings in cognitive psychology.

A commonly used example of the approximate number sense is when someone views several supermarket lines and classifies them as 'shortest, short, medium, long, and longest'. Quantities are involved in this process, but typically no counting or symbols. Interestingly, other higher animals have this same ability, which provides obvious evolutionary advantages. The predator needs to choose which group of fleeing herbivores to chase; the fruit-eating animals need to pick which tree will provide the most fruit at the time. It seems quite plausible that this approximate number sense is involved in the process that produces heft-weight. The approximate number sense is comparative, non-numerical, and the product of individual judgment; and heft-weight is all of these things.

Unlike the other higher animals, humans in the process of discriminating quantities obviously verbally characterize the discriminated categories with comparative terms such as 'much more, more, about the same, less, and much less.' In fact, we do

this for a great many types of categories. A very common number of categories in such quantitative verbal hierarchies is three to five to perhaps seven. Seven items apparently are a common maximum quantity for simultaneous cognitive focus in humans. Examples of such additional categories include ‘rich/middle class/poor’, or super rich/rich/upper-middle-class/lower-middle-class/poor’—and so on. In premise strength, we have ‘strong/moderate/weak’, or perhaps ‘very strong/strong/moderate/weak/very weak’, as categories of discriminated support quantities. Non-numerical quantity categories seem to be essential in human cognition and communication.

In correspondence of January 2010, Trudy Govier has remarked to me that if the judgment is made to not use “weight” in theory of argument, then “one would have to figure out some other way of speaking. One might speak of deliberating, or comparatively considering, or making judgments of comparative significance.” I think, and Govier might agree, that these potential substitutions for talk of premise weight would do less work overall than the premise weight concept, understood as left-weight. We use comparative, non-numerical quantity categories in our reasoning all the time; so dismissing such reasoning as inherently faulty requires a high burden of proof which has not been met.

Non-numerical, comparative quantitative categories are frequently applied by speaking of *degrees* of this and that. For example, there are degrees of argument strength, degrees of importance, and so on in a great many areas of discourse. In her (2009, p. 5), Govier has herself puzzled over the so-called ‘degrees’ of argument strength: “What are these degrees anyway? There is no answer.” It seems to me that a principal point at issue here has to do with “degrees” bringing in symbolic numbers—or not.

Of course, some decision theorists do apply numbers to verbal premise weight categories, e.g. “5” for “very strong”, etc. This approach in my view is best regarded as a ‘game technology’; there are some useful applications for it in contexts of decision making. This ‘invented’ numerical premise weight has no rational basis for conductive argument evaluation for at least one major reason: The exact selection of the number scheme can actually *determine the evaluation* for some arguments.

To provide just one example, choosing a number scheme of 3-2-1 vs. one of 10-5-2 for the three ‘strong/medium/weak’ verbal categories *determines* the evaluation of an argument with the following premise weight classifications: four strong pro reasons, five moderate contra reasons, and five weak contra reasons. This type of argument supports its conclusion on a 3-2-1 assignment but not on a 10-5-2 assignment. There is seemingly no way to argue for the rational basis of one number scheme over another for labeling the commonly used verbal categories. Even the total number of quantitative categories is largely contextually determined rather than rule-based. For various reasons, applying numbers to verbal categories has limited theoretical use, if any.

If premise weight determination does not normatively involve the application of symbolic numbers, what positive account of premise weight emerges from the above account? I would argue that premise weight determination involves a classification of each individual premise into one of a small number of non-numerical quantitative categories. With the literal basis of Wellman’s premise weight metaphor,

the verbal quantitative categories could be named: ‘*very heavy*’, ‘*somewhat heavy*’, ‘*medium*’, ‘*light*’ and ‘*very light*’; the corresponding theory of argument categories would be similarly ‘*very strong*’, ‘*somewhat strong*’, ‘*medium strength*’, ‘*somewhat weak*’, and ‘*very weak*’.

These non-numerical, quantitative categories of premise weight are, to be sure, highly familiar ones. The intent of the above account is to provide them with a clearer grounding than they have previously received, to my knowledge. The fact that the exact names and even total number of such categories is variable and contextually determined is not in my view problematic.

The presumptive weight of an individual premise would in context be based on background knowledge and social values of the individuals and groups involved in argumentation. If a given premise weight is not agreed to, then it can be argued for using some version of the scheme for argument to a classification. Premise weights can thus be seen as intersubjectively determinable, contextually and within limits. The contextual reality of deep disagreements is not an effective objection to premise weight as a key term in theory of argument, contrary for instance to Harald Wohlrapp’s critique of Govier on conductive argument.

We shall now apply the above account to some of Govier’s critics on the concept of premise weight and conductive argument, particularly those criticisms focused on quantitative issues. The interpretation of Govier is my own and is of course quite arguable; hopefully it has some measure of accuracy and value.

9.3 Govier’s ‘Exceptions’ and Issues of Quantification and Cases

Govier’s detailed account of weighing reasons is put forward in Chapter 10 of her *Philosophy of Argument* (1999) and in Chapter 12 of her textbook, *A Practical Study of Argument*, the current edition being the 7th (2010). In the first paragraph of her text’s section on conductive argument evaluation, she writes of premises’ “significance or weight for supporting the conclusion” (2010, p. 359). She soon introduces the specifics of her concept of premise weight, as follows:

While acknowledging that we are dealing here with judgment rather than demonstration, we will suggest a strategy for evaluating reasons put forward in conductive arguments. The premises state reasons put forward as separately relevant to the conclusion, and reasons have an element of generality. That generality provides opportunities for some degree of detachment in assessing the conclusion. Since this is the case, we can *reflect on further cases when seeking to evaluate the argument.* (2010, p. 361) (emphasis added)

Govier’s explication of premise weight uses as its principal example an argument for the legalization of voluntary euthanasia; several of her major critics, including Harald Wohlrapp, have responded to her with further analyses of the same argument, so it is worth stating completely here from her (2010, p. 360):

(1) Voluntary euthanasia, in which a terminally ill patient consciously chooses to die, should be made legal.

- (2) Responsible adult people should be able to choose whether to live or die.
 Also, (3) voluntary euthanasia would save many patients from unbearable pain.
 (4) It would cut social costs.
 (5) It would save relatives the agony of watching people they die an intolerable and undignified death.
 Even though (6) there is some danger of abuse, and despite the fact that (7) we do not know for certain that a cure for the patient's disease will not be found,
 (1) Voluntary euthanasia should be a legal option for the terminally ill patient.

Govier identifies the associated generalizations for the pro reasons as follows, each with its *ceteris paribus* clause (2010, p. 361):

- 2a. Other things being equal, if a practice consists of *chosen* actions, it should be legalized.
 3a. Other things being equal, if a practice would *save people from great pain*, it should be legalized.
 4a. Other things being equal, if a practice would *cut social costs*, it should be legalized.
 5a. Other things being equal, if a practice would *avoid suffering*, it should be legalized.

Each generalization is seen to have exceptions, which are indicated by the *ceteris paribus* clause. It is worth noting that “*ceteris paribus*” has translations other than ‘all else being equal’, for example, ‘all else being proper’, ‘all else being reasonable’, and ‘all else being comparable’. I see Govier’s use of *ceteris paribus* here as not much more than a normative pointer, so to speak, to the other issues and cases to be considered, as an indicator that the generalization is potentially not universal and the only area of consideration. Govier further explicates her point as follows:

For example, you could imagine social practices that would deny medical treatment to medically handicapped children, abolish schools for the blind, or eliminate pension benefits for all citizens over eighty. Such practices would save money, so in that sense they would cut social costs. But few would want to support such actions. Other things are not equal in such cases; the human lives of other people who are aided are regarded as having dignity and value, and the aid is seen as morally appropriate or required. (2010, p. 361)

The principle of cutting social costs has, in Govier’s terms, a wide range of exceptions.

Perhaps Govier’s most succinct statement about premise strength is in her (1999, p. 171):

A strong reason is one where the range of exceptions is narrow. A weak reason is one where the range of exceptions is large.

For Govier, the following are treated as roughly synonymous expressions because all are quantitative in a similar way: premise *significance*, *weight*, *strength*, and *force*. As we shall see, Robert C. Pinto (2011) identifies conducive weight as one component of argument strength, an interesting direction that will have to be followed up elsewhere.

Harald Wohlrapp challenges and rejects Govier’s account of a quantifiable range of *ceteris paribus* exceptions:

But why should the argument be weaker, because the associated if-then sentence has ‘more exceptions’? Can I really compare the number of exceptions through enumeration? Must we not bear in mind that the general principles are situation-abstract and that, depending on

how they are being situated, they can have arbitrarily many exceptions? Is there anything countable here? (2008, pp. 323–324; trans. p. 10)

As quoted above, Govier states that the point of framing the generalization associated with a conductive argument consideration is to identify additional *cases* falling within that generalization. According to Govier, these cases are then to be *reflected on* in the appropriate process of evaluating premise weight in conductive arguments. Such cases would seemingly be of two kinds, (1) actual cases past or present, and (2) fictional *a priori*, ‘what if’ cases, including potential future cases. The quantity of exceptions here seems to concern not the number of items on a *list* of exception categories, which can be almost arbitrarily long or short depending on the abstraction level of the categories chosen. Rather, the quantity of exceptions must involve *cases*, actual or a priori as described above. How does Govier come to reasonably believe that there are a great many exceptions to the generalization of cutting social costs? She obviously knows this from her experiences in living in a wide but imprecisely delineated moral community that one might call the developed democracies. She learned about the social values and behavior that create this ‘wide range of exceptions’ by experiencing multiple cases of a normative nature. But how and in one sense are such cases quantitatively and rationally assessed, and what is the nature of the normative component?

Any one individual’s knowledge of how many exceptions there are to the principle of reducing social costs is imprecise, which suggests the involvement of the approximate number capacity described above. Explicitly counting exceptions to the principle of reducing social costs is not commonly done. We simply do not go around stating, for example, that there were 794 exceptions to the principle of cutting social costs in the U.S. Congress from 2005 to 2009. Instead, we learn in living which types of cases are very common and which are rare in our moral, legal, and social communities. We do not have in mind the details of most cases and we do not typically count them. We know of a great many cases in which social costs are borne so that other objectives can be attained. We know of comparatively few cases in which unbearable human pain is knowingly tolerated in favor of controlling social costs. Comparative, non-numerical, and individual judgment is being exercised, and that judgment has some objective basis in the quantity of cases comprising the relevant evidence. We acquire knowledge of actual social values by experiencing a great many cases, both legal cases and cases in the everyday sense of situations and decisions made.

Cognitive psychologists would address how these relevant cases are evaluated and processed as evidence, but our concern here is what concepts and issues within *normative logic* are involved. If I am correct in interpreting Govier’s exceptions-based understanding of conductive argument as, at least with many conductive weight evaluations, a matter of supporting cases in the widest sense of “case”, then the legal model of processing cases, rules and social values may provide insight into the normative aspects of everyday conductive reasoning. But is there such a model for cases and values? I believe there is such a model in the value-based, case-based theory of legal reasoning developed over the last decade or so by Trevor Bench-Capon, to which we will proceed in the next section.

In addressing case-based arguments and theories, it may be asked why a study of conductive weight should take us into theory of analogical argument. After all, analogical arguments compare two or more cases, whereas conductive arguments are about a single concrete or abstract case, even if a case in the conclusion of a conductive argument can be a generality, as Govier claims. I believe this objection can be successfully addressed by bringing one of Robert C. Pinto's analyses of Govier's theory of conductive argument. But for now, I will have to give out a brief promissory note on that point and ask for the reader's indulgence until the section after next.

9.4 Trevor Bench-Capon's Value-Based, Case-Based Reasoning

A legal argument is usually taken as the paradigm of an argued case. Of course legal arguments and reasoning have been foundational for normative logic since Toulmin. In comparing case-based common law legal argument with rule-based civil law legal argument, George Christie very effectively highlighted the distinctive role of cases in the former:

Under the approach to legal reasoning now to be described [case-based, common law], so-called rules or principles are merely rubrics that serve as the headings for classifying and grouping together the cases that constitute the body of the law in a case-law system. In such a system even statutes are no more than a set of cases, if any, that have construed the statute together with the set of what might be called the paradigm cases that are, in any point in time, believed to express the meaning of the statute. (2000, p. 147)

Arguing from a few precedent cases is of course a standard argument by analogy using the 'argument from precedent' scheme. But the reasoning becomes more complex, and more interesting, once appeals to social values are brought in along with appeals to other cases, as theorized by Bench-Capon in his account of value-based, case-based reasoning in law.

For Bench-Capon, a given case in law is appropriately decided within a key context of often many other cases, past, present and future:

A given case is decided in the context both of relevant past cases, which can supply precedents which will inform the decision, and in the context of future cases to which it will be relevant and possibly act as a precedent. A case is thus supposed to cohere with both past decisions and future decisions. This context is largely lost if we state the question as being whether one bundle of factors is more similar to the factors of a current case than another bundle, as in HYP0, or whether one rule is preferred to another, as in logical reconstructions of such systems. (2000, pp. 73–74)

The context of cases is key because, according to Bench-Capon, "we see a case-based argument as being a complete theory, intended to explain a set of past cases in a way which is helpful in the current case, and intended to be applicable to future cases also. The two goals are closely linked. Values form an important part of our theories and they play a crucial rule in the explanations provided by our theories" (2000, p. 74).

Bench-Capon believes that "the 'meaning' of a case is often not apparent at the time the decision is made, and is often not fixed in terms of its impact on values and

rules. Rather, the interpretation of the case evolves and depends in part on how the case is used in subsequent cases.” (2000, p. 74). Thus case-based argument in law it is commonly not about a small number of cases implying a value scheme but is rather about potentially many relevant cases that modify value schemes in ways not always understood until later interpretations. There is a ‘theory of cases’ that new cases are constantly modifying. The *factors* of legal argument analysis seem to me to be fundamentally the similar to the *considerations* of general pro and con conductive arguments concerned with evaluative issues. Quoting Bench-Capon again:

The picture we see is roughly as follows: factors provide a way of describing cases. A factor can be seen as grounding a defeasible rule. Preferences between factors are expressed in past decisions, which thus indicate priorities between these rules. From these priorities we can adduce certain preferences between values. Thus the body of case law as a whole can be seen as revealing an ordering on values. (2000, p. 76)

And further:

In regard to legal theories cases play a role which is similar to the role of observations in scientific theories: they have a positive acceptability value, which they transfer to the theories which succeed in explaining them, or which can include them in their explanatory arguments. (2000, p. 76)

Cases both express and develop value schemes, which consist of both lists of values and their prioritization in contexts of conflict. Henry Prakken has endorsed this approach as well: “As Bench-Capon [2] observes, many cases are not decided on the basis of already known values and value orderings, but instead the values and their ordering are revealed by the decisions. Thus one of the skills in arguing for a decision in a new case is to provide a convincing explanation for the decisions in the precedents” (2000, pp. 8–9). The detailed logic of Bench-Capon’s value-based, case-based reasoning is too intricate to allow for even a summary in the present paper.

It seems very plausible to me that these points are applicable well beyond legal argumentation. Perhaps weight in conductive arguments, at least those focused on evaluational issues, might best be understood on the model of the above approach to legal case-based arguments. Our daily experience and decisions, both collective and individual, form a kind of case history which both expresses and continually forms and re-forms our values. Philosophers in recent decades have tended to understand moral issues (and sometimes practical issues) in terms of *rule-based models* rather than in terms of *case-based models*, but this long-term emphasis may have been overdone. It seems to me quite plausible that the case-based reasoning model would readily apply to non-moral, evaluative, conductive reasoning as well.

The idea of value schemes evolving with case decisions is entirely consonant with Stephen Toulmin’s remarks in *The Abuse of Casuistry*: “Historically the moral understanding of peoples grows out of reflections on practical experience very like those that shape common law. Our present readings of past moral issues help us to resolve conflicts and ambiguities today” (1988, p. 316). It seems to me that taking the case-based understanding of legal reasoning, together with modeling much everyday evaluative reasoning on legal argument interpreted as value-centric, is a very promising direction.

I must now in the next section make good on my promissory note to address the objection that case-based reason and argument is simply a different topic in theory of argument from that of conductive weight. So we turn, as previously stated, to some recent work on conductive weight by Robert C. Pinto.

9.5 Robert C. Pinto on Conductive Weight

Informal logician Robert C. Pinto is to my knowledge one of the very few argument theorists who has recently and substantially addressed the nature of conductive weight. The core of Pinto's definition of conductive weight is as follows:

The *weight* of a consideration would be a function of (a) the extent or degree to which a criterion has been satisfied and (b) the importance of that criterion. And the overall *force* of any consideration would be a function of the weight of the consideration and the risk involved in relying on that consideration. (2011, p. 120)

Pinto's distinguishing (1) argument *risk* from (2) argument *weight* is an interesting theoretical move that could turn out to be fruitful. For present purposes, I shall for the sake of limitations of space bypass interesting issues involving the technical terms *strength* (or *force*) and *risk* in Pinto's paper in order to move on to his theory of argument *weight*.

Pinto's (2011) treatment of conductive weight show some interesting parallels with Bench-Capon's AI & Law treatment of case-based reasoning and values. Both theoretical approaches have to do with *feature weight*. For Bench-Capon, a case factor is basically a rule that has a case feature as the antecedent and a favored outcome (i.e., pro-plaintiff or pro-defendant) as the consequent. As mentioned above, case precedents rank factors; case decisions and value premises can alter factor rankings. In writing of conductive weight, we find in Pinto a somewhat similar pair of importance (ranking) on the one hand and features on the other:

Let F1 be the feature on which one of those two considerations turns and F2 the feature on which the other consideration turns. If we prefer a situation which has F1 but not F2 to a situation that has F2 but not F1, then we judge the consideration which turns on F1 to be of greater importance than the consideration that turns on F2. (2011, p. 123)

In Pinto's account (2011, p. 123), features have *degrees of preference* which are in effect degrees of support for the associated value. Pinto's examples of such degrees include "just a bit", "a fair amount", "to a great extent". The comparative importance of a feature is determined, according to Pinto (2011, p. 121) by our preferring a situation with the feature to one without the feature. This sounds to me similar to Pollock's 'situation likings', but there could be important differences that a scholar of Pollock's work would identify.

In what he describes as a "very preliminary proposal" (2011, p. 123), Pinto introduces the concept of *degree of feature presence* as follows:

Let D1 be the degree to which feature F1 is present and D2 be the degree to which F2 is present. In determining whether we prefer situations which have F1 but not F2, etc., we

determine whether—other things being equal—we prefer F1 in degree D1 to F2. If we do, then we count the consideration that turns on F1 in degree D1 to have greater weight than the consideration that turns on F2 in degree D2. The greater the “extent to which we prefer one combination to the other” (e.g. “just a bit”, “a fair amount”, or “to a great extent”), the greater the relative weight we accord to that set of considerations in comparison with the other set of considerations (“slightly more weight”, “moderately more weight”, or “considerably more weight”). (2011, p. 123)

Pinto in effect ranks relevant feature instances by their *comparative quantities*, the quantities in question being in my view non-numerical.

I find considerable resonance here between Wellman’s original model as I understand it and Pinto’s very recent account. A major drawback of Pinto’s account is that it doesn’t take us very far, as Pinto himself seems to acknowledge by describing his theory as “very preliminary”. At my knowledge, the interesting parallels between Pinto’s work on conductive weight and Trevor Bench-Capon’s account of value-based, case-based reasoning in law do not reflect any cross-influences. Bench-Capon’s work was temporally prior but appeared in a specialty context with general-audience accessibility limitations. More details of both these approaches would have to be laid out elsewhere. It is now time to redeem the earlier promissory note and respond to the objection that analogical, case-based arguments are not involved in the determination of conductive weight.

In his (2011, p. 106), Pinto points out that one of Govier’s examples of a conductive argument contains arguments that are non-conductive. Below, I have re-sequenced the reasons from Pinto’s account, grouped linked arguments (subarguments) together for visual clarity; and supplied the ‘PRO’ and ‘CON’ descriptions. Individual argument numbers are retained from Govier’s and Pinto’s accounts. The implied subconclusions are worded from Pinto’s account, although I may use them differently from Pinto; the implied conclusions are not in Govier’s account:

4. Clark has recently earned an MBA from Harvard. PRO
5. The success rate for Harvard MBA’s with problems like the problems we’re facing right now has been fairly high. PRO
[So, there is a reasonably good chance that Clark will be successful in dealing with problems like the problems the organization currently faces.]
6. Her management philosophy and her ideas about employee relations are very much like Wilson’s. PRO
7. We all agree that he was an excellent manager before he retired. PRO
[So, Clark will, like Wilson, be an excellent manager.]
1. Clark has only limited experience in management positions. CON
2. Some of our employees may be uncomfortable with a woman in charge. CON
3. [Therefore] we ought to hire Clark as our executive director. [MAIN CONCL.]

As Pinto notes, the first subargument is inductive and the second is analogical. I concur with Pinto (2011, p. 106) that Govier should speak of conductive arguments as containing independent *reasons* rather than independent *arguments*.

The point I think Govier is trying to make might be better made if we distinguished between reasons and the propositions or premisses that make up those reasons, and go on to say that if a conductive argument contains several *reasons* in support of its conclusion, each of those reasons provides nonconclusive support of the conclusion, and does so independently of the

other *reasons*. One can make this point, while acknowledging that a single non-conclusive *reason* for a conclusion *can* require linking two or more “premisses”, no one of which supports the conclusion unless taken together with the other premisses.

In the above ‘Clark’ example, arguments four and five constitute one reason in this sense, as do arguments six and seven. It seems rather straightforward to me that the weight of the implied main reasons for the main conclusion is determined at least in part by the quality of the subarguments supporting the main reasons, which are not conductive. We thus have a straightforward example of non-conductive (sub)-arguments supplying weight determinations for a conductive main argument. A wider empirical study could pronounce on the scope of this type of determination of conductive weight, but I expect the scope is considerable.

It may be that conductive arguments involving predictions, such as arguments from sign, can be weighted in terms of probabilities rather than in terms of evaluated experiences as above. One example of such an argument appears early in Govier’s textbook chapter on conductive argument: “She must be angry with John because she persistently refuses to talk to him and she goes out of her way to avoid him. Even though she used to be his best friend, and even though she still spends a lot of time with his mother, I think she is really annoyed with him right now” (2010, p. 366). Perhaps other major categories of conductive weighing can be identified, probabilistic and evaluated experiences being perhaps two of several or many. I suspect that the case-centric category is at least as prevalent as the probabilistic category, which might mean that taking the probabilistic model as central an over-mathematization of conductive evaluation. Ideas from Pollock and from Tyaglo (2002) may be applicable to *predictive* (or dispositional) conductive arguments that seem to be arguments from sign. Whether it is useful to identify two (or more?), subtypes of conductive argument, the empirical and the valuational, is an interesting question worth pursuing. The argument of the present paper concerns principally ‘valuational’ conductive arguments. A large empirical study of conductive argument, guided by concepts from theory of conductive argument, may be required to stimulate a more adequate normative theory of conductive weight.

Most of the above account has to do with the concept of individual reason weights being rationally assessable rather than merely subjective or irreducibly intuitive. But how are the various reason strands of a given conductive argument to be normatively ‘conducted’ together into an evaluation of their collective support? Sometimes the side that outweighs the other is obvious, once premise weight has been assessed, as when for example two strong reasons outweigh two weak ones. Another process is to strike one strong premise on each side, or one weak premise on each side, and continue this kind of balancing until the remaining argument is clearly resolvable on one side or the other. The metaphor of ‘summing up’ the pros and the cons does not take us very far; it may be that an empirical study of resolutions of conductive arguments would suggest guidelines and practices that would resemble in some respects the kind of facilitation we see in mediation and in decision theory. David Hitchcock’s account (1994) of conductive validity and the counterexample test is useful as well, but I suspect that dialectic rather than logic will be the primary territory for seeking progress in expressing the norms of conductive argument evaluation.

9.6 Conclusion: Subjectivity, Objectivity, and Premise Weight

What is excluded for those who accept the argument of the present paper is the view that premise weight is either entirely subjective or entirely objective, as would be implied by accepting the scale-weight model of premise weight or by rejecting the concept of premise weight altogether. The above account thus supports a middle ground of intersubjectivity. Harald Wohlrapp's view premise weight is subject may be at least tacitly shared by many argument theorists who do not adopt the concept of conductive argument:

You can cut the pie anyway you like, the opportunities of argumentative language use lie prior to calculation: namely in the how and why of a particular argument being assigned a particular weight-quantum. After all, the "weight" of arguments is primarily something subjective. (2008, p. 319; trans. pp. 4–5).

Rhetorician Christian Kock has also argued at length that premise weight assignments are subjective. One of his more prominent examples involves the preference of the rural Briton for keeping the pound as a symbol of British identity, whereas the cosmopolitan Briton who travels prefers an abandonment of the pound in favor of the Euro to eliminate the significant expense and bother of frequent currency conversions. Kock claims that these two preferences are both subjective and not reconcilable in any obvious way.

What the example of the "national identity argument demonstrates is, again, that in practical reasoning an argument may legitimately have different degrees of strength to different people; and it would demonstrate this no matter which absolute or relative definition of strength we might devise. (2007, p. 104)

Kock is surely right about this specific issue area, and Wohlrapp readily acknowledges the existence of unresolvable issues involving putative conductive weight.

Finally, it should be clear that by far not every pro- and contra- debate, even under employment of this [frame-based] strategy, will lead to a clear conclusion. It is usually not easy for people to jump over their own shadows. (2008, p. 331; trans. p. 18)

The trio of terms, "objectivity", "subjectivity" and "argument," are daunting ones to try to interrelate. Premise weight certainly does not have the 'scientific' objectivity of numerical scale weight, and seemingly no theorist of argument claims that it does. Even though science is the quintessentially objective discipline, other philosophically legitimate meanings for "objective" and "subjective" do exist and may well be applicable here.

One alternative understanding of the terms "objectivity" and "subjectivity" in the present context can be developed from the following claim: Argument and argumentation constitute *par excellence* the process of moving from subjectivity to objectivity. A conductive argument can be managed objectively or subjectively. An arguer's ignoring relevant considerations in a conductive argument is not being objective about the matter at hand, which is the 'fallacy' or cognitive error of *tunnel vision* mentioned by Govier in her textbook's chapter on conductive argument (2010).

An illustration of the human tendency to ignore multiple factors, and thus keep multiple aspects of reality in separate tunnels or silos, is brought out in a passage from George Elliot's famous novel *Middlemarch*. In the story, Tertius Lydgate is a young and recently married physician whose expenditures are consistently well beyond his income. However, the young man continually fails to realize that he may be, through the accumulation of debts, in the process of becoming much like the poor people he attends to. The novel's narrator remarks of Mr. Lydgate:

"but, dear me! has it not by this time ceased to be remarkable—is it not rather what we expect in men, that they should have numerous strands of experience lying side-by-side and never compare them with each other?" (1871, p. 558)

There is a strong sense in which objectivity is enhanced by bringing together independent strands of reasons and participating in conductive argument, whether the respondent is oneself or others.

Conductive argument is especially applicable in what Richard Paul calls '*multi-system*' thinking. For Paul, '*single-system*' thinking characterizes the settled sciences, e.g. chemistry; objectivity is therein at the maximum. '*No-system*' thinking characterizes preferences such as one's favorite ice cream flavor. '*Multi-system*' thinking occupies the great, intersubjective middle ground between full subjectivity and maximum objectivity.

The present paper characterizes individual premise weight determination as normatively involving a scheme of argument to strength classification among a small number of non-numerical but quantitatively ranked categories, i.e. 'very strong', 'strong', etc. This claim is of course not at all novel. The intent of the present paper is to provide additional conceptual support and clarity for the concept of degrees of premise weight and thus argument strength. As Frank Zenker has noted (2011, p. 16), one might view both deductive and inductive arguments as equal-weighted and conductive arguments as unequal-weighted. This classification highlights the point that weighting is comparative, as Wellman indicated, because equal-weighted is functionally equivalent to unweighted. Zenker's point highlights the distinctiveness of weighting to conductive argument. Hopefully adequately addressing the concept of conductive weight help clear the way to developing a consensus on the meaning and value of "conductive" as a key step in the development of theory of argument.

References

- Bench-Capon, T., & Sartor, G. (2000). Using values and theories to resolve disagreement in law. In J. Breuker, R. Leenes, & R. Windels (Eds.), *Legal knowledge and information systems. Jurix 2000: The thirteenth annual conference* (pp. 73–84). Amsterdam: IOS Press.
- Cantlon, J., Libertus, M., Pinel, P., Dehaene, S., Brannon, E., & Pelphrey, K. (2009). The neural development of an abstract concept of number. *Journal of Cognitive Neuroscience*, 21(11), 2217–2229.
- Christie, G. (2000). *The notion of an ideal audience in legal argument*. Dordrecht: Kluwer.
- Elliott, G. (1871). *Middlemarch*. New York: Barnes & Noble Books.
- Govier, T. (1999). *The philosophy of argument*. Newport News: Vale Press.

- Govier, T. (2009). More on dichotomization: Flip-flops of two mistakes. In J. Ritola (Ed.), *Argument cultures: Proceedings of OSSA conference 2009* [CD-ROM], Windsor, ON
- Govier, T. (2010). *A practical study of argument* (7th ed.). Belmont: Wadsworth Cengage Learning.
- Halberda, J., Mazocco, M., & Feigenson, L. (2008, October). Individual differences in non-verbal number acuity correlate with maths achievement. *Nature*, 455(2), 665–668.
- Hitchcock, D. (1994). Ch. 5: Validity in conductive arguments. In R. Johnson & J. A. Blair (Eds.), *New essays in informal logic* (pp. 58–67). Newport News: Vale Press.
- Jonsen, A., & Toulmin, S. (1988). *The abuse of casuistry*. Berkeley: University of California Press.
- Kock, C. (2007). Is practical reasoning presumptive? *Informal Logic*, 27(1), 91–108.
- Pinto, R. (2011). Weighing evidence in the context of conductive reasoning. In J. A. Blair & R. H. Johnson (Eds.), *Conductive argument*. London: College Publications.
- Prakken, H. (2000). An exercise in formalizing teleological case-based reasoning. In J. Breuker, R. Leenes, & R. Windels (Eds.), *Legal knowledge and information systems. Jurix 2000: The thirteenth annual conference* (pp. 49–57). Amsterdam: IOS Press.
- Tyaglo, A. (2002). How to improve the convergent argument calculation. *Informal Logic*, 22(1), 61–71.
- Wellman, C. (1971). *Challenge and response*. Carbondale: Southern Illinois University Press.
- Wohlrapp, H. (2008). The pro- and contra-discussion (A critique of Govier’s “conductive argument”). *Der Begriff des Arguments*, Section 6.4 (F. Zenker of: Wohlrapp, H. Trans.). Würzburg: Königshausen und Neumann. Retrieved from www.frankzenker.de/academia
- Zenker, F. (2011). An attempt at unifying natural language structure. In J. A. Blair & R. H. Johnson (Eds.), *Conductive argument*. London: College Publications.
- Zimmer, C. (2009, November). The math instinct. *Discover Magazine*, 28.

Chapter 10

Instruments to Evaluate Pragmatic Argumentation: A Pragma-Dialectical Perspective

Constanza Ihnen

10.1 Introduction

Pragmatic argumentation – also referred to as ‘instrumental argumentation,’ ‘means-end argumentation,’ ‘argumentation from consequences’ – is generally defined as argumentation that seeks to support a recommendation (not) to carry out an action by highlighting its (un)desirable consequences (see, e.g., Perelman and Olbrechts-Tyteca 1969; Schellens 1987; van Eemeren and Grootendorst 1992; Walton et al. 2008). Pragmatic arguments are fairly common in everyday discourse and particularly in discussions over public policy. Cases can be identified in the print media on a regular basis. By the end of June 2010, for example, George Osborne, the U.K.’s Chancellor of the Exchequer, was defending the Lib-Con budget as a means to “boost confidence in the economy” (Budget: Osborne Defends ‘Decisive’ Plan on Tax and Cuts 2010); Israel’s Minister of Defence, Ehud Barak, was attacking the timing of plans to demolish 22 Palestinians homes in East Jerusalem as being “prejudicial to hopes for continuing peace talks” (Ehud Barak Attacks Timing of Plans to Demolish 22 Palestinian Homes 2010); and major oil companies were attacking the US government’s ban on deepwater drilling as a policy that was “destroying an entire ecosystem of businesses” and “resulting in tens of thousands of job losses” (US Gulf Oil Drilling Ban Is Destroying ‘Ecosystem of Businesses’ 2010).

In this paper I propose instruments to evaluate pragmatic argumentation from a pragma-dialectical perspective. Instruments to analyse and evaluate pragmatic argumentation have already been proposed within the pragma-dialectical framework. These instruments consist, in the main, of an argument scheme and a list of critical questions. The argument scheme represents the inference rule underlying pragmatic

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argumentation and the critical questions specify the conditions that a pragmatic argument should fulfil for the inference rule to be correctly applied. I consider these proposals extremely useful – as it happens, the evaluative instruments set out in the following sections rely heavily on them. Having said this, there is significant room for improvement and that is why I have set myself the task in this paper to elaborate on, but also supplement and amend the instruments developed thus far. Specifically, I am inclined to formulate the argument scheme somewhat differently and to reorganise, reformulate, and complement the list of critical questions. When designing the list of critical questions I have drawn on the work of Clarke (1985), Schellens (1987), and Walton (2007), who have also studied pragmatic argumentation from a dialectical perspective. Even though Clarke and Walton deal with ‘practical inferences’ and ‘practical reasoning’ respectively, from the definitions they propose, it is clear that these labels refer fundamentally to the same argumentative phenomenon defined above as ‘pragmatic argumentation.’

Due to the limited scope of this paper, I will not start, as is customary, with a review of the pragma-dialectical literature on the pragmatic argument scheme and its critical questions, but restrict myself instead to the presentation and justification of a reformulated version of these instruments.¹

10.2 The Evaluation of Argumentation in Pragma-Dialectics

Before putting forward my proposal for the evaluation of pragmatic argumentation, I shall make explicit my theoretical starting points. In pragma-dialectics, the evaluation of argumentation (with an unexpressed premise) proceeds in two stages (van Eemeren and Grootendorst 2004, pp. 144–151). The first stage is to examine whether the parties agree that the material premise of the argumentation is part of the shared material starting points of the discussion.² The procedure by which the parties determine

¹Pragmatic argumentation is described in van Eemeren et al. (1983); van Eemeren and Grootendorst (1992, pp. 97, 162), Garssen (1997, p. 21), and van Eemeren et al. (2002, pp. 101–2). The argument scheme is outlined in Feteris (2002, p. 355) and, also, with some modifications, in van Eemeren et al. (2007, p. 170). Critical questions for pragmatic argumentation are listed in Garssen (1997), p. 21 (available only in Dutch). An English translation of these questions can be found in van Eemeren et al. (2007, p. 170).

²This description of the evaluative process is premised on an immanent view of dialectics. According to this perspective, the analyst should examine the acceptability of the argumentation solely in consideration of the material starting points of the discussants (see Hamblin 1970). Nevertheless, it is also possible to conceive the evaluative process from a non-immanent perspective and assign the analyst a more active role in the evaluation. In the latter case, if the analyst considers that the material premise of the argumentation is unacceptable when both parties have recognised it as a shared material starting point, s/he may start a discussion with the parties concerning the acceptability of that proposition. In this discussion, the analyst not only questions the acceptability of the argumentation but also assumes the opposite point of view than the parties. Being protagonist of his own standpoint, he should put forward argumentation to justify her/his

this is referred to as the *inter-subjective identification procedure* (IIP). If this procedure yields a negative outcome the argument used by the protagonist is deemed fallacious and the evaluation comes to an end. If the result is positive, the analyst must turn to the next evaluative stage in which it is determined if the parties agree that the argument scheme used by the protagonist is a shared procedural starting point. If the protagonist has made use of an argument scheme that is not part of the parties' common ground the argumentation is considered fallacious. This is the second point in which the evaluation can come to an end. By contrast, if the parties agree that the scheme is a shared procedural starting point, the evaluation process must continue. The reason for this is that by agreeing on the legitimacy of the scheme, the protagonist is conferred the right to employ a specific type of inference rule to transfer the acceptability of the material premise to the conclusion. This inference rule, however, can be instantiated in infinite ways and not all of these substitution instances will actually transfer the acceptability to the conclusion. Thus, once it is clear that the parties have agreed on the legitimacy of the argument scheme, the analyst should also examine whether the parties agree that the scheme has been applied correctly. The procedure by which the parties determine if the argument scheme used is appropriate and has been correctly applied is referred to as the *inter-subjective testing procedure* (ITP).

Critical questions are the dialectical method used by the parties to take a decision concerning the correctness of the application of the scheme (van Eemeren and Grootendorst 2004, p. 149). More specifically, critical questions are questions by means of which the parties jointly examine if there are circumstances in the world – that is, the world as depicted by the material starting points of the discussion – that could hinder the transference of acceptability from the material premise advanced to the conclusion. (Note that this 'world' can expand during the discussion, since the list of material starting points can be enlarged throughout the discussion.) If the protagonist wishes to maintain his argumentation, he should give as an answer to these questions an argument showing that circumstances in the world that could count as 'obstacles' in the transference of acceptability are not in place.³ Such obstacles might

position. The description also assumes that there are two real parties to the discussion. The same alternatives – and immanent versus a non-immanent view of dialectics – apply even if the antagonist is only 'projected' by the protagonist. In both cases the analyst should try to 'reconstruct' the projected antagonist. In the first case, the analyst will judge the acceptability of the argumentation in view of the presumably shared starting points by protagonist and antagonist; in the second case, he will take a more active role in the evaluation, making explicit his disagreement concerning the acceptability of the argumentation.

³In the ideal model of a critical discussion, where every argumentative move is made explicitly, the parties expressly agree on the critical questions at the opening stage. This agreement is reached simultaneously to the agreement that a certain type of argument scheme will count in the present discussion as an acceptable means of defence. By contrast, discussants rarely agree explicitly in practice on the critical questions relevant to a type of argument scheme. This puts the burden on argumentation theorists to propose critical questions for conventionalised types of argument schemes such as the pragmatic argument scheme. In designing these questions, they look for the kind of evidence that could count against a specific type of argumentation starting from the assumption that the material premise is acceptable.

be classified into two main categories: those relating to presuppositions of the proposition involved in the standpoint and those linked to the connection premise of the argumentation. I shall give examples for each category in Sect. 3.2.2.

10.3 Proposals for the Evaluation of Pragmatic Argumentation

10.3.1 *Argument Scheme*

Having explained the procedures involved in the pragma-dialectical evaluation of argumentation in general, I turn to the characterisation of the pragmatic argument scheme. The argument scheme I use as my point of departure is as follows:

Standpoint:	Action X should (not) be carried out	
Because:	Action X leads to (un)desirable consequence Y	(MATERIAL PREMISE)
And:	If action X leads to (un)desirable consequence Y, then action X should (not) be carried out	(CONNECTION PREMISE)

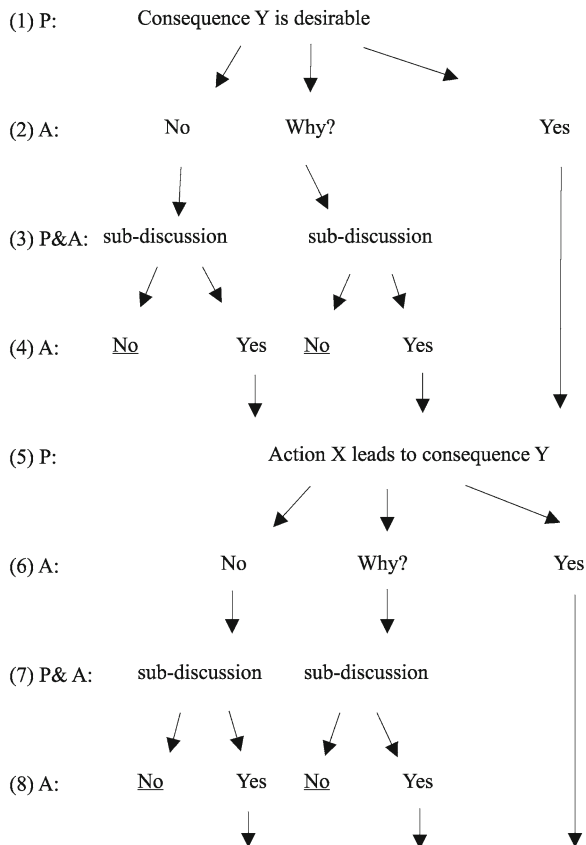
Argument schemes specify the type of propositions involved in a given type of argumentation and their functions. As detailed in the scheme, the standpoint of pragmatic argumentation is prescriptive. This prescription can aim at the creation of a positive obligation or a negative one (i.e., a prohibition). The *material premise* of the argumentation is complex: it can be analysed into two propositions, one causal, ‘Action X leads to consequence Y,’ and another evaluative, ‘Consequence Y is (un)desirable.’ Concerning the *connection premise*, ‘If action X leads to (un)desirable consequence Y, then action X should (not) be carried out,’ it should be emphasised that this conditional does not commit the arguer to the view that the conclusion necessarily follows from the material premise but, rather, that the conclusion *can* follow, in principle, from this premise. It is an inference licence subject to conditions expressed by the critical questions.⁴

10.3.2 *The Evaluation Procedures*

The procedures introduced below are pertinent only to the evaluation of positive variants of pragmatic argumentation. In the positive variant of this type of argumentation, the arguer attempts to justify a recommendation (not) to carry out an action by mentioning its *desirable* consequences.

⁴Cf. Feteris (2002, p. 355), who proposes an argument scheme where the standpoint has an evaluative proposition, and van Eemeren et al. (2007, p. 170), who outline an argument scheme with a prescriptive proposition in the standpoint but without the connection premise ‘If action X leads to consequence Y and consequence Y is desirable, then action X should (not) be carried out.’

Fig. 10.1 Inter-subjective identification procedure



10.3.2.1 The Inter-subjective Identification Procedure

Given that the material premise of pragmatic argumentation involves two propositions, one evaluative and another causal, both need to be checked for their acceptability. The acceptability of the evaluative proposition is checked in turns (1)–(4) of the dialectical profile represented in Fig. 10.1 and the acceptability of the causal premise in turns (5)–(8). Nevertheless, it is also possible for the parties to check the acceptability of the causal proposition first.⁵

The profile does not represent each and every option available to the parties at this point of the discussion. The main point I seek to illustrate by means of this

⁵From an evaluative perspective, the acceptability of the causal proposition is just as significant as that of the evaluative proposition. For this reason, the order followed by the parties when checking the acceptability of the material premise in the IIP is irrelevant. This is not to say, however, that the order is irrelevant from the point of view of the production of a pragmatic argument: means cannot be defined without having established the goal to be achieved first.

profile is that the parties have two opportunities to agree on the acceptability of the evaluative and the causal propositions. For example, the antagonist may immediately concede that the evaluative proposition is part of the material starting points of the discussion. This option is represented in turn (2) with the answer 'Yes'. It is also dialectically possible for the antagonist to claim that the proposition is not part of their common ground. In that event, the antagonist has two options. One alternative is to simply raise doubts concerning the acceptability of the proposition and subsequently request argumentation from the protagonist to justify its acceptability. This is represented in turn (2) by the question 'Why?' A second alternative for the antagonist is to assume an opposite standpoint towards the proposition. This option is represented in the same turn by the answer 'No'. In both cases, the parties may decide to enter into a sub-discussion to determine the acceptability of the evaluative proposition. If these sub-discussions reach the concluding stage, they will end with either a 'Yes' or 'No' answer by the antagonist. If the answer is affirmative, as represented in turn (4), the proposition is acceptable in the second instance. Exactly the same procedure applies to the examination of the causal proposition.

Before discussing the ITP of pragmatic argumentation, it is first necessary to examine the semantics of the evaluative and causal propositions to a greater degree, as the decision, whether to include certain critical questions in the list or not, largely depends on the way these propositions are construed.

With regard to the evaluative proposition, it must be noted that this comprises the predicate 'desirable,' which is a gradable adjective. Thus, consequence Y can be judged not only 'desirable' or 'undesirable,' but also 'more desirable' or 'less desirable' in relation to another situation or event Y'. For example, the parties may agree that reducing the rate of unemployment by 0.1% from 2010 to 2011 is *desirable* (in relation to the 2010 unemployment rate), but agree, simultaneously, that a drop by 0.2% from 2010 to 2011 would be *more desirable*. As a result, when judged against the 0.2% reduction, 0.1% is *less desirable*.

This observation raises the question as to whether the gradable nature of desirability has any impact on the evaluation of pragmatic argumentation. When it comes to establishing the *acceptability* of the evaluative premise, I believe there are no major implications.⁶ If consequence Y is judged desirable by both parties in relation to some agreed reference point (such as 2010s unemployment rate), another potential

⁶The gradable aspect of desirability should be distinguished from its 'relative' dimension. Desirability is partly a relative concept in the sense that given some agreed standard S, the same consequence Y might be judged desirable in one context but undesirable in another. For example, assuming that 'the lower the rate of unemployment, the better' is the parties' shared standard, they might agree that achieving an 8% of unemployment is *undesirable* if in the last year the unemployment rate was of 6%. However, an 8% of unemployment would probably be taken as *good news* if the unemployment rate in the last year had been of 10%. As long as the parties have a shared standard from which to judge the desirability of different events or outcomes (such as, for instance, 'the lower the rate of unemployment, the better'), and as long as there is agreement as to the events or outcomes to which Y will be compared (such as, for instance, last year's unemployment rate), it should be possible to establish whether or not Y is desirable in a given context of dispute, despite the relative (and gradable) dimension of 'desirability.'

outcome, regarded by both as more desirable than Y, does not make Y undesirable, only less desirable. However, the fact that desirability can be judged by degree has implications when assessing the *justificatory function* of pragmatic argumentation. The strength of a pragmatic argument can be undermined if there is another objective Y' which is both *more desirable* than, and *incompatible*⁷ with, desirable consequence Y.⁸ As I shall argue in detail later, the list of critical questions outlined in Sect. 3.2.2 covers such cases.

The content of the *causal proposition* must also be delineated. This type of proposition expresses a *specific causal relation* between two particular events or state of affairs (e.g., 'He smokes too much, he will get cancer') rather than a causal generalisation, regularity or principle (e.g., 'Smoking causes cancer'). In other words, 'Action X leads to consequence Y' should be read as 'This particular action X will lead to this particular event Y,' rather than in terms of 'If all other factors remain equal, actions of type X lead to events of type Y.'

By stipulating the meaning of the casual proposition in this way, it is possible to justify, more clearly, why certain questions pertaining to causality are not included in the list of critical questions introduced in Sect. 3.2.2. Specifically, two of the critical questions proposed by Garssen (1997, p. 22) are no longer required to evaluate the *justificatory function* of pragmatic argumentation. These being, (1) 'Do actions of type X generally lead to events of type Y?' and (2) "Are there any other factors that must be present, together with the proposed cause, to create the mentioned (un)desirable result?"⁹ The first question focuses on the acceptability of the causal generalisation underlying the particular pragmatic argument. The second critical question inquires whether the causal generalisation underlying the argumentation has been applied correctly, i.e. if all the other factors that should remain equal for actions of type X to cause events of type Y are in place. If the causal proposition of pragmatic argumentation is taken to establish a specific causal relation – i.e. to apply some causal generalisation – then a positive answer by the antagonist in turn (6), wherein he agrees that the causal proposition is part of the shared starting points of the discussion, presupposes that the antagonist has conceded that the causal generalisation is acceptable and that it has been applied correctly.

This is not to say that Garssen's critical questions cannot play an indirect role in the evaluation of pragmatic argumentation. The questions can be useful, for example, in case the antagonist doubts in turn (6) the acceptability of the causal proposition used by the protagonist and the protagonist attempts to meet this criticism by advancing an argument that has a causal generalisation as its connection

⁷In this context, incompatibility does not mean, of course, contradiction: if Y and Y' were contradictory, the parties could not regard both objectives desirable without being inconsistent.

⁸I am grateful to the commentator of an earlier version of this paper for drawing my attention to this point.

⁹The first question, as formulated by Garssen (1997, p. 22), is: "Does that which is introduced as a cause indeed lead to the mentioned (un)desirable result?" I have reformulated this question to make clear that its purpose is to test the causal generalisation rather than the specific causal relation established in a pragmatic argument (Garssen, Personal communication, May 15, 2009).

premise. All the same, it should be emphasised that these are not critical questions testing the justificatory function of pragmatic argumentation; these are critical questions testing the justificatory function of the argumentation advanced by the protagonist to establish the acceptability of the causal proposition of his pragmatic argument.¹⁰

10.3.2.2 The Inter-subjective Testing Procedure

As explained earlier, the ITP is applied only if the IIP has yielded a positive outcome. Turns (1) and (2) of the dialectical profile represented in Fig. 10.2 summarise the first step of the ITP, wherein the parties check if the pragmatic argument scheme is an acceptable means of defence. The interaction between the parties at this point can be much more complex, but I will stay with this abridged version because my main interest lies on the critical questions. Recall that the point of applying critical questions is to examine whether there are obstacles in the transference of acceptability from the material premise of the argument to the conclusion. This means that the acceptability of the material premise, and thereby, the acceptability of the causal and evaluative propositions, is presupposed by these questions.

Feasibility Question

The first critical question relates to a presupposition of the prescriptive standpoint. This presupposition is expressed by the familiar principle ‘ought implies can’ (see, e.g., Kant 1970, A807/B835, A548/B576). In essence, the principle states that the feasibility of an action is a necessary (but not a sufficient) condition to establish an obligation to perform that action. It is also possible to find the inverse version of this principle, which states that the *unfeasibility* of an action is a *sufficient* (but not necessary) *condition* to cancel the obligation to perform the action (see Albert 1985, p. 98). Hence, a pragmatic argument will fail to provide support to its standpoint if the action recommended *cannot* be carried out. Clarke (1985), Schellens (1987) and Walton (2007) include a critical question inquiring if the recommended action is feasible in their contributions.

¹⁰To evaluate an argument based on a causal generalisation aimed at justifying a prediction, the antagonist should also ask the critical question ‘Are those additional factors necessary to bring about the effect *present*?’ If this question were not considered in the evaluation, the antagonist would be demanding from the protagonist to mention a sufficient cause in his causal argumentation, i.e. one where the presence of the mentioned cause would necessarily imply the presence of its alleged effect. This requirement is too strict. A single cause is seldom, if ever, sufficient by itself to produce a given effect. Effects seem to be instead the result of a combination of factors. One should not expect from an arguer, therefore, to mention a sufficient cause; one should expect from him, rather, to mention a cause and show, if requested to do so, or if it is not clear from the context of utterance, that other necessary contributory causes are present.

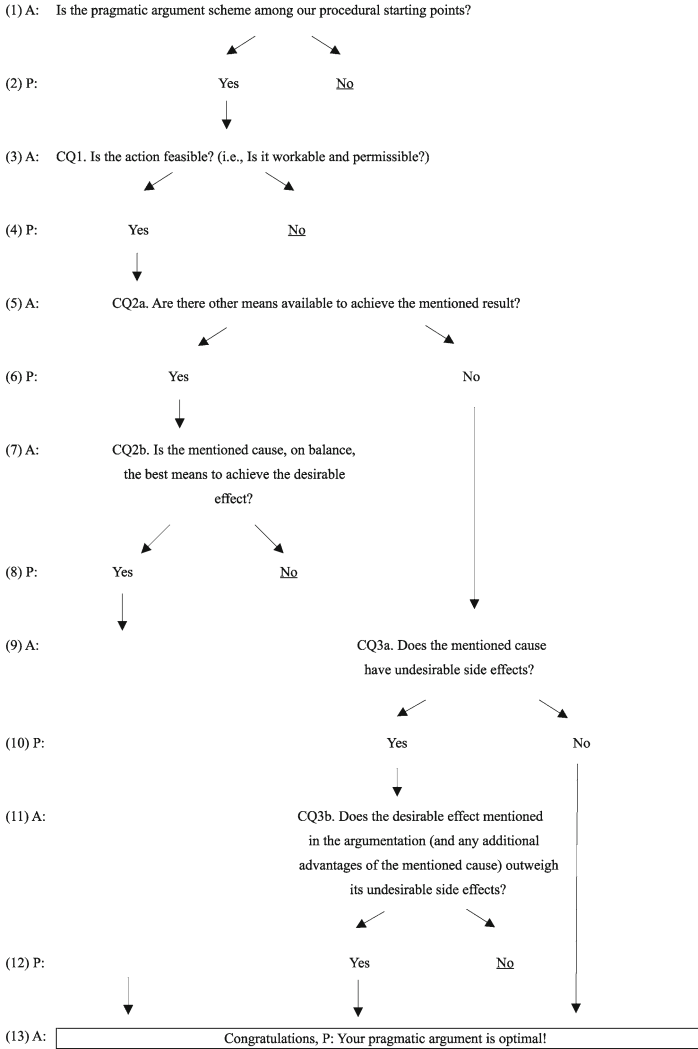


Fig. 10.2 Inter-subjective testing procedure

An action can be ‘unfeasible’ because it is ‘unworkable’ or ‘non-permissible.’ Schellens (1987) acknowledges these two senses of feasibility when he introduces two questions relating to the contextual limitations for carrying out an action: ‘Is action X practical?’ and ‘Is action X allowable?’ By the term ‘unworkable action’ I mean an action that is incompatible with factual limitations and by a ‘non-permissible action’ one that is incompatible with institutional or moral principles, norms, or rules. For example, the policy of rising education spending could be ‘unworkable’ if there is a huge budget deficit. Similarly, the development of nuclear power as a method of energy production could be unworkable if there is no capacity to forge

single-piece reactor pressure vessels, which are necessary in most reactor designs. In contrast, the measures of an immigration bill could be unfeasible, in the sense of ‘non-permissible,’ if they were incompatible, for example, with the European Convention of Human Rights. Note that an important corollary of including the notion of permissibility under the concept of feasibility is that a pragmatic argument can be defeated by a rule or principle. The latter, however, only insofar as the principle or rule is part of the shared starting points of the discussion and if the parties agree, also, that such principle or rule should take precedence over the desirable consequences brought about by the action.¹¹

As illustrated in the profile, when the protagonist is faced with a critical question concerning feasibility, he has two options. One is to acknowledge that the action is unfeasible and retract his argumentation. This is represented by the answer ‘No’ in the profile. The second alternative is to maintain his argumentation and provide further argumentation. This choice is represented by the answer ‘Yes’. His argumentation may show that the action *is feasible* or, alternatively, that it *will become feasible* if some changes are introduced in the status quo – changes which, in turn, should be proven viable.¹²

Necessary-Means Question

Once the parties have agreed that the action is feasible they should turn to critical question (2a), ‘Are there other means available to achieve the mentioned result?’ Note that the question does not ask whether the action will indeed lead to the mentioned effect. The question presupposes a positive answer to the latter and inquires, instead, whether the action is a necessary cause. To establish that the mentioned cause is necessary, the protagonist needs to show that unless the action is performed the desirable event will not (or, at the very least, is unlikely to) take place. Clarke (1985), Garssen (1997), and Walton (2007), include a critical question on necessary means in their accounts.

How can the protagonist prove the cause ‘necessary’? There seem to be two elementary ways in which the protagonist can establish the necessity of means X, i.e. justify his negative answer in turn (6). One option is to rely heavily on the material starting points agreed upon at the opening stage of the discussion. If neither the protagonist nor the antagonist can find among their shared material starting points an alternative means to achieve desirable effect Y, then the protagonist can confidently claim, for the time being, that X is the only means available. If, on the

¹¹ In this way, it is to the parties to decide whether to follow a teleological or a deontological conception of ‘reasonable actions’, in case there is a clash between desirable consequences and moral principles.

¹² Once the protagonist has advanced argumentation to meet a critical question, the antagonist may regard this argumentation unconvincing. In that event, the parties may decide to start a sub-discussion. To keep the profile simple, I have not represented these sub-discussions.

other hand, both parties recognise the existence of a presumed alternative means X' among their starting points, the protagonist will need to apply a different strategy to prove cause X necessary. The parties may have agreed on the existence of this alternative means in the first instance, at the opening stage, or the antagonist may have proposed an alternative means X' at the argumentation stage, when discussing the necessity of means X . Whichever the origin of the presumed alternative means in question, the protagonist's strategy can take two forms: (1) show that presumed alternative means X' does not actually lead to desirable effect Y ; or (2) argue that alternative means X' cannot be carried out.¹³

As a case in point, consider the argument: 'The U.N. Security Council should send Iran a package of positive incentives (e.g. selling Iran light water nuclear technology, civilian aircraft, etc.) to encourage the halt of its uranium enrichment program.' Suppose that the antagonist puts forward an objection of this sort: 'However, the same effect could be achieved if the U.N., instead of sending positive incentives to Iran, decided to apply economical sanctions to Iran, such as requesting Iran's most important trading partners (e.g. China, Japan and India) to cut back on their imports of Iranian crude oil. In response to this objection, the protagonist could attack the causal relation of the antagonist's argumentation (or the causal relation underlying the counter-proposal cited by the antagonist). He could claim, for example, that economical sanctions by the UN Security Council would prove futile given Iran's growing expansion of economic and political ties with countries such as Turkmenistan, Venezuela, Kuwait and Malaysia. Alternatively, he could point out that the UN cannot impose economical sanctions on Iran because, for instance, two important council members, China and Russia, disapprove of such measure.

Best-Means Question

Next, consider a situation where the answer to critical question (2a) is 'Yes', that is, if the action proposed is *not* a necessary cause. On the surface, it appears that if action X is not necessary because there is another means X' to achieve exactly the same effect Y , there is *no obligation* to carry out action X . From this it seems to follow that a positive answer to this question would, if not defeat, at least weaken the pragmatic argument of the standpoint.

On closer inspection, however, it is possible to identify cases where pragmatic argumentation can be reasonable even if it mentions an action that is not a necessary

¹³ A weaker strategy available to the protagonist but still reasonable in my view, is to attack the antagonist's argumentation in favour of alternative means X' , by *questioning the acceptability* of the premise ' X leads to Y ' and advancing the *critical question* 'Is X' feasible?' If the antagonist cannot answer these questions properly, then the protagonist has not demonstrated that ' X ' does not lead to Y ' or that ' X ' is unfeasible,' but the antagonist has not been able to prove that there is indeed an alternative means X' either. In my opinion, if the antagonist cannot prove the latter then it seems reasonable to take X as the only means available for the time being, in contexts where a practical decision needs to be taken at the end of the discussion.

cause. As an illustration, consider the following pragmatic argument: ‘In order to mitigate greenhouse gas emission we should invest in building more concentrated solar energy plants (CSP).’ If an arguer, in his role as antagonist were to ask ‘Are there other ways, besides building CSP, to mitigate greenhouse emissions?’, the answer (in our world) would be an emphatic ‘Yes’ – it is clear that there are alternative ways. One of them has been at the centre of much talk on global warming: the development of nuclear power as a method of energy production. The crucial difference with the example about Iran and its enrichment uranium program is that, in the CSP case, nuclear power *does* emit relatively low amounts of carbon dioxide, leading therefore to the desired effect of mitigating greenhouse emissions. Moreover, it is feasible in several countries since the technology is readily available. In other words, the alternative means is indeed a ‘means’ to the desired effect and it is feasible. Building CSP is therefore not really necessary to mitigate greenhouse gas emissions. However, should one conclude from this that the argument is a bad argument? Not necessarily. The protagonist can maintain his argumentation so long as he shows that this action is the *best* among other alternative means to achieve the desired effect. In this specific example, he could argue that, on balance, that is, considering the advantages and disadvantages of building CSP, on the one hand, and of developing nuclear power, on the other, the former is a better alternative than the latter. He could point out, for instance, that the problem of radioactive waste is still unsolved and that there are high risks related to the production of nuclear energy. For the reasons adduced above, an affirmative answer does not necessarily undermine the argumentation, but rather leads to another critical question, represented in turn (7): ‘*Is the mentioned cause, on balance, the best means to achieve the desirable effect?*’ Clarke (1985), Schellens (1987), and Walton (2007) include an alternative means question in their accounts.

In his study *Practical Inferences* (1985, p. 22), Clarke distinguishes a “basic” and “option” pattern of practical inferences. The basic pattern entertains a single action as a means of what is wanted. In the option pattern, the agent must choose between alternative means rather than decide on a single action. In a similar vein, Walton (2007, p. 202) formulates two schemes for practical reasoning, one referring to a ‘single action’ and another that accounts for ‘a situation with alternative means’. In this way, Clarke and Walton acknowledge that the action recommended by a pragmatic argument can be intended sometimes as the one to be preferred among several options rather than as the only means available to achieve some desirable end. Both authors, however, seem to treat the requirements that the action proposed should be a *necessary cause* and that this should be the *best means* as perfectly compatible. In fact, Clarke (1985, pp. 22–3) argues that all positive variants of practical inferences should mention a necessary cause and Walton (2007, p. 204) proposes a ‘necessary condition scheme’ for a situation with ‘alterative means.’ I disagree with them in this last respect. These requirements are mutually exclusive: an action that is claimed to be the best among alternative means to achieve some desirable effect cannot be claimed to be, at the same time, a necessary means to achieve that effect. In addition, it seems that in evaluating pragmatic arguments, the analyst should start by asking whether the cause is a necessary

cause and, only if the answer is negative, ask if the cause is the best means to realise the desired effect.

Certainly, in determining whether an action is the best means to achieve or avoid some state of affairs the parties will have to deal not only with issues concerning causality but also desirability. In particular, they will have to weigh up the *costs* and the *additional advantages* of the proposed action and the alternatives means. This is what judging whether the mentioned cause is the best means ‘on balance’ means.¹⁴

Side-Effect Questions

Let us assume now that the parties have agreed that the mentioned cause is a necessary cause, as indicated in turn (6). The next question that needs to be considered is question (3a), namely, whether there are any cost effects to the proposed action. If the parties agree that there are *no* costs, then the protagonist has successfully defended his standpoint.

The above does not mean, however, that a ‘Yes’ answer will automatically defeat the protagonist’s argumentation. His argumentation still has a chance of success. Take the events that took place in Greece at the beginning of 2010. Prime Minister Papandreu proposed a series of austerity measures to address the country’s financial crisis. In defending the government’s case, the PM argued that the measures were necessary to borrow money from the international market and that this was in turn necessary for the country to avoid bankruptcy, which at that time was not considered an option. Suppose, for the sake of the argument, that the only means of borrowing money from the international market was to implement the hefty cuts and reforms included in the government’s proposal. Faced with the question ‘Does the mentioned cause have undesirable side-effects?’ the PM would have answered most certainly ‘yes’: in fact, he admitted that the planned changes were “painful” and referred to them in terms of “sacrifices” required to put the country’s finances in order (PM Sets Scene for ‘Painful’ Measures 2010). Does this make the Greek government’s argument for the approval of the measures a weak argument? Not necessarily: Not if the benefits resulting from those measures – borrowing the money – outweigh the costs brought about by those measures. This possibility is accounted for by critical question 3b, ‘Does the desirable effect mentioned in the argumentation (and any additional advantages of the mentioned cause) outweigh its undesirable side effects?’ The question on side effects is included in Clarke (1985), Schellens (1987), Garssen (1997) and Walton (2007).

¹⁴ It is interesting to observe how politicians strategically defend their policies in terms of ‘necessary’ or ‘unavoidable’ means when in fact there are other options available – options which could eventually lead to more advantages and less disadvantages than the policy that is recommended. This point is nicely made, in my opinion, by David Milliband (UK shadow foreign secretary) in his commentary ‘These cuts are not necessary: they are simply a political choice’, published in response to the 2010 budget introduced by the Lib-Con government. See, *The Observer*, 27.06.10, p. 19.

10.3.2.3 Critical Questions and the Gradable Aspect of Desirability

Sometimes both parties agree that consequence Y is desirable, but the antagonist is of the opinion that Y is less desirable than another objective Y'. The identification, by the antagonist, of a more desirable objective Y' can undermine the strength of the protagonist's pragmatic argument if realising objective Y is, in some way, incompatible with the attainment of Y'. Earlier, I observed that the critical questions, outlined in the dialectical profile, cover these types of situations. In this section, I explain why this is the case.

To develop my argument, I must distinguish two types of cases in which the gradable nature of 'desirability' can negatively affect the justificatory function of pragmatic argumentation. This distinction is necessary because each case is covered by a different set of critical questions from those outlined in the profile. The criterion underlying the distinction is the kind of incompatibility holding between desirable consequence Y and more desirable objective Y'.

The first case refers to situations wherein achieving consequence Y precludes attaining objective Y' *and vice versa*, and in which objective Y' is more desirable in the sense that it has priority over consequence Y. For example, under certain circumstances, securing energy supply (Y) can be incompatible with preserving a pristine environment (Y'), and preserving a pristine environment be considered more important than securing energy supply. The second case refers to situations in which achieving consequence Y precludes attaining objective Y' *but not the other way around*, and where objective Y' is more desirable, because achieving Y' presupposes achieving Y but also some additional advantage. For example, reducing carbon emissions in the EU by 8% from 1990 to 2012 might be considered a desirable target in light of the Kyoto Protocol; however, a 10% reduction in the same period of time would presumably be considered more desirable. In contrast to the example of securing energy supply versus preservation of a pristine environment, attaining *only* an 8% reduction is incompatible with simultaneously reaching a 10% reduction, but not the other way around: achieving a 10% reduction subsumes or implies a reduction of carbon emissions by 8%.

Consider first an example in which desirable consequence Y and more desirable objective Y' are mutually incompatible. On April 2011, the Chilean government introduced a project, known as the *Hidro Aysén* project, to expand hydroelectric power production and which envisaged the construction of five dams to tap the Baker and Pascua rivers, an isolated area of fjord and rivers in the Patagonia region. The government claimed that the project was necessary to double Chile's electricity capacity over the next 10–15 years, which in turn was said to be necessary in order to keep up with Chile's economic growth. The government argued that the expansion of hydroelectric power was necessary because building a nuclear plant had become "very difficult" after Japan's earthquake and given Chile's own earthquake prone geology, and because "energy efficiency and electricity generation from wind and [solar] energy, while important, will not be enough to stem a shortfall beyond 15 years" (Plan for hydroelectric dam in Patagonia outrages Chileans 2011). The opposition never disputed the desirability of the aim of the project: it is well known that Chile needs to secure its energy supply because energy demand is increasing, Chile has little oil and natural gas

of its own, and importing gas from Argentina has become unreliable since the latter began renegeing on its commitment to ship gas to Chile starting in 2004. Instead, the opposition's main concern was that the dam complex would flood 5,600 ha of a region dominated by national parks, reserves, and farmland (Plan for hydroelectric dam in Patagonia outrages Chileans 2011; Protests after Chile backs giants dams in Patagonia's valleys 2011). In other words, they pointed out to the existence of another and, in their view, more desirable objective Y' , namely, preserving an ecological haven. Were the objectives of securing energy supply and that of protecting the Patagonia region, incompatible? The two objectives would be incompatible if the project were a *necessary means* to achieve the common goal of securing energy supply. Assuming – just for the sake of the argument – that the project was a necessary means, then the fact that the opposition regarded Y' , i.e. preserving an ecological haven, more desirable or significant than Y , i.e. securing energy supply, would diminish the effectiveness of the government's pragmatic argument.

The *Hidro Aysén* example brings to light an important feature of the first case, wherein Y and Y' are mutually incompatible. Y and Y' are mutually incompatible because the achievement of consequence Y (e.g., securing energy supply) is only possible by performing action X (e.g. implementing the *Hidro Aysén* project) and action X has the *undesirable side effect* of precluding the attainment of Y' (e.g., preserving a pristine environment.) In other words, the incompatibility between Y and Y' is generated by the side effects of action X . Thus, the existence of a more desirable objective Y' that is incompatible with consequence Y is, in the first case, covered by the critical questions on side effects: (3a) 'Does the mentioned cause have undesirable side effects?' and (3b) 'Does the desirable effect mentioned in the argumentation (and any additional advantages of the mentioned cause) outweigh its undesirable side effects?'¹⁵

In order to analyse the second case of incompatibility, let us consider again the example of reducing carbon emissions in the EU. The crucial question in this example is: Should some proposed policy X to reduce carbon emissions by 8% be discarded because it is better to reduce them by 10% (or 12%, or 20%, for that matter)? I believe the answer to this question depends on whether there is some alternative policy X' that is at the very least viable and workable to achieve that 10% reduction. If there is no alternative policy, then it seems that the sheer existence of a more desirable objective is not sufficient to undermine the strength of the argument. By contrast, if some policy X' has been proposed to achieve a 10% reduction and this policy is workable, feasible, and has no major undesirable side effects, then the protagonist's pragmatic argument to implement policy X would be severely weakened, if not completely defeated, and policy X' should be implemented instead.

¹⁵In my analysis I have assumed that the expansion of hydroelectric power is a necessary means to sufficiently increase energy supply in Chile, only for the sake of the argument. In reality, those opposing the *Hidro Aysén* project focused not only on the undesirable effects of building the dam complex but also criticised the government's claim that the project was necessary. They stressed that the government should focus on energy efficiency and boosting capacity for non-conventional renewable fuels like wind, solar, and geothermal power (Protests after Chile backs giants dams in Patagonia's valleys 2011).

On the basis of this example, one might claim that, in the second case of incompatibility, the protagonist's argumentation is negatively affected by the existence of a more desirable objective Y' only if there is an alternative means X' (e.g., policy X') to achieve Y' (e.g., a reduction by 10%) which is better than action X (e.g., policy X) because it achieves Y (e.g., a reduction by 8%) and some additional advantage (e.g., an additional reduction of 2%). Since the force of the criticism depends on the existence of an alternative means, the second case of incompatibility is covered by the critical questions pertaining to alternative means: (2a) 'Are there other means available to achieve the mentioned result?' and (2b) 'Is the mentioned cause, on balance, the best means to achieve the desirable effect?'

10.4 Conclusions

In the preceding sections I have outlined an instrument to evaluate pragmatic arguments from a pragma-dialectical perspective. This instrument consists of a dialectical procedure to establish the acceptability of the argumentation (the IIP) and another one to examine its justificatory function (the ITP).

Concerning the first of these procedure, I have stressed that both causal and evaluative propositions involved in the material premise ought to be checked for their acceptability. This point is worth emphasising since the evaluative proposition of pragmatic argumentation is often left implicit in practice.

As regards the justificatory function of pragmatic argumentation I have provided a rationale for each critical question. Furthermore, I have situated these questions in a dialectical profile to make clear that certain critical questions have priority over others – that is to say, that there are certain questions whose inappropriate response makes the subsequent questions in the list unnecessary. For example, if the action proposed is unfeasible the remaining questions become irrelevant. The profile also shows that sometimes there is more than one *reasonable type of response* to a critical question. Thus, according to the procedure outlined, a pragmatic argument is reasonable if (1) the proposed cause is the best means among several options to achieve some desired effect, (2) if it is a necessary means with no cost effects, or (3) if it is a necessary means with cost effects, but the desirable effects outweigh the former. Finally, I have explained in which ways the critical questions proposed can account for cases in which there is another objective Y' that is both more desirable than, and incompatible with, consequence Y .

References

- Albert, H. (1985). *Treatise on critical reason*. Princeton: Princeton University Press.
 Budget: Osborne Defends 'Decisive' Plan on Tax and Cuts. (2010, June 23). *BBC News*. Retrieved from, <http://www.bbc.co.uk/news/10385052>
 Clarke, D. S., Jr. (1985). *Practical inferences*. London: Routledge & Kegan Paul.

- Ehud Barak Attacks Timing of Plans to Demolish 22 Palestinian Homes. (2010, June 22). *The guardian*. Retrieved from, <http://www.guardian.co.uk/world/2010/jun/22/barak-attacks-demolition-palestinian-homes>
- Eemeren, F. H. van, & Grootendorst, R. (2004). *A Systematic Theory of Argumentation: The Pragma-Dialectical Approach*. Cambridge, UK: Cambridge University Press.
- Feteris, E. T. (2002). Pragmatic argumentation in a legal context. In F. H. van Eemeren (Ed.), *Advances in pragma-dialectics* (pp. 423–259). Amsterdam: Sic-Sat.
- Garssen, B. (1997). *Argumentatieschema's in pragma-dialectisch perspectief. Een theoretisch en empirisch onderzoek* [Argument schemes in a pragma-dialectical perspective. A theoretical and empirical examination]. With a summary in English. Amsterdam: IFOTT.
- Hamblin, C. L. (1970). *Fallacies*. London: Methuen.
- Protests After Chile Backs Giants Dams in Patagonia's Valleys" (2011, May 10). *The guardian*. Retrieved from, <http://www.guardian.co.uk/environment/2011/may/10/chile-patagonia-dams-hydroelectricity>
- Kant, I. (1970). *Immanuel Kant's critique of pure reason* (N. K. Smith, Trans., 2nd edn). London: Macmillan.
- Milliband, D. (2010, June 27). These cuts are not necessary: They are simply a political choice. *The Observer*, p. 19.
- Perelman, Ch, & Olbrechts-Tyteca, L. (1969). *The new rhetoric. A treatise on argumentation*. Notre Dam: University of Notre Dam Press.
- Plan for hydroelectric dam in Patagonia outrages Chileans. (2011, June 16). *The New York Times*. Retrieved from <http://www.nytimes.com/2011/06/17/world/americas/17chile.html?pagewanted=all>
- PM Sets Scene for 'Painful' Measures. (2010, January 30). *Kathimerini*. Retrieved from, http://www.ekathimerini.com/4dcgi/_w_articles_politics_0_30/01/2010_114496
- Schellens, J. P. (1987). Types of argument and the critical reader. In F. H. van Eemeren, R. Grootendorst, J. A. Blair, & Ch. A. Willard (Eds.), *Argumentation: Analysis and practice. Proceedings of the conference on argumentation 1986*. Dordrecht/Providence: Foris Publications.
- US Gulf Oil Drilling Ban Is Destroying 'Ecosystem of Businesses'. (2010, June 21). *The guardian*. Retrieved from, <http://www.guardian.co.uk/business/2010/jun/21/oil-bp-oil-spill>
- van Eemeren, F. H., & Grootendorst, R. (1992). *Argumentation, communication, and fallacies. A pragma-dialectical perspective*. Hillsdale: Lawrence Erlbaum.
- van Eemeren, F. H., Grootendorst, R., & Kruiger, T. (1983). *Het analyseren van een betoog*. Groningen: Wolters-Noordhoff. Argumentatieleer 1.
- van Eemeren, F. H., Grootendorst, R., & Snoeck Henkemans, A. F. (2002). *Argumentation. Analysis, evaluation, presentation*. Mahwah: Lawrence Erlbaum.
- van Eemeren, F. H., Houtlosser, P., & Snoeck Henkemans, A. F. (2007). *Argumentative indicators in discourse. A pragma-dialectical study*. Dordrecht: Springer.
- Walton, D. (2007). Evaluating practical reasoning. *Synthese*, 157, 197–240.
- Walton, D. N., Reed, Ch., & Macagno, F. (2008). Arguments from consequences. In *Argumentation schemes* (pp. 100ff). Cambridge: Cambridge University Press.

Part IV
Classical Themes Revisited

Chapter 11

The Nature and Purpose of Aristotelian Dialectic Revisited: Argumentation Theory, Scientific Controversies and Epistemology

Marta Spranzi

References to Aristotle's notion of dialectic in contemporary argumentation theory, the rhetoric of science and the theory of controversies are conspicuous by their presence but also, sometimes, by their absence. Such references, when they exist, are quite varied: contemporary scholars in these fields interpret Aristotle's dialectic in different ways, which is not surprising, given the notoriously cryptic nature of Aristotle's *Topics*, the work where Aristotle's approach to dialectic is spelled out. Indeed, dialectic has been alternatively described by Aristotle's scholars as a means of rational persuasion, a tool for testing claims to knowledge or raising doubts about uncertain statements, and finally as an instrument for attaining knowledge and even reaching the first principles of the sciences (Sim 1999). What may appear as a drawback if one intends to unearth the real meaning of Aristotle's work, is an advantage, if one focuses on the wealth of insights and the potential for further developments. Indeed, Aristotelian dialectic has spawned numerous debates in recent times and has often appeared as a useful anchor for supporting novel and promising positions and fields. It has been viewed, among others, as a model for developing informal logic (Toulmin 1958; Johnson 2000), for stressing the continuity between rhetorical persuasion and rational conviction (Perelman and Olbrechts-Tyteca 1969) and for finding a third viable way between rationalism and relativism in philosophy of science: "This project (...) allows us to conceive of a new form of scientific rationality, less inflexible than that recommended by methodologists, less malleable than that recommended by counter-methodologists, but more appropriate than either" (Pera 1991; my translation).

More importantly for our purposes, Aristotelian dialectic has been explicitly referred to as the background for two important developments in contemporary argumentation theory: Douglas Walton's "new dialectic" and Frans van Eemeren

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and Rob Grootendorst's theory of "critical discussions" (henceforth E&G). Both approaches rightly link dialectic to dialogue understood as a structured exchange of questions and answers, which closely resembles Aristotle's dialectical disputations. According to Aristotle's schematic description of a dialectical argument in the *Topics*, a questioner derives a conclusion from a series of premises which have been assented to by a qualified answerer. In so doing, he either refutes or establishes a thesis which settles a dialectical problem, which has the following form: "Is x p or not- p ?"¹ The fact that a dialectical disputation takes place between a questioner and a qualified answerer, sets dialectic sharply apart from rhetoric, and has far-reaching epistemic consequences: setting an ambitious goal, Aristotle writes that dialectic, "being of the nature of an examination, lies along the path to the principles of all methods of inquiry" (*Topics* 101b3-4). Whatever the exact connection between dialectic and knowledge, it is clear that dialectic walks a fine line between demonstration on the one hand, and rhetoric on the other, in a way that is both subtle and promising, and does so precisely because of its essential link to disputation. According to a remarkable Renaissance treatise on the dialogue form which is explicitly inspired by Aristotle's *Topics*, dialectical opinion derives from an "internal motion of the mind" when it "understands things as they are in themselves", whereas rhetorical persuasion derives from an "external motion of the mind" when it is driven by desire (Sigonio 1993, 39r). However, dialectic cannot be confused with demonstration: while a philosopher is someone "who establishes a doctrine which is certain", a dialectician is someone "who doubts about everything and almost questions science itself" (ibid. 38v).

In this paper, I would like to explore how important and self-declared "dialectical" approaches to argumentation theory, the rhetoric of science and the theory of scientific controversies relate to Aristotle's own theory of dialectical arguments, one of their avowed sources. In order to do so, I will first discuss the relationship between dialectic and rhetoric and highlight their main difference, namely the fact that, unlike rhetoric, dialectic is closely related to dialogue. Thus, Aristotle clearly distinguishes dialectic from rhetoric, even though some of the means these two arts use are similar, most notably some basic argumentation schemes, the "topics". On the contrary, both the "new rhetoric" movement initiated by Chaim Perelman, and certain developments in the theory of controversies play down this distinction and make dialectic into a particular case of a broadly understood rhetorical approach to discourse and argumentation. I will then critically analyze Walton's and E&G's approaches—the most promising developments of dialectic in a genuine Aristotelian sense—with respect to two crucial aspects of Aristotelian dialectic, the nature of the premises of a dialectical argument—'endoxa'—, and the purpose of the dialectical exercise. As it turns out, these two issues are closely related to each other: the content of dialectical premises is described by Aristotle as "reputable opinions"—the

¹ On the structure of Aristotle's dialectical disputations see the introduction by Brunschwig to the French translation of the *Topics* (Aristote 1967) and the classic study by Moraux (1968).

proper translation of the Greek term ‘endoxa’—precisely *because* the purpose of a dialectical disputation is to test and establish claims to knowledge, rather than to convince a specific audience, or reach an agreement on the acceptability of a claim. In particular, I would like to show that, despite their emphasis on dialogue, contemporary argumentation theorists, at least those explicitly referring to Aristotle, do not sufficiently distinguish the respective purposes of dialectic and rhetoric and fail to give an adequate epistemic account of dialectic. The same is true for some scholars interested in the rhetorical dimension of scientific arguments. Quite surprisingly, as we shall see in the conclusions, the most Aristotelian approach to dialectic is James Freeman’s (2005), who does not explicitly refer to Aristotle. A more moderately skeptical version of dialectic—which goes back to Cicero’s interpretation of dialectic as reasoning *in utramque partem*—underlies another undeclared Aristotelian project, a controversy approach to scientific knowledge which is clearly distinguished from rhetoric. Taking inspiration from Leibniz’s “balance metaphor”—Dascal (2005, 2008b) develops the idea that the exchange of arguments during a controversy allows one party to rationally prevail, not absolutely but only relatively to the position held by the other party. Unlike rhetorical approaches to scientific controversies, the juridical model he advocates does not tie the end of controversy to the context-dependent persuasion of the adversary. Rather, a controversy is (temporarily) closed when a judge may consider that sufficient elements of proofs have been accumulated, so that the truth can be established, albeit only beyond a reasonable doubt.

11.1 Dialectic, Rhetoric and Dialogue

The relationship between dialectic and rhetoric is particularly controversial; the opening enigmatic sentence of Aristotle’s *Rhetoric*—“rhetoric is the counterpart (‘antistrophos’) of dialectic”²—has been, and still is, widely commented on (Aristotle 1990). Its meaning is obviously open to a variety of interpretations, highlighting in turn the similarities and differences between these two “arts”, in the Greek sense of “practical knowledge”: dialectic deals with general issues, while rhetoric deals with particular ones; dialectic uses questions and answers, while rhetoric uses long and continuous discourses; dialectical arguments are addressed to a single interlocutor, while rhetorical discourses are addressed to a larger audience; dialectic is limited to the use of rational arguments while rhetoric can avail itself of other kinds of proofs (emotions and appeals to the character of the speaker). Despite their differences, these arts share two important features. Both rhetoric and dialectic are “discursive” arts, as opposed to more substantive ones, like architecture and medicine: they deal with what is common to all disciplines and are useful tools which equally apply

²On the “counterpart” relationship between rhetoric and dialectic and its various interpretations up to the Renaissance, see Green (1990).

to all.³ Secondly, unlike logic and demonstration, they are interactive, namely involve an interlocutor whose conviction is actively sought.

This deep communality explains why traditionally authors dealing with the arts of discourse have tended to assimilate them (Leff 2000). However, this assimilation can take two forms which is worth distinguishing: some authors give preeminence to rhetoric and view dialectic as a particular application of, or a tool for, rhetoric; others give the upper hand to dialectic and consider rhetoric as a way of stylistically improve a dialectical argument.⁴ The resulting image of dialectic varies accordingly: persuasion, the hallmark of rhetoric, is considered either as its main purpose, or as its contingent by-product. The relationship between dialectic and rhetorical persuasion has wider and far-reaching epistemic consequences: if dialectic is viewed as the art of producing rational persuasion in a give audience, then its objective is mainly pragmatic and consists in building a reasonable consensus around a given thesis. Rudolph Agricola who has first advocated a “new dialectic approach” in the fifteenth century defines dialectic as “the art of disputing in a probable way about any proposed thing, to the extent to which the nature of its object is capable of conviction” (1967, II.2, p.193): a “probable” argument is one which “proves” a thesis, but proving a thesis means rationally convincing an audience. On the contrary, if dialectic is viewed as a method for using structured debate for testing claims to knowledge, then its normative import and epistemic significance are underscored: it is a logic of inquiry rather than an argumentation tool for creating conviction in another. Dialectic is then considered as instrumental in testing claims to knowledge and even finding the truth. Dialogue, writes Sigonio, is not the son of philosophy, but “it is rather the parent of all doctrine worthy of its name”. This is so because it shows us the way by which, once we have started by those things which are perceived by opinion, we can more easily reach those which are perceived by the intellect, and also from those which rest upon verisimilitude to those which rest upon the truth (Sigonio 1993, 7r).

Given this rich historical background, it is not surprising that the main scholars who have taken up the challenge of developing a dialectical and/or rhetorical approach to knowledge and argumentation—be it scholars dealing with argumentation theory, the rhetoric of science, the theory of controversy or informal logic—view the art of

³ At the beginning of the *Rhetoric* Aristotle writes that rhetoric and dialectic “are concerned with matters that are in a manner within the cognizance of all men (‘koina’) and not confined to any special science” (1354a1-3). He intends that the practice of these two arts presupposes (but does not furnish) knowledge of such common principles as the principle of non-contradiction: “Dialectic must be distinguished from the sciences in that it does not work with any set view of reality. In this it is opposed both to the many special sciences and to the universal science of ontology” (Evans 1977, p. 5).

⁴ During the ages, the attribution of “queen” of the liberal arts has shifted from rhetoric to dialectic and back again to rhetoric. Martianus Capella describes dialectic as a skinny stern woman and rhetoric as a more pleasing and elegant beauty (1977). This vision changed in the Middle Ages and is reflected in the changed iconic representations of the two rival arts (D’Ancona 1902). Then, the serious and majestic beauty of dialectic is valued over rhetoric’s frivolous appearances.

dialectic in different ways. Chaim Perelman's ground-breaking "new rhetoric" approach advocates a general art of persuasive discourse which uses all argumentative means and is geared towards the "reasonable": "Argumentation theory considered as a new rhetoric (or a new dialectic) covers the entire field of discourse which aims at convincing or persuading, whatever the audience to which it is addressed may be, and whatever the subject matter" (1977, p. 19; translation mine). Rhetoric, therefore, includes dialectic as a special case, whenever discourse is addressed to one single person which is an expert in a given domain. He views a dialectical debate as a particular implementation of rhetorical persuasion, where only two interlocutors are involved. On the other hand, both Frans van Eemeren and Rob Grootendorst (2004) and Douglas Walton (1998) link Aristotelian dialectic primarily to dialogue, that is a rule-bound exchange of questions and answers between two (or more) interlocutors. The same contrast exists between the rhetorical and the controversy-oriented approaches to scientific arguments and the development of science. Whereas rhetorical approaches to science (Prelli 1989; Gross 1990; Pera 1991) stress efficient and legitimate ways of creating conviction and furthering the acceptance of scientific claims, controversy approaches (Dascal 2008a) focus on the epistemic importance of exchanging opposing views on a particular issue, as well as on the rules and modalities of adversarial debates. Thus, unlike the rhetoric of science and the "new rhetoric" movements, the main approaches to argumentation theories (most notably E&G and Walton) and Marcelo Dascal's particular version of the theory of controversies distinguish dialectic from both rhetoric and demonstration (as well as its contemporary offshoot, informal logic). They build on the essential feature of dialectic as it was described by Aristotle and some of his commentators: dialectic has to do primarily with the systematic and organized exchange of questions and answers between two interlocutors, rather than with the internal arrangement of arguments for supporting a claim, either absolutely (demonstration) or relatively to a given audience (rhetoric).⁵

However, dialogue can be understood in different ways. Douglas Walton understands dialogue in a loose sense as any rule-bound "conversation" between two or more partners: a dialogue is a "context or enveloping framework into which arguments are fitted so they can be judged as appropriate or not in that context" (1998, p. 29). He identifies several kinds of dialogue: persuasion dialogue, information seeking dialogue, negotiation dialogue, inquiry dialogue, eristic dialogue and deliberation dialogue. Each kind of dialogue has its own normative constraints: only those argumentation moves are acceptable which can guarantee the attainment of the dialogue's specific goal (critical discussion, information gathering, compromise, scientific inquiry, quarrel, decision-making). According to Walton, Aristotelian disputations are a "rigorous" sub-species of his larger category of "persuasion dialogues": they are asymmetric, in the sense that only one of the two interlocutors is defending a thesis (*ibid.*, p. 243). Arguments used in a persuasion dialogue have to

⁵ In the tradition of dialectic, a dialogue is a literary "image" of a dialectical disputation (Sigonio 1993, 40r).

be “relevant”, in the sense that they must be conducive to solving the “uncertainty” or “unsettledness” of an issue (*ibid.*, p. 42).

Walton’s “rigorous” as opposed to “permissive” persuasion dialogue is similar to E&G’s “critical discussion”. In their systematic work on the pragma-dialectic approach to argumentation E&G write: “For Aristotle, dialectics is about conducting a *critical discussion* that is dialectical because a systematic interaction takes place between moves for and against a particular thesis” (2004, p. 43). Thus, unlike rhetoric, dialectic includes a normative dimension: a difference of opinions can only be resolved “if a systematic discussion takes place between two parties who reasonably weigh up the arguments for and against the standpoints at issue” (*ibid.* p. 50). We shall see later what the respective purposes of persuasion dialogues and critical discussions are. Dialogue is also important in the theory of scientific controversies, even though in this context it is understood in a more general sense: a dialogue is constituted by the set of all positions and debates on a given issue. It might span several decades.⁶ Before we can determine to what extent these genuine dialectical approaches live up to Aristotle’s epistemic ambitions, we need to take a closer look at dialectical premises, ‘endoxa’, which Aristotle considers the main instrument—and characterizing element—of dialectical reasoning. This will allow us to better compare Aristotle’s own approach to dialectic and that of its contemporary advocates.

11.1.1 Aristotle’s Account of Dialectic: ‘Endoxa’ and the Purpose of Dialectical Disputations

According to Aristotle, dialectical arguments differ from demonstrative ones in virtue of their premises: these are called ‘endoxa’, a term which is most properly translated as “reputable opinions”. ‘Endoxa’—writes Aristotle—are those opinions “which commend themselves to all or to the majority or to the wise—that is, to all of the wise or to the majority or to the most famous and distinguished of them” (*Topics*, 100b, 22–23). Thus ‘endoxa’ are not just any widely accepted opinions, but are opinions which command belief in virtue of their being held by certain authoritative groups of people. This is clear if we consider their contrast class, “first principles” (‘archai’), which “command belief through themselves and not through anything else” (*Topics*, 100b, 18–19) and which for this reason constitute a necessary and defining condition for scientific demonstration (‘apodeixis’). ‘Endoxa’, therefore, are opinions which carry a certain amount of authority, and it is the authority of the people which hold them which makes them suitable premises for dialectical reasoning. This is why they are so carefully classified. In other words,

⁶ Recently, a helpful bridge has been established between the pragma-dialectic approach to argumentation and the theory of scientific controversies (van Eemeren and Garssen 2008).

what allows ‘endoxa’ to be used as premises in dialectical reasoning is not simply the fact that they happen to be held by a given group of people. Rather, it is the *authority* which they have acquired *by being held* by such a group which makes them suitable starting points for a dialectical argument. Two pitfalls should be avoided. On the one hand, one should be wary of translating ‘endoxa’ with “probabilities” as Latin interpreters (from Cicero onwards) did, and some contemporary interpreters still do: the probable, understood as that which resembles the truth, or as “what is true in most cases”, is clearly distinguished from Aristotelian ‘endoxa’. This is precisely because, as Jacques Brunschwig writes in his introduction to the French translation of the *Topics*, “the ‘endoxal’ character of an opinion or an idea is not a property which belongs to it in virtue of its intrinsic content, but rather a property which belongs to it *by fact*, insofar as it has real guarantors” (Aristote 1967, p. CXIII, note 3).

This implies that, contrary to a common interpretation, the epistemic value of ‘endoxa’ is independent of their relationship to the truth. Their truth (be it a likely, approximate, empirical, or knower-relative truth) is simply irrelevant to the role ‘endoxa’ are designed to play. As Brunschwig again claims, it may well be contingently true that ‘endoxa’ as reputable opinions are also the empirically most justified opinions we have, but “this coincidence does not erase the formal distinction between a statement that we accept because we find out empirically that it is true and a statement which is materially identical to the former, but that we accept for another reason, namely that we hear everybody say that it is true” (Brunschwig 2000, p. 115).⁷ On the other hand, ‘endoxa’ must also be distinguished from “generally *accepted* opinions”, contrary to what the standard English translation would have it (Aristotle 1960, 100b18); ‘endoxa’ can be generally accepted premises but don’t have to be so. The fact that ‘endoxa’ can be those beliefs which “command themselves to all, to the majority or to the wise” must be understood in an inclusive sense. Indeed, Aristotle explicitly writes that an opinion held by the experts can be considered a valid ‘endoxon’ unless it conflicts too sharply with the opinion of the majority, i.e. if it is not “paradoxical” (*Topics*, 104a11-12). In this sense C. D. C. Reeve is right when he writes that “‘endoxa’ are *deeply* unproblematic beliefs—beliefs to which there is simply no worthwhile opposition of any sort” (1998, p. 241). And in any case, it is not their acceptance rate which is important, but the fact that this acceptance can be taken to be a sign of the likelihood that they will be conceded to in an asymmetric dialectical disputation between a questioner and an answerer.

⁷ Some authors identify ‘endoxa’ with the basic data of experience (‘phainomena’), and thus hold that dialectic can offer a justification for certain scientific claims, insofar as it uses empirically validated premises: dialectic can help us “find those candidates for first principles which, among other things, do the best job of explaining the empirically most well-confirmed information that we have now” (Bolton 1999, p 98). This analysis, however, confuses the meaning of ‘endoxa’ in a dialectical argument and their meaning in the aporetic method which Aristotle uses in the *Physics* and the *Nicomachean Ethics* (Barnes 1980).

Accordingly, the purpose of what Aristotle calls ‘peirastic’ dialectic—the quint-essential dialectic—is to test claims to knowledge, and not to reach an agreed upon conclusion, or to rationally persuade an audience of the truth of a particular claim.⁸ The conclusion a questioner has reached by putting forth a series of endoxotic premises which have not been objected to by a qualified answerer are justified, insofar it is obtained through premises which *any other critic* would not have been able to reject. Alexander of Aphrodisias, one of the earliest—and the to date still one of the best—commentator of Aristotle’s *Topics*, writes that the purpose of dialectic is to prove a claim to someone who denies it, and not to persuade him of its truth (2001, 7.3). The difference between these two tasks is that in the former case, IF a qualified interlocutor has assented to each premise, it has to be implicitly assumed that all possible objections have been responded to. Thus, the conclusion reached by the questioner is well tested and relatively justified, and does not only result from rationally convincing any answerer. Alexander gives the following example. The geometrician posits that points exist and that they have no parts, but some people deny this claim. This controversial proposition can be proved to him by putting forward the following ‘endoxal’ premises:

1. Everything that is limited has a limit
2. The limit is other than that of which it is a limit
3. The line has a limit which is other than the line
4. The limit of the line can only be a point (since it can neither be a plane nor a body, and there are only four items in the realm of dimensions) (2001, p. 34).

Thus, paradoxically, a dialectical disputation in the Aristotelian sense is a communal, rather than an adversarial enterprise: the answerer, who assents or withholds his assent to the premises put forward by the questioner, indirectly helps him to establish his claim. Aristotle hints at the communal aspect of a dialectical disputation in the eighth book of the *Topics* (161a22; and 161a38-39). Unlike medieval authors, both Alexander and Renaissance commentators understand the common task of the contenders in a dialectical disputation as being the fact of testing the thesis at hand rather than the fact of conducting the disputation according to some agreed upon rules.⁹

⁸ Aristotle identifies three different types of dialectical arguments: sophistic arguments describe a deviant use of dialectical arguments when they aim at deceiving another. He carefully describes them in the *Sophistical Refutation*, so that someone can learn how to better defeat them. Didactic arguments are pseudo-dialectical arguments: they are used by a teacher who already knows the answers to his questions and slowly wants to lead his pupil to understand them. By contrast, those who argue “for the sake of examination (‘peiras’) and inquiry” (*Sophistical Refutations*, 159a34), use genuine dialectical arguments which are thus called “peirastic”, from ‘peiras’ which means test and investigation (Aristotle 1978).

⁹ On the history of the tradition of Aristotelian dialectic, see my recent book (Spranzi 2011).

11.2 Aristotle's Dialectical Reasoning Revisited: Argumentation Theory, the Rhetoric of Science and Controversies

Let us examine now how Walton and E&G analyze the premises of a dialectical argument, and define the purpose of the dialectical exchange accordingly. In order to analyze the structure of “persuasion dialogue”—the form of dialogue which more closely resembles an Aristotelian disputation—Walton takes over from Hamblin’s classic study on fallacies the notion of “commitment store”: an arguer has succeeded in resolving a conflict of opinions if he has managed to derive his thesis from premises which are commitments of his rival. This ensures that, insofar as commitments cannot be revised, once the critical discussion is over, the rival will have exhausted all possible objections, criticisms and counterarguments. Commitments are provisionally *accepted premises*. However, insofar as that they cannot be modified, they are not mere concessions, i.e. propositions accepted simply for the sake of argument; but neither are they *acceptable premises*. To this extent, the premises used in Walton’s persuasive dialogue do not have to stand up to a normative standard, but are contingent upon the premises the arguer happens to be committed to. It is indicative that Walton translates the Aristotelian term ‘endoxa’ as “generally *accepted* opinions” rather than “*acceptable* opinions”. According to Walton, “the purpose of using an argument in a *persuasion dialogue* is for one party to rationally persuade the other party to become committed to the proposition that is the original party’s thesis” (1998, p. 41). The theory of controversy, at least in the version advocated by Peter Machamer and Marcello Pera, also gives a rhetorical and sociological rendition of the meaning and role of ‘endoxa’: in the introduction to their collective volume on the role and nature of controversies in science they write: “The accepted ‘endoxa’ at a given time constitute the body of scientific knowledge or what is called science at that time” (2000, p. 15). In the same volume, Philip Kitcher reconstructs the value of scientific controversies as modifying the “consensus practice”, namely the contingent agreed-upon consensual basis of knowledge (2000, p. 29). Science is the result of a communal enterprise where single individuals struggle through debate and innumerable local controversies to make the body of knowledge slowly evolve by examining alternative “imperfect solutions” to common problems: scientific controversies “take place on a *field of disagreement* in which alternative individual practices compete as candidates for the modification of consensus practice” (ibid.).

E&G, for their part, do not identify dialectical premises with actually “*accepted* premises”, but rather with “*acceptable* premises”: “In a critical discussion, the parties involved in a difference of opinion attempt to resolve it by achieving agreement on the *acceptability* or *unacceptability* of the standpoint(s) involved through the conduct of a regulated exchange of views” (2004, p. 58; emphasis mine). However, the acceptability of a claim put forward in the course of the dialectical exchange depends on pragmatic and not on epistemic conditions. E&G stress “problem-validity” and “inter-subjective validity” as the criteria for the acceptability of the claims put forward in a discussion: problem-validity concerns the fact that the

content of the propositions exchanged must be relevant for resolving the critical discussion. Inter-subjective validity, for its part, concerns the rules of the discussion which have been commonly agreed upon: “An argumentation may be regarded as acceptable in the following manner: the argumentation is an effective means of resolving a difference of opinion in accordance with the discussion rules acceptable to the parties involved” (ibid., p. 16). The ten rules of ideal discussion which characterize the pragma-dialectical approach (ibid., pp. 135–157) are meta-rules which help define what the parties can reasonably consider as acceptable rules of discussion in a given context. This relatively liberal notion of what a critical discussion is enlarges the relevance of dialectic to a large variety of discourses, but stresses its pragmatic dimension to the expense of the normative one.

As for the respective purposes of “critical discussion” (E&G) and “persuasive dialogue” (Walton), they are quite different. Both approaches, however, are sensitive to the need for discourse to create conviction, and thus strive to integrate a measure of rhetorical persuasion into dialectic. According to E&G’s pragma-dialectical approach, the purpose of a critical discussion is squarely pragmatic in nature: resolving a conflict of opinion, albeit not by any means: fallacious arguments have to be excluded but are judged to be such only relatively to the argumentative context. Even though James Freeman (2006) has recently argued that an epistemically-oriented dialectical confrontation can be one of the different types of critical discussion envisaged by pragma-dialectic, this is not necessarily so: the fact of epistemically establishing a claim does not systematically lead to “resolving a conflict of opinions”, at least in the short term. Conversely, a conflict of opinion may cease to exist for reasons other than an agreement about the facts at hand.¹⁰ Thus, the pragma-dialectical approach does not eschew rhetoric altogether, but rather integrates it into critical discussions as “strategical maneuvering”, “where the pursuit of dialectical objectives and the realization of rhetorical aims can go well together” (van Eemeren and Garsen 2008, p. 11).

In a recent book (2010) van Eemeren develops the theme of combining rhetorical effectiveness and dialectical reasonableness in discourse. He does so by stressing the continuity of ordinary and more specialized conversations, as well as by evaluating dialectical moves not only with respect to their internal structure but also with respect to other possible moves within the larger argumentative context. The overall purpose of critical discussions is to establish claims which are acceptable not in themselves but to all parties involved, and the reasonable constraints put on the organization of the discussion serve the purpose of increasing the chance that a lasting acceptability will in fact be reached. In other words, rhetoric encompasses dialectic insofar as it orients and renders dialectical reasoning more effective. Recent approaches

¹⁰ This is especially true for what Dascal calls “disputes”, that is controversies where divergent world-views prevent the participants from achieving closure. In Dascal’s threefold typology of debates, “discussions” end by the sheer force of logical arguments, be they formal or informal. Closure of genuine “controversies” is less linear and certain than that of “discussions”, but it is more productive of new knowledge (2008a).

to the theory of controversies in science take a similar stance which is closely related to the rhetoric of science movement: the editors of the volume already cited write: “Dialectical and rhetorical processes merge into a single activity, which ends up with the argumentative victory of a group over another and the persuasion of the community, on which the acceptance of the claim, that is the very constitution of a scientific claim, depends” (Machamer et al. 2000, p. 12). In other words, dialectic evaluates the internal logic of “convincing arguments” (Pera 2000, p. 60), and thus contributes to the wider rhetorical goal of making some claims acceptable to a given community.

Walton’s approach is different. According to his dialog theory, the main purpose of “persuasive dialogues” is for each participant to acquire a presumption of truth by changing the burden of proof in his favor. Nicholas Rescher, in his seminal work on dialectic, has insisted on the defining importance of the two correlative notions of presumption and burden of proof (1977). What is interesting about these notions is the specific epistemic advantage that they confer to dialectic. As Edna Margalit observes in her subtle analysis of the notion of presumption, “the concept is suggestive of a supposition not fully justified, yet not quite rash either. There is in presumption a sense of an unquestioned taking for granted, but at the same time of some tentativeness, overturnability” (1983, p. 143). Walton, for his part, links the dialectical notion of presumption to rhetorical persuasion. He argues that one can only realize the purpose of shifting the burden of proof by managing to convince a specific opponent: “The purpose of using an argument in a persuasion dialogue is for one party to *rationaly persuade* the other party to become committed to the proposition that is the original party’s thesis” (1998, p. 41; my emphasis). This is consistent with the fact that Walton considers the relationship between dialectic and rhetoric to be very close: “It needs to be seen that rhetoric is a necessary part of dialectic and that dialectic can also be an extremely useful part of rhetoric”. Whereas dialectic is a “powerful new form of applied logic that can be applied to the interpretation and analysis of argumentation in natural language discourse” (2007, p. 45), rhetoric is based on some basic argumentative structures, but it may enrich them with suitable stylistic figures of speech, tropes and arrangements, so that they can appeal to the emotions of the audience. Whereas both dialectic and rhetoric deal with effective persuasion, dialectic deals more specifically with rational, as opposed to generic, persuasion.

In a recent work (2007), Walton tries to respond to the charge that his approach dissociates dialogue from the truth as an epistemic worthy objective (Siegel and Biro 2008), and analyzes the rationality of the persuasion brought about by dialogue along two dimensions: *standard of evidence* and *depth*. By conducting a critical discussion, the balance of evidence is progressively shifted on one side, and the quality of the discussion (the amount and nature of the objections and their responses) shows which of the two positions is more “truthlikely”. By the same token, Walton stands by his previous analysis of the purpose of persuasive dialogues in terms of gaining a “presumption” of truth, and indirectly equates the two criteria for judging its upshot: the interlocutor who has gained the presumption of truth for his hypothesis also holds a position which is more truthlikely than the one held by

his opponent. In my view, however, the two notions are not equivalent: whereas presumption is a dialectical notion related to burden of proof, “truthlikeness” presupposes a positive concept of truth, and the possibility of measuring the distance between the truth and the presumptive position reached. However, this measure cannot be warranted by the dialectical procedure alone, especially if it is considered to yield “generally *accepted* opinions”. By contrast, as we shall see, the notion of the “depth” of the discussion reached in a persuasive dialogue is far more promising for understanding the epistemic value of dialectic. What Walton may actually hold—but does not say so—is that at the end of a persuasive dialogue we possess a relative notion of the “balance of truth”, and can measure the relative weight of arguments on both sides of a controversial issue. This stance would be more consonant with his own epistemic position which he defines as mildly skeptical than appealing to the notion of truthlikeness (2007, p. 129). The balance metaphor has been successfully developed by the theory of scientific controversies (Dascal 2005), and is not foreign to the tradition of dialectic itself, understood as “reasoning *in utramque partem*”.

11.3 Aristotle’s ‘Endoxa’ Vindicated and the Epistemic Value of Dialectic

Although, as we have said, Aristotle’s work on dialectic—the *Topics*—is quite cryptic and has been analyzed in very different ways, focusing on the premises of a dialectical disputation, ‘endoxa’, allows us to maintain that the questioner tests his own thesis, and even *proves it* in a qualified sense, that is not absolutely but to the answerer who denies it. When he does so, he succeeds in shifting the burden of proof and establishes his thesis at least provisionally, by acquiring a presumption in its favor. However, because of the authoritative nature of the warrant behind ‘endoxatic’ premises, the conclusion is more than contextually and pragmatically justified. Dialectic fosters an epistemic view point which is more consonant with fallibilism rather than with contextualism: whereas a fallibilist may hold that “X knows that *p*, but it is possible that *non-p*”, he would not accept that “whether X knows that *p* depends on the situation in which he finds himself”.

In a recent book, James Freeman (2005) has built a useful bridge between argumentation theory and epistemology, although he does not refer to Aristotle’s tradition of dialectic. He has offered a detailed and thorough epistemological analysis of dialectical reasoning, one that stresses its importance for testing claims to knowledge rather than achieving agreement on controversial issues. Although both Walton and Freeman consider presumption as the main dialectical notion—insofar as it signifies that one’s opponent in the debate has the burden of proof—Freeman holds that there are general objective criteria for determining a proposition’s “acceptability” over and above its actual acceptance as a standing presumption. Presumption conditions for beliefs can be grouped into three classes: (1) interpersonal belief-generating mechanisms (common knowledge, trust, expert opinion); (2) personal

belief-generating mechanisms (senses, memory and reason allowing someone to have an intuition of the truth of certain statements); (3) internal plausibility (simplicity, the normal course of things). In general, “we shall be arguing (...) that principles of presumption connect beliefs with the sources that generate those beliefs, as a prime factor in determining whether there is a presumption in favor of a belief” (ibid., p. 42). Presumption for beliefs holds if there is a presumption of warrant for the belief generating mechanisms. Freeman’s notion of presumption is far more objective than Walton’s. At the same time it does not imply any degree of approximation to the truth but only indicates the provisional nature of dialectical conclusions in the ongoing search for knowledge.

Although Freeman’s analysis of the conditions of normative acceptability for dialectical premises is more sophisticated and detailed than Aristotle’s analysis of ‘endoxa’ as “reputable opinions”, we would like to suggest that the rationale behind Aristotle’s ‘endoxa’ is exactly the same as that of Freeman’s “acceptable premises”. In Freeman’s analysis, premises are *acceptable*—and not just *accepted*—insofar as they depend on several reliable causal mechanisms. Thus, Freeman’s acceptable opinions are intrinsically more plausible and more independently warranted than Aristotle’s “reputable opinions”. In order to consider Aristotle’s ‘endoxa’ as opinions which are objectively acceptable, rather than simply as any reputable opinions actually accepted by a given authoritative group of people, we have to suppose further that those qualified people (single experts or the majority of people) are reasonable and well-informed agents. If this is the case, then the opinions they accept can be considered to be objectively acceptable. As a result, the conclusion of a dialectical reasoning conducted through these objectively acceptable premises, is epistemically, and not just rhetorically, justified. I believe that this was Aristotle’s assumption given the important role that he attributes to dialectic in the *Topics*, where he states that “it is useful in connection with the first principles of each science” (*Topics* I.2, 101a37). At the very least, Freeman’s account of dialectical reasoning is perfectly consistent with Aristotle’s, and even renders it more plausible by giving a thorough epistemic analysis of the reasons which make dialectical premises “reputable”. Moreover, his approach better accounts for the fact that dialectical conclusions are well-tested, not only relatively to a given interlocutor, but in themselves. In contrast, despite their emphasis on the dialectical nature of the exchange, both Walton and E&G emphasize the local acceptability of premises and therefore make the purpose of dialectic more dependent upon the actual convictions of one’s interlocutor. Thus, in an interesting twist, a contemporary author carries Aristotle’s project of dialectic forward without intending to do so, whereas other authors who explicitly refer to him, pursue a different goal, more consonant with Aristotle’s stated aim of rhetoric: finding suitable means of persuasion in any give case (*Rhetoric*, I.2, 1355b26; Aristotle 1990).

But what is the epistemic status of dialectical conclusions? How can dialectic contribute to enlarging and improving our knowledge of the world? And, more specifically, “how should dialectic proceed if it starts from ‘endoxa’ but is to result in an intuition of the truth? On what valid basis can mere opinions lead to truth

about an objective reality?” (Hamlyn 1990, p. 472)? Two sets of considerations are relevant here. Firstly, I believe that instead of appealing to the notion of relative closeness to the truth (“truthlikeness”) as Walton does, one can more fruitfully point to the iterative process of testing and criticism provided by a dialectical exchange. In this light, dialectical exchanges can be seen as reinforcing the intrinsic plausibility of a claim, rather than its objective probability. Whereas probability presupposes a measurable relationship to the truth, plausibility indicates our cognitive inclination towards a proposition, in the light of the credentials acquired through the dialectical process. Even though the Aristotelian tradition of dialectic is replete with claims that a dialectical disputation brings us closer to the truth, we can totally salvage the epistemic value of dialectic without getting entangled in the difficult metaphysical issues surrounding the existence of—and approximation to—the truth. Instead, the dialectical notion of presumption of truth will suffice, if it is reached at the end of an iterative process of testing through questions and answers on the basis of objectively acceptable premises. In my view, Nicolas Rescher has best described the epistemological merits of dialectic as a “heuristic method of inquiry”: “The logical structure of this justificatory process (..) points towards a cyclic process of revalidation and cognitive upgrading in the course of which presumptive theses used as inputs for the inquiry procedure come to acquire by gradual stages an enhanced epistemic status” (1977, pp. 56–57).

Secondly, however, I think that Walton’s notion of the “depth of dialogue” is a very promising alternative to “truthlikeness” as an epistemically worthy objective of the dialectical exercise. According to Walton, persuasive dialogues may also have a maieutical function and thus increase the “depth” of the critical discussion on a given issue: “There are two benefits to such a discussion. One is the refinement of one’s own view, making it not only more sophisticated, but based on better reasons supporting it. The other is the increased capability to understand and appreciate the opponent’s point of view” (Walton 2007, p. 100).¹¹ Several authors in the tradition of Aristotle’s dialectic have developed this theme. Aristotelian commentators from Albert the Great in the twelfth century to Agostino Nifo in the sixteenth century, hold that the dialectical exercise can be an indirect aid to the search for the truth: among other advantages, it reinforces one’s position when all relevant objections have been answered to, and builds a habit—an Aristotelian “acquired disposition”—which enables us to recognize the truth when we are faced with it: “Nature has made men *able* for the invention of truth; the art of discussion makes that art *easy*, and usage allows men to *actually exercise* that ability” (Albert the Great 1899, 435a-b). This approach can be compared to the value of controversies for science, which equally strengthen men’s ability to improve knowledge (Kitcher 2000).

¹¹ It is unclear whether according to Walton increasing the depth of dialogue is positively related to the truthlikeness of dialectical conclusions.

11.4 Conclusive Remarks

Revisiting contemporary approaches to argumentation theory, the rhetoric of science and the epistemology of controversies in the light of the Aristotelian tradition of dialectic does not only have an historical interest. If rightly understood—especially in the light of the tradition that it has initiated—Aristotle’s understanding of dialectic can serve as a useful repository of positive distinctions and suggestions which allow us to better understand the complex epistemic underpinnings of dialectical reasoning: how and why are suitable forms of debate, controversy, dialogue or disputation an irreplaceable tool for cognitive upgrade? I have tried to highlight a few of these suggestions, which are certainly worth pursuing in order to explore the vast potential of dialectical reasoning. At the very least, we can draw one important lesson from the analysis of the tradition of dialectic. Even though rhetoric and dialectic are often linked to each other pragmatically, it is useful to distinguish them in order to prevent the search for rhetorical consensus from obscuring dialectic’s original epistemic contribution. Traditions of thought are more than monuments to history’s past achievements; they may, and should, be viewed as “structured potential for change” (Shils 1981).

References

- Agricola, R. (1967). *De inventione dialectica*. Frankfurt: Minerva. (First published in 1539, Cologne).
- Albert the Great. (1899). *Topica and De Elenchis Sophistici*. In A. Borgnet (Ed.), *Opera Omnia* (Vol. II). Paris: L. Vivès.
- Alexander of Aphrodisias. (2001). *On Aristotle’s Topics I* (annotated translation of the first book of Aristotle’s *Topics* by J. M. Van Ophuijsen). London: Duckworth.
- Aristote. (1967). *Les Topiques, livres I-IV* (Introduction and Notes by J. Brunschwig, Trans.). Paris: Les Belles Lettres.
- Aristotle. (1960). *Topics* (E. S. Forster, Trans.). Cambridge, MA: Harvard University Press (Loeb Classical Library).
- Aristotle. (1978). *On sophistical refutations* (E. S. Forster, Trans.). Cambridge, MA: Harvard University Press (Loeb Classical Library).
- Aristotle. (1990). *Art of rhetoric* (J. H. Freese, Trans.). Cambridge, MA: Harvard University Press (Loeb Classical Library).
- Barnes, J. (1980). Aristotle and the methods of ethics. *Revue Internationale de la Philosophie*, 34, 490–511.
- Bolton, R. (1999). The epistemological basis of Aristotelian dialectic. In M. Sim (Ed.), *From puzzles to principles?: Essays on Aristotle’s dialectic* (pp. 57–106). Lanham: Lexington Books.
- Brunschwig, J. (2000). Dialectique et philosophie chez Aristote, à nouveau. In N. Cordero (Ed.), *Ontologie et dialogue. Mélanges en hommage à Pierre Aubenque* (pp. 107–130). Paris: Vrin.
- Capella, M. (1977). The marriage of philosophy and mercury. In W. H. Stahl & R. Johnson (Eds.) *Martianus Capella and the seven Liberal Arts* (2 Vols). New York: Columbia University Press.
- D’Ancona, P. (1902). Les rappresentazioni allegoriche delle arti liberali nel medio-evo e nel Rinascimento. *L’arte*, 5, 137–155, 211–228, 269–289, 370–385.

- Dascal, M. (2005). The balance of reason. In *Logic, thought and action*. (Logic, epistemology and the unity of science, Vol. 2, Part 1, pp. 27–47). Dordrecht: Springer.
- Dascal, M. (2008a). Dichotomies and types of debate. In F. H. van Eemeren & B. Garssen (Eds.), *Controversy and confrontation* (pp. 27–50). Amsterdam: John Benjamins.
- Dascal, M. (2008b). Leibniz's two-pronged dialectic. In *Leibniz: What kind of rationalist* (Logic, epistemology and the unity of science, Vol 13, part I, pp. 37–72). Dordrecht: Springer.
- Evans, J. D. G. (1977). *Aristotle's concept of dialectic*. Cambridge: Cambridge University Press.
- Freeman, J. (2005). *Acceptable premises. An epistemic approach to an informal logic problem*. Cambridge: Cambridge University Press.
- Freeman, J. (2006). A place for informal logic within pragma-dialectics. In P. Houtlosser & A. van Rees (Eds.), *Considering Pragma-Dialectics* (pp. 63–74). Hoboken: Taylor & Francis.
- Green, L. (1990). Aristotelian rhetoric, dialectic and the traditions of 'antistrophos'. *Rhetorica*, 8, 5–27.
- Gross, A. (1990). *The rhetoric of science*. Cambridge: Harvard University Press.
- Hamlyn, D. W. (1990). Aristotle on dialectic. *Philosophy*, 65, 95–110.
- Johnson, R. H. (2000). *Manifest rationality. A pragmatic theory of argument*. Mahwah: Lawrence Erlbaum.
- Kitcher, P. (2000). Patters of scientific controversies. In P. Machamer, M. Pera, & A. Baltas (Eds.), *Scientific controversies: Philosophical and historical perspectives* (pp. 21–39). New York: Oxford University Press.
- Leff, M. (2000). Rhetoric and dialectic in the twenty-first century. *Argumentation*, 14, 241–254.
- Machamer, P., Pera, M., & Baltas, A. (Eds.). (2000). *Scientific controversies. Philosophical and historical perspectives*. Oxford: Oxford University Press.
- Margalit, E. (1983). On presumption. *The Journal of Philosophy*, 80, 143–163.
- Moraux, P. (1968). La joute dialectique d'après le huitième livre des Topiques. In G. E. L. Owen (Ed.), *Aristotle on dialectic: The topics* (Proceedings of the third symposium Aristotelicum, pp. 277–312). Oxford: Clarendon Press.
- Pera, M. (1991). The role and value of rhetoric in science. In M. Pera & W. Shea (Eds.), *Persuading science. The art of scientific rhetoric*. Canton: Science History Publications.
- Pera, M. (2000). Rhetoric and scientific controversies. In P. Machamer, M. Pera, & A. Baltas (Eds.), *Scientific controversies: Philosophical and historical perspectives* (pp. 50–66). New York: Oxford University Press.
- Perelman, C. (1977). *L'empire rhétorique*. Paris: Vrin. (English translation: *The realm of rhetoric*. Notre Dame: University of Notre Dame Press. 1982).
- Perelman, C., & Olbrechts-Tyteca, L. (1969). *The new rhetoric. A treatise on argumentation*. Notre Dame: University of Notre Dame Press.
- Prelli, L. J. (1989). *A rhetoric of science: Inventing scientific discourse*. Columbia: University of South Carolina Press.
- Reeve, C. D. C. (1998). Dialectic and philosophy in Aristotle. In J. Gentzler (Ed.), *Method in ancient philosophy* (pp. 227–252). Oxford: Clarendon.
- Rescher, N. (1977). *Dialectics. A controversy-oriented approach to the theory of knowledge*. Albany: SUNY Press.
- Shils, E. (1981). *Tradition*. London: Faber and Faber.
- Siegel, H., & Biro, J. (2008). Rationality, reasonableness and critical rationalism: problems with the pragma-dialectical view. *Argumentation*, 22(2), 191–203.
- Sigonio, C. (1993). *Del dialogo* (Italian translation, introduction and notes by F. Pignatti). Roma: Bulzoni. (First published in 1562, *De dialogo liber*, Venice)
- Sim, M. (Ed.). (1999). *From puzzles to principles? Essays on Aristotle's dialectic*. Lanham: Lexington books.
- Spranzi, M. (2011). *The art of dialectic between dialogue and rhetoric. The Aristotelian tradition*. Amsterdam: John Benjamins.
- Toulmin, S. (1958). *The uses of argument*. Cambridge: Cambridge University Press.

- van Eemeren, F. H. (2010). *Strategic maneuvering in argumentative discourse*. Amsterdam: John Benjamins.
- van Eemeren, F. H., & Garssen, B. (2008). Controversy and confrontation in argumentative discourse. In F. H. van Eemeren & B. Garssen (Eds.), *Controversy and confrontation* (pp. 1–26). Amsterdam: John Benjamins.
- van Eemeren, F. H., & Grootendorst, R. (2004). *A systematic theory of argumentation*. Cambridge: Cambridge University Press.
- Walton, D. (1998). *The new dialectic. Conversational contexts of argument*. Toronto: University of Toronto Press.
- Walton, D. (2007). *Dialogue theory for critical argumentation*. Amsterdam: John Benjamins.

Chapter 12

The *Ethos* of Classical Rhetoric: From *Epieikeia* to *Auctoritas*

Janja Žmavc

From antiquity onwards *rhetorical ethos* has represented a concept bearing many different notions, which generally refer to a speaker's character presentation. Despite conceptual differences *ethos* still plays an important part in rhetorical analysis and presents one of the elements in various contemporary rhetorical and argumentative theoretical models (proposed by prominent scholars such as Perelman, Brinton, Leff, Tindale, van Eemeren and Grootendorst, Walton etc.).

When we consider contemporary notions of *ethos* as being the result of a long tradition, our questions are: can a study of the ancient conceptions of *rhetorical ethos* still provide us with interesting and useful starting points? Might such a study refine our conception of the role of a speaker in the contemporary models of rhetorical and argumentative analysis? In search for a positive answer the aim of this paper is to present in our view some of the crucial points in the conceptualizations of classical *ethos*. We will try to show how *ethos*, when seen as a multifaceted rhetorical concept, above all things reflects different social roles of a public speaker in the Greco-Roman society. We believe that such a perspective combined with the well known ancient theoretical models of *rhetorical ethos* can provide us with a more thorough understanding of the concept of character presentation, which can contribute to its use in the contemporary rhetoric and argumentation as well.

The study of *rhetorical ethos* from a classical perspective has prospered ever since the end of the nineteenth century and it has focused mainly on the research of Aristotle's *Rhetoric*. With modern scholars such as Wisse (1989), Fortenbaugh (1979, 1988, 1992, 1994, 1996), May (1988, 2002), Gill (1984), Braet (1992, 1996, 2004) the focus has changed and the subject has been expanded. *Rhetorical ethos* as it is perceived in the context of this kind of research generally holds for a concept that can be understood in terms of different types and observed through different genres of the ancient rhetorical and oratorical practice.

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Modern theories of rhetoric and argumentation assign different roles to *ethos*, which highly depend on their dialectical or rhetorical perspective. However, their common characteristic is usually the priority that they assign to Aristotle's conception. Theories of argumentation mostly deal with *ethos* in the framework of their view of *informal fallacies* such as *ad verecundiam* and *ad hominem* (e.g. van Eemeren and Grootendorst 2004; van Eemeren and Houtlosser 2002; Walton et al. 2008) or present it as a part of specific argument schemes, for instance the so called *ethotic argument* (Brinton 1986; Walton et al. 2008). Scholars like Leff (2003) and Tindale (1999, 2004) draw features from rhetorical tradition and combine them with some contemporary views. Based on Aristotle's triad *ethos*, *pathos* and *logos* they define the character or *ethos* as an essential part of any argument and they present its further developments. As Leff pointed out (2009), there are considerable references to the role of a speaker in Perelman's theory of argumentation as well. According to Leff (2009, p. 310) those references can be related to the concept of *rhetorical ethos* and represent an important starting point in understanding the relationship between dialectic and rhetoric.

One of the modern aspects of *ethos* in argumentation theory as defined in Perelman and Olbrechts-Tyteca's *New Rhetoric* and lately known as the *theory of argumentation in discourse* comes from Ruth Amossy (2009). In her conceptualization of *rhetorical ethos* she integrates views about a speaker's authority and credibility that originate from the classical rhetoric, pragmatics and sociology. Based on these three theoretical fields she presents a model that tries to reconcile the two well-known perspectives of *ethos*: as a language related construction and as an institutional position or *discursive* and *prior ethos* (Amossy 2001).

Since both perspectives originate from ancient conceptions of *ethos*, let us once more return to the realm of Greco-Roman rhetoric and try to shed light on some of their elements from two perspectives: firstly, as a part of the ancient rhetorical system and secondly, as a significant feature of public speaking, that is one of the most important social practices in Greek and Roman society.

In the classical rhetorical theory *ethos* is usually defined as a character presentation in the context of three means of persuasion, which come from Aristotle's *Rhetoric* (*Rh.* 1.2.3 1356a1-4) and constitute one of the most widely used classical models – *ethos* (the speaker), *pathos* (the audience) and *logos* (the speech):

Of the *pisteis* provided through speech there are three species; for some are in the character of the speaker (*en tō êthei tou legontos*), and some in disposing the listener in some way (*en tō ton akroatên diatheinai pôs*), and some in the speech itself, by showing or seeming to show something (*en autō tō logō dia tou deiknynai ê fainesthai deiknynai*).¹

However, scholars believe (cf. Fortenbaugh 1994) that this model did not have a direct influence on the classical theory and practice. Aristotle particularly influenced contemporary rhetoric,² while the Greco-Roman rhetorical system was far more

¹All translations of Aristotle's *Rhetoric* by G. A. Kennedy (1991). All Greek parentheses are ours (JŽ).

²See especially Tindale's study of rhetorical model of argumentation (1999). Together with contemporary logical, dialectical and pragmatic views on argumentation Tindale tries to develop a comprehensive model of argument that is fundamentally rhetorical and founded on Aristotle's conception of rhetoric.

focused on a somewhat different notion of *ethos*. This *ethos* was formed through a process of social changes and belongs to diverse oratorical practices. Thus, it seems logical to investigate other forms of character presentation that define classical notions of *ethos*, since they might provide us with a more coherent answer to the questions about the role of the speaker in the Greco-Roman rhetorical theory.

Readings in the ancient oratory reveal *rhetorical ethos* as a persuasion strategy that in the broadest sense denoted a speaker's effective character presentation as well as a presentation of any character in a speech. The concept of character was seen as a pragmatic category that consisted of moral elements (in terms of vice and virtue) and was not oriented towards a personal or inner world of the individual. A person's character was seen as a result of his/her actions and their evaluation (whether socially acceptable or not), as well as a result of particular social categories, such as that person's origin, his/her social position, vocation and political engagement. As a part of *rhetorical ethos* a presentation of any character would therefore have to be acceptable to the audience with regard to the moral and social norms that Greek (and/or Roman) society acknowledged. In Greek society the term 'acceptable' particularly denoted a person who was reasonable, fair or morally good, which is an equivalent for Greek words *epieikês* and *epieikeia*.³ Although these notions were used in many different contexts (from juridical to ethical) Aristotle in *Rhetoric* (1.2.4 1356a4-8) explicitly connects *rhetorical ethos* with the notion of *epieikeia* as well, when he says that it is very important for a speaker to present himself as such, since we generally much more believe good (or fair-minded) people:

[There is persuasion] through character whenever the speech is spoken in such a way as to make the speaker worthy of credence; for we believe fair-minded people (*tois gar epieikesi*) to a greater extent and more quickly [than we do others], on all subjects in general and completely so in cases where there is not exact knowledge but room for doubt.

In the framework of *rhetorical ethos* terms such as "good" and its opposite "bad" are not to be taken in a narrow moral sense, since they are – as in the most ancient non-philosophical works – to a large extent defined by the abovementioned pragmatic categories: by origin, social position, vocation or political affiliation. However, a speech had to point out that a speaker is a good, reliable and benevolent person. Such character traits set up an image of a person, which ancient Greeks described with an adjective *axiōpistos* or 'trustworthy'. Again, we find a definition of this notion in Aristotle's *Rhetoric* (2.1.5-7 1378a6-20), where *rhetorical ethos* as a strategy of constructing a trustworthy image of a speaker is explicitly described as a presentation of a speaker's practical wisdom (*phronesis*), virtue (*arête*) and goodwill (*eunoia*). As many contemporary scholars point out, these notions were not invented by Aristotle, for they can easily be traced all the way back to the Homer's *Iliad*. Moreover, such a view of a character presentation is identified in a number of ancient

³LSJ lists the following classical meanings of a Greek adjective *epieikês*: I. in Homer: *fitting, meet, suitable*; II. after Homer: (1) of statements, rights, etc.: (a) *reasonable, specious*; (b) *fair, equitable, not according to the letter of the law* (opp. *dikaiois*); (2) of persons: (a) *able, capable*; (b) in moral sense, *reasonable, fair, good*; (c) with social or political connotation, the *upper or educated classes*. For *epieikeia* we can find the following meanings: (1). *reasonableness*; (2) *equity*, opp. strict law; (3) of persons: *reasonableness, fairness*; also, *goodness, virtuousness*.

speeches and rhetorical treatises and can therefore be explained as an element of Greco-Roman notion of credibility. What is significant in Aristotle's conceptualization of *phronesis*, *arête* and *eunoia* as a part of *rhetorical ethos* is the function that he assigns to this persuasion strategy – when the speech is *spoken* in such way, a speaker *becomes* trustworthy.

It is a thoroughly researched fact that Aristotle's famous conceptualization, which became a foundation of many modern discussions (e.g. Amossy 2001; Tindale 2004), in fact presents one direction in ancient conceptions of *rhetorical ethos*. It concerns a *discursive construction* or *representation of a character*, which is an important part of persuasion but does not necessarily represent a speaker's actual personality. Aristotle (*Rh.* 1.2.4 1356a8-13) says:

And this (sc. persuasion through character) should result from the speech, not from a previous opinion that the speaker is a certain kind of person; for it is not the case, as some of the handbook writers propose in their treatment of the art, that fair-mindedness (*epieikeia*) on the part of the speaker makes no contribution to persuasiveness; rather, character is almost, so to speak, the most authoritative form of persuasion (*kyriôtatên ekhei pistin to êthos*).⁴

As Kennedy (1991, p. 39) observes, Aristotle excludes from *rhetorical ethos* anything except for what is actually said in the speech. The authority, which the speaker might possess due to his position in society, previous actions and/or reputation were all the elements, which Aristotle would regard as important but 'inartistic' or 'extrinsic' to the art of persuasion – as something that is included but not constructed in the speech.

However, there are at least three other traditions that can be identified within ancient conceptions of *rhetorical ethos*. Firstly, a conception that originates in Plato and Isocrates' view of rhetoric. It represents *rhetorical ethos* as a *revelation of a speaker's moral character*, which *preexists discourse* and *should be reflected in the discourse*. This *ethos* was also known under the term *epieikeia* with somewhat clearer ethical and moral connotations, be it as a part of Plato's philosophical view of rhetoric or the more pragmatic conceptions of Isocrates. Particularly in *Antidosis* (278) Isocrates presents a very clear picture of his conception of *rhetorical ethos*, which enters into the discourse as a *part of speaker's moral character and his proper way of living*:

...[t]he man who wishes to persuade people will not be negligent as to the matter of character; no, on the contrary, he will apply himself above all to establish a most honorable name (*hôs epieikestatên*) among his fellow-citizens; for who does not know that words carry greater conviction when spoken by men of good repute than when spoken by men who live under a cloud, and that the argument which is made by a man's life is of more weight than that which is furnished by words? Therefore, the stronger a man's desire to persuade his hearers, the more zealously will he strive to be honorable and to have the esteem of his fellow-citizens.⁵

Secondly, there are diverse notions of character presentation that come from sophistic and textbook rhetoric and are parts of other rhetorical concepts or notions (such as *topoi*, parts of speech, style, performance etc.), which constitute the ancient rhetorical system. Before we present a brief sketch of them, we have to

⁴The Greek parentheses are our addition (JŽ).

⁵Translated by G. Norlin (1963). Greek parenthesis is our addition (JŽ).

mention another characteristic, which is a part of the ancient conceptions of *rhetorical ethos*. Namely, in ancient rhetoric there was a close connection between the strategy of trustworthy character presentation and a speaker's influence on audience's emotions (a persuasion strategy most commonly known as *rhetorical pathos*). With exception to Aristotle's model of the three *pisteis*, which presents *ethos* and *pathos* as a generally two distinct categories, most of other ancient notions demonstrate a certain conceptual and semantic overlap of a character presentation and arousal of emotions.⁶ Considering this circumstance, it seems particularly important to point out the traditional notions of both persuasion strategies, which precede Aristotle and Isocrates and were particularly recognized in rhetorical instruction of logographers and sophists.

A well known rhetorical treatise *Rhetoric to Alexander*, which is ascribed to Anaximenes of Lampsacus and originates approximately from the same period as Aristotle's *Rhetoric*, proves to be a good example for the research of some pre-conceptual or traditional notions of *rhetorical ethos* and *pathos*, which can be defined as *textbook* and *sophistic notions*. A textbook notion of *ethos* and *pathos* corresponds to the practical examples or simple precepts that were connected to the construction of a speech, especially that of prologues and epilogues and originate probably in the earliest rhetorical textbooks. In *Rhetoric to Alexander* such a notion of *rhetorical ethos* shows a close relation to winning the audience's goodwill (*eunoia*) and presents one of the most important elements within prologue as a part of Greco-Roman rhetorical system.⁷ The second conception of *ethos* (and *pathos*) in *Rhetoric to Alexander* shows traces of the sophistic tradition, particularly because of its connection with argumentative strategies, which are usually associated with sophists such as Thrasymachus, Gorgias, Protagoras and others. In the standard rhetorical theory this notion of *rhetorical ethos* could also be understood as a part of diverse conceptions of *topoi* and would correspond to various traditional (pre-Aristotelian) argumentative strategies such as *argument schemes* and *ready-made arguments* (Rubinelli 2009, pp. 101–109). In *Rhetoric to Alexander* we can find many examples of argumentative strategies that contain character presentation and would correspond to these notions, especially in the sense of producing a certain effect in the audience or in the sense of justifying a certain conclusion.⁸

The third tradition within ancient conceptions of *rhetorical ethos* would be the so called Roman view of character presentation, which is the result of the conflation

⁶ This stands out in the Roman treatises as well, since they present rhetoric as an already standardized system. Cf. Quintilian's treatment of *ethos* and *pathos* as two degrees of emotion, namely as *leniores* and *vehementes affectus* (6.2.8-9).

⁷ Anaximenes presents many examples, where a speaker's character presentation is a part of precise instructions for composing prologues. Goodwill is discussed in 1436a33-1438a42, where we can find precise instructions for composing prologues in deliberative speeches. For judicial oratory see 1442a6-14 about winning goodwill of the friendly and neutral audience and 1442a20-1442b28 that describes the case of hostile audience. Cf. also 1445b39-1446a4.

⁸ Cf. *Rh. Al.* 1428b29-32 for character presentation as a part of an argument scheme and 1431b9-19 for character presentation as a ready-made argument or a special type of authority argumentation. This view was particularly studied by Braet (1996, 2004), who showed that *Rhetoric to Alexander* contains a typology of argumentation schemes.

of a Greek rhetorical system and Roman traditional oratory. We can find notions from Greek traditions of character presentation, such as *topoi* (or *loci*) for gaining goodwill in *Rhetorica ad Herennium* (1.5; 2.30-31) and in Cicero's *De inventione* (1. 22) or conceptualizations of *ethos* (and *pathos*), which reflect Roman traditional notions of the character of the speaker as well as traces of Aristotelian peripatetic tradition respectively, such as in Cicero's work *De oratore* or in Quintilian's *Institutio oratoria*. When studied in the context of ancient rhetoric all these traditions (from Aristotle to Quintilian) reveal a multifaceted nature of the *rhetorical ethos* and largely depend on the different conception of the role of a speaker in Greek and Roman society, which we shall address a little later.

The study of means of persuasion in the Roman rhetoric is undoubtedly related to the above mentioned Greek concepts, but on the other hand it must also consider the characteristics of Roman traditional rhetoric. This rhetoric existed as an original communication practice in the Roman public life long before Romans came into contact with the Greek culture. When Romans took over Greek theoretical models of their art of persuasion, the traditional elements of Roman oratory maintained a significant influence on particular concepts within the rhetorical system. And this especially holds for *rhetorical ethos*.

For scholars such as Kennedy (1963, 1972), May (1988) and Wisse (1989) the main difference between Greek and Roman *rhetorical ethos* exists in the relationship between constructed and preexisting *ethos*. The goal of a Greek speaker was more or less to construct a credible self image within the speech and/or at the same time gain the goodwill of the audience. However, his preexisting image generally did not interfere with argumentation, scholars say. As we can see from Isocrates' conceptions of *ethos* and the examples of a speaker's character presentation in *Rhetoric to Alexander*, ancient Greeks did not exclude the speaker's existing reputation from persuasive discourse; rather, they held a different view of the knowledge they had of such a character presentation: it could not serve as a primary means of proof, but it was often seen and/or presented in the context of probability (Kennedy 1998, p. 205). Something completely different is true for the so called Roman *rhetorical ethos*: as a rhetorical strategy it almost entirely consists of the speaker's preexisting reputation and the authority that comes from it. In Roman judicial oratory this kind of *rhetorical ethos* was not only a part of argumentation, but often presented its main feature; in funeral oratory *ethos* presented the central and crucial element that substantiated the purpose of a funeral speech (*oratio funebris*) and thus essentially differed from the Greek public funeral orations. In the construction of a speaker's authority Romans went all the way to the point where in the framework of deliberative speech the speaker without distinguished predecessors, who could grant him a credible character and consequently an authority as well, was permitted to explicitly point out virtues of his own. Hence, the lack of modesty in Roman oratory, for this circumstance could represent a key element in an act of persuasion especially in the case of *new men* like Cicero and Cato the Elder.

Let us point out another interesting feature of ancient *rhetorical ethos*. The essential difference between Greek and Roman *rhetorical ethos* can be explained in terms of two kinds of rhetoric, namely *the rhetoric of quarrel* (or 'agonistic' rhetoric)

and *the rhetoric of consensus* (or ‘traditional’ rhetoric) as Kennedy conceptualized these two social practices that existed in Greek and Roman society. He says that Greek rhetoric can be characterized as rhetoric of quarrel, since it shows a close connection to the combative nature of Greek society (Kennedy 1998, p. 197ff.). The latter is evident in vibrant discussions and contentious arguments of the Greek assemblies or courts, where every free male citizen could speak his mind. Early Roman rhetoric seems to be completely different especially with respect to the function and selectivity of speakers. In the words of Kennedy this rhetoric is much closer to the traditional forms of public speaking or as he names it, *the rhetoric of consensus*. The main goal of public speaking in traditional societies was usually to calm down the opposition and achieve a group consensus on some important issue. Further, public speaking served to establish and renew social ranking within the society as well as to reinforce traditional values. As such, the rhetoric of consensus often proves to be the more conservative and corrective force and not so much a tool of changes (Kennedy 1998, pp. 67–68). Readings in early Roman orators, such as Aemilius Paulus, Scipio Africanus and Fabius Maximus prove that the use of their strategies of persuasion correspond to the rhetoric of consensus, since they focus mainly on the elements of authority and emotionality, which are known as primary elements of such a public address.

Since the Roman social system prevented from speaking anyone but members of the ruling elite, public speaking for the most part did not consist of a series of probable arguments with elaborate structure and strong probative force in a controversy. Much more notable characteristic in the first speeches of Roman orators was the repeated use of a speaker’s authority as means of proof (Kennedy 1972, pp. 42, 100; May 1988, p. 9). As a persuasive strategy it corresponded to a speaker’s character presentation or *rhetorical ethos*, which was founded on his preexisting social status. It is important to know that a speaker’s social status was determined by a person’s age, experience and influence in the public life, wealth, family reputation and also certain rhetorical skill.

Particularly in the later periods (from the late republic when rhetoric in Rome developed as a discipline) this circumstance deeply shaped the concept of the so called Roman *rhetorical ethos*, which consequently represents a much wider concept, be it on the qualitative or quantitative level. Along with the adopted Greek ethotic elements, a character presentation of a Roman speaker is always a preexisting social category that consists of entirely Roman elements as well. One of them is a speaker’s family or *gens*, also known as *collective ethos* (May 1988, p. 6), which provides his stability, since it is secured by distinguished ancestors (*mores maiorum*). It also consists of a speaker’s *individual ethos*, which is determined by *collective ethos* and reflects some typical Roman notions of character. May (1988, p. 6) provides a thorough explanation:

The Romans believed that character remains essentially constant in man and therefore demands or determines his actions. Since character does not evolve or develop, but rather is bestowed or inherited by nature, an individual cannot suddenly, or at will, change or disguise for any lengthy period his ethos or his way of life; nor is it wise to attempt such alteration. The Romans further believed that in most cases character remains constant from generation to generation of the same family.

Other important elements belong to the realm of Roman traditional values and had to be gained during a speaker's life. If a speaker wanted to use his character as a means of proof and persuasion respectively, he had to demonstrate *dignitas* (or being worthy of high office), *honor* and *gloria* (or an excellent personal and public engagement) and oratorical reputation (*existimatio*). But one of the most important values was the *auctoritas*, which represents the key element in the context of Roman *rhetorical ethos*. In Roman society *auctoritas* signified admiration for the person that demonstrated wisdom, proficiency and a sense of responsibility in personal and public matters (especially in the context of the *patronus-cliens* relationship). A Roman orator could earn his *auctoritas* partly through his ancestors, but mainly he had to gain it with his own praiseworthy actions that came from his political activity and public office service. The latter at the same time offered an opportunity for earning the privilege of public performance and a place, where he could use rhetorical *ethos* as an effective persuasive strategy.

But what is significant about *auctoritas* is that it often replaced logical argumentation. Extant Roman speeches show that speakers could (and would often) simply use their own (or somebody else's) *auctoritas* when they wanted to demonstrate causes for some action.⁹ Specific social relations in Roman society – especially that of *patronus* and *cliens* – presented a foundation for a wide selection of characters that could be used in a speech as a very successful *ethotic* strategy. Beside his own character, a speaker (usually he would be a respected *patronus* with notable *auctoritas*) could also employ a presentation of the character of his client, his adversary or his adversary's pleader and combine these without restraint and solely for the purpose of an oratory success. Particularly in the judicial speeches and because of the advocacy system (that differed from a Greek one in terms of representation) this persuasive technique played an important part in the process of presenting a case (cf. Quint., *Inst.* 4.1.6-7). In addition, such a character presentation was often highly emotional and was according to rhetorical treatises believed to be one of the most effective strategies in Roman rhetoric (cf. Cic. *De or.*, 2.182).

In *Brutus* Cicero presents a series of ancient orators, who would successfully use *auctoritas* as a means of proof. In their hands this *auctoritas* presented “a powerful, sometimes frightening, occasionally even subversive oratorical weapon” (May 1988, p. 8). In addition, there is an interesting passage in *De oratore* (1.198), where in the context of Roman juriconsults and their Greek counterparts Cicero describes the power of Roman *auctoritas*:

They began by creating an esteemed position for themselves on the authority, so to speak, of their natural ability (*qui, cum ingenio sibi auctore dignitatem peperissent*), but subsequently even managed to make their prominence in rendering legal opinions depend less on this natural ability than on the personal authority they had gained (*ut... auctoritate plus etiam quam ipso ingenio valerent*).¹⁰

⁹ Cf. especially a presentation of oratory of Marcus Antonius in Cicero's discussions *Brutus* and *De oratore*.

¹⁰ Translation by J. M. May and J. Wisse (2001). Latin parentheses are our addition (JŽ).

Ultimately, May (1988) showed that the elements of traditional Roman oratory regarding character presentation were important parts of Cicero's oratory as well.¹¹ Furthermore, Cicero's theoretical works and speeches present *rhetorical ethos* as a "confluence of notions of a speaker's social role" and as a "synthesis of" several Greek and traditional Roman "concepts that interact in different ways" (Enos and Schnakenberg 1994, p. 193). And such an interaction of concepts, which extends from different social roles to diverse discursive practices and theoretical models of ancient rhetoricians and philosophers, is perhaps the best way to understand *rhetorical ethos*.

Let us sum up: Why should ancient rhetorical elements - in the context that we presented them in - be important to contemporary rhetorical and argumentative models? Our answer points in three directions. Firstly, a careful analysis of different notions of a supposedly unified rhetorical concept contributes to the awareness that the reconstruction of a model of *ancient rhetorical ethos* leads to a *complex* concept. This concept significantly extends over a dichotomy of Aristotle's or Isocrates' conceptualizations and should always be considered as a part of Greco-Roman social world as well. Secondly, ancient conceptions of *rhetorical ethos* when presented from the social perspective enable us to identify the *relationship between constructed and preexisting image of a speaker* and thus further open possible research questions regarding the *agonistic* (i.e. Greek) or *consensual* (i.e. Roman) *nature of rhetorical discourse*.¹² And lastly, the model of ancient *rhetorical ethos* that includes theoretical and practical insights from the Greco-Roman rhetoric provides us with *diverse ethotic strategies* with regard to the nature of rhetorical discourse. And with such a model new directions in the study of other rhetorical and argumentative concepts such as *topoi*, rhetorical figures and argument schemes might open.

References

- Amossy, R. (2001). Ethos at the crossroads of disciplines: Rhetoric, pragmatics, sociology. *Poetics Today*, 22(1), 1–23.
- Amossy, R. (2009). Argumentation in discourse: A socio-discursive approach to arguments. *Informal Logic*, 29(3), 252–267.
- Aristoteles. (1957). *Problems 2. Books XXII – XXXVIII/Rhetorica ad Alexandrum* (With an English translation by H. Rackham & W. Stanley Hett). London/Cambridge, MA: Heinemann/Harvard University Press.

¹¹ Due to its complexity we shall not present Cicero's conception of *rhetorical ethos* in this paper. For detailed study of 'Ciceronian *ethos*' see especially Wisse (1989) and May (1988).

¹² The possible set of questions could be the following: What social relations and values in the given rhetorical discourse shape a speaker's use of *rhetorical ethos* as a persuasive and/or argumentative strategy? What are the *predominant discursive elements*, which relate to these social relations and values, and constitute speaker's trustworthy image in the given discourse? Are those elements to be found in the realm of speaker's character presentation, which is mainly created within the discourse or is more based on his/hers preexisting authority?

- Aristotle. (1991). *On rhetoric. A theory of civic discourse* (A newly translated with Introduction, Notes, and Appendices by G. A. Kennedy). New York/Oxford: Oxford University Press.
- Braet, A. (1992). Ethos, pathos and logos in Aristotle's Rhetoric. A reexamination. *Argumentation*, 6, 307–320.
- Braet, A. (1996). The paradoxical case of the Rhetoric to Alexander. *Argumentation*, 10, 347–359.
- Braet, A. (2004). The oldest typology of argumentation schemes. *Argumentation*, 18, 127–148.
- Brinton, A. (1986). Ethotic argument. *History of Philosophy Quarterly*, 3, 245–258.
- Cicero, M. T. (1954/1999). *Rhetorica ad Herennium* (With an English Translation by H. Caplan). Cambridge, MA/London: Harvard University Press.
- Cicero, M. T. (2001). *On the ideal orator (De oratore)* (Translated with Introduction, Notes, Appendixes, Glossary and Indexes by J. M. May, & J. Wisse). New York/Oxford: Oxford University Press.
- Enos, L. E., & Schnakenberg, K. R. (1994). Cicero latinizes *ethos*. In J. Baumlin & T. F. Baumlin (Eds.), *Ethos. New essays in rhetorical and critical theory* (pp. 191–209). Dallas: Southern Methodist University Press.
- Fortenbaugh, W. W. (1979). Aristotle's Rhetoric on Emotions. In J. Barnes, M. Schofield, & R. Sorabji (Eds.), *Articles in Aristotle. 4. Psychology and Aesthetics* (pp. 133–153). London: Duckworth.
- Fortenbaugh, W. W. (1988). Benevolentiam conciliare and animos permoveere: Some remarks on Cicero's De oratore 2. 178–216. *Rhetorica*, 7(3), 259–275.
- Fortenbaugh, W. W. (1992). Aristotle on persuasion through character. *Rhetorica*, 10(3), 207–244.
- Fortenbaugh, W. W. (1994). Quintilian 6.2.8-9: Ethos and pathos and the ancient tradition. In W. Fortenbaugh & D. C. Mirhady (Eds.), *Peripatetic rhetoric after Aristotle* (Rutgers University Studies in Classical Humanities VI, pp. 183–91). New Brunswick/London: Transaction.
- Fortenbaugh, W. W. (1996). Aristotle's account of persuasion through character. In C. L. Johnstone (Ed.), *Theory, text, context. Issues in Greek rhetoric and oratory* (pp. 147–168). Albany: State University of New York Press.
- Gill, C. (1984). The ethos/pathos distinction in rhetorical and literary criticism. *Classical Quarterly*, 34(1/2), 149–166.
- Isocrates. (1963). *Isocrates with an English translation in three volumes by George Norlin*. Cambridge, MA/London: Harvard University Press/William Heinemann Ltd.
- Kennedy, G. A. (1963). *The art of persuasion in Greece*. Princeton: Princeton University Press.
- Kennedy, G. A. (1972). *The art of rhetoric in the Roman world 300 B.C. – A. D. 300*. Princeton: Princeton University Press.
- Kennedy, G. A. (1998). *Comparative rhetoric. An historical and cross-cultural introduction*. Oxford, New York: Oxford University Press.
- Leff, M. (2003). Rhetoric and dialectic in Martin Luther King's 'Letter from Birmingham Jail'. In F. H. van Eemeren et al. (Eds.), *Anyone who has a view: Theoretical contributions to the study of argumentation* (pp. 255–268). Dordrecht: Kluwer.
- Leff, M. (2009). Perelman, ad hominem argument, and rhetorical *ethos*. *Argumentation*, 23, 301–311.
- May, J. M. (1988). *Trials of character. The Eloquence of Ciceronian Ethos*. Chapel Hill/London: The University of North Carolina Press.
- May, J. M. (2002). *Brill's companion to Cicero: Oratory and rhetoric*. Leiden: Brill.
- Rubinelli, S. (2009). *Ars Topica. The classical technique of constructing arguments from Aristotle to Cicero*. Berlin: Springer.
- Tindale, C. W. (1999). *Acts of arguing. A rhetorical model of argument*. Albany: State University of New York Press.
- Tindale, C. W. (2004). *Rhetorical argumentation: Principles of theory and practice*. London: Sage.

- van Eemeren, F. H., & Houtlosser, P. (2002). Strategic maneuvering: Maintaining a delicate balance. In F. H. van Eemeren & P. Houtlosser (Eds.), *Dialectic and rhetoric. The warp and woof of argumentation analysis* (pp. 131–161). Dordrecht/Boston/London: Kluwer.
- van Eemeren, F. H., & Grootendorst, R. (2004). *A systematic theory of argumentation: The pragma-dialectical approach*. Cambridge: Cambridge University Press.
- Walton, D., Reed, C., & Macagno, F. (2008). *Argumentation schemes*. Cambridge/New York: Cambridge University Press.
- Wisse, J. (1989). *Ethos and pathos from Aristotle to Cicero*. Amsterdam: Hakkert.

Chapter 13

The Emotions' Impact on Audience Judgments and Decision-Making in Aristotle's *Rhetoric*

Andreas Welzel and Christopher W. Tindale

13.1 Emotions in the *Rhetoric*

Plato's antagonistic model of cognition and emotion was highly influential among many of his successors, as we see in the Stoic sage and Sceptics who strove for relief from emotional states (Bett 1998), and it was adopted by the Catholic Church during the Middle Ages, with adherents encouraged to subdue their emotions by means of reason and acts of the will (Lazarus 2001, p. 60). This model also formed the root of modern philosophy in Descartes' strict separation of body and mind—what Damasio (1994, p. 249) has referred to as his most serious error. In his *Rhetoric*, Aristotle corrects Plato's picture, providing the first clear account of the emotions, whereby the speaker arouses emotions in the audience by cognitive means. There is also much more to Aristotle's treatment that takes it beyond any attention to cognitivism. The discussion of "intentionality" below captures one such structural feature. It is the details of that account and how the emotions are thought to figure in persuasion, along with a related notion of intentionality that interest us in this paper.

After analyzing Aristotle's theory of the emotions in a way that stresses the social nature of his account, we turn in Part II of the paper to show how the social emotions in the *Rhetoric* require a different model of intentionality from that which the tradition assumes (Searle 1983). Social emotions are embedded in social interactions (Konstan 2006, p. 39) and thus such emotions require a structure of intentionality that is both other-directed *and* directed back on the agent (we illustrate the nature of

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this structure by modelling it on a game). This understanding of full intentionality presents the foundation for what we call ‘person worth’ (or person value) to develop, and in Part III of the paper some aspects of person worth apparent in the *Rhetoric* are explored.

That we should find Aristotle’s only detailed account of the emotions in the *Rhetoric*—or, rather, that we do not find it in the more natural settings of *De Anima* and the *Nicomachean Ethics* is something that has puzzled commentators. It may also be that a fuller account appears in some lost book, or just that it is the subject matter of the *Rhetoric*, with its concern with the persuasion of audiences, which is the most natural setting. Regardless, the account given there is largely consistent with what Aristotle has to say about the emotions elsewhere (Fortenbaugh 1975; Modrak 1987), and this is the place on which to concentrate for the most salient details of Aristotle’s thinking.

Early in Book I we are told that audiences are persuaded when led by a speech to feel emotion (1.2.5). This is an empirical claim, and in support of it we are asked to reflect on our own experience. We do not give the same judgment when grieved as we do when we are rejoicing, or when being friendly as when we are hostile. These are taken to be universal statements about human nature¹ and the impact of emotion on judgment. The causal line here is speech to emotion, emotion to judgment. It would seem from this early statement that in the developing cognitive account of the emotions, emotion might ground judgment.² We are then faced with the immediate question of *how* emotion comes to affect judgment. Aristotle never specifically addresses this issue (Leighton 1982, p. 145), but a close review of what he has to say in Book II of the *Rhetoric* provides a number of useful suggestions.

The first 11 chapters of Book II are devoted to the emotions, beginning with a general definition and proceeding to accounts of a select group. “The emotions [*pathê*] are those things through which, by undergoing change, people come to differ about their judgments and which are accompanied by pain and pleasure, for example, anger, pity, fear, and such things as their opposites (2.1.8).” Two central criteria characterize this definition: In the first case, emotions in some way cause a change in judgment. They are directly related to how we view things, what attitude we take towards them and the way we arrive at decisions about them. Secondly, they are accompanied by pain and pleasure. These may be physical or mental, and perhaps both. But it indicates already a holism that will characterize Aristotle’s discussions. The whole organism is addressed when speech aims at persuasion. While not part of the opening definition, the accounts Aristotle gives of individual emotions indicate their social nature—they arise in relation to a person’s perceptions of what is expected of them or due to them in specific circumstances.

¹The validity of this claim has been brought into question by Daniel Gross (2006), who argues that emotions are related to culture and not human nature.

²There is some debate, generally, about which of the pair is more fundamental. Ancient and modern arguments favour reading cognition as primary, although neither position can be definitively supported (Lazarus 1984) and modern discussion from neuropsychology favour a **more** integrated model (Damasio 1994). See also Meyer (2000), who argues that passion is what is beneath *logos* (235).

These points are illustrated in the first individual emotion discussed, that of anger. Anger is defined as “desire, accompanied by distress,³ for apparent retaliation because of an apparent slight that was directed, without justification, against oneself or those near to one” (2.2.1). The distress noted corresponds to the accompanying pain of the general definition. Since anger arises through a thought of outrage, that thought is part of the definition.⁴ Moreover, the emotion arises from a judgment of what is unjust since the slight was deemed unjustified. The mixture with cognitive elements is clear both in the general definition and in that of this first emotion. Pleasure is also mixed in here through the accompaniment of another emotion—hope. The angry person feels pleasure at the hope of retaliation. Thus anger involves, in its nature for Aristotle, projection and anticipation. People dwell in their minds on retaliating, creating an image [*phantasia*] of what might be involved.

Aristotle ends the chapter with the advice that “it might be needful in a speech to put [the audience] in the state of mind of those who are inclined to anger and to show one’s opponents as responsible for those things that are the causes of anger” (2.2.17). George Kennedy (Aristotle 2007, p. 121) suggests that this section was added to adapt an ill-fitting discussion to the rhetorical situation, and observes the need for illustrations. This is a problem that seems to haunt much of the material on the emotions, which often seems to derive from elsewhere and to have been transplanted with minimal, and sometimes no, attention to the rhetorical interests of the text.

Still it is clear that someone, whether Aristotle himself or an early editor,⁵ sees the need for the discussion of the emotions in the larger consideration of persuasion. Thus, our own analyses can facilitate the relevance where it is not apparent. The account of fear [*phobos*] in chapter 5, for example, is combined with an account of confidence [*tharsos*] and not explicitly related to rhetorical contexts. Yet its relevance is not hard to uncover. Fear is defined as “a sort of pain and agitation derived from the imagination of a future destruction or painful evil; for all evils are not feared” (2.5.1). The ability to imagine something that has not yet happened but can be judged as likely to occur supplies a cognitive element here. Confidence is defined as what is opposed to fear (2.5.16). When dreadful things have not yet happened and sources of safety are near at hand, then feelings of confidence are experienced. While the text does not go on to provide illustrations, we can appreciate that a speaker may want to create fear in an audience towards an opponent and counter it by inspiring confidence in them through his or her own example. An audience’s judgments about a person are altered if that person is viewed as a source of fear or confidence.

³ Kennedy adds [mental and physical] here to account for both kinds of reaction that occur when someone is in a state of being angry.

⁴ In terms of Aristotle’s own theory of causation, Fortenbaugh (1975, p. 12) describes thought here as the efficient cause of emotion.

⁵ There is little question whether the material is Aristotelian; just whether it was originally intended for the book in which we find it.

The emotions of anger and fear are both practical in the sense of involving a goal at which one aims. Other emotions are not practical in this way (Fortenbaugh 1975, p. 81). Shame [*aiskhynê*], for example has neither a goal nor an action involved in its definition, and the same holds for shamelessness. Shame is simply defined as “a sort of pain and agitation concerning the class of evils, whether present or past or future, that seem to bring a person into disrespect” (2.6.1). Shame is concern for—Aristotle says imagination [*phantasia*] about (2,6,14)—a loss of reputation. While lacking a clear goal, like anger or fear, it is social in import insofar as it relies on thoughts about other people. Anger is directed toward others; fear is of others. The common element here is the social nature of the emotions. Indignation is another non-practical emotion in Fortenbaugh’s classification (1975, p. 82). But insofar as it is tied to the thought of unmerited fortune in others (2.9.1) it shares with the other emotions this social aspect. Other people are feared, pitied, envied, emulated, and so forth. These emotions all find us outside of ourselves in the world, navigating difficult interpersonal matters that can be understood and converted to sources of persuasion.

Pity might be thought of as another central Aristotelian emotion because of its importance in the *Poetics*. It is also an emotion that seemed to have an almost institutional role in courtroom situations,⁶ such that Kennedy (Aristotle 2007, p. 139) wonders why the *Rhetoric* account is not flavoured this way. But as his analyses of the emotions progress, Aristotle seems more and more centrally concerned to capture what is distinct about each emotion in its social setting, while distinguishing them from each other, especially where there is some natural connection as in the case of opposites.

Pity is often cited when concerns are raised about the irrelevance of emotional appeals. But Aristotle is interested in how pity can bring us to be moved in appropriate ways to consider something that we might not have otherwise considered. The image of the hunger-ravished child or the community devastated by a natural disaster awakens sensibilities in us that might not otherwise be activated. Pity, Aristotle writes, is “a certain pain at an apparently destructive or painful event happening to one who does not deserve it and which a person might expect himself or one of his own to suffer” (2.8.2). Again, there is a judgment of what is just and fair here; as indignation is aroused by undeserved good fortune, pity arises from a judgment of undeserved misfortune. There is also the imaginative placing of oneself or those one knows into a similar scenario. This aspect of analogical reasoning is part of the definition of the emotion. A final feature of the definition is the closeness of the events involved. Since we do not feel pity for things that happened 10,000 years ago, so the Haitian earthquake of 2010 affects us in ways that stories of the Lisbon quake in 1755 no longer can. This is important for the rhetorical employment as the speaker can “make the evil seem near by making it appear before the eyes” (2.8.14).

⁶Socrates’ insistence that he will not use it in his *Apology*, for example, speaks of a standard expectation in such cases.

The analyses of the emotions are concluded in chapter 11 after the socially relevant discussion of emulation. Clearly, only a selection of emotions has been discussed and divisions can be seen within them, such as Fortenbaugh's distinction between practical and non-practical emotions. But enough would seem to have been said to meet the stated claim of explaining how emotions are created and counteracted. Aristotle adds, "from which are derived *pisteis* related to them" (2.11.1).

As Deborah Modrak notes (1987, p. 71), Aristotle's account of the emotions reflects his commitment to psychophysicalism—all the *pathê* of the soul involve the body. As anger, for example, is the desire for retaliation, it is also a boiling of the blood or heat around the heart (*De An.* 403a30-31). In many ways, this anticipates descriptions that will arise in neuroscience centuries later. Damasio (1999, p. 67), for example, describes how emotions work in terms of two paths: one is biological through the bloodstream, where chemical molecules act on receptors in the body; the other is neurological, through the actions of electrochemical signals. Aristotle's commitment to psychophysicalism is evident in the discussions of the *Rhetoric*. But more importantly, a holism emerges here that shows an interest in the entire being. Emotion, cognition and the physical body are integrated in ways that anticipate similar holistic accounts that have emerged centuries later.

While some researchers working in the field of cognition, like Lazarus (2001), whose appraisal theory is based on the Aristotelian view that emotion depends on reason, and Leighton (1985), acknowledge Aristotle's accomplishment, most do not. And yet there are several ways in which Aristotle's discussions anticipate or are relevant to later conclusions. We have space here to note only a few.

Although neuroscientist Antonio Damasio makes no reference at all to the related ideas of Aristotle, the distinction he develops between those emotions he calls primary because they are innate, and those he calls secondary because they are learned, often as adults (1994, pp. 131–39),⁷ reflects the similar division that we saw suggested in the Aristotelian account, where some emotions, like fear and anger, were judged practical because there was a clear end involved, and others, like shame and indignation, were judged non-practical because they lacked a clear end. We can imagine here how these two classes involve a different kind of social response, one innate the other learned. Such a perspective would also allow for a reply (not to be developed here) to Gross' (2006) thesis that shame suggests emotions are a response to culture rather than descriptive of human nature in a way he finds suggested by Aristotle. The division might also explain why conceptual thought may be necessary to make sense of emotion even though it creates a problem when trying to understand emotions in animals and children (Griffiths and Scarantino 2009, p. 441). Recognizing a category of higher cognitive emotions that are learned in a culture goes some way toward addressing such problems, and we find this first suggested by Aristotle.

⁷In (1999), Damasio identifies six primary, or universal emotions: happiness, sadness, fear, anger, surprise, and disgust (50). He contrasts these with secondary emotions that he also calls social, such as embarrassment, jealousy, guilt and pride). And he adds a third class of background emotions, such as well-being, malaise, calm, and tension (52).

Again, with respect to the issue of *where* the emotions are, early disputes over whether cognition or emotion is primary lose their force in some of the more recent proposals for the kind of integration that regards neither as fundamental. At issue is a dynamic relationship in which emotions are the result of cognition and the cause of it (Lazarus 1984, p. 126). This suggests the kind of cohesiveness of experience that was apparent in Aristotle's work. In *De Sensu* (447a15-17), Aristotle explains how a strong emotion like fear can interfere with cognition such that we do not perceive what is in front of us. Such competition between cognitive and affective states suggests a complicated meshing underlying the unity of experience (Modrak 1987, p. 138). Likewise, practical decisions to choose certain actions are influenced by the emotional values we associate with different outcomes. And decisions and values must be weighed against different goals and the preferences involved with these. Thagard (2000) proposes a model of coherence that includes both beliefs and emotional responses knit so closely in interwoven patterns of influence that their distinctiveness seems possible only by means of theoretical analyses. "Emotional coherence requires not only the holistic process of determining to how best satisfy all the cognitive constraints, but also the simultaneous assessment of valences for all relevant representations" (Thagard 2006, p. 55). In part, Thagard's way to this is through the neuroscience of Damasio and others, but at root it remains an unacknowledged Aristotelian insight.

As a final point here, we might recall how in showing that emotional responses are reasonable and involve cognitive processes, Aristotle also showed that they were open to reasoned persuasion, even if he was less specific on how this could be achieved with the different emotions. Furthermore, since emotions can be assessed for their rationality, we can turn the critical stance on ourselves (aided by a speaker's argument) and appraise the appropriateness of our own emotional responses and moderating them where necessary.

13.2 Intentional Social Interactions: A Frame for Analysing the Social Emotions in *Rhetoric* Book 2

Let's start with a mainstream view on intentionality as a structural characteristic of emotions:

Intentionality is a property of actions and mental states. It is the property of being directed at or toward something. [This property of being directed at is often called "aboutness"]. Emotions typically have this property. When one is angry or afraid, for example, one is angry at someone or something, afraid of someone or something. This someone, this something is the emotion's intentional object, that at or toward which it is directed. By contrast, bodily sensations of pleasure and pain, [the comforting feeling of a warm bath, say, or the aching feeling of sore muscles], are not directed at or toward anyone or anything. (Deigh 1994, p. 826)

We proceed now to argue that this mainstream concept of intentionality is insufficient to capture social emotions as presented by Aristotle in Book 2 of his *Rhetoric*. There are several reasons for this position:

1. Intentionality is a property of mental acts, not mental states, of activities, not states.
2. There are two directions, not one: intentional acts are directed to something or someone (other-directedness, centrifugal direction) *and* directed back reflexively to the act issuing centre (centripetal direction).
3. Full intentionality means: both directions together form one circular process.
4. The structure of full intentionality provides the ground for person worth to develop.
5. The mainstream concept draws on an individualistic frame, but an individualistic frame is insufficient to capture social emotions.
6. Social emotions are bound to or embedded into social interactions.
7. For social emotions to arise, the corresponding social interactions must follow an Intentionality structure (a game-like structure).
8. Pleasure and pain are not sensations beyond the Intentionality structure, but are understood as modes of backward-directedness, as modes how the centre feels affected.

The concept of intentional act in modern times is due to Franz Brentano, a German-born Austrian philosopher of the second half of the nineteenth and beginning of the twentieth century. According to him, an intentional act is a mental act combining a centripetal and a centrifugal direction to a circular processing: a being directed to something other as objective content (outward direction) together with a reflexive being redirected back to the act issuing centre (inward direction). Intentional acts provide a structure for a subject to experience itself. But it must be stressed that this "self" is not given at the outset but develops by issuing intentional acts in different contexts. The starting point is activity; a living being insofar it is active.

Brentano's concept of intentional act has its roots in Aristotle (George & Koehn 2004, p. 28ff). One of his reported key Aristotelian sources for conceiving intentional acts as other-directed and backward-to-centre directed acts is *Met.* 1074b35-36, where Aristotle says: "Yet it seems that knowledge and perception and opinion and understanding are always of something else, and only incidentally [*εν παρέρῳ*] of themselves." "Incidentally of themselves" means, according to Brentano, that the acting subject is not given to itself as a primary object, but as a secondary one. We understand this secondary object status as a feeling of being back, of arriving at the origin, at the centre - as self-awareness.

Brentano (1995, 276ff) elucidates the basic idea with a nice example:

The fact that the mentally active subject has himself as object of a secondary reference regardless of what else he refers to as his // primary object, is of great importance. As a result of this fact, there are no statements about primary objects which do not include several assertions. If I say, for example, "God exists," I am at the same time attesting to the fact that I judge that God exists.

If one goes back from Brentano to the roots of intentionality in Aristotle, one will be surprised to notice that Aristotle's understanding of intentional acts is richer and reaches further than Brentano's. The starting point remains the same: it is activity, or more concretely, a living being insofar it is active. And this fundamental activity unfolds within the structure of intentional acts, the structure of a circular process of crossing the inside- outside border of the organism in both directions creating self-relatedness. This self-relatedness develops in different stages.

The first stage is presented by the psychological writings. Here, self-relatedness is substantiated as self-awareness. The *De Anima* (425b12-15) and *De Somno* (455a13-21)⁸ draw a detailed picture of reflexive self-awareness embedded into intentional acts of perception. Intentional acts are not a human privilege, animals, too, are capable of intentional acts. Humans and animals do not differ in act structure, but in levels of activity. Animals are capable of perception only, humans of perception *and* thinking. Both are living organisms and being alive means being active – active within the structure of intentional acts that make the organisms familiar with themselves – on different cognitive levels.

In the ethical writings, at the next step, Aristotle goes further: self-awareness is enriched by combining being active and being good (Aristoteles NE Dirlmeier 1983, p. 556). It is not the value of the objects the intentional acts are directed at, that is at stake here, but the experience of one's own worth by the agent via the backward-directedness of his intentional acts. Aristotle again: “[I]t is the consciousness of oneself as good that makes existence desirable, and such consciousness is pleasant in itself” (*EN* 1170b8-b10, 1926b, p. 565).

But at this stage, the individual has a bitter experience, the experience of lacking self-sufficiency in assessing and deciding his own true worth. He cannot resolve the bias in judging his own case by domestic means. An insurmountable uncertainty remains that forces the individual to leave the individual stance: It needs judges from outside, the recognition of others, to establish his own worth with certainty (Ricken 1976, p. 72).

At the level of individuality, we witness how the backward-directedness of intentional acts turns into person worth, but individual worth in a paradoxical mode of coming to mind without being really real. The corresponding gap of uncertainty forces the individual to give up his individualistic stance and, in his pursuit of certainty, to enter the social space. A transition from a purely individual existence to a social existence takes place.

⁸ *De Somno* 455a13-21 gives a very good impression of Aristotle's mature position in the psychological writings: “Now every sense has both a special function of its own and something shared with the rest. The special function, e.g., of the visual sense is seeing, that of the auditory, hearing, and similarly with the rest; [a16] but there is also a common faculty associated with them all, whereby one is conscious that one sees and hears (for it is not by sight that one is aware that one sees; and one judges and is capable of judging that sweet is different from white not by taste, nor by sight, nor by a combination of the two, but by some part which is common to all the sense organs;[...].” (Aristotle 1957, p. 327).

To cope with this new situation, we introduce *intentional social interactions as games for worth*. In the realm of social space, the character of person worth changes.

Worth

- is no longer determined individually
- it becomes eye-bound, worth in the eyes of others
- its validity and reality depends on recognition. Thus, worth can be affirmed, attributed, denied, or withdrawn.
- it becomes relative worth, dependent on comparisons with others.
- relative worth manifests itself as a worth level.
- relativity + recognition-dependence account for competition and incentives for interactive worth level changes.
- relative worth is open for gains and losses, upgrading and downgrading

Starting and driven from individual uncertainty about worth, intentional social interactions take on the form of games for worth. And, as games, they can be played fairly or unfairly.

Gains due to unfair moves of another player, arouse, according to Aristotle, the emotion of *righteous indignation*, for example (the usual translation of *to nemesan* in ch. II 9).

These games take place in the social space, this means in public, in visibility. Visibility affects a central motive as to why these games are played: visibility is a source of, and grants access to, certainty. The social space becomes a space of appearances, of appearing, presenting and representing oneself to others as a player in the worth game and decoding the corresponding appearance promoting moves of competitors and co-operators. The different minds playing the worth game relate to each other in the medium of *phainesthai*. The mental capacity to deal with public *phainomena* of this kind is *phantasia* as the impression managing unit.

Intentional interactions, games for worth, take place in public. Thus, *phainesthai*, visibility to others, appearance in the sense of being visible, becomes a focus of attention in those games. *Phantasia* is the underlying mental capacity (Cooper 1999, p. 416f; Frede 1992, p. 286ff) carrying and facilitating the required behaviour of presenting oneself to others by effective means, be it facial expression, gestures, outfit, Cartier jewels, Rolex watches, Porsche cars, medals and what have you. And why all this? The Intentional structure of the interactions in the games for worth provides the answer: In Intentional interaction, being is being perceived by others, it is being before the eyes of others.

In games for worth, Intentionality takes on the following structure: the individual appears a certain way to others, others appear a certain way to the individual, and how they appear to that individual depends on how he or she appears to them and vice versa. This includes being worried how one might appear in front of a jury of significant others as in shame. Appearances and impressions take on a prominent role in intentional interactions, and, as a consequence in social emotions and Aristotle's treatment of them. The extramental interactions between minds take place

in the social space that is a public space of actors and spectators and spectator-actors, of appearance managers, of observers, of judges.⁹

An example from the *Rhetoric*'s chapter on anger may illustrate the role of visibility and public for social emotions: "And further, [they are angry] with those who slight them before five classes of persons: namely, their rivals, those whom they admire, those by whom they would like to be admired, those whom they respect, or those who respect them; when anyone slights them before these, their anger is greater" (*Rhet.* II 2.22, 1379b23-27, 1926a, p. 183).

As we saw in Part I, pain and pleasure play a constitutive role in Aristotelian emotions (Aristoteles *Rhet.* Rapp 2002, vol. 2, p. 548ff). Where must these be located? Inside or outside the frame of Intentional interactions we were developing? Cognitivist approaches to emotions treat feelings as the nonintentional states par excellence (Döring 2009, p. 141; Griffiths & Scarantino 2009, p. 437). This view may seem cogent from the reductive *aboutness*-concept of intentionality that makes no use of the backward-directedness of intentional acts (Kenny 1963, p. 23; Helm 2007, p. 95f). From our point of view now, feelings of pleasure and pain can be integrated into intentionality without much effort.

The feeling of pleasure or pain again indicates that the whole organism, the whole person is affected. The person experiences his or her being in a positive or negative state via states of his body. From our intentional stance, states of the person are states of subjectivity combining states of mind with body states. In contrast, pure judgments or beliefs are only departmental, they are backward-reflexive too, but in a detached, cool, the secondary, *en parergo* way (remember Brentano's example from above for this mode of intentionality: "If I say, for example, "God exists," I am at the same time attesting to the fact that I judge that God exists"). Of course it is the individual who has those judgments, but they do not affect his or her whole being. We are here in the *en parergo* mode of intentionality, the acting subject is not given to itself as a primary object, but as a secondary one. The scene changes with feelings coming to the fore: feelings of pleasure or pain indicate a switch of the mode, from the secondary object status to the primary object status of the subject.

En parergo states of subjectivity accompanying judgments are combined with the welcome social side effect of allowing one to share the judgment at stake with others. This is not possible with primary states of subjectivity due to bodily feelings: they are radically subjective and private. We can report having a toothache to others but we

⁹"Aristotle's analyses of the emotions are extremely instructive. They illuminate his world, or his emotional world, as well as the emotions more generally. The passages I have cited suggest an emotional world that differs from our own. It is intensely confrontational, intensely competitive, and intensely public; in fact, much of it involves confrontations and competitions before a public. It is a world in which everybody knows that they are constantly being judged, nobody hides that they are acting as judges, and nobody hides that they seek to be judged positively. It is a world with very little hypocrisy, or "emotional tact" (Elster 1999, p. 75). Elster regards as a historical phenomenon what we prefer to treat as a structural feature of social space, the stage for games for worth and social emotions.

cannot share it with them. On the other hand, shareable judgments or beliefs, may concern one's full being, one's whole self, if they combine with positive or negative bodily feelings communicating the significance of those cognitive acts to *me* immediately, definitely and unmistakably (but not beyond error or self-deception).

There is an influential counter-position to this: Wittgenstein denied that bodily feelings or sensations (*Empfindungen* in German) can be regarded as radically subjective and private. Here is not the place to discuss his argument in all its branches, but one remark might be in order concerning the roots of his position. In contrast to Brentano who introduced the accompanying ego-authorship to the authorless judgment *God exists* by reminding that it amounts to *I judge that God exists*, Wittgenstein takes the opposite direction by eliminating the pronoun of the first person from sentences like *I have a toothache* in favour of *there is a toothache* (for example in *Philosophical Remarks* Wittgenstein 1975, §58). This deviation from the Brentano-Aristotle path to intentionality appears as a decisive move for grounding his position.

Embedded into the frame of Intentionality, pleasure and pain represent a privileged access to experiencing pivotal states of subjectivity and self - mediated by the primary mode of Intentionality's backward-directedness. In the context of social emotions, they indicate that *my* existence is affected – in the sense of social existence and/or physical existence. In the case of fear as a social emotion, for example, an enemy or someone who hates *me* threatens *my* physical existence.

Thus, being affected reveals that our existence is at stake, that our whole being is affected. A criterion for this is the involvement of the body (Everson 1997, p. 264); bodily reactions communicate this seriousness unmistakably. Pleasure and pain account for the individual affectedness in social emotions with the body as carrier of individuality. (Maybe there is something like a physiological inference: if *my* body is affected, then *I am* affected.)

Regarding the transition from body states to mental states, we observe that affectedness translates into a specific type of knowledge, feedback knowledge, so to say: it is reflective (centre-addressing) and evaluative. In the case of pain *I* get informed that *I am* in a state that is *negative for me*. In the case of pleasure, the opposite holds. This bipolar structure may provide another argument against Wittgenstein's approach to the problem.

We understand pleasure and pain as modes of backward-directedness, backward directed on bodily channels to a centre which is embodied as a intentional, individual, physical, body-based existence (LeDoux 1999, p. 40) and/or a social worth-based existence within the social space. Pleasure and pain as basic constituents of emotion indicate, by the switch from the secondary to the primary mode of intentionality-based subjectivity, that the physical and/or the social existence, that the whole person, is affected in a certain situation of intentional interactions. It is in line with this that Aristotle says of hatred: "Anger is accompanied by pain, but hatred is not; for he who is angry suffers pain, but he who hates does not. One who is angry might feel compassion in many cases, but one who hates, never; for the former wishes that the object of his anger should suffer in his turn, the latter, that he should perish" (*Rhet.* II 4.32, 1926a, p. 201).

13.3 Personal Value and Person Worth

The sense of worth introduced and discussed in the previous section may be extended to capture the personal worth of the speaker or arguer, who comes to a sense of self-value through what is reflected back from an audience. Through the kind of intentionality involved, individuals come to understand themselves and develop that understanding. And as we have also shown, the social nature of the emotions is essential to this process. Rhetoric and the emotions contribute to our sense of personhood and the important values involved. But there is also a sense in which, through the *Rhetoric's* account of the emotions, we can see important ways in which value or worth is assigned to others. We will complete our discussions here by exploring this sense.

As was noted earlier, an audience's judgments about a person are altered if that person is viewed as a source of such things as fear or confidence. Now is the time to consider the effect this has on the audience in question: what does this alteration of judgment involve? Prior to his descriptions of the emotions, Aristotle had claimed that audiences are persuaded when led by a speech to feel emotion (1.2.5). Emotions alter our judgments, but they do so rationally and thus remain open to reason. Each emotional state involves deliberation about the agent's social situations and the expectations they have of others and that others have of them. Their emotional orientation plays a role in "determining how an audience sees and understands a particular situation" (Kasterly 2006, p. 225). An emotion like anger, for example, affects the way we view people and what we take to be important. Insofar as we feel anger and so desire retaliation, then what we value is crucially modified. The angry person judges that another has behaved unjustly. Of course, this may be someone who was already thought of in this way and they have simply added to a series of unjust acts. But more significant are cases where the behavior does not conform to expectations. This may affect the intensity of the emotion that is felt and expressed. People we expect to behave justly—perhaps because of their position or power over others—elicit greater anger when something they do (or that a speaker alleges they have done) breaks with that expectation. We experience something on parallel to the kind of surprise that Thagard (2006, 172ff) identifies in scientists who find something that does not cohere with their current belief-set. This is a similar kind of emotional incoherence to what Thagard describes. We no longer see that person as fair (or *as* fair as we did) and they consequently receive less weight in our eyes: we value them less.

In this way, not only do we see a close connection between *pathos* and *logos*, but also a relationship to *ethos* (always implicit in Aristotle's discussion) emerges. *Ethos* concerns the way a speaker builds her or his character through their discourse. In a broader sense, it can refer to a range of argumentation that addresses the characters of others, from *ad hominem* reasoning to appeals to authority. The crucial element in the building of character is trust. People trust those they like; and like those they trust. Trust is a feeling and a judgment. The decision to trust someone is based on what we think of their proposals and their accomplishments, but it is also based on an emotional response to them (Thagard 2006, p. 227). People who make

us feel good are assigned greater value in our eyes, which means that it is more likely we will accept *their* judgments. If there is a range of choice of whom to trust (as among election candidates), then the “gut feeling” (good or bad) we have about one will facilitate the decision-making process by quickly eliminating others (or that person, if the feeling is negative).

The speaker who understands the rhetorical nature of *logos*, *pathos* and *ethos* and the relationships between them understands part of what is required to move an audience's sense of personal value—the value or worth they assign to people, things, and even situations. In the section at the end of the account of anger in the *Rhetoric* we are told that it is clear that circumstances may require that a speech put an audience in the state of mind of those who are inclined to anger and to show one's opponents as responsible for the things that cause anger (2.2.27). The speaker brings about anger in an audience through what is said, thus altering their judgments about the opponents (whether of the speaker or the audience) and so affecting the weight those opponents have in the audience's eyes. Their worth is diminished. It is hard to think well of people with whom you are angry when that anger is supported by reasons.

Even “non-practical” emotions like shame can operate in this way. Shame, we recall, is “a sort of pain and agitation concerning the class of evils, whether present or past or future, that seem to bring a person into disrespect” (2.6.1). People are concerned for their own reputations and can be moved to act in different ways out of shame. Shame alters the worth we attach to ourselves and our actions and can subsequently affect the value we attach to others associated with our actions or us. We wonder, for example, who could love such a shameful person. And someone who does so goes down in our estimation. Speakers who understand this can encourage feelings of shame, but they can also counter them. Either way, how a person assigns value is affected.

In sum, persuasion alters judgments of value. This may be its most significant power. It not only changes perceptions and incites actions; it changes what and even how a person values. And an important alteration brought about through emotional response is the worth people assign to themselves.

In this paper, we have explored several themes related to the treatment of emotions in Aristotle's *Rhetoric*. We have explored the explicitly social nature of his account, and then, on the basis of this understanding, we have further shown how these social emotions require a different model of intentionality from the traditional one. Since they are embedded in social interactions, social emotions require a structure of intentionality that is both other-directed *and* directed back on the agent. This understanding of full intentionality then formed a foundation for person worth to develop.

References

- Aristoteles. (1983). *Nikomachische Ethik* (Übersetzt und kommentiert von Franz Dirlmeier). Berlin: Akademie-Verlag.
- Aristoteles. (2002). *Rhetorik* (Übersetzt und erläutert von Ch. Rapp. 2 vols). Berlin: Akademie-Verlag.

- Aristotle. (1926a). *The "Art" of Rhetoric* (J. H. Freese, Trans.). Loeb Classical Library Edition. Cambridge, MA: Harvard University Press.
- Aristotle. (1926b). *The Nicomachean ethics* (H. Rackham, Trans.). Loeb Classical Library Edition. Cambridge, MA: Harvard University Press.
- Aristotle. (1957). *On the Soul. Parva Naturalia. On Breath.* (W. S. Hett, Trans). Loeb Classical Library Edition. Cambridge, MA: Harvard University Press.
- Aristotle. (1991/2007). *On rhetoric: A theory of civic discourse* (G. Kennedy, Trans. & Notes). Oxford: Oxford University Press.
- Bett, R. (1998). The septic and the emotions. In J. Sihvola & T. Engberg-Pedersen (Eds.), *The emotions in Hellenistic philosophy* (pp. 197–218). Dordrecht: Kluwer Academic Publishers.
- Brentano, F. (1924/1995). In: O. Kraus (Ed.), *Psychology from an empirical standpoint*. London: Routledge (1924 (German), 1995 (English)).
- Cooper, J. M. (1999). *Reason and emotion. Essays on ancient moral psychology and ethical theory*. Princeton: Princeton University Press.
- Damasio, A. R. (1994). *Descartes' error: Emotion, reason and the human brain*. London: Picador.
- Damasio, A. R. (1999). *The feeling of what happens: Body and emotion in the making of consciousness*. New York: Harcourt Brace & Company.
- Deigh, J. (1994). Cognitivism in the theory of emotions. *Ethics*, 104, 824–854.
- Döring, S. A. (Ed.). (2009). *Philosophie der Gefühle*. Frankfurt/M: Suhrkamp.
- Elster, J. (1999). *Alchemies of the mind: Rationality and the emotions*. Cambridge: Cambridge University Press.
- Everson, S. (1997). *Aristotle on perception*. Oxford: Clarendon Press.
- Fortenbaugh, W. W. (1975). *Aristotle on emotion: A contribution to philosophical psychology, rhetoric, poetics, politics and ethics*. London: Duckworth.
- Frede, D. (1992). The cognitive role of phantasia in Aristotle. In M. C. Nussbaum & A. Oksenberg Rorty (Eds.), *Essays on Aristotle's De anima* (pp. 279–295). Oxford: Clarendon Press.
- George, R., & Koehn, G. (2004). Brentano's relation to Aristotle. In D. Jacquette (Ed.), *The Cambridge companion to Brentano* (pp. 20–44). Cambridge: Cambridge University Press.
- Griffiths, P. E. (1997). *What emotions really are*. Chicago: University of Chicago Press.
- Griffiths, P., & Scarantino, A. (2009). Emotions in the wild: The social perspective on emotion. In P. Robbins & M. Aydede (Eds.), *The Cambridge handbook of situated cognition* (pp. 437–453). Cambridge: Cambridge University Press.
- Gross, D. (2006). *The secret history of emotion: From Aristotle's rhetoric to modern brain science*. Chicago: University of Chicago Press.
- Helm, B. W. (2007). *Emotional reason*. Cambridge: Cambridge University Press.
- Kasterly, J. L. (2006). Pathos: Rhetoric and emotion. In W. Jost & W. Olmsted (Eds.), *A companion to rhetoric and rhetorical criticism* (pp. 221–237). Oxford: Blackwell Publishing.
- Kenny, A. (2003). *Action, emotion, and will*. London: Routledge.
- Konstan, D. (2006). *The emotions of the ancient Greeks: Studies in Aristotle and classical literature*. Toronto: University of Toronto Press.
- Lazarus, R. S. (1984). On the primacy of cognition. *American Psychologist*, 39(2), 124–129.
- Lazarus, R. S. (2001). Relational meaning and discrete emotions. In K. R. Scherer, A. Schorr, & T. Johnstone (Eds.), *Appraisal processes in emotion: Theory, methods, research* (pp. 37–67). Oxford: Oxford University Press.
- LeDoux, J. (1999). *The emotional brain*. London: Phoenix.
- Leighton, S. R. (1982). Aristotle and the emotions. *Phronesis*, 27, 144–174.
- Leighton, S. R. (1985). A new view of emotion. *American Philosophical Quarterly*, 22, 133–141.
- Meyer, M. (2000). *Philosophy and the passions: Toward a history of human nature* (R. F. Barsky, Trans.). University Park: Pennsylvania State University Press.
- Modrak, D. K. (1987). *Aristotle: The power of perception*. Chicago: The University of Chicago Press.
- Ricken, F. (1976). *Der Lustbegriff in der Nikomachischen Ethik des Aristoteles*. Göttingen: Vandenhoeck & Ruprecht.

- Searle, J. R. (1983). *Intentionality. An essay in the philosophy of mind*. Cambridge: Cambridge University Press.
- Thagard, P. (2000). *Coherence in thought and action*. Cambridge, MA: MIT Press.
- Thagard, P. (2006). *Hot thought: Mechanisms and applications of emotional cognition*. Cambridge, MA: MIT Press.
- Wittgenstein, L. (1975). *Philosophical remarks*. (Ed. from his posthumous writings by Rush Rhees and transl. into English by R. Hargreaves & R. White). Chicago: University of Chicago Press.

Chapter 14

Argumentative *Topoi* for Refutation and Confirmation

Anders Eriksson

Long lists of *topoi* fill the manuals of classical rhetorical theory. There are *topoi* for the person and *topoi* for the act. There are *topoi* for encomia and *topoi* for invective; *topoi* for the prosecutor and *topoi* for the defence. Such lists are teaching devices designed to teach students particular aspects of the art of rhetoric. The lists are numerous and varied, each author producing his own list. During the renaissance lists of *topoi* filled the rhetorical handbooks. There is however a standard treatment for the *topoi* concerned with argumentation. The *topoi* for argumentation are taught in the two rhetorical exercises called “refutation” and “confirmation”. This paper will focus on six *topoi* from these rhetorical exercises suggesting that they are better for teaching argumentation to students than some modern approaches to argumentation.

First the term *topos* and its relationship to argumentation theory needs to be explained. A *topos* in Greek is literally a “place” for finding arguments. The “place” is often understood metaphorically as a “place” in the mind, and *topoi* can refer to many different kinds of mental places. Sara Rubinelli has made a distinction among the different kinds of strategies in classical rhetoric covered by the term *topos*. The term can be an indicator of the subject matter the orators might take into consideration for pleading their causes. *Topos* can also designate a certain argument scheme that focuses on the process of inference, such as the argument from the contrary. According to Latin rhetoricians, *locus communis* designates a ready-made argument that can be re-used by other speakers (2006, pp. 253–272).

Michael Leff looks back at his 40 years of studying rhetorical invention in a recent article where he concludes that the *topoi* are an ambiguous and multi-faceted concept, sometimes referring to modes of inference, sometimes to aspects of the subject, sometimes to the attitudes of an audience, sometimes to types of issues and sometimes to headings for rhetorical material. Leff points to Boethius and the difference between the dialectical and the rhetorical tradition as an explanation for

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the many meanings of *topos*. The subject matter of dialectics is theses, i.e., an abstract question without connection to any particular circumstance. The subject matter of rhetoric is hypotheses, questions concerning particular circumstances. Dialectic is interested in argumentation as such; rhetorical theory is concerned with arguments on specific topics for specific audiences (2006, p. 205).

Modern approaches to argumentation usually follow the dialectic tradition and study argumentation divorced from the context. In Garsen's view, the classical concept of *topos* in rhetoric and dialectic corresponds to argument schemes. The function of argument schemes is to designate different principles of support that link the argument to the standpoint. Pragma-dialectical argumentation theory classifies argument schemes in three main categories: *symptomatic argumentation* of the "token" type, *comparison argumentation* of the "resemblance" type and *instrumental argumentation* of the "consequence" type (2001, p. 82, 91). At the ISSA conference 2010 in Amsterdam, Jean Wagemans introduced the notion of "acceptability transfer principles" and successfully compared these with the general *topoi* of Aristotle's *Rhetoric* (2011, pp. 1934–1939).

Critical discourse analysis also views *topos* as argument schemes. Wodak has, for example, a table of strategies of justification and relativisation with lists of argumentation schemes including *topos* of ignorance, *topos* of comparison, *topos* of difference, and *topos* of illustrative example. (Wodak et al. 1999, pp. 36–42). In his Amsterdam presentation Igor Zagar criticized the labelling tendency of much Critical Discourse Analysis, urging it to return to a rhetorical understanding of *topos* (2011, pp. 2032–2044). It should be pointed out that the argument schemes in these modern approaches to argumentation are analytic results from argumentative texts. They were not designed for teaching argumentation. It is questionable whether learning long lists of argumentative nomenclature do actually help students develop their own argumentation.

One difference between the dialectical tradition, including the above mentioned modern approaches, and the rhetorical tradition, is that the former tends to view the argumentative *topoi* as a product of an analytical examination, while the latter views them as a process for finding arguments in particular contexts. The Italian humanist Giambattista Vico lamented already 300 years ago that:

"In our days Philosophical criticism alone is honoured. The art of 'topics' is utterly disregarded ... This is harmful, since the invention of arguments is by nature prior to the judgment of their validity ... so in teaching, invention should be given priority over philosophical criticism" (Vico 1709/1990, p. 14).

Crosswhite laments that what was true in 1709 is still true today. Criticism and analysis are usually treated as the whole of invention. "Invention is rarely explored as being in some way prior to analysis and criticism" (Crosswhite 2008, p. 176).

This problem is well known to Quintilian. When he comes to the "places" of arguments, he corrects other rhetoricians:

"I do not use this term in its usual acceptance, namely commonplaces, directed against luxury, adultery and the like, but in the sense of the secret places where arguments reside, and from which they must be drawn forth. For just as all kinds of produce are not provided

by every country, and as you will not succeed in finding a particular bird or beast, if you are ignorant of the localities where it has its usual haunts or birthplace, ... so not every kind of argument can be derived from every circumstance, and consequently our search requires discrimination" (*Inst.* V.10.21). Leff comments that from Quintilian's perspective, topics are not theoretical principles. "They are precepts that have potential application to accrual cases, and their most important function is as a training device." Proper use of the topics helps to develop a capacity for arguing in precisely those situations where theory offers the least guidance. The theoretical tradition therefore does not help if one wants to find the function of *topoi*. In recent years Leff consequently has paid more attention to the rhetorical handbook tradition, such as the *progymnasmata* (2006, pp. 208–209).

14.1 The *Progymnasmata*

The *progymnasmata* are a set of preliminary rhetorical exercises designed to teach students the art of rhetoric. A *gymnasma* is an exercise and the word refers to physical exercises as well as mental exercises, the plural *gymnasmata* refers to a set of exercises. Isocrates comments that just as we need exercises to train the body, we also need exercises to train the mind, *Antidosis* 180–185. The *progymnasmata* originated in Hellenistic times and came to dominate the early stages of Roman rhetorical training and had a tremendous influence on rhetorical teaching in the renaissance. The main versions of *progymnasmata* come from Theon (first century CE), Hermogenes (second century CE) and Aphthonius (fourth century CE), see the translations by Kennedy (2003). The *progymnasmata* have been used throughout the schools of western civilisation and Gert Ueding even calls them the "Lehrplan Europas".

The Aphthonian set of 14 exercises has had the most influence. Manfred Kraus has found more than 400 different editions of Aphthonius in European renaissance. The set starts with easy exercises like retelling a fable and telling a story. Next comes the *chreia* and *maxim* which develop a theme with a set of *topoi*. More advanced exercises are the *encomion*, comparison, characterization, description and thesis, which all prepare the students for the declamation at which the students take a stand on particular argumentative issues. The teaching idea behind the *progymnasmata* is described by Fleming (2003, pp. 105–120).

Progression in learning through the use of *topoi* is the central ideas behind the *progymnasmata*. The students are taught a topical way of thinking about rhetoric. The *topoi* come in many forms in the *progymnasmata*. When composing narratives, students should consider the six attributes of narrative; the person who acted, the thing done, the time at which, the place in which, the manner how and the cause for which it was done (Aphthonius 2.23–3.2). Theon (78.16) calls them the *stoicheia* or basic elements of the narrative. To learn how to compose a narrative the student should make sure that all these attributes were covered. When he would write a *chreia* he would have to develop the meaning of an utterance or action with a set of *topoi*; first, a praise of the person who uttered the saying or performed the action,

then a paraphrase of the meaning in his own words, then a reason, an argument from the contrary, a comparison, an example, a testimony from reputable people and a brief conclusion. These *topoi* are called *kefalaia*, “headings” for developing a subject.

The basic training in argumentation occurs in the combined exercises “refutation” and “confirmation”, number five and six in the series. The exercises presuppose that the students know how to tell a story from different perspectives and how to use *topoi* like the contrary, example, analogy and witness from other persons. Students typically refute and confirm the meaning of a narrative. This means that the students first must interpret the meaning of the narrative, typically a mythological story, analyze it and then write a small text as the basis for an oral performance in the class room. The process is hence both analysis and composition. To accomplish this task the students are given a set of six *topoi* that will guide them through the learning process. These *topoi* are ‘the clear’, ‘the persuasive’, ‘the possible’, ‘the logical’, ‘the appropriate’ and ‘the advantageous’. Each of these *topoi* is accompanied by its opposite so that the student will look both for the clear and the unclear, for the persuasive and the unpersuasive, for the possible and the impossible, the logical and the illogical, the appropriate and the inappropriate, the advantageous and the disadvantageous. This way the students are taught the practise of two-sided arguments.

14.2 The Clear

The first *topos* is ‘the clear’ and ‘the unclear’. Using this *topos* the students start their interpretative process by clarifying the issue. If the subject studied was a narrative, maybe a mythological story, the interpretation of the meaning of the story would be the first part of the process. In the rhetorical perspective, stories are ways of describing human activity from a certain perspective. To analyse the perspective chosen by the narrator, the student could use the *topoi* from the previous exercise ‘narrative’: the person, the act, the time, the place, the means and the reason for the human activity. Such *topoi* would be pertinent in juridical cases where the background of the proposed crime would be given in the *narratio* of the speech. If these narrative *topoi* were used as questions to the text and the answer was satisfactory, then the narrative could be described as clear. Theon comments that the narration becomes clear from two sources: from the subjects that are described and from the style of the description of the subjects (2003, pp. 29–30). Lack of clarity comes in many forms. A statement would be unclear if the wording does not express the meaning behind the words. In rhetorical theory clarity is a virtue of style as well as a *topos* for argumentation. In the rhetorical view of argumentation the linguistic expression is intimately connected with the argumentative content. So for example, Kraus argues that the rhetorical figure *contrarium* is also an argument (2007, pp. 3–19). Form and content cannot be separated. Muddled thinking cannot be expressed in a clear style.

When a student would use the *topos* ‘the clear’ he would try to determine the argumentative content behind the linguistic expression. The interpretation of

arguments and the reconstruction of argumentation is a complicated process, some of the problems involved are described by van Rees (2001, pp. 165–199). Under this *topos*, one could also list such sub-*topoi* as the determination of the actual wording of the source criticised. Was the source quoted correctly? Was the translation correct from the original language? Under “clarity” we could also include interpretations of words and definition of terms.

The *topos* also has its opposite ‘the unclear’. Expressions that are ambiguous and obscure are a sign of unclear thoughts. Looking for unclearness in the linguistic form teaches the students the need for a good language, as to spelling, choice of words and stylistic level.

14.3 The Persuasive

The second *topos* is ‘the persuasive’ and ‘the unpersuasive’. There is an analytical move from text to context in this process. Once the student has made a preliminary interpretation of the meaning of the statement, customarily contained in a story, he is advised to consider the audience for whom this statement would be persuasive. For whom would this be credible? Who would believe this story? The Greek term *to pithanon*, used by Aphthonius, is the same word as Aristotle uses in his famous definition of rhetoric, “Let rhetoric be defined as an ability in each particular case to see the available means of persuasion” (*Rhet.* 1.2.1). Aristotle also comments that “the persuasive is persuasive in reference to someone” (*Rhet.* 1.2.11). The argument is not a good argument unless it persuades the intended audience.

The centrality of the audience is also emphasized in modern versions of argumentation. In the New Rhetoric by Perelman and Olbrechts-Tyteca the premises of the audience are the starting point for argumentation. The pragma-dialectical understanding of argumentation also includes a reference to an audience when it defines argumentation as “convincing a reasonable critic of the acceptability of a standpoint” (van Eemeren and Grootendorst 2004, p. 1).

Subtopics to the *topos* ‘the persuasive’ would be different kinds of analysis of the audience. Perelman and Olbrechts-Tyteca call those premises held by the universal audience premises relating to reality and divide them into facts, truths and presumptions. The premises relating to that which is preferable to particular audiences can be divided into values, value hierarchies and *loci*, a preference for one abstraction rather than another (1969, pp. 65–99). Other kinds of analyses of the audience would be opinion polls, interviews and surveys.

This emphasis on the audience in rhetorical theory draws a line between what is true and what is persuasive. Quintilian comments that some people criticise him for suggesting “that a statement which is wholly in our favour should be plausible, when as a matter of fact it is true”. It is not enough that a statement is true, it must also be credible since “There are many things which are true, but scarcely credible, just as there are many things which are plausible though false” (*Inst.* IV.2.34). To make sure that the narrative will be credible to the audience he recommends that the speaker should: (1) take care to say nothing contrary to nature; (2) assign

reasons and motives for the facts on which the inquiry turns; (3) make the characters of the actors in keeping with the facts we desire to be believed; (4) do the same with place and time and the like (*Inst.* IV.2.52). These points could serve as subtopics to determine whether a narrative is credible or incredible.

Form and content cannot be separated in rhetorical theory. *Res* and *verba* are intimately connected. As students are looking for what is persuasive in the narrative analysed they should also remember that credibility or persuasiveness is the third virtue of style for the narration. And they are well advised to remember this lesson when they prepare their own composition.

As noted above, the point with the *topos* 'persuasive' is not the factual veracity of the statement; correspondence with extra-linguistic reality is beyond the purview of most rhetorical theories. This second *topos* is also not the same as the probable; probability theory belongs to the field of statistics. But that which happens often is likely to happen again. People are often the same in different circumstances. History tends to repeat itself. Looking for that which is common, usual, customary is therefore one way of finding that which is persuasive. It is reasonable to look for similarities in behaviour patterns.

14.4 The Possible

The third *topos* is 'the possible' and 'the impossible'. The previous *topos* 'the persuasive' emphasised the audience and their frames of reference; now 'the possible' emphasises the physical world and its limitations. In Greek the *topos* is *to dynaton*, that which can be done. Using this *topos* the student asks whether the statement is possible. Can it be done? Are there obstacles that would make the proposed action impossible to accomplish in the future or to have been performed in the past? In a juridical context, where so much of classical rhetorical theory comes from, the prosecutor and the defence would argue whether the action could have been done considering the circumstances of the persons involved, the time, the place, the manner and the reason for the action, usually called the motive.

When the action proposed is in the future, a political issue in rhetorical theory, the deliberation would consider different obstacles to the proposal. Are there sufficient resources, economic or material? Are there other factors at work that would hinder the accomplishment? Are there legal complications? Quintilian remarks that the third consideration for deliberative oratory [besides honour and expediency] is *to dynaton* or *possible*. "The practicality of the matter under discussion is either certain or uncertain. In the latter case this will be the chief, if not the only point for consideration" (*Inst.* III.8.16). The *topos* of the possible could also be used today when teaching students argumentation. Possibility is still an issue and we could use the various connotations of the words "optimist" and "pessimist". The optimist would see the various possibilities in a case and might see himself as a possibility thinker. The pessimist would see the obstacles and the difficulties, and he would probably call himself a realist.

14.5 The Logical

The fourth topos is the logical and the illogical. Using this pair of *topoi* the student would look at the mode of reasoning in the argumentation. The Greek term for the *topos* is *to anakolouthon* which literally means “that which does not follow”. The wording suggests that the parts of the argument should follow from one another, that the reasoning should be coherent. As an argumentative topos “that which does not follow” scrutinizes the relationship between the terms in the reasoning. The focus is especially the implied premises from which the reasoning does not follow. The topos helps to make the implied premises explicit, a basic step in an analysis of argumentation. In formal logic *non sequitur*, the Latin translation of *to anakolouthon*, is an argument in which the conclusion does not follow from the premises. The *non sequitur* concerns the formal validity of the reasoning. In this type of argument the conclusion can be either true or false, but the argument is fallacious because there is a disconnection between the premise and the conclusion. All formal fallacies are special cases of *non sequitur*.

When a student would use this topos he would look for fallacies in the argumentation. The topos can be used both for analysing argumentation from someone else and for preparing the student’s own argumentation. When the student has scrutinized the coherence of the argumentation he wishes to put forward, he has probably found some fallacies and some logical inconsistencies. When the student has corrected the fallacious reasoning, he should have a watertight argument. This process of looking for fallacies is the process of using the topos of the logical. Fallacies are central to the pragma-dialectical school. It is interesting to note that formal validity is not the primary concern but comes as number four out of six *topoi* in the *progymnasmata*.

The coherence in thought corresponds to coherence in style. An *anacoluthon* is a grammatical term for when a sentence abruptly changes from one structure to another. The sentence is not completed as it started when the introductory elements of a sentence lack a proper object or complement. This is a grammatical error and should usually be avoided, but since rhetorical style is adapted to the particular situation, strict adherence to rules is not always recommended. In rhetoric an *anacolouthon* is therefore regarded as a conscious choice of style, a rhetorical figure that shows excitement, confusion, or laziness.

14.6 The Appropriate

The fifth topos is ‘the appropriate’ and ‘the inappropriate’. These terms emphasize the importance of the rhetorical situation. Behind these terms we find the Greek *to prepon* “that which is fitting”. Lausberg comments that *to prepon* relates both to outward circumstances and moral fitness (1998, p. 1055). It is the virtue of the parts in fitting themselves harmoniously together as a whole. The verb is used for what seems right to the eye in the situation. In Latin the corresponding terms are *aptum*

and *decorum*. Other English translations would be ‘the suitable’, ‘the seemly’, ‘the proper’, or ‘the decent’. The form and the content are two sides of the coin in rhetorical theory and therefore the rhetorical concept of *prepon* has an inner dimension relating to the components of the speech that should be in accordance with one another and an external *prepon* which concerns the relationship between the speech and the social circumstances of the speech. Quintilian treats both levels of *aptum* extensively (*Inst.* XI.1.1–93). “For all ornament derives its effect not from its own qualities so much as from the circumstances in which it is applied, and the occasion chosen for saying anything is at least as important a consideration as what is actually said” (*Inst.* XI.1.7).

Considerations of *aptum* lead the student to consider social and cultural conventions. In rhetorical theory considerations of the rhetorical situation have been a major point of interest since Bitzer’s groundbreaking article (Bitzer 1968). Does the context of the argument have a place in a modern theory of argumentation? On this issue it is interesting to note that the definition of a fallacy has changed in the pragma-dialectical school. According to the standard definition of a fallacy, accepted until recently, a fallacy was considered to be “an argument that seems valid but is not”. This classic definition restricts the concept of fallaciousness to patterns of reasoning and formal validity, and neglects the fact that many fallacies are not included. Therefore a broader definition was adopted: “deficient moves in argumentative discourse,” (van Eemeren 2001, p. 135). In his more recent writings van Eemeren, together with Houtlosser, has attempted to bridge the gap between dialectical and rhetorical views on argumentation by the concept of strategic manoeuvring, which is an attempt to find the most expedient choice of arguments to seek successful persuasion (van Eemeren and Houtlosser 1999). Strategic manoeuvring also leads them to redefine fallacies as “violations of critical discussion rules that come about as derailments of strategic manoeuvring” (van Eemeren and Houtlosser 2006, p. 387). This is a clear example of taking the rhetorical situation into consideration in argumentation.

Quintilian comments on speakers who break the social and cultural conventions of *aptum*. They use offensive and distasteful language, upset the hearers by the wrong level of style and use the wrong type of emotions. “An impudent, disorderly or angry tone is always unseemly, no matter whom it is who assumes it”. Vices of a meaner type are “grovelling flattery, affected buffoonery, immodesty in dealing with things or words that are unseemly or obscene, and disregard of authority on all and every occasion” (*Inst.* XI. 1.29–30).

Are considerations of social and cultural conventions legitimate concerns in a theory of argumentation? For a rhetorical theory of argumentation, which is concerned, not with abstract argumentation schemes, but with specific argumentation addressed to particular audiences, the rhetorical situation is the central concern. Politeness and offensiveness therefore should be concerns for a rhetorical theory of argumentation.

Students using the *topos* “the appropriate” would look for aspects of the case they are analysing that would be in accordance with social and cultural norms. The *topos* would also help the student to find elements in the analysed story, or in the

position put forward by the other side, that would be inappropriate or offensive. Having analysed the rhetorical situation of someone else, the student would be ready to consider his own rhetorical situation as he performs the analysis he has prepared. What are the expectations in the class room? What norms apply? And what norms are governing the public discourse outside the class room? Political correctness is a prevailing issue even today and should therefore be taken into account in a theory of argumentation.

14.7 The Advantageous

The sixth *topos* is ‘the advantageous’ and ‘the disadvantageous’. Using this *topos* the student asks who benefits from the proposed action. The Greek *to sympheron* refers to the goal of the argumentation in deliberative rhetoric. The political speaker seeks to present his proposal as advantageous to the audience. This advantage could be long or short range, and could concern a particular group or the common good. The advantage could be material or concerned with honour and prestige. Aristotle comments that “the end of the deliberative speaker is the expedient, *to sympheron*, or the harmful”. The political speaker recommends the expedient and dissuades the audience from doing what is harmful. “All other considerations, such as justice, and injustice, honour and disgrace, are included as accessory in reference to this” (*Rhet* 1.3.5).

The Latin translation of the term is *utilitas*. The term ‘utility’ in English, together with words like ‘expedience’, ‘interest’, ‘benefit’, ‘gain’ and ‘profit’, would be variations of this *topos*. When a student would use this *topos*, he would engage in a simple form of what we would call ideological critique. Behind every story and statement we can suspect that there is some kind of interest hidden. Using the *topos* ‘advantage’ the student would ask for the real motive and for the personal gain coming from the suggested action.

14.8 Hermogenes’ Example

In his *progymnasmata* Hermogenes gives an example of how a student could use the six *topoi* in refutation:

“You will refute by argument from what is unclear, implausible, impossible; from the inconsistent, also called the contrary; from what is inappropriate, and from what is not advantageous. From what is unclear; for example, “The time when Narcissus lived is unclear.” From the implausible, “It was implausible that Arion would have wanted to sing when in trouble.” From the impossible; for example, “It was impossible for Arion to have been saved by a dolphin.” From the inconsistent, also called the contrary, “To want to destroy the democracy would be contrary to wanting to save it.” From the inappropriate, “It was inappropriate for Apollo, a god, to have sexual intercourse with a mortal woman.” From what is not advantageous, when we say that nothing is gained from hearing these things,” (2003, p. 179).

Even though the Greek mythology might not be so well known for modern students, we can immediately see how the *topoi* for refutation easily creates arguments for the student to use.

14.9 Argumentation with the *Topoi*

Hermogenes' example shows how the argumentative *topoi* can function like an argument machine. The student could always say that the position he would refute is unclear, unpersuasive, impossible, illogical, inappropriate and disadvantageous. And when he would confirm his own position, he could always say that it is clear, persuasive, possible, logical, appropriate and advantageous. The problem for such a simplistic view of these *topoi* is that the rhetorical situation of the *progymnasmata* is not taken into account. Refutation and confirmation are class room exercises designed to teach two sided arguments. In the class room there would be other students prepared to speak on the same issue, but from the opposing point of view. In such a circumstance it is not enough to state that the issue is clear to yourself, you have to convince the opposing party of the clarity of your position. It is not enough to blame the other side for muddled thinking, you must also on the spur of the moment, in the class room, with the other students as a critical audience show the lack of clarity you claim to be able to find in the argumentation from the opposing side.

This is a sophistic approach to argumentation known to the ancient Greeks as *antilogic* and to Romans as *controversia*. The most influential representative of Sophistic education was Protagoras, who began his textbook *Antilogiae* with the famous dictum that "on every issue there are two arguments (*logoi*) opposed to each other on everything" (Sprague 1972, p. 4). This concept was the core of Sophistic pedagogy, and Marrou notes that it was "astonishing in its practical effectiveness" (1956, p. 51). Cicero summarizes the use of *controversia* in the Hellenistic Academy as follows: "...the only object of the Academics' discussions is by arguing both sides of a question to draw out and fashion something which is either true or which comes as close as possible to the truth," *Academica* 2.8. Mendelson has shown how Quintilian makes this form of argumentation his own pedagogy of argument. Quintilian exemplifies the method in his own writing when he constantly brings in opposing viewpoints and weighs pro's and con's against each other on every issue (2001, pp. 279–282). The purpose of the rhetorical training was *facilitas*, the resourcefulness and spontaneity acquired from continual interaction with other discourse. To be able to speak on both sides of the issue, *in utramque partem*, is at the heart of rhetorical education. This is where the *progymnasmata* come in. The learning outcome for these exercises is that the students would be able to perform speeches and argumentation on the spot. They should have acquired this ability so that they had the competence ingrained in them.

14.10 A Good Topical System

Karl Wallace, nestor in the Speech community, in an important article published in 1972 pondered the problem of *topoi* and rhetorical invention. Wallace comments that Perelman's work has limited application if we aim to construct a system of topics that is teachable to unsophisticated learners. He specifies certain parameters for a good topical system. Such a system of *topoi* should be both inventive and analytic. It should aid the communicator to find materials and arguments as well as helping the listener and critic to understand and evaluate messages. It should serve as an instrument of recall and recollection as well as stimulate inquiry by revealing sources of ignorance. It should prompt ideas by appealing to meanings that have become symbolized in the language of speaker, writer, and audience. A good topical system should have the power to call up appropriate linguistic structures, as well as subject matter. How broad should such a topical system be? Wallace concludes that it must be sufficiently general to cut across a number of subject matters. Members of the national committee on the nature of rhetorical invention wanted something truly "generative", something that would be so powerful and far-reaching that it would breed not one system of topics, but many: Something that would have the power of modifying and correcting topics from one generation to another.

The simple proposal of this paper is that the six argumentative *topoi* in the *progymnasmata*, the clear, the persuasive, the possible, the logical, the appropriate and the advantageous, fulfil these requirements for a good topical system. The list is relatively short and it cuts across a number of subject matters. The list is truly generative and breeds many systems of topics. The six *topoi* combine stylistic form and argumentative content. There is a progression in the series that concerns the inventive process of gathering content. The six *topoi* can also function as the basic outline for the disposition for a short argumentative text. And they also teach the students the art of arguing on both sides of an issue, *in utramque partem*. Therefore the argumentative *topoi* for refutation and confirmation are better for teaching argumentation to students than the modern approaches to argumentation.

References

- Aphthonius. (2003). *Progymnasmata*. In G. Kennedy (Ed. & Trans.), *Progymnasmata: Greek textbooks of prose composition and rhetoric* (pp. 89–127). Atlanta: Society of Biblical Literature.
- Aristotle. (1991). *Aristotle on rhetoric: A theory of civic discourse* (G. Kennedy, Trans.). New York: Oxford University Press.
- Bitzer, L. (1968). The rhetorical situation. *Philosophy and Rhetoric*, 1, 1–14.
- Cicero. (1933). *Academica*. (H. Rackham, Trans.). Cambridge, MA: Loeb Classical Library, Harvard University Press.
- Crosswhite, J. (2008). Awakening the *topoi*: Sources of invention in the *New Rhetoric's* argument model. *Argumentation and Advocacy*, 44, 169–184.
- Fleming, J. D. (2003). The very idea of a *progymnasmata*. *Rhetoric Review*, 22, 105–120.

- Garssen, B. (2001). Argument schemes. In F. H. van Eemeren (Ed.), *Crucial concepts in argumentation theory* (pp. 81–99). Amsterdam: Amsterdam University Press.
- Hermogenes. (2003). *Progymnasmata*. In G. Kennedy (Ed. & Trans.), *Progymnasmata: Greek textbooks of prose composition and rhetoric* (pp. 73–88). Atlanta: Society of Biblical Literature.
- Isocrates. (1929). Antidosis. In G. Norlin (Ed.), *Isocrates in three volumes*. Cambridge, MA: Loeb Classical Library, Harvard University Press.
- Kraus, M. (2007). From figure to argument: *Contrarium* in Roman rhetoric. *Argumentation*, 21, 3–19.
- Lausberg, H. (1998). *Handbook of literary rhetoric: A foundation for literary study*. Leiden: Brill.
- Leff, M. (2006). Up from theory: Or I fought the *topoi* and the *topoi* won. *Rhetoric Society Quarterly*, 36, 203–211.
- Marrou, H. I. (1956). *The history of education in antiquity* (G. Ward, Trans.). New York: Sheed and Ward.
- Mendelson, M. (2001). Quintilian and the pedagogy of argument. *Argumentation*, 15, 277–293.
- Perelman, Ch, & Olbrechts-Tyteca, L. (1969). *The new rhetoric: A treatise on argumentation*. Notre Dame: University of Notre Dame Press.
- Quintilian, M. F. (1920–1922). *The Institutio Oratoria* (4 Vols., H. E. Butler, Trans.). Cambridge, MA: Loeb Classical Library, Harvard University Press.
- Rubinelli, S. (2006). The ancient argumentative game: *Topoi* and *loci* in action. *Argumentation*, 20, 253–272.
- Sprague, R. K. (1972). *The older Sophists: A complete translation by several hands of the fragments in "Die Fragmente der Vorsokratiker"*, ed. by Diels-Krantz. Columbia: University of South Carolina Press.
- Theon, A. (2003). *Progymnasmata*. In G. Kennedy (Ed. & Trans.), *Progymnasmata: Greek textbooks of prose composition and rhetoric* (pp. 1–88). Atlanta: Society of Biblical Literature.
- van Eemeren, F. H. (2001). Fallacies. In F. H. van Eemeren (Ed.), *Crucial concepts in argumentation theory* (pp. 135–164). Amsterdam: Amsterdam University Press.
- van Eemeren, F. H., & Grootendorst, R. (2004). *A systematic theory of argumentation: The pragma-dialectical approach*. Cambridge: Cambridge University Press.
- van Eemeren, F. H., & Houtlosser, P. (1999). Strategic manoeuvring in argumentative discourse. *Discourse Studies*, 1, 479–497.
- van Eemeren, F. H., & Houtlosser, P. (2006). Strategic maneuvering: A synthetic recapitulation. *Argumentation*, 20, 381–392.
- van Rees, M. A. (2001). Argument interpretation and reconstruction. In F. H. van Eemeren (Ed.), *Crucial concepts in argumentation theory* (pp. 165–199). Amsterdam: Amsterdam University Press.
- Vico, G. (1990). *On the study of methods of our time*. (E. Gianturoco, Trans.) Ithaca: Cornell University Press. (Original work published in 1709).
- Wagemans, J. (2011). Argument schemes, *topoi*, and laws of logic. In F. H. van Eemeren, B. Garssen, D. Godden, & G. Mitchell (Eds.), *Proceedings from the seventh international conference of the international society for the study of argumentation* (pp. 1934–1939). Amsterdam: Sic Sat.
- Wodak, R., et al. (1999). *The discursive construction of national identity*. Edinburgh: Edinburgh University Press.
- Zagar, I. (2011). The use and misuse of *topoi*: Critical discourse analysis and discourse-historical approach. In F. H. van Eemeren, B. Garssen, D. Godden, & G. Mitchell (Eds.), *Proceedings from the seventh international conference of the international society for the study of argumentation* (pp. 2032–2046). Amsterdam: Sic Sat.

Part V
Visual Argumentation

Chapter 15

On Images as Evidence and Arguments

Ian J. Dove

Are there visual arguments?¹ I think that there are. But I'm going to argue for a modest position in this paper. Rather than arguing for full-blooded visual argument, I argue that there are uses for some visual elements in the assessment of some argumentative situations for which even visual argument skeptics ought not to have qualms. That there is a controversy regarding the existence, possible or actual, of visual arguments is certain. On one side, skeptics deny both the actuality and in some cases even the possibility of visual arguments. On the other, proponents accept both the possibility and actuality of visual arguments. Part of the difficulty in adjudicating this controversy concerns the meaning of *visual argument*. If one defines arguments so that the only mode of presentation is verbal, then, by fiat, visual arguments will be impossible. This seems to be the position of David Fleming (1996). Other skeptics, for example, Ralph Johnson (2000), worry that loosening the definition of *argument* to make room for apparent cases of visual argument will weaken the definition so much as to make it useless. Still, a proponent may take the concept of argument to make no prior decision regarding the mode – visual versus verbal. Hence, a visual argument proponent will take some visual medium to carry some part of the argument. Even this may be too weak for some proponents. Yet, that is not my worry here. Rather, I want to find a legitimate place for visual elements within argumentation.

There are intermediated positions between these extremes, e.g., that of Anthony Blair (2004). Blair's position as regards visual arguments seems to be reductionist, and hence, I would place it closer to the skeptic than to the proponent. The logical content of visual arguments is propositional; hence, the logical analysis of visual arguments requires finding the associated verbal content of the putative visual

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argument. The rhetorical elements of visual arguments are, for Blair, not reducible to the verbal content (Blair 2004, p. 59). However, these elements pertain not to logic, i.e., to logical support, but to (mere) persuasive communication. The appraisal of visual arguments, then, reduces to two tasks. First, one must identify and interpret the associated verbal content. Second, one must determine the rhetorical strength of the visual appeal. This appraisal of visual arguments, then, does not determine the logical strength of any of the inferences, or if it does, this appraisal will fail to capture the unique rhetorical influences of the visual elements.

There are surely other positions between skeptics and proponents. Yet, for present purposes, this classification is sufficient. The skeptics deny that visual arguments are arguments proper, while the proponents accept that visual arguments are simply arguments. Between these two views, one might take visual arguments to be visual attempts at persuasion without allowing visual arguments to have subtle logical forms. But what is important for my purpose is that on the skeptical side of the spectrum, the objections to visual arguments are that they are either wholly rhetorical or, if there is any logical content, it is overly simple and identifiable with some associated verbal content. I want to take this claim—that visual arguments are either wholly rhetorical or have logical content identified with or reducible to associated verbal content—seriously without also thereby marginalizing visual argumentation.

To be clear, I am not attempting to show that visual arguments are arguments in the strictest sense. Instead, I think there is a place for the consideration of the visual within argument appraisal even granting the skeptics main premises. So, what are the skeptic's worries? Fleming (1996) worries that unadorned images lack the necessary properties of arguments (p. 15). A picture can function as evidence, but as such is not thereby a component of an argument. Instead, the image is outside of the argument. To be a part of the argument, for Fleming, the image must be capable of asserting some claim. And, apparently, evidence isn't assertion.

It is tempting to take Fleming's criticism of visual arguments as resting on an untoward distinction: pure versus mixed visual arguments. Let a pure visual argument be a putative argument that contains only visual elements essentially, i.e., it completely lacks verbal elements. A mixed visual argument, then, would be one that contains both visual and verbal elements essentially. Fleming's criticism, then, would apply only to pure visual arguments. However, it is unclear what sense to give to "essentially" in this construction. One might take it to mean that an argument is essentially visual if and only if some visual element contains no associated verbal content. Taken this way, visual arguments are probably ruled out by fiat. This suggests that a better interpretation of visual arguments regards the mode of presentation. An argument is visual if it presents some element of an argument visually. In this way, the distinction is dissolved. It isn't as if the proponents of visual argument are attempting to make it the case that the appraisal of visual arguments concerns ineffable and wholly visual content devoid of associated verbal elements. Instead, the proponents think that there are reasons to take the interpretation of visual elements as a yet under researched mode of argumentation. It is worth noting that all of the purported examples of visual argument given by Groarke contain verbal elements explicitly. Indeed, taken in this way, Fleming's criticism is straw.

None of the proponents seem to take images as sufficient for arguments. Instead, images are components of arguments.

Still, Fleming's complaint is that images don't bear the right kind of relationships to verbal entities to be considered even a part of arguments. And this is where one can start to make room for the visual. Fleming himself goes part of the way in this regard.

So, if the visual cannot function as both claim and support (unless we make the distinction between them meaningless), and if it cannot, without language, be a claim, we are left with only one possibility: the visual can serve as support for a linguistic claim. (Fleming 1996, p. 19)

He goes on to focus on the rhetorical aspects of images. But for present purposes, we are left with the following: why isn't the claim that visual items can serve as support for a linguistic claim enough to make room for the visual in argumentation. I think that it is.

Ralph Johnson has a similar worry. For him, though, the question isn't whether the visual and the verbal can be connected in the right way. Rather, the problem seems to be that the connection can only be understood on the model of verbal-to-verbal connections.

The process of going from the image to the propositions they convey is not clearly defined or nor yet well understood, but to the degree that we can understand it, it seems to me that process will be heavily dependent on verbal reasoning and verbal expressions of reasoning, thus illustrating that ultimately the process of reconstructing visual images as arguments will depend on our ability to "translate" them in words and that in doing so we are dependent on our experience with verbal argument (thereby illustrating the dependence of the former on the latter). (Johnson 2005, p. 6)

I take Johnson's parenthetical last claim to be the crux of his complaint. Verbal arguments are more basic. Hence, if there are visual arguments or visual components to arguments, they will be explained, analyzed and assessed in ways that derive from the explanation, analysis and assessment of purely verbal argumentation.

15.1 The Varieties of Images and the Visual Evidence

There are two photographs of my father that I hope will someday reside with me. Both show the results of fishing trips. In one, my father holds forward, as far as his arms can stretch, a one-pound halibut. As the fish is closer to the viewer than is my father, the fish *looks* bigger than it really was. This manipulation of perspective, I think, fools no one. The photograph was a bit of required hoopla: that tiny, one-pound halibut was the largest fish caught on that trip. My dad won \$50 in the charter's fishing pool, I think, along with official proof of his angling prowess. In the other photo, my dad hoists two gigantic salmon he caught in Valdez Harbor, Alaska. In this case, he would also have won a pool, but he hadn't entered. In this photograph, there is no obvious manipulation of the perspective to make the fish seem bigger. Instead, there is just the image of my dad as he gleefully lofts two

magnificent fish. At one time, I asserted that I was the better angler. Although he didn't, I assume that had he motioned towards these pictures, he would have disproved my assertion. There are no pictures of me hoisting aloft magnificent or even less than magnificent fish. My dad, if it were his wont, could bolster his claim to being the better angler by appealing to these photographs. I don't think even visual argument skeptics would deny this. Rather, I imagine they would simply deny that it is an *argument* for the conclusion that my dad is the better angler. Part of the present study concerns what it could mean to bolster one's case by appealing to photographs or other images or visual depictions.

I what follows I'm going to focus on photographs and diagrams. I take a wide view of what counts as a photograph, something akin to definition offered by the Federal Rules of Evidence of the United States. "*Photographs* include still photographs, x-ray films, video tapes, and motion pictures" (Fisher 2005: 309). As regards diagrams, let a diagram be a depiction of a scenario, situation or what-have-you, in visual as opposed to verbal form. There are many other types of images that will fall outside the analysis of this paper. For example, comic depictions, perhaps in the form of editorial cartoons, will be outside of the present analysis.

The role I think these images can play in argumentative situations is evidentiary. That is, photographs and diagrams may verify, corroborate or refute some claim. This relation is different from that of logical support. For, in the case of logical support the truth of some claim is a function of the truth-value of some other claim or set of claims. For example, the claim that Ian was admitted to the Arizona Bar Association would, if true, support the claim that Ian took and passed the Arizona bar exam or that Ian had taken and passed a bar exam for some state with a reciprocal agreement with Arizona. In one sense, logical support is a kind of evidentiary relation; though the converse isn't true. Evidence is the broader category. It need not involve *claims*. To see this, consider the case of fingerprints. A fingerprint is *evidence* that the fingerprint's depositor was at the location of the fingerprint's deposit. The discovery of Ian's fingerprint at the bank is evidence that Ian was at the bank, but it isn't an argument that Ian was at the bank.

With photographs, the depictive content is thought to align with the objects depicted in a more or less reliable way such that photographs connect the viewers of the photograph with the objects depicted.

Photographs of a crime are more likely to be admitted as evidence in court than paintings or drawings are. Some courts allow reporters to sketch their proceedings but not to photograph them. Photographs are more useful for extortion; a sketch of Mr. X in bed with Mrs. Y—even a full color oil painting—would cause little consternation. Photographic pornography is more potent than the painted variety. Published photographs of disaster victims or the private lives of public figures understandably provoke charges of invasion of privacy; similar complaints against the publication of drawings or paintings have less credibility. (Walton 2008: 79)

This connection between the object depicted and the depiction is less clear in the case of mathematical diagrams. I'm particularly interested in the use of geometrical diagrams. In these cases, the *reliability* of the method of depiction is, perhaps, precisely why some question the use of diagrams in proofs. James R. Brown, a defender

of the use of diagrams, finds them fallible as depictees of mathematical reality. He writes, “Philosophers and mathematicians have long worried about diagrams in mathematical reasoning—and rightly so; they [diagrams] can be highly misleading” (Brown 1997, p. 177). Later, when I consider how diagrams can work as evidence for mathematical claims, I will clarify how this relation can work. Yet, one difference between the use of photographs as evidence and the use of diagrams in mathematics is that the modalities of discourse are different. In the legal cases and in science, photographs operate within the modality of actuality. The photographs are meant to allow us to discern what actually occurred. In the case of mathematical diagrams, one is concerned with what is possible. Hence, the mathematical diagram depicts a possible situation. There are, of course, difficulties associated with this, e.g., how can one draw general conclusions from depictions of merely possible situations, but these are not, or at least I will argue that they are not, insuperable.

15.2 Legal and Quasi-Legal Uses

In an odd legal case from California (*People v. Doggett* 1948), a couple was convicted of a crime. This isn’t by itself unusual. What is unusual is that the only evidence offered at the trial was a photograph.

In that case a husband and wife were convicted of a violation of section 288a of the California Penal Code, which makes criminal all acts of oral sexual perversion. The only evidence introduced at the trial to support a conviction was a photograph of the husband and wife in the commission of the alleged act. Supporting witnesses testified only as to the probable authenticity of the photographs without having perceived the commission of the alleged act. (Mouser and Philbin 1957, p. 311)

There are two things to question about this use of photographs. First, what property of photographs allow them to work as evidence? Second, what are the limitations for such uses? Regarding the first question, it is clear that photographs offer a visual depiction of some objects. Moreover, although photos can be better or worse regarding focus, depth of field and the like, the depiction is thought to be more or less accurate regarding the things depicted, their spatial relations etc. Thus, by examining a photo one is presumed to have perceived some of the properties and relations of the things represented in the photo. As a more mundane example, consider the National Football League’s use of instant replay as a check on the calls of the referees. When a team challenges a call, the referee checks the instant replay. In cases where the referee has “indisputable visual evidence” to overturn the call, the referee changes the call. If videotape systematically distorted the properties and relations of the objects on the videotape to such a degree that the referee could not perceive the apparent properties and relations, there would be no reason to use videotape as a check. For the purposes of reviewing calls, videotape represents the properties and relations of the objects with enough accuracy to aid the referee in reviewing calls.

Something like this must be happening with photos (and videotape) in courtrooms as well. If photos were continually distorting the properties and relations of

the objects depicted, then the perception of the objects would not be accurate. And if the perception weren't accurate, the use of photos would be deemed unreliable as a method for establishing facts in court. In the case of the Doggetts, the photo was apparently sufficiently compelling to warrant conviction.

Before moving on to the limits of the use of photos in court cases, I want to reconsider the actual use of photos to establish, verify or corroborate facts. One might be tempted to think that in the case of the Doggetts, there was a rather straightforward warrant for conclusion: the photo clearly showed the Doggetts engaged in an illicit act; hence, they were engaged in that act. The supporting witnesses didn't testify regarding the act, but only to the authenticity of the photo. So, it was the photo, along with the authentication that led to the conviction.

The problem with this account, though, is that we can't reconstruct the case as a traditional argument. That is, in reconstructing the prosecution's case, the photo verifies the claim that the Doggetts engaged in the illicit act without also being a premise for that claim. Here's a possible reconstruction of the argument. (1) If the Doggetts engaged in the illicit act, then they should be convicted. (2) The Doggetts engaged in the illicit act. So, (3) the Doggetts should be convicted. The logic of the case is *modus ponens*. Yet, there is no room for the photo in the logic of the argument. But, we must not think that the only distinction is between logic and rhetoric here. In this case, the rhetorical force of the photo is unimportant. Instead, what matters is whether premise (2) is true. The photo doesn't support the claim logically, as logical support is about the flow of truth values or truth-like values from a reason or set of reasons to a conclusion. Instead, the photo merely verifies truth without offering logical support. One doesn't infer the truth of the claim from the photo, one perceives it. I don't want to enter a discussion of the theory-ladenness of perception. Instead, I distinguish the process of inferring, in which a claim garners support conditionally upon the acceptance of some other claims, from the process of perception, whereby one apprehends the truth or falsity of a claim by visual comparison. The statement verified is different from the configuration of objects that constitute the subject of the statement.

The use of a photo in legal settings always has an associated verbal argument. Moreover, the photo's role in the argument will be as claimed above: corroboration, verification or refutation. The strength of this evidence will depend on many factors: clarity of the photo, for example. But it is the argumentation that gets logical criticism. The photo gets a different type of criticism altogether.

This analysis of photographic evidence meshes with the apparent use of photographs in quasi-legal situations. In some professional sports, referees or umpires are allowed to review the situation in the game by appealing to video replay of the game. For example, in the National Football League in the United States, a coach has the right to request a video review for some classes of events. When a coach requests a review, the head referee goes to a video monitor to watch a video replay of the event. We can imagine a situation in which it is unclear to live viewers of a play whether a particular receiver caught a ball with his feet in bounds. Let Fred be a live viewer. Fred thinks he saw the receiver's foot touch sideline. Hence, Fred believes that the pass was incomplete. Let James be another live viewer. James thinks he saw the

receiver's foot land in bounds. Hence, James believes that the pass was complete. We have two competing arguments. Fred argues as follows. (1) The receiver's foot touched the line before he had possession of the ball; hence, (2) the pass was incomplete. James disagrees. (3) The receiver had possession of the ball in bounds before his foot went out of bounds; hence (4) the pass was complete. Let's agree that there is an implicit appeal to some rule about what constitutes a reception in the background of these two arguments. What is at issue, then, is whether the receiver had possession before going out of bounds. A clear photograph could adjudicate this case. However, though the photograph could bolster either Fred's or James's case, it wouldn't do so argumentatively. Instead, the clear photograph would allow Fred and James to determine who had the true premises in the original argument.

Things are not always this neat. In tennis, for example, line calls can be challenged by players. These are cases where the player thinks that the line judge or the umpire mistakenly called a ball out (or in). Rather than going to video replay of the shot, in professional tennis, the umpire appeals to technology known as Hawk-Eye.

Hawk-Eye, as we understand it is a video processing system combining a number of cameras and a computer to store and process the data. We believe that the cameras—the patent application specifies six but also acknowledges that not all cameras will produce usable data—track the flight of the ball and that these camera feeds are then used by the computer to reconstruct the trajectory of the ball by analyzing the pixels in each frame of each relevant camera feed. The field of play is also modeled within the system, as are some of the rules relating to the game. By combining the trajectory of the ball with the model of the pitch and the database of rules, the path of the ball can be reconstructed against the background of the main features of the playing area as a virtual reality and a decision given (e.g. should the batsman be given out in the case of cricket or, in the case of tennis, did the ball land inside or outside the line). The reconstruction can be shown to television viewers. (Collins and Evans 2008, p. 286)

The curious part of the description is the last two sentences. The path of the ball is “reconstructed;” and this “reconstruction” can be shown. If you haven't seen a professional tennis match that uses Hawk-Eye, the reconstruction is really a computer-generated simulation of the projected path of the ball. I think this still meets my broad definition of photograph. But it is important to keep in mind that this depiction of the most likely path of the ball isn't like what we would normally consider photography. First, the technology does use cameras. But, it also uses software to calculate the likely path of the ball by something akin to triangulation. The path is then represented by a line headed by a virtual tennis ball. Where the ball is calculated to strike, the representation depicts a mark. This mark is used to make the call. I'm not here concerned with the possible problems with the Hawk-Eye system. For present purposes, all that is necessary is that the depiction is generated in a reliable manner so that one can rely upon the depiction to determine the proper call.

Consider the case of the 2007 Wimbledon final between Rafael Nadal and Roger Federer. “Nadal hit a ball which appeared to television viewers, to the umpire, and to Federer as impacting well behind the baseline, but Hawk-Eye called it IN. Federer appealed to the umpire but the umpire accepted the Hawk-Eye judgment” (Collins and Evans 2008, p. 293). Federer, perhaps, argued thusly: (A) The ball was out; hence, (B) I should be awarded the point. Nadal's argument: (C) The ball

was in; hence, (D) I should be awarded the point. The umpire seems to have taken Hawk-Eye to have verified Nadal's premise (C). However, a closer inspection of the case reveals an interesting caveat. As it turns out, Hawk-Eye called the ball in by 1 mm. This is within the margin of error for the technology. Hence, at best, Hawk-Eye merely corroborated Nadal's premise. What is interesting is that the video replay seemed to show, rather convincingly, that the ball was out. That is, the actual videotaped replay seemed to corroborate, if not verify, Federer's premise.

That different photographic depictions of the same event might not be conclusive isn't a problem for the analysis on offer. Rather, the depictions are evidentiary. Yet, they aren't conclusively so. In the case of the Wimbledon final, perhaps neither depiction was accurate enough to verify one premise while refuting the other. But this just means that one would prefer the depictions to have been more accurate.

15.3 Visual Evidence in Science

The last scientifically accepted sighting of an Ivory Billed Woodpecker (IBWO) occurred in Louisiana in 1944 by Don Eckelberry. Since then, there have been numerous unsubstantiated sightings, including several apparent photographs. Sadly, by most accounts, the IBWO has become extinct. Thus it was a great surprise to read the title of a paper in *Science*, "Ivory Billed Woodpecker (*Campephilus principalis*) Persists in Continental North America," (Fitzpatrick, et al. 2005, p. 1460). In the article, the claim that the IBWO persists was (mostly) supported by the analysis of a short, blurry video. Since visual evidence plays such an important role in this scientific argument, it makes a good case study for the use of visual elements in (some) scientific arguments.

The IBWO is a very large woodpecker up to 20 in. long with a wingspan of up to 31 in. Its appearance is similar to another woodpecker that has not suffered the same fate. A pileated woodpecker (PIWO) can be up to 18 in. long with a wingspan of up to 25 in. Both species are mostly black with various white and, in the case of males of both species, red plumage. The differences, though slight, are important. The trailing feathers on the wings of the IBWO are white while these feathers are black on a PIWO. The back of an IBWO has a white segment, while the back of a PIWO is black, etc.

The background for the argument is explained by the authors of this paper thusly.

At 15:42 Central Daylight Time on 25 April 2004, M. D. Luneau secured a brief but crucial video of a very large woodpecker perched on the trunk of a water tupelo (*Nyssa aquatica*), then fleeing from the approaching canoe. The woodpecker remains in the video frame for a total of 4 [seconds] as it flies rapidly away. Even at its closest point, the woodpecker occupies only a small fraction of the video. Its images are blurred and pixilated owing to rapid motion, slow shutter speed, video interlacing artifacts, and the bird's distance beyond the video camera's focal plane. Despite these imperfections, crucial field marks are evidence both on the original and on deinterlaced and magnified video fields. At least five diagnostic features allow us to identify the subject as an ivory-billed woodpecker. (Fitzpatrick et al. 2005, p. 1460)

Aside from the technical term, “deinterlaced,” the setup is straightforward. M. D. Luneau filmed what they think is an IBWO. The video seems, at least to the authors, to show definitively, an IBWO. As regards deinterlacing, the simplest explanation of this process is that it is a way to enhance a still image taken from a video camera. A video frame is typically composed of two separate images that are interlaced to make up the image that we view. This is what allows for what seems to be the continuous motion of a video. This interlacing can be problematic, though, when someone wants to view a single frame of video tape. The two images are taken at fractionally different times and can therefore introduce unnecessary noise into the image. These frames can be deinterlaced by software. The deinterlaced image will be clearer than its interlaced counterpart. We are in a position, now, to analyze this argument. In its roughest form, the argument accumulates evidence in favor of the sub-conclusion that the subject of the video is an IBWO. From there we have, perhaps, an argument from sign (cf. Walton et al. 2008, p. 10) for the main conclusion that the IBWO persists.

The accumulation argument contains, at the very least, the five diagnostic features visible in the video. These include: the size of the bird, the ratio of white to black feathers at rest, the color of the feathers on the trailing edge of the bird as it flies away, the pattern of white feathers on the dorsum (back) of the bird as it flies away, and the pattern of white feathers on the bird as it is perched on a tree. Here are two possible reconstructions of this argument using the following numbered premises and conclusion. I give two reconstruction because I don’t want to take a stand as to the proper reconstruction of an accumulation argument (i.e., whether the premises are independent or linked in some less-than-logical sense). (1) The bird on the video is too large to be a PIWO but the right size to be an IBWO. (2) The ratio of white to black feathers on the wings of the bird at rest are inconsistent with a PIWO but consistent with an IBWO. (3) The pattern of feathers on the back of the bird as it flies are inconsistent with an PIWO but consistent with an IBWO. (4) The color of the feathers on the trailing edge of the bird’s wings are inconsistent with a PIWO but consistent with an IBWO. (5) The pattern of white feathers on the back of the perched bird are inconsistent with a PIWO but consistent with an IBWO. Hence, (C), if the bird on the video is a woodpecker, then it is an IBWO rather than a PIWO. (See Figs. 15.1 and 15.2 below.)

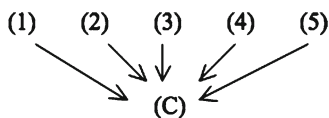


Fig. 15.1 Independent, convergent reconstruction

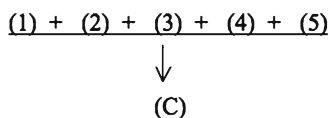
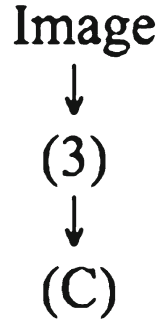


Fig. 15.2 Dependent, linked reconstruction

Fig. 15.3 Image as premise

It is important to note that as reconstructed, the images don't (seem to) play any role whatsoever in the argument. However, to evaluate the argument requires examining the video images. To take just one example: how do we know whether the argument from (3) to (C) is legitimate? There are at two levels of appraisal here. First, there is the evaluation of the support that (3) if true provides for (C). Second, there is the evaluation of the truth, acceptability or plausibility of (3). The image works in this second place. That is, if you want to know whether it is true that the pattern of black and white feathers on the back of the bird as it flies are inconsistent with a PIWO but consistent with an IBWO you have to look at the image. The image may verify or refute this claim, supposing it is clear enough to distinguish the relevant features. The other premises are also verified, refuted or corroborated, to the extent that they can be, by the associated images. I think Fleming is correct that this connection is something different from assertion. It would, perhaps, be a mistake to reconstruct the argument from (3) to (C) along the following lines (see Fig. 15.3).

There are many issues for such a reconstruction. For example, how do we evaluate the strength of the inference from the image to (3)? Moreover, this reconstruction invites a bit more detail. The image in this reconstruction is probably operating within the context of a more subtle argument regarding the patterns of feathers on the two types of woodpeckers. Hence, one would expect there to be more detail about the patterns of feathers. Supposing that such a reconstruction were possible, it would likely be covered by some general scheme, say, argument from photographic evidence. Then, like an argument from sign (Walton et al. 2008, p. 10), we would expect a canonical form as well as a series of critical questions that allow for a standard appraisal of this argument form. Still, I don't see how the picture would fit into the argument any better than with a simple exhortation, "see!" At this point the arguer invites the recipient of the argument to see for himself or herself the visual evidence. Hence, it is probably better keep the evidential relation separate.

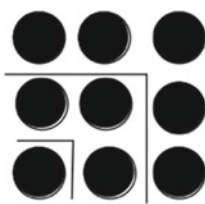
This account of visual evidence does not carry over to all so-called visual arguments. For example, it is clear that editorial cartoons don't appeal to visual elements as verifiers of claims. So, this result is limited to cases of visual evidence such as photos, videos and x-rays.

15.4 Visual Mathematical Evidence

Turning now to mathematical examples, there are many mathematical results that are justified by non-deductive means. James Franklin (1987) gives a litany of non-deductive methods. But, diagrammatic reasoning isn't one of them. The reason, I think, is that Franklin is interested in *logical* rather than *evidential* methods—even when the logic is non-deductive or probabilistic. I don't think there is a general logic for figurative reasoning, though there is much interesting logical work on certain diagrammatic systems. Some of this work derives from Ken Manders's (2008) account of Euclidean Diagrams. I don't want to discourage this kind of research. Yet, I am unconvinced that every case of figurative reasoning will be, much less should be, formalized. Instead, I want to consider a different possibility. Figurative proofs or arguments are associated with (perhaps tacit) verbal arguments. In such cases, the figurative elements operate much in the same way as photographs do in the law and in science: the figures verify, corroborate or refute specific claims. The claims, as verbal elements, are used in the actual reasoning. But the figurative elements are visual evidence for the associated claims rather than stand-alone arguments or proofs. Consider Fig. 15.4 below.

This is supposed to be a proof of the claim $1 + 3 + 5 + \dots + (2n - 1) = n^2$. The argument that it leads to the conclusion is this. (1) $1 = 1^2$. (2) $1 + 3 = 2^2$. (3) $1 + 3 + 5 = 3^2$. (4) This can be continued for every number, n . So, (5) $1 + 3 + 5 + \dots + (2n - 1) = n^2$. Claims 1–3 are verified by the diagram. Claim 4 is difficult to see in the given configuration; but one could say that it is an induction based on claims (1–3). So, (4) follows, though only inductively.

As a different case, consider an oft cited *proof* of the Pythagorean Theorem (Fig. 15.5). I must confess that when I first saw this collection of diagrams, I did not see it as in any way connected to the Pythagorean Theorem.



$$1 + 3 + 5 + \dots + (2n - 1) = n^2$$

Fig. 15.4 Numerical image

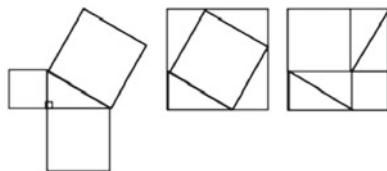


Fig. 15.5 Pythagorean image

Since that first experience, though, I have had the opportunity to discuss this *proof* with my daughter who was learning geometry in high school. As an experiment, I gave her the set of figures and asked what she thought. Like my first experience, she didn't know what to make of the collection. I then gave her the collections of figures labeled Fig. 15.6 below. The arrows represented lines of dependency. In this way, I gave her a way to *read* the figures. Moreover, this collection also contains the conclusion explicitly. Whether she understood the collection clearly, I cannot say.

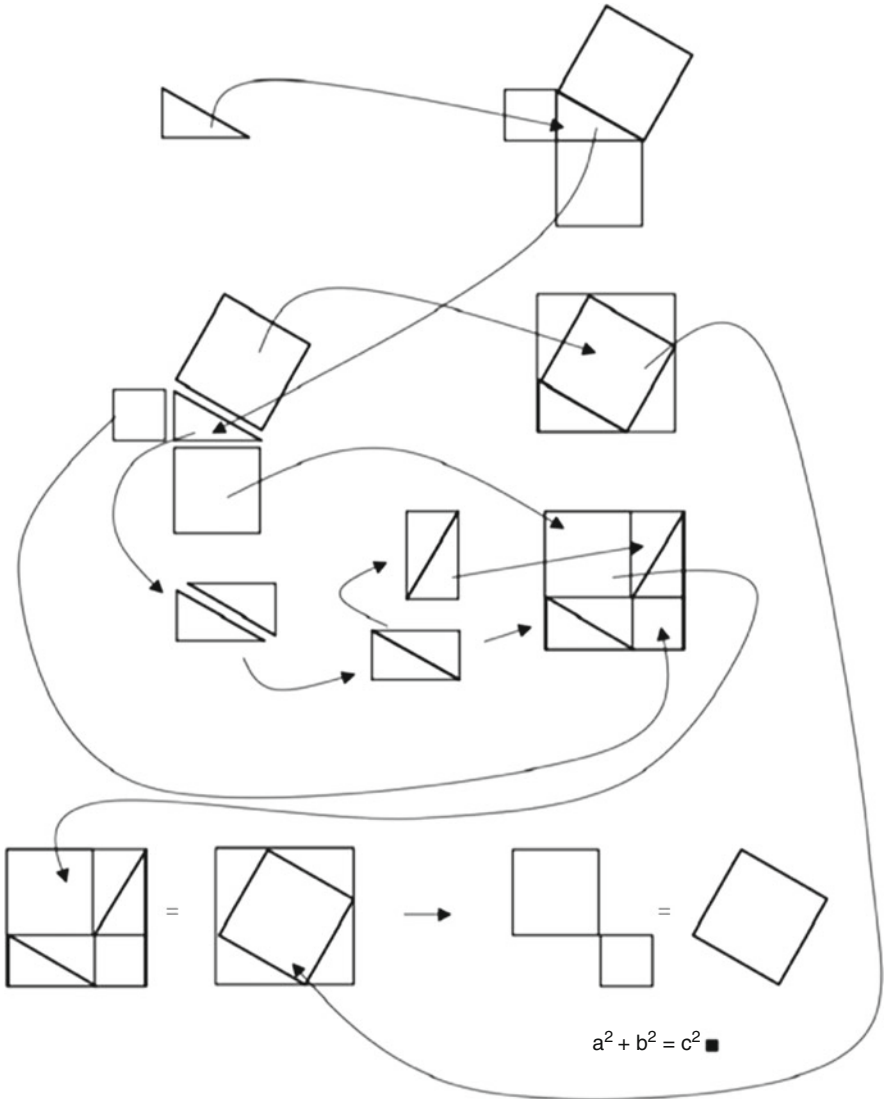


Fig. 15.6 Argumentative dependence

But I can say that she read through it with delight. More importantly, though, she had questions. She wanted to know what lines were a , b , and c respectively. She wanted to know whether the common notions from her geometry class were common to this collection, etc. From her questions, I constructed the following argument. Let the original triangle be a right triangle; label it T_0 . Label the hypotenuse c . Label the vertical side a , and the horizontal side b . Let the squares built on the sides of a , b , and c be a^2 , b^2 and c^2 , respectively. Construct triangles T_{1-4} congruent to T_0 . This was the setup of the argument. All of these claims are stipulated both as claims and as elements of the collection of figures. Now, manipulate the figure such that you construct a square out of a^2 and b^2 where the missing pieces are filled in by the Triangles T'_{1-4} . This is stipulated. Next, construct a square using c^2 and the triangles T_{1-4} . This too is stipulated. Now, T_{1-4} is equivalent to T'_{1-4} . This is a basic equivalency. Notice that the sides of the two squares are $(a+b)$ units long. This is true of both cases. You can see it in the figure. Hence, the figure verifies or corroborates this claim. Finally, if you subtract the four triangles from each square, the remaining pieces are equivalent. On one side $a^2 + b^2$ remains, on the other it is c^2 : as verified by the diagram. To generalize the result, one needs a further claim, let's call it *Generalized Construction*: we could redo these manipulations on any right triangle. From this, it follows that the result holds generally. This isn't a proof because the claim regarding the reconstruction of the elements on different right triangles isn't justified by the collection of figures. Instead, the original construction may provide evidence in the form of know-how for the reconstruction on a different right triangle. And if this is correct, then the argument could be reconstructed as follows. (1) Squares constructed out of the sum of the squares of the two sides of a right triangle and four triangles equivalent to the original triangle and the square constructed on the hypotenuse of the right triangle and four triangles equivalent to the original triangle are equivalent. (2) Since the constructed squares are equivalent, subtracting the four triangles from each square will result in equivalent areas remaining. (3) The result of such subtraction leaves $(a^2 + b^2)$ and c^2 respectively. Hence, (4) for this particular triangle $(a^2 + b^2) = c^2$. (5) This construction can be reiterated on other right triangles. Hence, (6) $(a^2 + b^2) = c^2$.

This is a general method for explaining putative figurative proofs: reconstruct them as arguments for which the figures function as evidence for (some of the) claims in the argument. This has the advantage that one need not construct a logic that allows for figurative elements within the syntax of well-formed formulae. Indeed, the logic of figurative arguments will be the logic of any other natural language arguments. One may worry that the reconstruction of the figurative *proofs* as verbal arguments is not faithful to the actual practice involving such *proofs*. To the contrary, if you have tried to teach the proofs in Nelsen's book (1993) or the diagrammatic examples in Brown's essay or his book (1999) to undergraduates, you probably ended up reconstructing the *proofs* along the lines I suggest above.

There is one caveat, however. Some of the *visual proofs* are immediate. That is, they aren't mediated by intermediate steps. Once the figure is properly prepared, the conclusion is verified by looking at the diagram and not by reasoning through intermediate steps. This, however, does not undermine the method. Rather, this simply

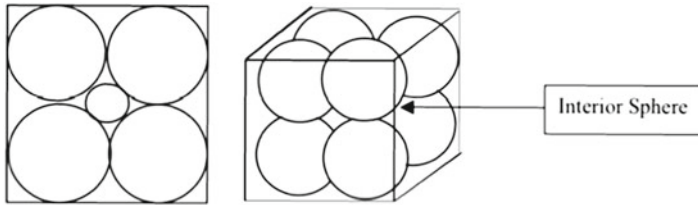


Fig. 15.7 Apparently misleading diagram

points to the actual use of the diagram. A diagram or figure verifies a claim or claims. In the case of an immediate proof, it verifies the conclusion rather than some reason or premise.

Finally, I want to consider some objections that have been levied against diagrammatic reasoning to see whether they undermine the account I prefer. The objections are: (1) The resulting arguments aren't proofs as the resulting arguments are defeasible. And, (2) The visual elements might be seriously misleading. Regarding (1), I simply accept the criticism. However, it doesn't undermine my account because I grant that these aren't proofs. Instead, I am interested in a wider variety of mathematical reasoning. The objection must surely be answered by anyone committed to the notion that reasoning that makes essential appeal to visual elements are proofs, but that is not the view I defend and hence the objection misses my account.

Regarding the possibility of misleading diagrams, I can think of two sources. On the one hand, a diagram might be seriously misleading if it is poorly drawn. I liken such cases to shoddy photographs in legal or scientific contexts. I don't find this type of difficulty unduly worrisome. For, insofar as the figures merely verify, corroborate or refute some claim that is used in an associated argument, the failure to verify in a particular case does not undermine the method. Rather, it seems like this possibility makes the reasoning that results from figurative elements much more like argumentation in other realms. Every argument is assessed on two dimensions: form and content. The poorly drawn figures affect the content of the resulting arguments but not the form.

Alternatively, there might be something conceptually wrong with diagrams generally. I think this is hinted at (though not in terms of being a problem) in Brown's example of a "seriously misleading" figurative proof (Brown 1997, p. 178) (see Fig. 15.7).

He begins by considering a figure constructed from four circles in a particular configuration. One can see that the configuration has the property that a fifth circle constructed so that it touches each of the original circles would itself be contained by a circumscribing square. He then considers the same result extended to three dimensions. He claims that, "Reflecting on these pictures, it would be perfectly reasonable to jump to the 'obvious' conclusion that this holds in higher dimensions" (Brown 1997, p. 178). But the result fails in higher dimensions. I've argued elsewhere (Dove

2002) that this isn't a failure of the diagram. Rather, it is a failure of an implicit premise in the proof: what holds in two and three dimension will hold at higher dimensions. This is surely false. So, it wasn't the pictures that misled.

15.5 Conclusion

I have argued that the use of diagrams and figures in mathematics can sometimes be explained by analogy with the use of photographs in science and the law. The figurative elements verify, corroborate or refute claims in the associated arguments. Since the associated arguments are *in the vernacular*, as opposed to within some language that allows figurative elements to be proper components of sentences, the logic of these arguments should be mundane. The figures are used in the same way that images are used in other realms, e.g., photos in the law and in science. Hence, the use is not special and does not require one to treat these elements specially. As such, this makes more sense of the actual practice of mathematics than accounts that require occult faculties or specialized vocabularies. I find this result doubly satisfying. On the one hand, it makes room for some visual elements within argumentation theory and informal logic. Of course, this is only part of the story regarding arguments. As stated above, evidentiary uses of visual elements cannot explain the use of images in editorial cartoons, commercials and the like. On the other hand, the account of visual evidence as verifier etc., when applied to the case of diagrams in mathematics, solves a long-standing problem for mathematical practice. Namely, if diagrams aren't a legitimate component of mathematical reasoning, why are so many mathematical texts littered with them? The answer, of course, is that they are a legitimate part of the reasoning. Their role, however, isn't one of premise, but of evidence.

References

- Birdsell, D., & Groarke, L. (1996). Toward a theory of visual argument. *Argumentation and Advocacy*, 33, 1–10.
- Birdsell, D., & Groarke, L. (2007). Outlines of a theory of visual argument. *Argumentation and Advocacy*, 43(3–4), 103–114.
- Blair, A. (2004). The rhetoric of visual arguments. In M. Helmers & C. Hill (Eds.), *Defining visual rhetorics* (pp. 41–61). Mahwah: Lawrence Erlbaum Associates.
- Brown, J. R. (1997). Proofs and pictures. *British Journal for the Philosophy of Science*, 47, 161–181.
- Brown, J. R. (1999). *Philosophy of mathematics*. London/New York: Routledge.
- Collins, H., & Evans, R. (2008). You cannot be serious! Public understanding of technology with special reference to “Hawk-Eye”. *Public Understanding of Science*, 17, 283–308.
- Dove, I. (2002). Can pictures prove? *Logique et Analyse*, 179–180, 309–340.
- Fisher, G. (2005). *Federal rules of evidence: Statutory and case supplement*. New York: Foundation Press.

- Fitzpatrick, J. W., et al. (2005). Ivory-billed woodpecker (*Campephilus principalis*) persists in continental North America. *Science*, 3(309, 5727), 1460–1462.
- Fleming, D. (1996). Can pictures be arguments? *Argumentation and Advocacy*, 33(1), 11–22.
- Franklin, J. (1987). Non-deductive logic in mathematics. *British Journal for the Philosophy of Science*, 38(1), 1–18.
- Groarke, L. (1996). Logic, art and argument. *Informal Logic*, 18(2–3), 105–131.
- Groarke, L. (2002). Towards a pragma-dialectics of visual argument. In F. H. Van Eemeren (Ed.), *Advances in pragma-dialectics*. Amsterdam/Newport News: SicSat/Vale Press.
- Johnson, R. H. (2000). *Manifest rationality: A pragmatic theory of argument*. Mahwah: Lawrence Erlbaum Associates.
- Johnson, R. H. (2005). Why “visual arguments” aren’t arguments. In: H. V. Hansen, C. Tindale, J. Anthony Blair, & R. H. Johnson (Eds.), *Informal logic at 25*. Windsor: University of Windsor, CD-ROM.
- Manders, K. (2008). The Euclidean diagram. In P. Mancosu (Ed.), *Philosophy of mathematical practice*. Oxford: Clarendon Press.
- Mouser, J. E., & Philbin, J. (1957). Photographic evidence: Is there a recognized basis for admissibility? *Hastings Law Journal*, 8, 310–314.
- Nelsen, R. B. (1993). *Proofs without words: Exercises in visual thinking*. Washington, DC: Mathematical Association of America.
- Walton, K. (2008). *Marvelous images: On values and the arts*. Oxford: Oxford University Press.
- Walton, D., Reed, C., & Macagno, F. (2008). *Argumentation schemes*. New York: Cambridge University Press.

Chapter 16

Pictorial Argumentation in Advertising: Visual Tropes and Figures as a Way of Creating Visual Argumentation

Jens E. Kjeldsen

During the latter part of the twentieth century, and particularly during the last two decades, advertising has become increasingly visual (cf. Leiss et al. 2005; van Gisbergen et al. 2004; Pollay 1985). Imagery now dominates advertising. Considering advertising as a kind of argumentation, we may ask how we actually argue by means of pictures, or more specifically, how we argue with ads that are predominantly visual.

In this article, I will argue that visual rhetorical figures in advertising – meaning both tropes and figures – are not only ornamental, but also support the creation of arguments about product and brand. My claim is that rhetorical figures direct the audience to read arguments into advertisements that are predominantly pictorially mediated. Pictures are ambiguous, but rhetorical figures can help delimit the possible interpretations, thus evoking the intended arguments.

16.1 Pictorial Rhetoric and Argumentation

This article limits itself to examining a certain kind of pictorial argumentation, namely visual tropology in commercial advertising. However, it should be acknowledged that several works have accounted for the existence and nature of visual argumentation in general (e.g. Finnegan 2001; Birdsell and Groarke 2007; Kjeldsen 2007; Groarke 2009). Drawing upon such works, we may assume that, in spite of the reservations of some researchers (e.g. Fleming 1996; Johnson 2004), it is both

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possible and beneficial to consider pictures and other instances of visual communication as argumentation. My own view is that visual argumentation is characterised by an enthymematic process in which the visuals (e.g. pictures) function as cues that evoke intended meanings, premises and lines of reasoning (cf. Finnegan 2001; Smith 2007). This is possible because an argument, whether visual or verbal, is not a text, or “a thing to be looked for, but rather a concept people use, a perspective they take” (Brockriede 1992). Argumentation is communicative action, which is performed, evoked, and must be understood in a rhetorical context of opposition.

I have suggested elsewhere (e.g. Kjeldsen 2001, 2002) that the power of pictorial rhetoric lies in the semiotic ability of pictures to communicate simultaneously through conventional, iconic, and sometimes also indexical codes. The full rhetorical potential of pictures is thus exercised when their discursive ability to create utterances, propositions and arguments is united with their aesthetic materiality and sensual immediacy.¹

Pictorial rhetoric, I propose, may draw upon four rhetorical qualities of pictures. The first is the power to create *presence* (*evidentia*). Since antiquity, orators have attempted to create *evidentia* (gr. *enargia*) by presenting events to the audience as if they were seeing them with their own eyes (Kjeldsen 2003, 2011). In *The New Rhetoric*, Perelman and Olbrechts-Tyteca consider presence to be “of paramount importance for the technique of argumentation” (1969, 119). They describe *presence* as something that “acts directly on our sensibility”, it makes present what is actually absent, but something that the speaker “considers important to his argument or, by making them more present, to enhance the value of some of the elements of which one has actually been made conscious” (1969, 116–117). While words may elicit mental images, material pictures actually place the events visually in front of the audience as if they were unfolding before their eyes.

The ability to create presence supports the second rhetorical quality of pictures: their potential for *realism and indexical documentation*. Pictorial realism constitutes the ability of pictures to present something as though it is reality itself. There are many different visual conventions for obtaining this; however, in the present context it should be understood as the ability of a pictorial representation to appear as pure presentation. Mostly we encounter this in photographs, which are rhetorically powerful because they, semiotically speaking, are not only icons but also indexes. Since there is a direct indexical relation between the depictions of photographs and the objects they represent, they are able to persuasively perform the task of indexical documentation. This is equally valid for other kinds of ‘photographic’ images, such as photographs, X-rays, MRIs and ultrasound images.

The third quality of pictures is their potential for *immediacy* in perception. While listening or reading requires a temporal reception, pictures may be perceived and understood in a brief instant. As Hans Jonas (1966, 136) has pointed out: “Sight is *par excellence* the sense of the simultaneous or coordinated, and thereby of the extensive.” Susanne K. Langer (1952, 78–9) expresses the same point in this way: “*visual forms are not discursive*. They do not present their constituents successively, but simultaneously, so the relations determining a visual structure are grasped in one act of vision”.

This immediacy is closely connected to the fourth rhetorical quality of pictures, i.e. their potential for *semantic condensation*, which I suggest is the basis for the possibility of visual argumentation. Semantic condensation is similar to Freud's psychological concept of condensation in the dream work (Freud 1999, 260ff.), which signifies the condensing of many different ideas into one. Freud also explains that condensation is one of the three main techniques of a joke (Freud 1960, 28ff., 41ff.). The appeal of jokes and cartoons (Gombrich 1978, 130) is the concentrating and condensing of several ideas, thoughts or content into one decisive moment. Semantic condensation can be both emotional (evoking emotions) and rational (evoking arguments and reasoning).

Pictures, I suggest, have the potential to argue primarily by means of condensation. They offer a rhetorical enthymematic process in which something is condensed or omitted, and, as a consequence, it is up to the spectator to provide the unspoken premises. Rational condensation in pictures, then, is the visual counterpart of verbal argumentation. However, the spectator needs certain directions to be able to (re)construct the arguments, i.e. some cognitive schemes to make use of.

Sometimes, such schemes may be found in the context itself, such as in the circumstances of the current situation (cf. Kjeldsen 2007). At other times – particularly in advertising – the viewer's (re)construction of arguments is enabled through visual tropes and figures. Metaphor and metonymy, synecdoche and hyperbole, ellipsis and contrasts are among the most common types of visual argumentation (e.g. Kjeldsen 2000, 2008; McQuarrie and Mick 2003; Forceville 2006).

No print advertisement is entirely without words, however. Verbality in ads can be either found as written words, as the name of the product or even as the viewers' mental concepts for interpretation. Despite this, the dominance of the pictorial renders the question of visual argumentation pertinent. According to semiotics, verbal communication employs an arbitrary code, and pictures an iconic one. Viewed as a code based on motivated signs, a picture is perceived to have either no articulation or only second-order articulation (cf. Barthes 1977; Eco 1979; Chandler 2006).

Consequently, "pertinent" and "facultative" signs in pictures cannot be clearly distinguished. Umberto Eco, among others, suggests that the iconic coding in pictures is weak (Eco 1979, p. 213). This means that pictures lack the syntax to guide the viewers to determine precisely what the different elements might mean or how these elements should be semantically connected.

This might seem to suggest the exclusion of the possibility that pictures can make arguments – and it would mean that advertisements would have to let the words do the argumentation. However, by accepting the fact that most print advertising is predominantly visual and the claim that advertising is argumentation, we should acknowledge that pictures in advertisements do in fact perform argumentation – or at least play an important role in establishing arguments in advertisements (cf. Ripley 2008; Kjeldsen 2007; Slade 2003).

On the other hand, some claim that advertising is not really argumentation at all, but rather a subconscious and irrational kind of psychological persuasion (Johnson and Blair 1994, p. 225; Blair 1976; cf. Slade 2003). However, the fact that theoretical definitions, demarcations, delineations, and descriptions of argument from Aristotle

to van Eemeren actually fit advertising communication quite nicely suggests that “an ad is indeed an argument” (Ripley 2008; cf. Slade 2002, 2003). As long as an advertisement provides reasons for buying something, it makes sense to consider it an argument. I should probably add that the ability of pictures and advertisements to provide arguments does not ensure that all such arguments are good, valid or convincing.

16.2 Reconstruction of Pictorial Argumentation Through Context

One of the ways pictures are able to produce argumentation is their use of the viewer’s knowledge of the situation and context that will allow the viewer to (re)construct the argument herself (cf. Kjeldsen 2007). However, this requires a particular kind of situation that will lead the viewer to perceive the image as a piece of argumentation and provide enough cues to let the viewer construct the argument. Situations or circumstances that help the viewer to evoke the arguments must entail a context of opposition.

Establishing claims, premises and their connection through such contextual knowledge is more readily done in ongoing debates and in specific, well-defined situations. In such circumstances, the visual will be able to tap into existing and already proposed arguments. As an illustration of this fact, let us take a closer look at a cartoon of Anders Fogh Rasmussen, who is now the Secretary General of NATO.

The drawing was published in the Danish newspaper *Politiken* (9 Dec. 2001)² while Fogh Rasmussen was the Prime Minister of Denmark. It shows the standing, unshaven Prime Minister in frontal pose, looking directly at the viewer. He is removing his suit jacket, revealing himself as an ancient cave man wearing a shaggy animal hide.

The cartoon only makes sense if we are aware that Anders Fogh Rasmussen was known as an economic liberalist, and the author of the book “From the Social State to the Minimal State”.³ He was well known as a proponent for limiting state intervention in the life of individuals, claiming that everyone would be better off fending for themselves. While most people outside Denmark would not be able to make rhetorical sense of the cartoon without this piece of information, it enthymematically tapped into an ongoing debate in Denmark about limiting the Danish welfare state. The cartoon is not an illustration, since it is not accompanied by a text, and it is more than just a visual statement because it invites the viewer to construct a metaphorical argument against the Prime Minister. The cartoon argues that under the classy suit, the Prime Minister is really a political cave man, a primitive social Darwinist, who does not acknowledge or care for people unable to fend for themselves and in need of a proper welfare state to help them.

Contextual decoding, as required in the above example, might be more difficult in commercial advertising, where the viewer is usually unable to connect the particular text to any specific circumstances, debates or discourses. All we have is knowledge of the general genre and its aim: to sell products and to promote brands.

As a general rule, advertising cannot be regarded as a mixed difference of opinion, where two parties hold opposing standpoints (cf. van Eemeren et al. 2002, p. 8ff.). Advertising communication is best described as a single, non-mixed difference of opinion; only one party (the advertiser) is committed to defending only one standpoint. Because we know the context of this difference of opinion, we also know the stated aim: “Buy this!” This is a proposition shared by all commercial advertising. No matter what an advertisement communicates, it will always, either directly or indirectly, carry this claim.

This ultimate proposition may be called the *final claim*. Knowing the context and the final claim, every viewer is provided with a starting point for discovering the premises supporting the final claim, and thus reconstructing the argumentation. We should, of course, not forget that advertising also performs other argumentative functions (or claims), such as enhancing a company’s image and reputation (ethos). A good deal of contemporary commercial advertising is increasingly aimed towards brand enhancement rather than directly encouraging consumers to buy the product. I will briefly touch upon the argumentative dimensions in such rhetoric in Sect. 16.5 about the ethotic argumentation of an artful visual execution.

16.3 Reconstruction of Pictorial Argumentation Through Rhetorical Figures

In the hermeneutic circumstances of advertising, the use of rhetorical figures may help guide the viewer to make the intended inferences. Figures are constituted by certain recognisable patterns: a metaphor requires viewing something in light of something else; a contrast requires opposites; and a chiasmus is only a chiasmus if it presents a repetition of ideas in inverted order.

Thus, the figurative presentation controls the interpretation by letting the viewer notice “an artful deviation in form that adheres to an identifiable template” (McQuarrie and Mick 1996). This kind of augmented control is possible (Philips and McQuarrie 2004, p. 114):

because the number of templates is limited, and because consumers encounter the same template over and over again, they have the opportunity to learn a response to that figure. That is, through repeated exposure over time consumers learn the sorts of inference operations a communicator desires the recipients to undertake [...]. Because of this learning, rhetorical figures are able to channel inferences.

So, rhetorical figures may function argumentatively by directing the viewer’s attention towards certain elements in the advertisement and offering patterns of reasoning. This guides the viewer towards an interpretation with certain premises that support a particular conclusion.

This understanding of rhetorical figures as patterns of thought and reasoning was not prominent in classical rhetoric. Modern theory of rhetoric has, however, acknowledged these epistemological and argumentative dimensions.

The works of Lakoff and Johnson (1980), Jeanne Fahnestock (2004), Christian Plantin (2009), and, of course, Perelman and Olbrechts-Tyteca (1971) have illustrated the argumentative character of rhetorical figures. Perelman and Olbrechts-Tyteca reject the common view of tropes and figures as purely ornamental. Tropes and figures may be embellishment, but sometimes they are best considered as a form of argumentation. They consider (1971, p. 169):

a figure to be *argumentative*, if it brings about a change of perspective, and its use seems normal in relation to this new situation. If, on the other hand, the speech does not bring about the adherence of the hearer to this argumentative form, the figure will be considered an embellishment, a figure of style. It can excite admiration, but this will be on the aesthetic plane, or in recognition of the speaker's originality.

According to Perelman and Olbrechts-Tyteca, tropes and figures may bring about a change in perspective in three ways: They may impose a choice, increase the impression of presence, and they may bring about communion with the audience (*ibid.*).

Christopher Tindale provides a slightly more technical explanation of the argumentative dimensions of rhetorical figures. Like arguments, they are “regularised patterns, or codified structures that transfer acceptability from premises to conclusions” (2004, p. 73).

These argumentative changes in perspective and the transference of acceptability are also possible in pictures, because communication through tropes and figures such as metaphors, metonymies or contrasts is not a verbal, but a cognitive phenomenon (cf. Lakoff and Johnson 1980; McQuarrie and Mick 2003; Forceville 2006; Kjeldsen 2002, 2007).

Furthermore, pictorial tropes and figures are potentially more efficient than words in increasing the impression of presence since pictures actually show us what words can only tell us. Pictorial tropology is also, I suggest, at least equally as efficient in imposing choice and bringing about communion. Thus, the formal character of tropes and figures may also be found in pictures and help elicit lines of reasoning evoked visually.

16.4 Examples of Pictorial Argumentation Established by Rhetorical Figures

If figures “are to be recognised as arguments”, whether verbal or visual, “they will need to encourage the same movement within a discourse, from premise to conclusion” (Tindale 2004, p. 73). In order to show how a rhetorical figure may help the viewer construct the argument of the advertisement, I will provide a few examples of how visual figures encourage the transfer of acceptability from premise to conclusion in commercial advertising.

The first ad is for Energizer Batteries. The brief was to increase sales of Energizer Lithium Batteries over the Christmas period. Because of the large number of batteries intended for toys commonly purchased over the Christmas period, parents were identified as the target audience (*Ad number 1*). The picture shows a boy standing in

a garage or a workshop. Behind him is a cupboard with paintbrushes and paint. He holds a brush with red paint in his right hand while smiling down at a white, unwitting dog sitting next to him.



What might the viewer's route of interpretation look like when attempting to decode this ad? When trying to make sense of the ad, the viewer will search the picture's central elements for any clues to its meaning. Firstly, the viewer might notice the boy looking at the dog while holding a paintbrush in his hand. Secondly, the viewer might notice the product logo and slogan in the lower left-hand corner: "Energizer. Never let their toys die. The world's longest lasting battery. Energizer." Since neither the slogan nor the picture make much sense on their own, the viewer must look for the connection between the two in order to make sense of them together. Confronted with the proposition "Never let their toys die", the viewer is inclined to question why, and then to seek an answer in the image. Seeing the boy, who is looking at the dog, the viewer is invited to question what is actually taking place. What does the picture (and the ad as a whole) say? The answer is found when the viewer infers what the boy might be thinking and what he is about to do. In Toulmin's terms, the intended argumentation can be (re)constructed more or less like this:

Final claim 1: Buy this battery.

Ground 1: It will keep the toys working (for a long time).

Warrant 1: You want to keep your toys working for a long time.

Claim 2 (warrant 1): You want to keep your toys working for a long time.

Ground 2: Working toys keep children occupied.

Warrant 2: You want to keep your children occupied.

Claim 3 (warrant 2): You want to keep your children occupied.

Ground 3: Children who are not occupied cause unfortunate events to happen.

Warrant 3: You do not want unfortunate events.

Backing 3: You do not want the kids to paint your dog.

Refraining from showing what will happen, the ad makes use of a visual ellipsis. Through omission, it invites an enthymematical construction of an argument based on a causal argument scheme (cf. van Eemeren and Grootendorst 1992, 2003; van Eemeren et al. 2002) proposing that buying Energizer Batteries will lead to the prevention of unfortunate events. The implicit story in the ad has a somewhat hyperbolic character, which seems to be a common trait among many of the ads eliciting arguments through visual figures. The exaggeration helps make the meaning – and argument – clear.

We can see the same kind of elliptic and hyperbolic character in an ad for Kitadol, a pharmaceutical brand manufactured in Chile. The product is designed to help women cope with the effects of menstrual pain and abdominal swelling. It was promoted in a print advertising campaign aimed at women's male partners. In the ads, the women were replaced with a boxer, a wrestler and a Thai boxer. The tag line is "Get Her Back", followed by the brand name and indication of use: "Kitadol Menstrual period" (*Ad number 2*). The campaign won a Silver Press Lion at the Cannes International Advertising Festival 2010.



How does this ad work rhetorically? We look at the picture and realise that something is not quite right. The boxer does not seem to belong in this particular setting. He is placed exactly where a woman, i.e. a wife and a mother, would normally sit. The boxer and the man reading the paper exhibit the nonverbal behaviour that we

would normally recognise as the interaction between man and woman in a tense or strained relationship. The man is looking nervously at the boxer, and the boxer has turned his back on the man while staring sourly into the adjacent child stroller.

Hence, in accordance with relevance theory (Sperber and Wilson 1986), we realise that the boxer does not belong in this setting, and we have to replace him with something else if the advertisement is to have any relevance for us, or indeed if it is to make any sense at all. The picture creates an implicature,⁴ an implicit assumption, which the viewer has to transform into an explicit proposition, namely the metaphoric claim that “female spouses are (like) aggressive boxers when they have their periods”. Since a major part of this proposition is visually manifest (we can actually see an aggressive boxer), we may consider the proposition as strongly implicated (Sperber and Wilson 1986, p. 194ff.; Forceville 2006, p. 90ff.).

Together, the genre, the knowledge of the brand, the final claim and the metaphorically communicated implicature invite the viewer to a line of inference that will be something like this:

Female spouses are (like) aggressive boxers when they have their periods.
Kitadol removes this aggressiveness.
Therefore you should buy Kitadol (for your wife).

In Toulmin’s argumentation model (1958), the argument can be described like this:

Final claim: You should (Q: really) buy Kitadol.
Ground: Female spouses are (like) aggressive boxers when they have their periods.
Warrant: Kitadol removes this aggressiveness.

Of course, the key to the correct figurative interpretation is the brand name and the slogan “Get her back”, which indicates that your spouse is gone because she has mutated into an aggressive monster. This invites a similar line of reasoning:

Claim: Your spouse is gone.
Ground: She has turned into an aggressive boxer (because of her period).
Warrant: When your spouse has turned into an aggressive boxer, she is gone.

This connects to an argument, with the slogan functioning as claim:

Claim: You should get your spouse back.
Ground: She has turned into an aggressive boxer.
Warrant: When your wife turns into an aggressive boxer, you should get her back.

Often, it makes the most analytic sense to view the figurative implicature (which is partly manifest here) as a ground in the argument; however, it may also make sense to view the implicature as backing. Because both ground and backing usually emerge as facts, evidence and categorical statements, they appear to be more readily expressed visually than warrants do:

Claim: You should get your spouse back.
Ground: She has changed.

Warrant: Menstrual periods change women.

Backing: During their periods, spouses behave like aggressive boxers.

The different possibilities of argument construction outlined above illustrate that visual figures may offer several avenues of interpretation to one main argument. However, they also illustrate one of the challenges with analysis of predominantly pictorial argumentation. Because of the semiotic character of pictures, they often do not give the viewer any clear signs of what the different elements of the argument are, or how they should be connected.

Compared with verbally dominated argumentation, pictures do not allow for the same kind of indicators of argumentation (cf. van Eemeren et al. 2002, p. 39). Furthermore, pictures do not generally provide us with indicators such as *because*, *therefore* or *with the exception of*. Neither do they offer much help in determining and distinguishing between claim, ground, warrant, backing or qualifier.

However, even though it may be difficult to establish a single and undisputed reconstruction of the argument, the figurative implicature provides the consumer with clear directions to the main argument for buying Kitadol: it will bring their spouses back. We might analytically reconstruct the main line of argument in many ways, but to the viewer, I propose, the argument is still fairly obvious.

Through a visual hyperbolic metaphor, the ad helps the viewer to construct an argument based on a causal argument scheme (cf. van Eemeren and Grotendorst 1992, 2003; van Eemeren et al. 2002), suggesting that buying Kitadol will lead to the solution of a pertinent problem.

Hopefully, these two examples illustrate how visual figures invite the construction of arguments. Once we acknowledge this persuasive ability in predominantly pictorial communication, we may be able to more readily recognise this kind of visual argumentation in similar ads. Without any elaborate analysis, we may, for instance, recognise the argument in the ad from the Israeli bookstore chain *Steimatzy*: (*Ad number 3*). The visually manifest part of the implicature in the ad is the shrunken head. It is a visual metaphor evoking an argument based on a causal argument scheme, and it proposes that if you don't read, your brain will shrink. The reasoning can be rendered like this:

Final claim 1: Buy books.

Ground 1: You should read more.

Warrant 1: If you buy more books, you read more.

Claim 2 (Ground 1): You should read more.

Ground 2: If you watch TV instead of reading, your brain will shrink and become underdeveloped (you will become stupid).

Warrant 2: You don't want an underdeveloped brain.

Claim 3 (Ground 2): If you watch TV instead of reading, your brain will shrink and become underdeveloped (you will become stupid).

Ground: Reading is like exercise or food for your brain.

Warrant: What you do not exercise or feed will shrink and become underdeveloped.



Whereas most visual figures seem to invite arguments based on causal argument schemes, we can also find advertising argumentation based on other kind of schemes (*Ad number 4*). In an ad for the *Snickers* chocolate bar, we once again encounter a

hyperbolic representation, this time through bodily distortion, creating an argument based on a symptomatic argument scheme, claiming that Snickers belong to the categories of big things:

Final claim 1: Buy this bar of Snickers.

Ground 1: It is big.

Warrant 1: You should buy big chocolates.

Claim 2 (Ground 1): It is big.

Ground 2: If you put it into your mouth it will stick out of your neck.

Warrant 2: Anything that will stick out of your neck after you put it into your mouth is big.

16.5 The Ethotic Argumentation of an Artful Visual Execution

In the traditions of critical thinking and informal logic, some might deem the Snickers advertisement a poor argument, a fallacy or even a lie. It is not true that the chocolate will stick out of your neck, no matter how big it is. However, from a rhetorical point of view, an important part of the appeal of the ad – as well as an important part of its argumentation – lies in the artful hyperbolic representation. Firstly, we know very well that we should not take ground 2 in the argument literally. It is a means to evoke, support and enhance the main claim that you should buy the Snickers bar because it is big. If you are very hungry, for instance, a big chocolate bar would be better than a small one (as long as you do not care about health and nutritional value).

Secondly, the artful execution in this and the other advertisements I have discussed create an ethos appeal – an ethotic argument – proposing that: “This is an artful and intelligent advertisement, so the product/brand/consumer must be artful and intelligent”. In the last century – especially since the 1960s – advertising has moved from appealing to and reasoning about the product and its inherent qualities to appealing to and reasoning about brand, image, style and the consumer’s knowledge about advertising communication itself (cf. Leiss et al. 2005; van Gisbergen et al. 2004; Pollay 1985). This “creative revolution” has led to a rhetoric described as “the marketing of coolness” (Sturken and Cartwright 2009, 293). In such advertisements the ultimate claim (“buy this!”) is promoted by a *penultimate claim* arguing for the character or quality of the brand, claiming something along the lines of “This brand/company is cool/socially responsible/high class”.

Such advertising argumentation is not really about the products, but about how a consumer may achieve gratification promoting herself, making herself part of a social group, or weaving herself into a complex web of semiotic and social reality (Johansen 1989). Even though the argumentation in such advertisements does not directly address the product, I suggest that we may only fully understand the rhetoric of such advertising when we acknowledge and examine the argumentative dimensions in these kinds of appeals.

16.6 The Role of Visual Figures for Creating Open or Closed Ads

Visual figures hold a special rhetorical potential in persuasive communication because they allow for interpretative openness and active involvement while simultaneously providing clear directions that guide the viewer towards certain arguments.

The ads using visual figures are open to interpretation concerning the connotations of the different elements shown. In the Energizer ad, we may think of different things in connection with the garage as a place, with being a boy or with the pleasure or pain dogs may provide. As described by Eco (1979, 1989), such interpretative possibilities are characteristic of open texts. The necessary participation of the viewer in constructing the meaning and arguments of the ads also distinguishes such open texts.

Ketelaar et al. (2008) have argued that such open ads have the common characteristic that consumers are not manifestly directed towards a certain interpretation, and that the presence of rhetorical figures are one of five antecedents rendering an advertisement more open; the others being presence of a prominent visual, absence of the product, absence of verbal anchoring, and a low level of brand anchoring.

However, my analysis of the above advertisements indicates that the presence of rhetorical figures actually helps delimit the possibilities of interpretation, hence creating not necessarily an open ad, but rather an ad that is open in some respects and closed in others. It is closed in the sense that particular rhetorical figures guide the viewer's construction of the arguments in the ad in question.

The rhetorical figures thus help create relatively straightforward arguments. These arguments may prove complex when analysed, but may, nonetheless, be relatively easily decoded by the viewer, presuming of course that the viewer's attention has been caught. Hence, ads using visual figures bear the characteristics of a closed text in Umberto Eco's sense. The openness in the advertisements does not obstruct or obscure the lines of reasoning offered by visual figures; the cognitive participation of the viewer in creating the reasoning is controlled by the formal characteristics of the visual figures.

16.7 Semantic Condensation and Thickness

While hopefully my brief analyses have indicated the argumentation embedded in these advertisements, they may also have given the impression that pictorial argumentation is simply a matter of extracting verbal lines of reasoning and presenting them in argumentation models. This is not the case.

We can not understand pictorial argumentation simply by transforming visuals into verbal propositions. There is a difference between the two modes of representation. As explained above, pictures are able to provide vivid presence (*evidentia*),

realism and immediacy in perception, which is difficult to achieve with words only. If we were to describe in words *all* the elements and details in the Kidatol ad, it would require a lengthy book. However, in the picture all the details are present to be grasped in a moment. Because we can actually see the big boxer, we are invited to feel the pain he may inflict and experience the similarities between him and a spouse in a bad mood. In this way pictures are rich in visual information, because they provide innumerable details for the eye. We may say that pictorial representation has the ability of performing a sort of “thick description” (cf. Geertz 1973), which in an instant provides a full sense of an actual situation and an embedded narrative connected to certain lines of reasoning. This visual richness and semantic “thickness” disappears when we reduce the pictorial representation to nothing more than “thin” propositions.

The ad for the bookstore chain *Steimatzy*, for instance, creates presence (*evidentia*) through the picture of the person with the small head. It holds a semantic thickness in the richness of visual detail, which we can actually see. However, it also holds a semantic thickness in the condensation of the thoughts and emotions connected with the depicted situation. As viewers, we may recognize the position of the “potato couch”. Having acted in a similar way, we may almost physically feel the sitting position and the handling of the remote control. We may also feel the emotional and cognitive unease connected with the feeling of “wasting your time watching television” and the fear of being stupid. The picture invites us to feel these emotions *and* to elicit this type of moral reasoning about how one should spend one’s life. In the pictorial representation, all this is part of the argumentation. It imposes a choice, increases the impression of presence and helps bring about communion with audiences that share the moral basis of the reasoning.

Thus, if we are to fully understand the rhetoric and argumentation of the advertisements, we have to bear in mind the rhetorical qualities of pictures: their ability to create presence, their potential for realism and immediacy, and their ability for semantic condensation. This will help us to reconstruct and explain the arguments they offer, which is best done through words and models. We just have to bear in mind that thin propositions represented in words and models are only part of the rhetorical and argumentative potential of advertisements that are predominantly pictorial.

Notes

1. The term “sensual immediacy” is taken from Nicolas Mirzoeff’s (1999) *An Introduction to Visual Culture*.
2. The cartoon can be seen at: <http://politiken.dk/fotografier/reportagefoto/article657481.ece> (drawing no. 2).
3. The Danish title is: “Fra socialstat til minimalstat – En liberal strategi” (Samleren, København 1993).
4. In the same tradition explicatures are understood as assumptions that are explicitly communicated: “an explicature is a combination of linguistically encoded and contextually inferred conceptual features. The smaller the relative contribution of the contextual features, the more explicit the explicature will be, and inversely” (Sperber and Wilson 1986, p. 182).

References

- Barthes, R. (1977). *Image, Music, Text*. London: Fontana Press.
- Birdsell, D., & Groarke, L. (2007). Outlines of a theory of visual argument. *Argumentation and Advocacy*, 43, 103–113.
- Blair, J. A. (1976). The possibility and actuality of visual argument. *Argumentation and Advocacy*, 33, 1–10.
- Brockriede, W. (1992). Where is argument? In W. L. Benoit, D. Hamble, & P. J. Benoit (Eds.), *Readings in argumentation* (pp. 73–78). Berlin: Foris.
- Chandler, D. (2006). *Semiotics. The basics*. New York: Routledge.
- Eco, U. (1979). *The role of the reader*. Bloomington: Indiana University Press.
- Eco, U. (1989). *The open work*. Cambridge, MA: Harvard University Press.
- Fahnestock, J. (2004). Figures of argument. *Informal Logic*, 24(2), 115–135.
- Finnegan, C. A. (2001). The naturalistic enthymeme and visual argument: Photographic representation in the “skull controversy”. *Argumentation and Advocacy*, 37, 133–149.
- Fleming, D. (1996). Can pictures be arguments? *Argumentation and Advocacy*, 33, 11–22.
- Forceville, C. (2006 (1996)). *Pictorial metaphor in advertising*. New York: Routledge.
- Freud, S. (1960). *Jokes and their relation to the unconscious* (J. Strachey, Ed. & Trans.). New York/London: W.W. Norton & Company.
- Freud, S. (1999). *The interpretation of dreams* (J. Crick, Trans.). Introduction and notes by Ritchie Robertson. Oxford: Oxford University Press.
- Geertz, C. (1973). Thick description: Toward an interpretive theory of culture. In *The interpretation of cultures: Selected essays* (pp. 3–30). New York: Basic Books.
- Gombrich, E. H. (1978 (1963)). *Meditations on a hobby horse and other essays on the theory of art*. London/New York: Phaidon.
- Groarke, L. (2009). Five theses on Toulmin and visual argument. In F. H. van Eemeren & B. Garssen (Eds.), *Pondering on problems of argumentation* (pp. 229–239). Amsterdam: Springer.
- Johansen, J. D. (1989). Semiotics of rhetoric: The consumption of fantasy. In T. A. Sebeok & J. Umiker-Sebeok (Eds.), *The semiotic web 1988*. Berlin: Mouton de Gruyter.
- Johnson, R. H. (2004). Why ‘visual arguments’ aren’t arguments. In H. V. Hansen, C. Tindale, J. A. Blair, & R. H. Johnson (Eds.), *Informal logic at 25*, CD-ROM. Winsor: University of Winsor.
- Johnson, R. H., & Blair, J. A. (1994). *Logical self-defense*. New York: McGraw-Hill.
- Jonas, H. (1966). *The phenomenon of life*. New York: Harper & Row Publishers.
- Ketelaar, P., Gisbergen, M. S., & Beentjes, J. W. J. (2008). The dark side of openness for consumer response. In E. F. McQuarrie & B. J. Phillips (Eds.), *Go figure. New directions in advertising rhetoric*. Armonk: M.E. Sharpe.
- Kjeldsen, J. E. (2000). What the metaphor could not tell us about the prime minister’s bicycle helmet. Rhetorical criticism of visual rhetoric. *Nordicom Review*, 21(2), 305–327.
- Kjeldsen, J. E. (2001). The rhetorical power of pictures. In J. Gripsrud & F. Engelstad (Eds.), *Power, aesthetics, media* (pp. 132–157). Oslo: Unipub forlag.
- Kjeldsen, J. E. (2002). *Visuel retorik [Visual rhetoric]*. Ph.D. thesis, Department of Media Studies, University of Bergen, Bergen.
- Kjeldsen, J. E. (2003). Talking to the eye – Visuality in ancient rhetoric. *Word and Image*, 19(3), 133–137.
- Kjeldsen, J. E. (2007). Visual argumentation in Scandinavian political advertising: A cognitive, contextual, and reception oriented approach. *Argumentation and Advocacy*, 43, 124–132.
- Kjeldsen, J. E. (2008). Visualizing egalitarianism – Political print ads in Denmark. In J. Strömbäck, T. Aalberg, & M. Ørsten (Eds.), *Political communication in the Nordic countries* (pp. 139–160). Göteborg: Nordicom.
- Kjeldsen, J. E. (2011). *Tale med billeder – tegne med ord. Det visuelle i antik retorik og retorikken i det visuelle [Speaking with pictures – Drawing with words. Visuality in ancient rhetoric, and rhetoric in visuality]*. Oslo: Scandinavian Academic Press.
- Lakoff, G., & Johnson, M. (1980). *Metaphors we live by*. Chicago: Chicago University Press.

- Langer, S. K. (1952 [1942]). *Philosophy in a new key. A study in the symbolism of reason, rite, and art*. New York: Mentor Book.
- Leiss, W., Kline, S., Jhally, S., & Botterill, J. (2005). *Social communication in advertising. Consumption in the marketplace*. New York: Routledge.
- McQuarrie, E. F., & Mick, D. G. (1996). Figures of rhetoric in advertising language. *Journal of Consumer Research*, 22, 424–437.
- McQuarrie, E. F., & Mick, D. G. (2003). The contribution of semiotic and rhetorical perspectives to the explanation of visual persuasion in advertising. In L. Scott & R. Batra (Eds.), *Persuasive imagery: A consumer response perspective* (pp. 191–221). Mahwah: Lawrence Erlbaum.
- Mirzoeff, N. (1999). *An introduction to visual culture*. London: Routledge.
- Perelman, C., & Olbrechts-Tyteca, L. (1971 (1969)). *The new rhetoric: A treatise on argumentation*. Notre Dame: University of Notre Dame Press.
- Philips, B. J., & McQuarrie, E. F. (2004). Beyond visual metaphor: A new typology of visual rhetoric in advertising. *Marketing theory*, 4, 113–136.
- Plantin, C. (2009). A place for figures of speech in argumentation theory. *Argumentation*, 23, 325–337.
- Pollay, R. (1985). The subsiding sizzle: A descriptive history of print advertising 1900–1980. *The Journal of Marketing*, 49(3), 24–37.
- Ripley, M. L. (2008). Argumentation theorists argue that an ad is an argument. *Argumentation*, 22, 507–519.
- Slade, C. (2002). Reasons to buy: The logic of advertisements. *Argumentation*, 16, 157–178.
- Slade, C. (2003). Seeing reasons: Visual argumentation in advertisements. *Argumentation*, 17, 145–160.
- Smith, V. (2007). Aristotle's classical enthymeme and the visual argumentation of the twenty-first century. *Argumentation and Advocacy*, 43, 114–123.
- Sperber, D., & Wilson, D. (1986). *Relevance: Communication and cognition*. Oxford: Blackwell.
- Sturken, M., & Cartwright, L. (2009). *Practices of looking. An introduction to visual culture*. Oxford: Oxford University Press.
- Tindale, C. (2004). *Rhetorical argumentation. Principles of theory and practice*. Thousands Oaks: Sage.
- Toulmin, S. (1958). *The uses of argument*. Cambridge: Cambridge University Press.
- van Eemeren, F. H., & Grootendorst, R. (1992). *Argumentation, communication, and fallacies: A pragma-dialectical perspective*. Hillsdale: L. Erlbaum.
- van Eemeren, F. H., & Grootendorst, R. (2003). *Systematic theory of argumentation: The pragma-dialectical approach*. Cambridge: Cambridge University Press.
- van Eemeren, F. H., Grootendorst, R., & Snoeck Henkemans, F. (2002). *Argumentation: Analysis, evaluation, presentation*. Mahwah: L. Erlbaum.
- van Gisbergen, M. S., Ketelaar, P. E., & Beentjes, H. (2004). Changes in advertising? A content analysis of magazine advertisements in 1980 and 2000. In P. Neijens, C. Hess, B. van der Putte, & E. Smith (Eds.), *Content and media factors in advertising* (pp. 51–61). Amsterdam: Het Spinhuis.

Credits for ads

Ad number 1:

Energizer Batteries: “Never let their toys die. The world’s longest lasting battery. Energizer”

Advertising Agency: DDB South Africa

Creative Director: Gareth Lessing

Art Director: Julie Maunder

Copywriter: Kenneth van Reenen

Photographer: Clive Stewart

Published: December 2007

Link to ad: http://adsoftheworld.com/media/print/energizer_lithium_batteries_paint?size=_original

Ad number 2:

Kitadol menstrual period: "Get her back"

Advertising Agency: Prolam Y&R, Santiago, Chile

Executive Creative Director: Tony Sarroca

Creative Director: Francisco Cavada

Art Director: Jorge Muñoz

Copywriters: Fabrizio Baracco, Cristian Martinez

Account manager: Francisco Cardemil

Link to ad: http://adsoftheworld.com/media/print/kitadol_menstrual_period_boxer?size=_original

Courtesy of: Y&R

Ad number 3:

Steimatzky book chain: "Read more"

Advertising Agency: Shalmor Avnon Amichay/Y&R Interactive Tel Aviv, Israel

Chief Creative Director: Gideon Amichay

Creative Director: Tzur Golan

Creative Team Leader: Amit Gal

Art Director: Ran Cory

Copywriter: Geva Kochba

Link to ad: http://adsoftheworld.com/media/print/steimatzky_read_more?size=_original

Courtesy of: Shalmor Avnon Amichay/Y&R Interactive Tel Aviv

Ad number 4:

Snickers chocolate: "50% extra"

Advertising Agency: The Assistant

Creation: J.O & J.B

Photography: K. Meert

Published: 2007

Link to ad: http://adsoftheworld.com/media/print/snickers_big?size=_original

Chapter 17

The Narrator and the Interpreter in Visual and Verbal Argumentation

Paul van den Hoven

17.1 Functional Equivalency

Imagine a drawing of a boat that clearly resembles the Titanic, but its bow has the shape of Bill Clinton's face. The bow has just hit an iceberg. The iceberg is now sinking. It is not difficult to imagine this drawing as a cartoon. Does this cartoon represent argumentation? Answering this question requires an argumentative reconstruction. Just as it requires an argumentative reconstruction to determine whether the verbal text "If Clinton were the Titanic, the iceberg would sink" represents argumentation. It was actually this verbal text that circulated in Washington during February 1998 (Fauconnier and Turner 2002, 221). I do not know whether the cartoon has ever been drawn and published.

The reconstruction processes that are required to determine whether either the cartoon or the joke represent argumentation develop in parallel.¹ Generally speaking both texts are just a sharp and funny way to express the opinion that Bill Clinton survives incidents that cost others – even those who are held to be unassailable – their position. In a specific context however it may be plausible to reconstruct

¹ In line with the pragma-dialectical approach I understand argumentation as a complex illocutionary act that can be reconstructed as a move in a critical discussion. I use the terms (mixed) discussion, protagonist, antagonist, standpoint, argument, implicit argument in accordance with Van Eemeren and Grootendorst (2004), although the concept of a propositional content in their definition of the illocutionary act may turn out to require reconsideration.

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a move in an argumentative discussion on the basis of this expressed opinion. In that case the texts can be said to represent this move.² The pictorial and verbal expressions respectively fill a similar slot in a reconstructed discussion structure.

Suppose that shortly after January 17, 1998 – the moment that the world heard about the Lewinski affair – a Washington in-crowd democrat makes the joke to his or her colleagues or publishes the cartoon on the bulletin board. Given that context one can propose that by performing the communicative act this person takes up a role in a discussion, even though almost all elements of the discussion structure stay implicit. These elements can stay implicit because the context sufficiently indicates the discussion structure.

The following is a possible reconstruction. The person who makes the joke or publishes the cartoon projects a protagonist of a standpoint: *Bill Clinton is going to lose his position*, based on the argument that *Bill Clinton is involved in the Lewinski scandal*. A formulation of a minimally implied argument can be: *If Clinton gets involved in a scandal as the Lewinski scandal, then that will cost him his position*. Because more specific information is lacking one may assume that this implied argument rests on the more general argument: *Anyone who gets involved in a scandal such as the Lewinski scandal loses his or her position*. The person who makes the joke or publishes the cartoon fulfils the role of the antagonist. The antagonist questions the relevance of this more general argument, therefore questions the tenability of the minimally implied argument and therefore questions the standpoint. One may even say that he takes a standpoint himself, making the discussion a mixed discussion. The alternative scenario that he expresses suggests a largely implicit but clear argumentation: *Bill Clinton will not lose his position, because it is Bill Clinton who is involved in the Lewinski scandal. If it is Bill Clinton who is involved in the Lewinski scandal, this will not cost him his position, because Bill Clinton survives incidents that cost others – even those who were hold unassailable – their position*=the joke or the cartoon (Fig. 17.1).³

We can conclude from this example that an image can be interpreted as the expression of an element of a complex speech act argumentation.⁴ From the realm of verbal argumentation it is clear that complex argumentative episodes can be

²Throughout this paper I intend to distinguish carefully between *to represent* and *to express*. We can argue that expressed elements in a context lead to a representation that is more than what is expressed.

³Evidently the joke as well as the cartoon is able to convey a much richer meaning. That is the brilliance of them. The specific use of the Titanic for example can bring into mind the self-confidence, tending to arrogance, of the engineers and constructors, which can be projected on Clinton, and so on. This regards the visual as well as the verbal.

⁴Whether a (solely) visual text can represent (or express?) argumentation leads to a sometimes heated debate. In the reference list I sum up some of the contributions. Often the question seems to be whether a visual text *is* an argument. Blair formulates: “That any of these paintings might have been an argument in other circumstances does not make it an argument as it stands” (1996, 28), strongly referring to intentions of the historical creator of the visual text, in casu Picasso. Such a position seems inadequate to me. (a) A verbal or visual text can be called upon by

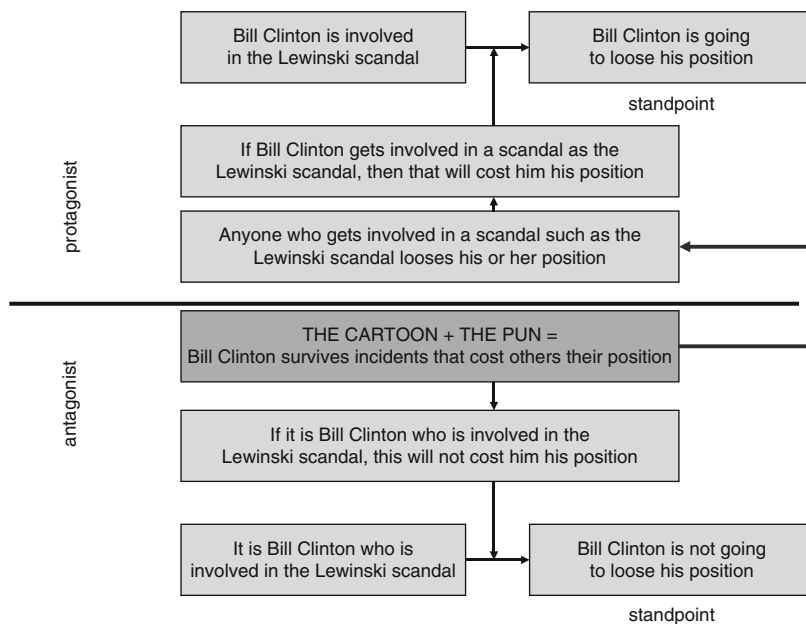


Fig. 17.1 Light=implicit, dark=explicit

represented with minimal textual means and that in many cases no explicit argumentative indication is added.⁵ So we should not be surprised that an image can express information that leads to the reconstruction of a rather complex episode in an argumentative discussion. Images may not be suitable to express either general principles or illocutionary functions.⁶ However, to represent one or more moves in an argumentative discussion does not require that the inference principle is explicitly

another than the historical author. (b) A function as an argument is first of all a matter of an (if one wants externalized and socialized) interpretation. Of course this may lead to a debate similar to that in narrative theories. Are there any textual features that characterize a text *inherently* as a narrative text? Ryan for example (2004, 9v) tries to make a distinction between being a narrative and possessing narrativity. To require that a text has to bear inherently in its form the argumentative function before calling it an argument seems in the verbal as well as in the visual domain an untenable position to me. (c) The term argument can refer to a ‘complete’ argumentative move in a discussion (neglecting the fact here that often it is not so easy to determine when a move is complete) or to an element from which (maybe in connection with other expressed elements) one can reconstruct such a complete move. This possibility seems to be neglected by some of advocates as well as the opponents.

⁵ In Van den Hoven (2007) an argumentative analysis of two full newspaper articles shows that in more than 50% of all relations there is no explicit indication.

⁶ This claim is contested in Groarke (2002, 2007) as well as in Chrystlee et al. c.s. (1996), but strongly supported in Johnson (2003).

expressed, nor that information is explicitly marked as a standpoint or as an argument. This obviously limits the argumentative use of purely non verbal images to specific contexts from which its argumentative function can be understood. Contexts are not always as informative as the current one. That is why we usually see non verbal images combined with verbal texts. Often the image presents information that functions as a set of data or as a backing, while the inference principle or the standpoint are verbally expressed.

So when we compare a visual text (here the cartoon) with a functionally equivalent verbal text (here the pun), both texts call upon a similar body of knowledge in the reconstruction of the represented argumentation. This notion of (functional) *equivalency* is not a well defined theoretical concept. I use it here to indicate a heuristic method to compare visual text fragments with verbal counterparts that express an equivalent position in the argumentative reconstruction.⁷ The idea is that maximizing the relevant similarities makes significant differences visible.

17.2 Mimetic Versus Diegetic Texts

In the next example we touch upon such a theoretically interesting difference. This difference concerns the division of labor between the narrator and the interpreter. Prototypically the narrator in a pictorial text presents a narrative in its iconic value, while the narrator in a verbal text already embeds the narrative in a context of experiences (indexical values: if you observe A, this indicates B) and cultural habits (symbolic values: A is normal, understandable or good, B is marked, strange, not preferred, and so on).⁸ Using a current opposition in literary theory, one can also say that prototypically the narrator in a visual text presents *mimetic* information, while the narrator in a verbal text presents largely *diegetic* information.⁹ The narrator of a

⁷ This method seems important to cleanse the debate whether and how visual texts that represent argumentation differ from verbal texts. To search for functional equivalence become even more important now that advocates as well as the opponents show such a strong preference for complicated visuals (cartoons, metaphorical texts in complicated advertisements, and so on). These require complicated analyses as in my first two examples. This suggests that visual texts – if they represent argumentation at all – do this in a very complicated way, so different from Socrates mortality that follows from his being human. If one constructs a verbal equivalent text, the analyses required by the verbal texts turn out to be just as complicated.

⁸ See for this interpretation of Peircean semiotics Van den Hoven (2010a), and more specific Van den Hoven (2010b).

⁹ For this distinction mimetic/diegetic, see Ryan (2004, 13). I prefer a terminology that refers to Peircean semiotics. There are two reasons. The first one is that the pair mimetic/diegetic strongly suggests an opposition, which is untenable. A more important reason is that Peircean semiotics can model the process in which a sign develops from its iconic value through its indexical value (the empirically motivated experiences) to its symbolic value (the habits attached). Compare Van den Hoven (2010b). The idea that for example moving pictures are purely mimetic and lack a narrator is untenable. Bordwell and Thompson (2004) offer an elaborated neo-formalist analysis of these elements of a film narrator. In this paper I will often use both the Peircean concepts and the simplifying pair mimetic – diegetic.



Picture 17.1 Stills from first 20 shots

predominantly pictorial text determines the mimetic qualities of the personae, determines the mise-en-scene, the dynamics of the actions, and so on. But in-depth interpretations such as the attribution of motives, causal relations and evaluation are made by the spectator, although cinematography, sound design, and editing give the ‘narrator’ the means to suggest what way he would like these interpretations to go. In verbal texts, in-depth interpretations and evaluations are often explicitly presented to the reader through a narrator’s voice whose view of things is obviously subject to the reader’s critical judgment. The mimetic qualities, however, are merely indicated and need to be imagined by the reader. So the difference in what the (abstract) narrator is doing is reflected in a difference of the work to be done by the interpreter. I will explore the implications of these relative differences for the argumentative reconstruction.

Suppose that an interpreter is confronted with an almost entirely pictorial advertisement (<http://www.youtube.com/watch?v=IHwZbesnCHg>). Here are stills from the first and the last 20 shots of this 74-s long clip (Pictures 17.1 and 17.2).



Picture 17.2 Stills from the last 20 shots

The slogan: “Nu se termină acum. Acum începe” is Romanian and means “This is not The End. This is The Beginning.” It requires a certain amount of background knowledge to interpret this text in its argumentative function. The following is an authorized proposal, made by a Romanian colleague (compare Cmeciu and van den Hoven 2009).

The implicit standpoint is (based on the ratio of this advertisement): *You better choose the CEC bank than one of the new banks.* The metaphor – as soon as recognized at the end of the movie – foregrounds a series of characteristics from both boxers and their story that can be meaningfully projected on CEC bank and competing financial institutions. From the boxers: *CEC is mature, CEC is Romanian, CEC is reliable in his relations, CEC cares about others.* The new coming banks are *inexperienced, aggressive, western oriented and decadent.* From the story is projected: *CEC seemed to be ruined and lost but recovers. The new banks seem to win but in the end are likely to loose.* An argumentative relation based on causality¹⁰ is

¹⁰ Causality is used here in a broad meaning, covering relations that run from cause to effect as well as from effect (as a symptom) to cause, and in the socio-physical domain as well as in the pragma-epistemic domain.

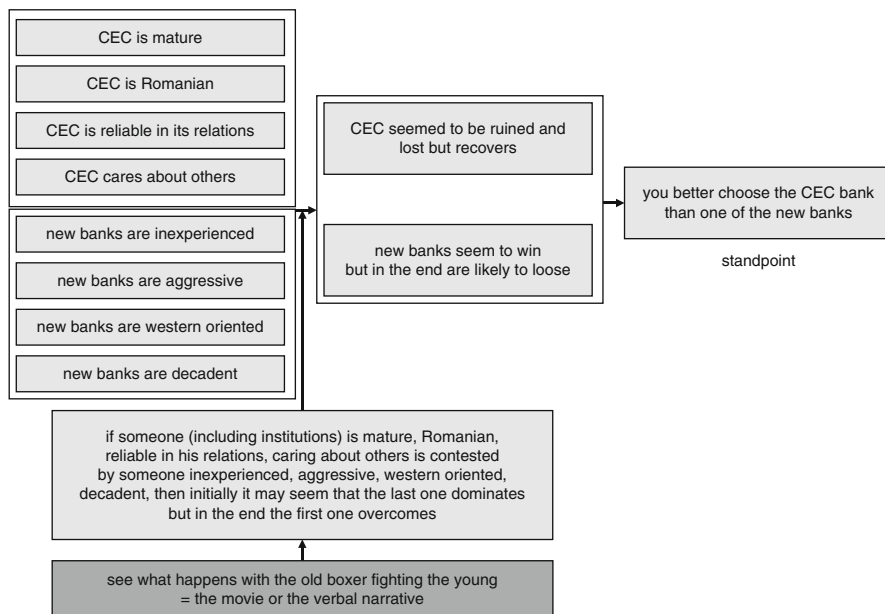


Fig. 17.2 Light=implicit, dark=explicit

suggested between the first and the second projection. The implied argument is: *if someone (including institutions) is mature, Romanian, reliable in his relations, caring about others is contested by someone inexperienced, aggressive, western oriented and decadent, then initially it may seem that the last one dominates, but in the end the first one overcomes*. This implied argument is backed by the pictorial part of the clip (Fig. 17.2).

This argumentative reconstruction is complicated and one can surely argue about the details. However, the way the metaphor is transformed into an argument based on analogy is familiar. In the reconstruction a set of relevant correspondences between the boxing match and the competition between banks is identified and successively reconstructed as a set of propositions. But this means that the *interpreter* has 'read' a series of propositions in the visual text.

- Boxer 1 appears to be washed-out and looks like he's lost but manages to recover
- Boxer 1 is mature
- Boxer 1 is Romanian
- Boxer 1 is reliable in his relations
- Boxer 1 cares about others
- Boxer 2 appears to be winning but in the end is likely to lose
- Boxer 2 is inexperienced
- Boxer 2 is aggressive

- Boxer 2 is western-oriented
- Boxer 2 is decadent

Notice that these statements are *all of them* attributions, evaluations and predictions, fitting quite smoothly into a propositional format. But this is not what one *sees*, looking at the movie. One does not ‘see’ reliability or aggression, but attributes these indexical and symbolic qualities to the icons that one sees. The iconic, the ‘mimetic’ information underlying these ‘propositional’ interpretations is not so easy to grasp in the format of a determined, finite set of propositions.

Interpretative values are attributed on the basis of the mimetic elements of the text, on the basis of the assumption of a coherent narrative and also on the basis of the experiences and values that the interpreter associates with the icons. The woman near the boxing ring, for example, turns out to be the wife of one of the boxers. The interpretation of the expression on the face of the boxer who initially gets knocked down will inevitably be colored by this additional relational information, making the moment this boxer scrambles up one of shared victory. These attributed values are consistent with the argumentative function.

Now we come to what methodologically is the most dubious step. What might a ‘smooth-running’ verbal text look like whose argumentative function is (roughly) equivalent to the pictorial sequence? It is important to notice that this is clearly not a narration of descriptive statements. It will be a text that encodes the propositions listed above or even stronger interpretative ones. The following version might be an option.

X is a somewhat older boxer, thickset *but* well-trained. One day he has to fight an aggressive, tattooed, young skinhead. Initially he gets knocked down by his opponent. The nasty young bastard has already got a broad smile on his face, thinking he has won. While he is being counted out by the referee, the older boxer, half dazed, as in a dream thinks back how happy he was as a nice little kid, how hard he trained as an adolescent, to how proud he was to be the groom at his wedding, his love for his wife, his child, his coach, the support of a large crowd of friends. Then, roused *by* his coach, he musters up his courage and gets up just in time to carry on the fight. His friends are cheering him; the skinny young upstart is about to find out what a strong body, a good heart and a lot of experience can do!

We see that the evaluations, which in the moving pictorial text had to be made by the observant interpreting viewer, are now made explicitly by the narrator. Also the selection of what is relevant in the light of the argumentative function of the metaphor is made by the narrator. Mimetic elements, however, are only loosely indicated; they need to be completed to ‘visualize’ mentally a convincing, coherent mimesis of the event. These mimetic elements may not be so easily be grasped in the form of an orderly set of propositions.

17.3 A Shift in the Division of Labor

In the pictorial text, the point of departure seems to be basically mimetic. In the verbal text, the point of departure seems to be basically diegetic. When we approach the texts as argumentative, following the principle of a maximally reasonable interpretation (Van Eemeren and Grootendorst 2004), we need to determine the argumentative responsibilities of the one who brought the text in as a (complex) move in an argumentative discussion (potentially the protagonist when it is reasonable to read a standpoint in the text). Reconstructing the argumentation that the protagonist is accountable for, we are confronted with this relative difference between the pictorial and the verbal version. A shift has occurred in the division of labor between narrator and interpreter. This shift is relevant because the narrator is in the realm of responsibilities of the protagonist of the standpoints (the historical author or someone who assumes the responsibilities of the communicative acts performed with the text), while obviously the interpreter is not (Fig. 17.3).

Summarizing: pictorial text elements can encode argumentative communicative acts. This is explicitly recognized by Van Eemeren when in his definition of argumentation he replaces *verbal activity* by *communicative activity* (2010: 5, fn 5). However, reflecting upon the argumentative reconstruction of a pictorial argumentative text, such a reconstruction includes utterances that formulate attributions, evaluations, interpretations of causality, and so on. These are *suggested* by the text structure through a variety of cinematographic means and by general principles of coherence and relevance, but strictly speaking they are not produced as diegetic utterances by a narrator, as is the case in a ‘natural’ verbal equivalent of the pictorial text. So utterances ‘produced’ by the interpreter are necessarily an element in the

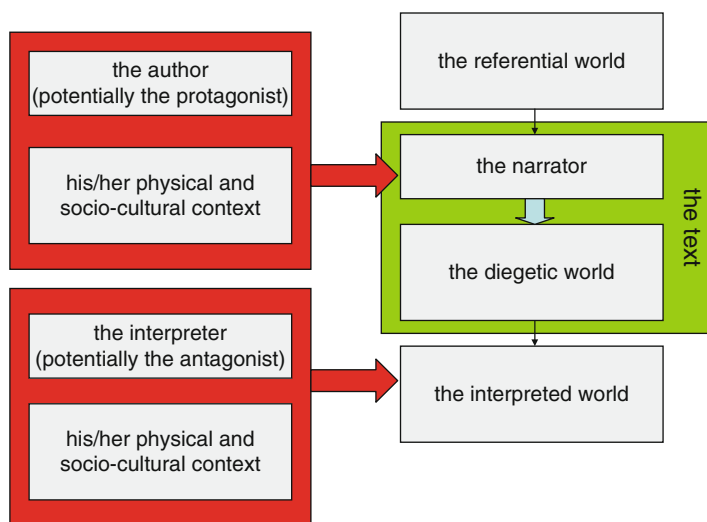


Fig. 17.3 Relations of narrator and interpreter

argumentative reconstruction. On the other hand we have learned that in narrative verbal texts, most mimetic elements are only *suggested* by the narrator in a selective, very rudimentary way. This means that the mimesis in the narrative is mainly produced by the interpreter. Certainly some mimetic elements that are ‘inferred’ by the interpreter may appear in the argumentative reconstruction.

This presents a challenge to argument theory, especially in activity types in which a lot depends on the accountability of the author as a protagonist, as in legal procedures for instance. The problem in mimetic texts is the accountability for diegetic interpretations. Although this problem is far more frequent in predominantly pictorial texts, it is not confined to these. The problem also pops up when iconic text *elements* (for example narrative schemes¹¹) dominate and interpretative diegetic elements, though often suggested by the narrator, need to be inferred by the interpreter. In narrative schemes for example, a well-nigh perfect coherence is often suggested. This gives a verbal narrator the opportunity to suggest motives and causalities without uttering these explicitly. The problem in diegetic texts is protagonist’s accountability for the mimetic presentations. Again, although this problem is frequent in predominantly verbal texts, it is not confined to these. The problem presents itself whenever text elements indicate aspects of the mimesis, while the mimesis as a whole is argumentatively relevant. This can also be the case in edited movies with highly selective points of view.

Argument theory should reflect upon the principles to guide the historical author as the protagonist and the interpreter as the antagonist between the Scylla of the antagonist creating a straw man and the Charybdis of the protagonist refusing the burden of proof.

17.4 A Challenge to the Concept of Propositionality?

In Fig. 17.2 an argumentative reconstruction is given in a ‘propositional’ format. Doing justice to the iconicity of the text, one could propose an alternative reconstruction of the argument in the advertisement.

In this reconstruction the visual text has not been interpreted (yet) as an orderly set of propositions. The text is placed in an argument structure in its mimetic quality. In Peircean terminology this means that its iconic value is dominant. What is shown is (as yet) dominant over what the interpreter attaches to it on the basis of his or her experiences (index in Peirce’s terminology) and is dominant over the cultural values that the interpreter attaches to it (symbol in Peirce’s terminology). One may say that the work to transform its information into an orderly set of proposition still has to be done.

When the verbal mode is taken as the unique mode to express argumentation, it is plausible to associate argumentation with a rather directly expressed propositionality, because prototypically the narrator of a verbal text confronts the reader with a

¹¹ From a cognitive perspective we define a narrative text as a discourse (the plot) that invites the interpreter to construct a in some sense coherent series of events in their temporal sequence (a story).

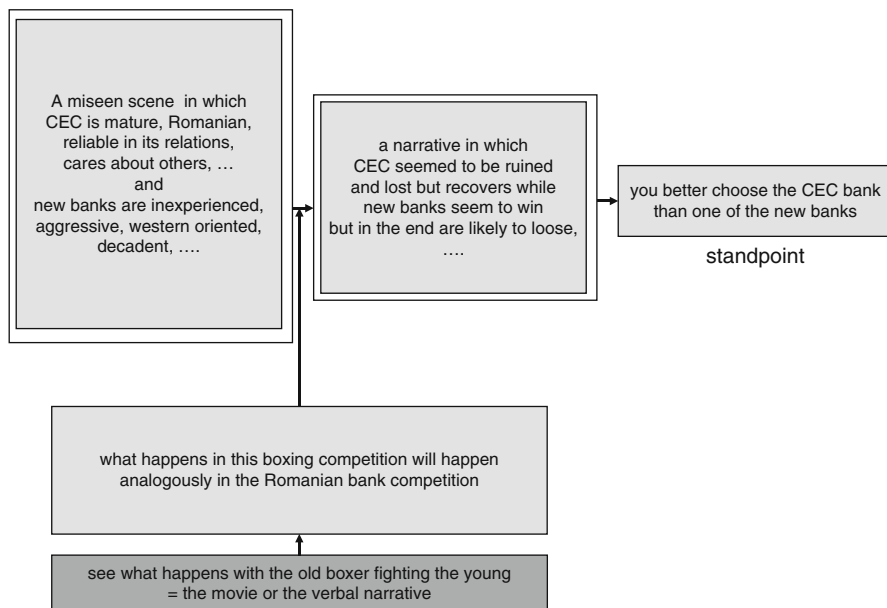


Fig. 17.4 Light=implicit, dark=explicit

set of logically connected propositions. The visual mode is then somewhat ‘inferior’, because now the spectator has to interpret the text as such a set of propositions. The interpreter has to transform an iconic reconstruction (Fig. 17.4) into a propositional reconstruction (Fig. 17.2), a complication in the reconstruction process.

However if the verbal as well as the visual mode are both taken seriously as ways to express argumentation, we can bring up the following question: if a verbal text expresses a structure close to the propositional analysis (as in Fig. 17.2), does that not imply that now the interpreter needs to reconstruct its iconic values (as in Fig. 17.4)? Or, to put it in the more general, semiotic terminology that abstracts from the mode: if the iconic aspect is presented it is evident that an argumentative reconstruction requires that a set of (evaluative) propositions is made explicit. If however a series of utterances expresses a set of propositions, can it be that a more ‘holistic’ iconic element needs to be reconstructed, an element that challenges the propositional format? Or, in yet another formulation, narrowing the issue down to the iconic structure of the narrative: is the narrative in its iconic value relevant for an argumentative reconstruction, or is it just an intermediate step and is only a limited set of propositions relevant that is extracted from the narrative? If the narrative (or any mimetic ‘scene’ as a whole) is relevant, this indeed may challenge the concept of propositionality, which is an element in many definitions of argumentation.¹²

¹² For example the pragma-dialectical definition: a *verbal* [...] activity aimed at convincing a reasonable critic of the acceptability of a standpoint by putting forward a constellation of *propositions* justifying or refuting this standpoint (Van Eemeren and Grootendorst 2004). Also in the amended definition in Van Eemeren (2010) the element of propositionality is still there.

The answer seems to be that at least in some arguments the reconstruction of the text in its iconic value is far from just an intermediate step as the next example may illustrate.

A short movie that was made by the defending counsel shows the suspect, a habitual offender, a year after the start of his trial.¹³ We see him as a member of a Christian community. The movie shows his life in the community and shows him explaining his motives and intentions. Clearly the movie is meant to fill the ‘data – slot’ in an argument that supports a standpoint that a specific sanction should be imposed on this accused, namely a sanction that supports his will to improve. However, as in the CEC example, it is the interpreter who has to distil a set of ordered propositions from the movie: the relevant facts, leading to the relevant evaluations and attributions of motives. In other words when we stay close to the text a reconstruction of the narrative in its iconic value is adequate and this reconstruction needs to be transformed into a propositional one by the interpreter. That seems to confirm the requirement of propositionality. However, the mimesis of the person of the suspect during the movie, his environment and so on seem to be argumentative support for the propositional utterances.

This seems evidently the case in this almost literally translated part from a Dutch judicial decision. This is a verbal text in which the judge *presents* a set of ordered propositions. It seems functionally equivalent to the movie; it also presents information that is meant to support the standpoint that a specific sanction is appropriate.

Accused has terrorized his family for a large number of years. He has used disproportionate violence as an instrument to maintain authority in the family. Among other things he has repeatedly assaulted family members – regardless of their age – by beating them, also with a belt, and kicking them. He also has bitten his wife during a scrimmage which resulted in a bite wound. During a fight he has kicked his son, hit him and gave him a hard butt of the head. [...] Furthermore, the accused has hit his daughter once with a tool on her fingers while her fingers rested on the table. On another occasion he has twisted her wrist and thereupon hit it with a hammer. This broke her wrist. [...] Finally the accused has threatened his family repeatedly with arson. To enforce his threats he stored jerrycans with petrol in the basement. During such a threat he sometimes locked the door. Never his wife and children knew whether he was going to put his threats into effect. Because of this he has caused his family terrifying moments for a long period. [...] Considering the above the court deems a [...] detention of the following length appropriate.¹⁴

¹³Made by Jaap Bakker: see <http://www.jaapbakker.com/>

¹⁴An almost literal translation from LJN: AD5930, Rechtbank’s-Gravenhage 09/900408-01, November 16 2001.

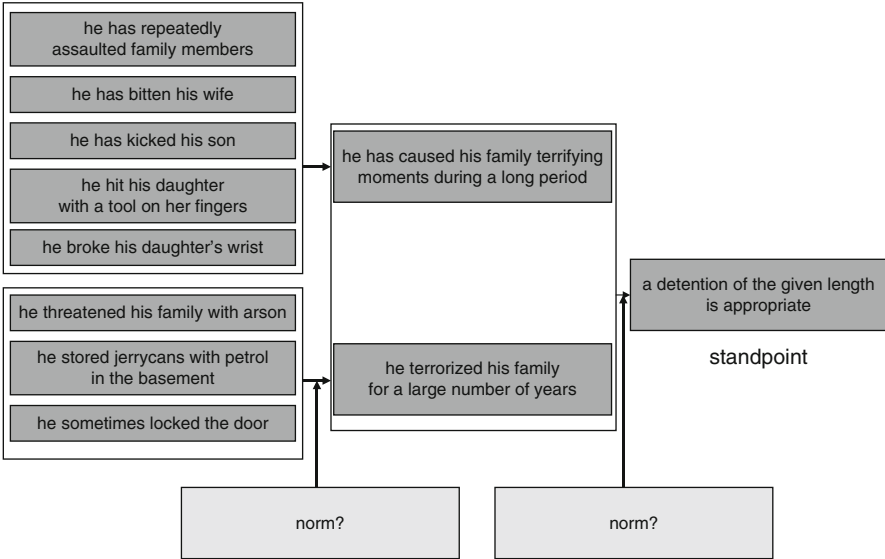


Fig. 17.5 Propositional reconstruction

Interpreted as a set of related propositions we may reconstruct an argumentation as in Fig. 17.5.

The position of the first and the one but last utterance is significant. Evidently there is not an a priori established norm that guides the inference from the facts to these utterances. That may be surprising in a carefully written formal decision. It is however less surprising if we search for and discover the iconicity of this text, which is a narrative schema. In that case we can reconstruct the text as in Fig. 17.6.

In this reconstruction we read the expressed descriptions as a plot, a foreground that evokes a background story filling in a large number of years with a continuous process of terror and suppression. The interpreter has to fill in this background. That does not mean that he has to make up all kind of other, not formally proven incidents. It means that he has to ‘read’ the propositions as a story that covers and characterizes a series of years.

This example illustrates that both stages in the argumentative reconstruction need to be recognized as relevant stages. From a formal legal point of view the list of propositions is relevant: each of them needs to follow from the presented evidence. This implies that a movie as presented by Jaap Bakker has to be transformed into a set of propositions as soon as formal legal proof of elements of it is required. However the iconic narrative expressed in Jaap Bakker’s visual text and implied in the background in this judge’s verbal text is relevant too. It is clear that the utterances in the text of the judge are meant to represent a story that is much more than only the ‘foregrounded’ events. That implies that the utterances are not only a set of

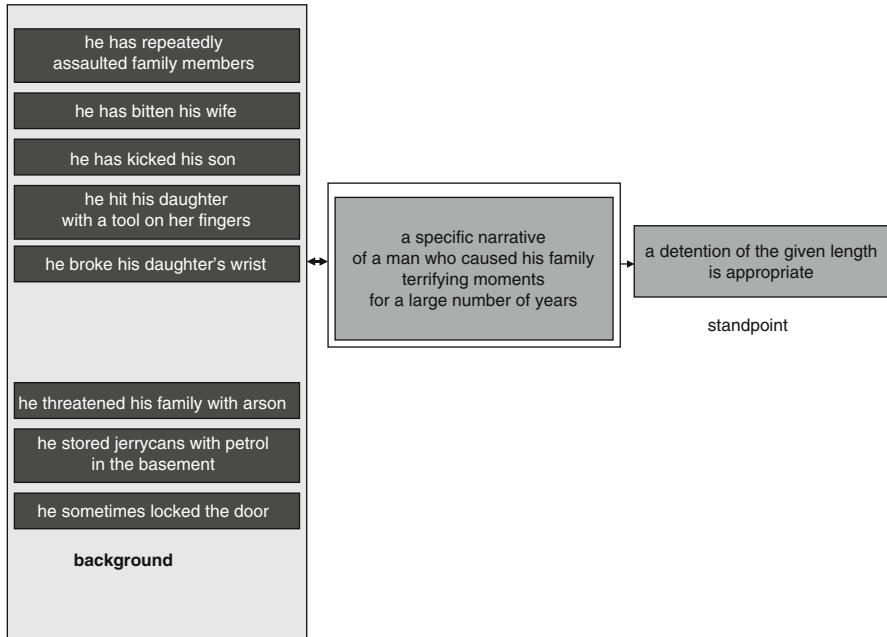


Fig. 17.6 Darkest color indicates foregrounded elements that imply a background, to be inferred

propositions, related to the standpoint by an implicit argument that has a form “If proposition 1 to N, then it is reasonable to hold standpoint S”. The utterances are at the same moment a plot that should evoke a story that relates to the standpoint by an implicit argument that has a form “On the basis of this story it is reasonable to hold standpoint S”.

17.5 Conclusions

An analysis of ‘equivalent’ dominantly pictorial and dominantly verbal texts suggests two interesting challenges for argument theory. The first one is that the narrator of a predominantly pictorial texts acts relatively implicitly in his diegetic position; this means that it is hard to determine which interpretative propositions can be ascribed to the author as the protagonist. This problem pops up too when an interpreter is confronted with iconic elements in a predominantly verbal text. Argument theory should reflect upon procedures to guide the interpreter between the Scylla and Charybdis of committing a fallacy of the straw man and of not rightfully calling a protagonist to account for the burden of argumentation.

The second challenge is the difficulty of translating the explicit iconic information into a limited set of propositions (pictorial mode) or to complete the iconic

information (mimesis) from a limited set of propositions (verbal mode). Argument theory should reflect upon procedures to evaluate such ‘holistic’ elements as part of an argument.

References

- Alcolea-Banegas, J. (2009). Visual arguments in film. *Argumentation*, 23, 259–275.
- Birdsell, D. S., & Groarke, L. (1996). Towards a theory of visual argument. *Argument and Advocacy*, 33, 1–10.
- Blair, J. A. (1996). The possibility and actuality of visual arguments. *Argumentation and Advocacy*, 33, 23–29.
- Bordwell, D., & Thompson, K. (2004). *Film art: An introduction* (7th ed.). New York: McGraw-Hill.
- Chryslée, G. J., Foss, S. K., & Ranney, A. L. (1996). The construction of claims in visual argumentation. *Visual Communication Quarterly*, 3, 9–13.
- Cmeci, C. M., & van den Hoven, P. (2009). Representing tradition within the process of rebranding. *Revistei Române de Jurnalism și Comunicare*, 3, 19–23.
- Fauconnier, G., & Turner, M. (2002). *The way we think. Conceptual blending and then mind's hidden complexities*. New York: Basic Books.
- Groarke, L. (2002). Towards a pragma-dialectics of visual argument. In F. H. van Eemeren (Ed.), *Advances in pragma-dialectics* (pp. 137–151). Amsterdam: International Centre for the Study of Argumentation.
- Groarke, L. (2007). Four theses on Toulmin and visual argument. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & B. Garssen (Eds.), *Proceedings of the sixth conference ISSA* (pp. 535–540). Amsterdam: Sic Sat.
- Johnson, R. H. (2003). *Why “visual arguments” aren’t arguments*. http://web2.uwindsor.ca/faculty/arts/philosophy/ILat25/edited_johnson.doc
- Ryan, M. (Ed.). (2004). *Narrative across media. The language of storytelling*. Lincoln/London: University of Nebraska Press.
- Slade, C. (2003). Seeing reasons: Visual argumentation in advertisements. *Argumentation*, 17, 145–160.
- Tarnay, L. (2003). The conceptual basis of visual argumentation. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & A. F. Snoeck Henkemans (Eds.), *Proceedings of the fifth conference ISSA* (pp. 1001–1005). Amsterdam: Sic Sat.
- van den Hoven, P. J. (2007). Causale relaties: een onomasiologische benadering. *Tijdschrift voor Taalbeheersing*, 29(2), 97–134.
- van den Hoven, P. J. (2010a). Peircean semiotics and text linguistic models. *Chinese semiotic studies* 3 (pp. 201–226). Nanjing: Nanjing Normal University Press.
- van den Hoven, P. J. (2010b). The intriguing iconic sign. *Interstudies 6, cultural spaces and identities in (inter)action, Alma Mater* (pp. 37–50). Bacău.
- van Eemeren, F. H. (2010). *Strategic maneuvering in argumentative discourse*. Amsterdam: John Benjamins.
- van Eemeren, F. H., & Grootendorst, R. (2004). *A systematic theory of argumentation: The pragma-dialectical approach*. Cambridge: Cambridge University Press.

Chapter 18

Visual Argumentation: A Further Reappraisal

Georges Roque

In memory of my mother and my brother

Visual argumentation is an incipient field in the broad domain of argumentation. Its existence has been well documented, thanks to the efforts of a few scholars, amongst whom I would like to mention Leo Groarke (Birdsell and Groarke 1996, 2006). Once admitted – even if not by all theorists of argumentation – that visual argumentation exists, it seems to me necessary at this stage of its development to reassess its definition.

Indeed, the first step was to give it legitimacy. This was done by giving many examples, most of them convincing, of visual arguments. Basically the task was to show that the verbal is not the only way of arguing: the stimulating discovery was that many verbal arguments can be translated visually or that an equivalent to verbal argument can be found in images. The first battle, therefore, was to gain legitimacy. Once it has been won, the problem, at least this is the way I see it, is not to go on accumulating more evidence of the existence of visual argumentation, but instead to discuss its definition and extension.

For my part, I am convinced that there are visual arguments, and I have advocated elsewhere in favor of them (Roque 2004, 2010). However, I feel uncomfortable with the definitions given to it, as well as with the way its relationship to verbal argumentation is generally understood. So, the main issue I would like to raise is the definition of visual argumentation, and the second one is its relationship to verbal argumentation, which I will examine through the complex issue of mixed media, that is, when argumentation is both verbal and visual. In the last section, I will outline some lines of research for further development of the field.

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18.1 Definition

Let us start with the definition. What is visual argumentation? Surprisingly, I did not find much discussion of it in the literature, perhaps because advocates of visual argumentation take it for granted that visual argumentation exists. However, an argument by example is not sufficient to assess a field. In fact, discussions on this topic are usually initiated by people who deny the existence of visual arguments. Indeed, within the field we often use the expression “visual argument” or “visual argumentation”, which is very practical. However, one might consider that in so doing, we are begging the question, when on the contrary the existence of visual arguments is what we should be showing.

For this reason, I would like to briefly summarize the wide range of definitions explicitly or implicitly given to visual arguments, without discussing each one in detail, as my overriding aim is to propose a rough classification of these definitions.

Yet, one could reply that the definition of ‘visual argument’ is so obvious that it does not require much discussion: a visual argument is an argument expressed visually. According to Birdsell and Groarke, “we understand visual arguments to be arguments (in the traditional premise and conclusion sense) which are conveyed in images” (Birdsell and Groarke 2006, p. 103). And according to Blair, visual arguments are arguments “expressed visually, for example by paintings and drawings, photographs, sculpture, film or video images, cartoons, animations, or computer-designed visuals” (Blair 1996, p. 26).

These definitions have two components; the first is “argument” and the second “visually”. Even if the meaning of “visual argument” may seem obvious, this is not the case for me, for it can be understood in many different ways. Indeed, when we talk about “visual argument” or “visual argumentation”, what does this expression say about the kind of relationship between argument or argumentation and the visual? Let us look first at the “argument” component of the definition.

18.1.1 *Argument*

- (a) In a restrictive way, we can consider that an argument is verbal in nature, hence that the visual would be a mere illustration, or a “visual flag”.¹ In this case, the argument is not visual. I will come back to this issue later.
- (b) The opposite opinion consists in taking the visual more seriously and accordingly considers that the argument itself is visual, or in other words, that the argument is structured through a visual syntax. Now, the way we understand how the structure of an argument works visually depends on the conception of argument we favor. This is of course a huge and slippery issue in so far as there is no consensus on what an argument is or should be.

¹The term was coined by Groarke (2002), p. 140.

If we define argumentation as “an exchange of arguments between two speech partners reasoning together in turn-making sequences aimed at a collective goal” (Walton 1998, p. 30), the visual would be excluded from the realm of argumentation. Fortunately, other broader definitions allow us to take into account the possibility of arguing visually. For instance, according to Blair, “Visual arguments are to be understood as propositional arguments in which the propositions and their argumentative function and roles are expressed visually” (Blair 1996, p. 26). In this case, the visual is not a mere illustration of a verbal argument, since it contains propositions organized and structured argumentatively. Likewise, a visual argument has also been considered as “a concatenation of visual statements in a particular image [that] can [...] function as reasons for a conclusion” (Groarke 1996, p. 111).

These conceptions raise complex issues that are beyond the scope of this paper, in particular determining to what extent we can consider that an image contains “propositions”. Another problem is that, if we conceive of argument in the sense of a premise-conclusion structure, we need to find at least two propositions or rather “utterances”² within an image in order for it to convey an argument. However, many images do not fit this scheme, as they contain only one “utterance”.

- (c) When faced with this problem, various solutions can be found. One is to consider a visual “utterance” as an enthymeme, understood as a truncated syllogism in which one of the premises or the conclusion is missing, or rather is not explicit (Smith 2007; Nettel 2005). However, in visual arguments reduced to one utterance, both a premise *and* the conclusion are missing. Therefore another solution is to choose a broader definition of argument, without reference to the syllogistic scheme. For example, if we consider that an argument consists of a claim plus reasons given to support this claim, an image containing a single utterance can match this definition when it presents a standpoint and gives reasons for supporting this standpoint (Blair 2004, p. 44).

18.1.2 *Visual*

Let us now turn towards the definition of the second component of the “visual argument”: the “visual”. At first sight, it is so obvious that it seems to be beyond discussion: if a visual argument is not an argument expressed visually, what could it be? However, this is exactly what I would like to question, for it obviously depends on what we consider to be the “visual”. Now, it seems to me that when we speak about

² It is beyond the scope of this paper to examine why I prefer to speak of visual utterances instead of visual propositions. For the meaning of “utterance” (“énoncé” in French) see Ducrot (1980), pp. 7–18.

a visual argument, in order to distinguish it from a (verbal) argument, we usually emphasize the channel of transmission. The visual, then, at least understood this way, is a channel. However, the channel alone is not sufficient for defining a kind of argumentation. In a similar way, semioticians have put into question the relevance of the criterion of the channel in semiotics: indeed, the classification of signs according to their channels of transmission rests on the substance of the expression, and this criterion is not relevant to the definition of semiotics, which is above all a form, not a substance, according to Hjelmslev (Groupe μ 1992, p. 58).

Yet there is another way of understanding the “visual”: not as a channel, but as a code, that is a set of rules that make it possible to give meaning to the elements of a message (Klinkenberg 2000, p. 49). And here again, the visual is opposed to the verbal, this time as different codes. But whatever the way “visual” is understood, it is not satisfying. The channel alone is not sufficient for a definition of argumentation, since the same argumentation can use two different channels: if I read a text for myself, it passes through the visual channel; and if I read the same text to someone, it also passes through the auditory channel. Furthermore, and conversely, the same channel can transmit different codes: for instance, chromatic codes, iconic codes, written signs, and so on, can all be conveyed through the visual channel.

Nor on the other hand, is the visual code alone sufficient to define visual argumentation accurately. Indeed, when emphasizing the visual code (as opposed to the verbal), we suppose that a visual argument is only conveyed by an image. This is how the two definitions given above can be understood: visual arguments are arguments conveyed in images or visual arguments are arguments expressed visually. The trouble, however, is that most of the time a visual argument is not purely visual, but also contains verbal elements. In other words, except for isolated cases, a visual argument is composed of both a visual and a verbal code, as in advertising and political posters. It is a case of a multi-code system. In order to take these elements into account, I would suggest modifying the existing definitions of visual arguments and propose instead the following: a visual argument is an argument conveyed through the visual channel and sometimes using the visual code alone, but most of the time combining both verbal and visual codes within the same message. The fact that most messages conveying visual arguments are mixed codes has important consequences that have often been overlooked. I will come back to this issue in the second part of my paper.

Yet, every channel and every code has properties and specific constraints that need to be taken into account since they have consequences on the way the argument is transmitted (Groupe μ 1992, pp. 58–59; Klinkenberg 2000, pp. 47–48). From this point of view, the constraints of the channel and the properties of the codes are crucial, as it is not the same to transmit an argument verbally as to transmit one visually. To end with this point: we must keep in mind that when we talk about “visual arguments”, at times “visual” refers to the channel, and at others to the visual code. It is therefore very important to avoid as far as possible this ambiguity and clarify in which sense we are using the word “visual”. I hope to have contributed to a clarification of this point.

18.1.3 *Argument and Visual*

To go further, we now need to analyze the relationship between “argument” and “visual” in a visual argument. The issue is whether, in a visual argument, the argument itself is visual, or whether the argument is in fact verbal and just expressed visually. The answer to this question is important for it raises, again, the issue of the nature of arguments, in particular whether or not an argument is verbal in nature.

If I insist on this point, it is because it seems crucial to me to dissociate *argumentation* and the *verbal*. As long as we conceive of argumentation as verbal by nature, it will be difficult, if not impossible, to find room for visual argumentation, because of the hegemonic position the verbal has in argumentation theory and practice. For this reason, as I have argued in the previous section, defining visual argumentation as an argument expressed visually is not sufficient. Indeed, it leaves unresolved the issue of whether or not an argument, a verbal argument, I mean, could be translated, transposed, transformed into a visual argument (Roque 2010). To make the dissymmetry between the verbal and the visual more obvious, I would say that an argument is never defined as an argument expressed verbally. So why should we have to define the visual by its channel of transmission, or by the visual code, if not because it would be a derived form of argument, translated and detached from the standard verbal argument?

In a previous paper on a similar topic, I wondered what was visual in visual argumentation. My answer was that what is properly visual in a visual argument is not necessarily the argument itself, but the way it is visually displayed (Roque 2010). The hypothesis underlying this claim is that most of the time arguments are a set of mental or logical or cognitive operations independent from the verbal, so that they can be expressed verbally as well as visually. Seen this way, a visual argument is just such an argument expressed visually. In other words, therefore, it is not the argument itself that could be considered visual, but the way it is displayed.

This last point is crucial, in my opinion, for the definition of visual argumentation. When we say that a visual argument is just an argument “expressed visually”, or “conveyed in images”, first, we implicitly admit or rather concede that such an argument moves away from its standard verbal presentation. And second, we tend to consider that the operation of expressing or conveying or transmitting the argument is a neutral one, when on the contrary an important part of visual argumentation consists in the syntactic operations that take into account the specificity of visual language.

This leads to the following issue: to what extent is an argument displayed visually different from the same argument presented verbally? I would say that it depends on the kind of argument at stake.

18.1.3.1 **Arguments Expressed Either Verbally or Visually**

It seems to me that in some cases at least, no hierarchy can be established between an argument expressed verbally or visually. This is the case, for instance, of the argument from authority as shown in Fig. 18.1.



Fig. 18.1 Advertisement for Chesterfield cigarettes, c.1948

In this advertisement, Chesterfield cigarettes use a famous actor, Ronald Reagan, as an argument from authority to promote their brand. There is a strict parallel here between the same argument in a written form, a quotation from Reagan authenticated by his signature, and in a visual form, showing his smiling face, a cigarette wedged between his lips, and his left hand presenting a pack of this brand.³ The two codes, the verbal and the visual, are parallel and reinforce each other. In an example like this, if we ask what argument is at stake, it does not make sense to claim that the argument itself is visual. Nor does it make sense to hold that the argument is verbal

³The fact that we can identify an ad verecundiam here instead of an argument of authority, since Reagan is not an expert in matters of cigarettes, does not change my point which is about the part played by the verbal and the visual in the argument.

and translated visually. The nature of the argument here is neither verbal nor visual. It is an argument from authority expressed through a double code.

Now, arguing that in this case the argument itself is not visual is not to deny the importance of the visual. On the contrary, my argumentative strategy here is to break the hierarchy between the verbal and the visual. Showing that in some cases at least an argument, such as an argument from authority, can be expressed visually or verbally, greatly helps to consolidate the place of the visual within argumentation theory and practice. Indeed, when showing this, we dislodge the verbal from its pretense to hegemony, since the same argument expressed visually would not represent a deteriorated and therefore suspicious use of a verbal argument. No, it deserves to be considered as a fully-fledged argument, as suitable as its verbal counterpart.

18.1.3.2 Arguments Better Expressed Visually

Now, I said that some arguments can be expressed both visually and verbally without substantive changes: the differences are due to the constraints of the visual channel and the properties of the codes. This is mainly the case for arguments based on logical operations (like arguments from cause or consequence). Yet, in other cases, such as arguments by analogy, the arguments are much better displayed visually than verbally. The reason is that the main feature of the visual is simultaneity: an image enables us to grasp at the same time several elements simultaneously present in the same visual space. As Gombrich noted, “the family tree demonstrates the advantages of the visual diagram to perfection” (Gombrich 1982, p. 149). This is, I think, the main difference from the verbal, which is linear, successive, just like a string (Arnheim 1969, p. 246). The linearity of the verbal is of course very helpful for argumentation in general, in the sense of uttering a chain of propositions which string the concepts into a logical sequence, but it is unpractical for purposes of making explicit an analogy, while this is one of the best qualities of the visual (Arnheim 1969, p. 55). From this point of view, it seems to me that an argument by analogy is definitely much stronger when the similarity on which it rests is presented visually. This is in particular the case with diagrams. If we conceive of a diagram, as suggested by Nelson Goodman, as a kind of picture in which “the only relevant features [...] are the ordinate and abscissa of each of the points the center of the line passes through” (Goodman 1976, p. 229), then a visual presentation of an argument based on a similarity between two diagrams is more effective than the verbal presentation of the same argument.

Let me give an example. If I say that the temperature of the soil follows a regular cycle from January to December, which can be shown if we compare the temperature of the surface and that of a deeper layer, or if we compare it in different latitudes, my discourse does not have the same argumentative effectiveness as its visual presentation. Consider Lambert’s 1779 *Pyrometrie* (Fig. 18.2), one of the first uses of a graph, in which the temperatures are shown on the ordinate and time on the abscissa.

We see, at the bottom of the graph, the modifications of amplitude of the curve in function of different depths of temperature measurement. Above that, we find the

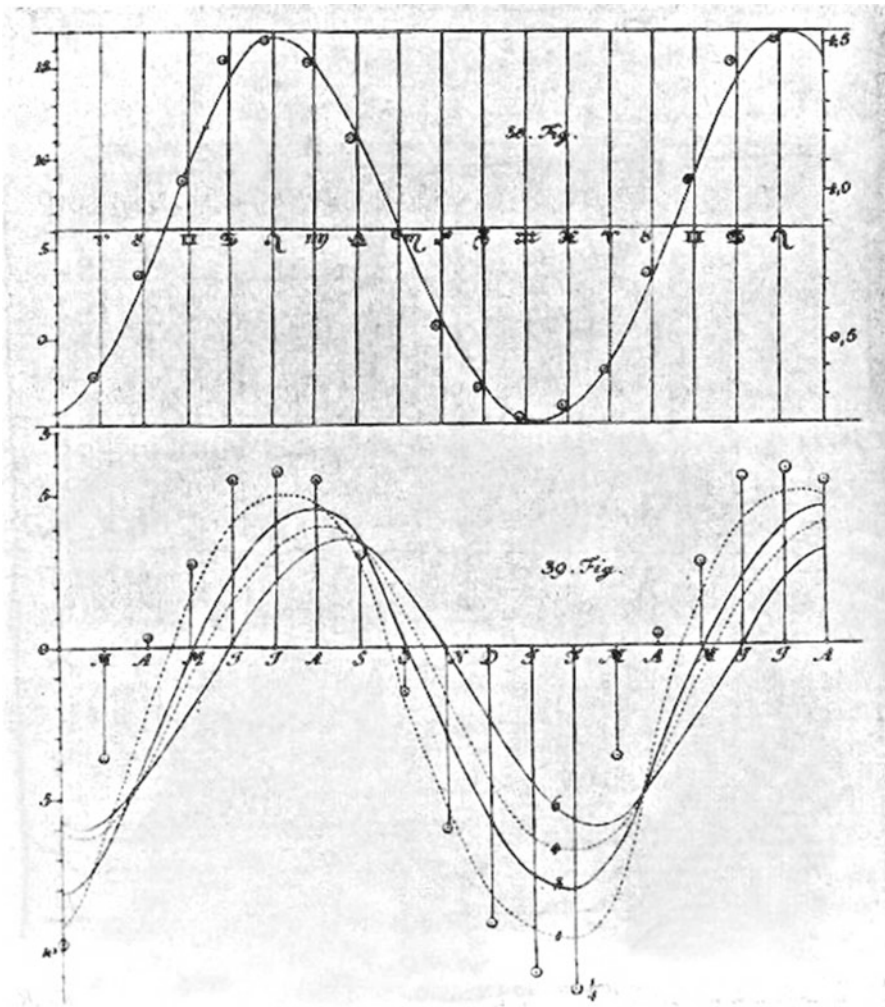


Fig. 18.2 Graphs of variation in soil temperature (From Lambert's *Pyrometrie*, 1779)

average temperature of the soil in different latitudes. These diagrams fascinated the scientists of the time, for they provided an excellent visual argument, showing clearly the regularity of a phenomenon in spite of the modifications of depth and latitude. As Jakobson noted, “In such a typical diagram as statistical curves, the signans presents an iconic analogy with the signatum as to the relations of their parts” (Jakobson 1971, p. 350). This explains how these diagrams can fulfill not only a rhetorical but also an argumentative function (see also Kostelnick 2004, pp. 226–234).

The impact of an argument based on visual analogy is not limited to science. We also find it frequently in advertising and political posters. For example, in an anti-war

poster from 1969, *Untitled* (J. Veistola, P. Lindholm, photographer, Finland), to a close-up photograph of a grenade is superimposed the shape of Earth. Here, the graphic designer used a strong analogy between a grenade and the Earth to warn us against the dangers of war that could lead to the explosion of the Earth. It is an example of what Perelman calls “metaphoric fusion” (Perelman and Olbrechts-Tyteca 1970, p. 538). Since it moves the two domains of the analogy closer, this fusion “facilitates the realization of argumentative effects” (Perelman and Olbrechts-Tyteca 1970, p. 536). The same authors also note that satirical designers often use this metaphorical fusion of the two fields into one, creating strange beings or objects (Perelman and Olbrechts-Tyteca 1970, p. 540). Indeed the plasticity and simultaneity of the visual code is a fantastic tool for condensing an analogy in a heterogeneous shape that borrows some of its features from the two domains concerned by the analogy. This iconic feature which semioticians call “interpenetration” (Groupe μ 1992, p. 274) is much more appealing than its verbal counterpart. Showing a grenade-Earth is indeed more effective than just explaining that in the same way as a grenade can explode, so can the Earth if we do not put an end to war.

18.2 Classification

Since most frequently visual argumentation takes place alongside verbal argumentation, it is crucial to clarify how the verbal and the visual work together in mixed media, that is, when argumentation is both visual and verbal. Indeed, the problem is that, due to the hegemony of verbal argumentation, most scholars, even those favorable to visual argumentation, continue to assume that in the case of mixed media, the argumentation is above all verbal, so that the visual plays a minor role (Adam and Bonhomme 2005, p. 194 and 217). This widespread opinion has dramatic consequences, in particular the fact that the part the visual can play is neglected. For this reason, it seems to me urgent to provide a classification of the different kinds of relationships between the visual and the verbal in mixed media argumentation.

So let me propose such a provisional classification, which I will attempt to roughly sketch out in what follows:

18.2.1 *Visual Flag*

The first category is what Groarke (2002, p. 140) calls a “visual flag”, when an image attracts attention to an argument presented verbally. It corresponds to the first phase of the old principle of advertising communication known as AIDA (attract Attention, maintain Interest, create Desire, and get Action) (Chabrol and Radu 2008, p. 22).

However, as Groarke and Tindale (2008, p. 64) rightly note, “In cases like this, the non-verbal cue that catches our eye is only a flag and not itself an argument or part of an argument, for the flag is not used to convey the message of the argument



Fig. 18.3 Jacques Callot, *Miseries and Disasters of War*, 1633, engraving. The text below the image reads: *Ceux que Mars entretient de ses actes méchants / Accommodent ainsi les pauvres gens des champs / Ils les font prisonniers ils brûlent leurs villages, / Et sur le bétail même exercent des ravages, / Sans que la peur des Loix non plus que le devoir / Ni les pleurs et les cris les puissent émouvoir*

and only functions as a means of directing us to the text that conveys the actual argument”.

It is important to recognize the existence of visual flags, because it is true that many messages work in this way, but more importantly, because we have to separate them from other categories, in order not to confuse the part for the whole. What I mean is that for many scholars the visual flag is the general model of the relationship between visual and verbal in mixed media, as they consider that an image is unable to convey an argument by itself and can, at most, attract attention to a verbal argument. Even for an art historian like Gombrich, “the visual image is supreme in its capacity for arousal” (Gombrich 1982, p. 138). Precisely for this reason it is important to distinguish the visual flag from other possible relationships between text and image in mixed media.

18.2.2 *Parallel Argument*

Indeed, another category can be identified when the visual and the verbal present parallel argumentations in which both contribute to the general meaning of the mixed work. In cases like this, there is no hierarchy between the visual and the verbal. Both present an argument, and it may happen that the verbal and the visual arguments belong to the same kind of argument. Their function is redundant, as is usual in a communication process. This is particularly the case with arguments based on logical operations (cause, consequence). I would like to demonstrate the point by giving two examples:

In a series of engravings, which are considered as the first anti-war images (Fig. 18.3), Jacques Callot uses a strict parallel between words and images.

Both show the disastrous consequences of war and can be considered therefore as what Perelman calls a pragmatic argument, which “makes it possible to appreciate an act or an event according to its favorable or unfavorable consequences” (Perelman and Olbrechts-Tyteca 1970, p. 358). The text describes and the image depicts. Hence their parallel and redundant function. In this case there is no explicit conclusion, either verbal or visual. However, insisting on the terrible consequences of the behavior of soldiers during a war is an argument against war.

The second example is the advertisement for Chesterfield cigarettes analyzed above (see Fig. 18.1): the argument is the same (argument of authority) and uses the same “authority” (Ronald Reagan); it is displayed verbally (through a quotation) and visually (through a photograph). Here, too, there is redundancy between the two codes.

18.2.3 *Joint Argument*

A third category should be distinguished, when the argument is constructed using visual and verbal elements. In cases like this, that I propose to call “joint argument”, the visual and the verbal are closely intertwined in the making of the argument with a contribution from each. Mostly, the conclusion is given by the text. In an anti-war poster (Fig. 18.4), the syntactic articulation between the verbal and the visual is given by the deictic “That” which refers to the image. The structure, then, is not a parallel between the verbal and visual codes, but a syntactic interaction between them thanks to a connector (Klinkenberg 2000, pp. 235–36). In this case, the connector is verbal, and serves to articulate text and image. Now in this poster, the visual plays a central role in the construction of the argument. If we examine the relation between text and image, we can see that the poster is divided into two parts: the upper part contains the image and the text “Against that...” referring to the image, while the bottom part contains only text. This long text reads:

Against the new war Imperialists want to wage on the USSR and whose first victim would be France, Frenchmen, Frenchwomen, Communists, Socialists, Catholics, Republicans, Resistance fighters and Patriots,

UNION AND ACTION TO SAVE PEACE

Let's demand the installation of a GOVERNMENT OF DEMOCRATIC UNION

All together,

LET US DEFEND PEACE!

This text contains no argument; it just draws the conclusion that we have to defend peace; its starting point is an opposition to war. However, no argument is given verbally to explain why we need to be opposed to war. The reason is that the premise that contains the argument is given visually: in the image we can identify again, as very often in anti-war posters, a pragmatic argument showing the bad consequences of war: in particular a village burning and a huge graveyard full of war victims. Let us note that in this and many other similar cases, the image therefore



Fig. 18.4 Rival, *Against that ... Let's defend Peace!* 1952, poster for the French Communist Party

plays a central role in structuring the joint argument. This also shows that in mixed media argumentation, it is not true that the argumentation is mainly verbal and the image relegated to a mere illustration or flag.

18.2.4 Contrasting Argument

Lastly, the argument may be constructed through an opposition between the verbal and the visual. This is often the case, for a reason related to a particular feature of images: the fact that it is hard to use an image for the purpose of negation (except in

Fig. 18.5 Hans Erni, *Atom War NO*, 1954, poster for the Swiss Movement for Peace



codified interdiction signs when the picture showing the forbidden action is crossed out by a graphic mark; see Roque 2008, pp. 187–88). Because of this characteristic, the visual and the verbal often combine their properties: the visual is used in order to describe the situation we reject; and the verbal in order to make this rejection explicit.

In Fig. 18.5, we are very far from the visual flag we commented on earlier, since we cannot say that the argument is verbal: the verbal just gives a name to the issue at stake, “nuclear war”, and adds its opposition to it: “No”. We might consider the “no” here as the conclusion of the argument. However, no reason is provided verbally to support the opposition to nuclear war, for it is given visually. Hence the crucial role of the visual in the argument. First of all, let us note that there is a redundancy between the verbal and the visual, as both are about nuclear war, expressed verbally in the text and visually through the “atomic mushroom cloud”. Now, the pivotal role of the visual in the argument comes from a plastic device, which is specific to the visual: its ability to fuse two different shapes and suggest accordingly their similarity, here the shape of the Earth and that of a skull. It is the same “metaphorical fusion”, or rather interpenetration we mentioned above when referring to a “Earth-grenade” poster. In Fig. 18.5, the Earth-skull (a device sometimes considered as a visual metaphor), contains different arguments. The first is once more the pragmatic argument, so frequent in anti-war posters, showing that in case of nuclear

war, there will be no more life on Earth. The second is an argument by analogy: if nuclear war breaks out, the Earth will look like a skull. This analogy is of course reinforced by the features common to Earth and skull, namely their rounded shape. We can also consider that the argument is structured through an antithesis between the verbal and the visual, with the visual showing the consequences of nuclear war, and the text calling for a rejection of it.

18.3 Lines of Research

In the last section of this paper, I would like to briefly sketch two lines of research for further development of visual argumentation.

18.3.1 *Visual Persuasion and Visual Argumentation*

The relationship between visual persuasion and visual argumentation is a crucial topic. It is often said, indeed, that images are excellent persuasive means. However, if images are persuasive, can they also be argumentative? For many authors, the response is negative, for they consider that images try to influence by playing upon the emotions, so that their persuasiveness finds itself on the side of pathos, not logos (for references, see Roque 2004, pp. 102–106). Even scholars favorable to visual argumentation consider that a “visual argument is one type of visual persuasion” (Blair 2004, p. 49). For sure, there are plenty of books on “visual persuasion”, associating it with the so-called “persuasive powers” of images, especially in the analysis of advertising and political posters. In this considerable literature, persuasion is usually not considered as argumentative. On the contrary, visual persuasion is closely linked with visual propaganda, or even manipulation, that is, ways of influencing by means that are not argumentative, i.e. not rational (for an overview of this topic, see Nettel and Roque 2012, section 2.4). It is therefore important to distinguish visual persuasion from visual argumentation. If, generally speaking, persuasion and argumentation are not necessarily to be opposed – think for example that effectiveness and reasonableness are combined in the way Pragma-dialectics envisages strategic maneuvering (van Eemeren 2010) – in the field of images, however, visual persuasion is generally considered as excluding an argumentative approach, as if certain images could not be at the same time persuasive and argumentative. So the task will be to analyze their relationships from the double point of view of means and ends. From the standpoint of means, the issue is that even though it is true that images often use a strong emotional arousal, this hardly prevents them from *also* having a simultaneous argumentative role, at least in some cases. And as far as ends are concerned, not all images have a persuasive function alone; some of them are fully argumentative, as I have tried to show above in the case of anti-war posters, whose aim is to provide reasons to oppose war.

18.3.2 *Visual Figures and Visual Argumentation*

The relationship between visual figures and visual argumentation is similar to that between persuasion and argumentation, since rhetorical figures are usually considered as playing merely a persuasive role. This has a lot to do with the traditional opposition between rhetoric and argumentation. Even though visual rhetoric is above all focused on the persuasive role visual figures can play, part of the great amount of work available on visual rhetoric could be reused from an argumentative perspective, after having clarified what visual rhetoric and visual argumentation may have in common. It seems, indeed, that according to the context in which they are used, the same figures or tropes can have a persuasive or an argumentative function. I have tried to show it in some cases (for narrative prolepsis, see Nettel and Roque 2012, section 2.2.; for metonymy, Roque 2011). This hypothesis should be applied to other figures. It is important, in my opinion, to do so, for the same reason given above, namely not to confuse the part for the whole: the persuasive function of visual figures is not the only one to be found in images; besides it, there is room for an argumentative function of some of the visual figures.

18.4 Conclusion

By way of conclusion, I would say that it seems to me it is now time to initiate a broad discussion amongst those of us working in visual argumentation about the definition of the field. So as to provoke such a discussion, I have tried, in the foregoing remarks, to clarify somewhat the complex relation between the notions “argument” and “visual” in the definition of visual argumentation, which has led me to distinguish several categories. Finally, insofar as the most common situation is that of mixed media, both verbal and visual, I proposed a classification based on the part played by each in such mixed media arguments. I hope that my suggestions will contribute to a general debate that seems to me necessary at this stage in the development of visual argumentation.

References

- Adam, J.-M., & Bonhomme, M. (2005). *L'Argumentation publicitaire: Rhétorique de l'éloge et de la persuasion*. Paris: Armand Colin.
- Arnheim, R. (1969). *Visual thinking*. Berkeley/Los Angeles/London: University of California Press.
- Birdsell, D. S., & Groarke, L. (1996). Toward a theory of visual argument. *Argumentation and Advocacy*, 33(1), 1–10.
- Birdsell, D. S., & Groarke, L. (2006). Outlines of a theory of visual argument. *Argumentation and Advocacy*, 43, 103–113.
- Blair, T. (1996). The possibility and actuality of visual arguments. *Argumentation and Advocacy*, 33(1), 23–39.

- Blair, T. (2004). The rhetoric of visual arguments. In C. A. Hill & M. Helmers (Eds.), *Defining visual rhetorics* (pp. 41–61). Mahwah: Lawrence Erlbaum.
- Chabrol, C., & Radu, M. (2008). *Psychologie de la communication et persuasion: Théories et applications*. Brussels: De Boeck.
- Ducrot, O., et al. (1980). *Les mots du discours*. Paris: Minuit.
- Gombrich, E. (1982). *The image and the eye: Further studies in the psychology of pictorial representation*. Oxford: Phaidon.
- Goodman, N. (1976). *Languages of art: An approach to a theory of symbols*. Indianapolis: Hackett Publishing Company.
- Groarke, L. (1996). Logic, art and argument. *Informal Logic*, 18, 105–129.
- Groarke, L. (2002). Toward a pragma-dialectics of visual argument. In F. H. van Eemeren (Ed.), *Advances in pragma-dialectics* (pp. 137–151). Amsterdam: Sic Sat.
- Groarke, L., & Tindale, C. W. (2008). *Good reasoning matters!: A constructive approach to critical thinking*. Oxford: Oxford University Press.
- Groupe µ. (1992). *Traité du signe visuel: Pour une rhétorique de l'image*. Paris: Seuil.
- Jakobson, R. (1971). Quest for the essence of language. In R. Jakobson & S. Rudy (Eds.), *Selected writings: Words and language* (Vol. 2, pp. 345–359). The Hague/Paris: Mouton.
- Klinkenberg, J.-M. (2000). *Précis de sémiotique générale*. Paris: Seuil.
- Kostelnick, C. (2004). Melting-pot ideology, modernist aesthetics, and the emergence of graphical conventions: The statistical atlases of the United States, 1874–1925. In C. A. Hill & M. Helmers (Eds.), *Defining visual rhetorics* (pp. 215–242). Mahwah: Laurence Erlbaum.
- Nettel, A.-L. (2005). The power of image and the image of power: The case of law. *Word and Image*, 21(2), 137–150.
- Nettel, A.-L., & Roque, G. (2012). Persuasive argumentation vs. manipulation. *Argumentation*, 26(1), 55–69.
- Perelman, C., & Olbrechts-Tyteca, L. (1970). *Traité de l'argumentation: La nouvelle rhétorique*. Brussels: Edition de l'Institut de Sociologie Université Libre de Bruxelles.
- Roque, G. (2004). Prolégomènes à l'analyse de l'argumentation visuelle. In E. C. Oliveira (Ed.), *Chaïm Perelman. Direito, Retórica e Teoria da Argumentação* (pp. 95–114). Feira de Santana: Universidade Estadual de Feira de Santana.
- Roque, G. (2008). Political rhetoric in visual images. In E. Weigand (Ed.), *Dialogue and rhetoric* (pp. 185–193). Amsterdam/Philadelphia: John Benjamins.
- Roque, G. (2010). What is visual in visual argumentation? In J. Ritola (Ed.), *Arguments cultures. Proceedings of OSSA 09* (pp. 1–9) [CD-ROM]. Ontario: Ontario Society for the Study of Argumentation, University of Windsor.
- Roque, G. (2011). Rhétorique visuelle et argumentation visuelle. *Semen*, 32, 91–106.
- Smith, V. J. (2007). Aristotle's classical enthymeme and the visual argumentation of the twenty-first century. *Argumentation and Advocacy*, 43, 114–123.
- van Eemeren, F. H. (2010). *Strategic maneuvering in argumentative discourse*. Amsterdam and Philadelphia: John Benjamins.
- Walton, D. (1998). *The new dialectic: Conversational contexts of arguments*. Toronto: University of Toronto Press.

Part VI
Empirical Research

Chapter 19

The Argumentative Structure of Some Persuasive Appeal Variations

Daniel J. O’Keefe

Substantial experimental social-scientific research has been conducted concerning the relative persuasiveness of alternative versions of a given message. This research has obvious practical value for informing the design of effective persuasive messages, and it can also contribute to larger theoretical enterprises by establishing dependable general differences in message effectiveness (differences that require explanation).

But this research suffers from two problems. One is the undertheorization of message properties, that is, insufficient analytic attention to the nature of the message variations under examination (for some discussion, see O’Keefe 2003). The second—related—problem is inattention to the conceptual relationships *between* different lines of research. The consequence of this second problem is that the research landscape consists of isolated pockets of apparently-unrelated research findings, with little exploration of possible underlying connections.

The purpose of this paper is to analyze the conceptual relationships among the argument forms embodied in a number of message variations that have figured prominently in persuasion research. The central claim is that one relatively simple argumentative contrast underlies a great many of the—seemingly different—message variations that have been studied by persuasion researchers. This underlying unity has been obscured, however, precisely because persuasion researchers have not been attentive to the fundamental argumentative structures of the messages under investigation.

The persuasion research of central interest for the present paper turns out to involve studies of different kinds of appeals based on consequences or outcomes. This is unsurprising because, as has been widely noted, one of the most basic kinds of argument for supporting a recommended action (policy, behavior, etc.) is a conditional that links the advocated action as the antecedent with some desirable

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outcome as the consequent. The abstract form is “If the advocated action A is undertaken, then desirable consequence D will occur.” Sometimes the conditional is expressed relatively explicitly (“If you wear sunscreen, you’ll have attractive skin when you’re older”; “if our city creates dedicated bicycle lanes, the number of traffic accidents will be reduced”), sometimes not (“My proposed economic program will increase employment”; “this automobile gets great gas mileage”), but the underlying form of the appeal is the same.

This kind of argument has been recognized as distinctive in various treatments by argumentation scholars. Perelman (1959, p. 18) called this appeal form a “pragmatic argument,” an argument that “consists in estimating an action, or any event, or a rule, or whatever it may be, in terms of its favourable or unfavourable consequences.” Walton (1996, p. 75) labeled it “argument from consequences,” describing it as “a species of practical reasoning where a contemplated policy or course of action is positively supported by citing the good consequences of it. In the negative form, a contemplated action is rejected on the grounds that it will have bad consequences.” And this sort of argument is a recognizably familiar kind of justification. For example, Schellens and de Jong (2004) reported that all 20 of the public information brochures they examined invoked arguments from consequences, whereas (for example) only six used authority-based appeals.

Although not anywhere explicitly acknowledged previously, a good deal of social-scientific persuasion research has addressed the question of the relative persuasiveness of different forms of consequence-based arguments. In particular, considerable research has addressed the differential persuasive effects of variation in the evaluative extremity of the consequences invoked by such arguments. This is not the only sort of variation in consequence-based argument that persuasion researchers have studied, but analyzing other more complex forms will require first having a clear picture of this simpler form.

So this paper focuses on research that examines how variations in the evaluative extremity of depicted consequences influences the persuasiveness of arguments. To describe this work clearly, however, requires distinguishing two forms that such evaluative-extremity variations can take: variation in the desirability of the depicted consequences of adopting the advocated action and variation in the undesirability of the depicted consequences of failing to adopt the advocated action. In what follows, each of these forms is discussed separately; a concluding section links these together and identifies questions for future work.

19.1 Variation in the Desirability of the Depicted Consequences of Adopting the Advocated Action

One recurring research question in persuasion effects research has—implicitly—been whether in consequence-based arguments, the persuasiveness of the argument is influenced by the *desirability* of the claimed consequence (or more carefully: whether the persuasiveness of the argument is influenced by the audience’s perception

of the desirability of the claimed consequence.) Abstractly put, the experimental contrast here is between arguments of the form “If advocated action A is undertaken, then relatively *more* desirable consequence D1 will occur” and “If advocated action A is undertaken, then relatively *less* desirable consequence D2 will occur.”

Now one might think that this question would be too obvious to bother investigating. *Of course* appeals that invoke more desirable consequences will be more persuasive than those invoking less desirable consequences. However, the overt research question has not been expressed quite this baldly, but instead has been couched in other terms. For example, many studies have examined a question of the form “do people who differ with respect to characteristic X differ in their responsiveness to corresponding kinds of persuasive appeals?”—where characteristic X is actually a proxy for variations in what people value. This section of the paper reviews such research concerning four different personal characteristics: self-monitoring, consideration of future consequences, regulatory focus, and individualism-collectivism.

19.1.1 Self-monitoring and Consumer Advertising Appeals

Considerable research attention has been given to the role of the personality variable of self-monitoring in influencing the relative persuasiveness of consumer advertising messages that deploy either image-oriented appeals or product-quality-oriented appeals. Self-monitoring refers to the control or regulation (monitoring) of one’s self-presentation (see Gangestad and Snyder 2000, for a useful review paper). High self-monitors are concerned about the image they project to others, and tailor their conduct to fit the situation at hand. Low self-monitors are less concerned about their projected image, and mold their behavior to fit their attitudes and values rather than external circumstances.

Hence in the realm of consumer products, high self-monitors are likely to stress the image-related aspects of products, whereas low self-monitors are more likely to be concerned with whether the product’s intrinsic properties match the person’s criteria for such products. Correspondingly, high and low self-monitors are expected to differ in their reactions to different kinds of consumer advertising, and specifically are expected to differentially react to appeals emphasizing the image of the product or its users and appeals emphasizing the intrinsic quality of the product (see, e.g., Snyder and DeBono 1987).

Consistent with this analysis, across a large number of studies, high self-monitors have been found to react more favorably to image-oriented advertisements than to product-quality-oriented ads, whereas the opposite effect is found for low self-monitors (for a summary of this work, see O’Keefe 2002, pp. 37–40). Parallel differences between high and low self-monitors have been found with related appeal variations outside the realm of consumer-product advertising (e.g., Lavine and Snyder 1996).

Although these effects are conventionally described as a matter of high and low self-monitors having different “attitude functions” to which messages are adapted

(e.g., DeBono 1987), a more parsimonious account is that these effects reflect differential evaluation of consequences (for a fuller rendition of this argument, see O'Keefe 2002, pp. 46–48). High and low self-monitors do characteristically differ in their evaluations of various outcomes and object attributes; for instance, high self-monitors place a higher value on aspects of self-image presentation. Given this difference in evaluation, it is entirely unsurprising that high self-monitors find image-oriented appeals to be especially persuasive in comparison to appeals emphasizing product attributes that are, in their eyes, not so desirable (e.g., DeBono 1987; Snyder and DeBono 1985). That is, product-quality appeals and image-oriented appeals are differentially persuasive to high self-monitors because the appeals invoke differentially desirable consequences. And the same reasoning applies to low self-monitors: they value the sorts of product attributes mentioned in the product-quality-oriented appeals more than they do those mentioned in the image-oriented appeals—and so naturally are more persuaded by the former than by the latter.

So although this research masquerades as a question about the role of a personality variable in attitude function and persuasion, what the research shows is that for a given message recipient, appeals will be more persuasive if they offer the prospect of consequences the recipient finds relatively more desirable than if they offer the prospect of consequences the recipient finds relatively less desirable. Because high and low self-monitors differ in their relative evaluation of image-oriented and product-quality-oriented consequences, appeals that invoke different kinds of consequences correspondingly vary in persuasiveness.

None of this should be taken to denigrate the usefulness of research on self-monitoring and persuasive appeals. It is valuable to know that people systematically differ in their relative evaluations of (specifically) the image-oriented characteristics and the product-quality-oriented characteristics of consumer products, and hence that image-oriented advertising and product-quality-oriented advertising will be differentially persuasive depending on the audience's level of self-monitoring.

But what underlies these findings is a rather more general phenomenon, namely, the greater persuasiveness of arguments that emphasize outcomes deemed especially desirable by the audience. At least when it comes to the consequences invoked by the arguments in these studies' messages, self-monitoring variations go proxy for value variations—and hence these effects of self-monitoring variations on the persuasiveness of different appeals can be straightforwardly ascribed to the underlying variation in evaluations.

19.1.2 Consideration of Future Consequences (CFC) and Corresponding Appeal Variations

An example entirely parallel to that of self-monitoring is provided by research concerning the individual-difference variable known as “consideration of future consequences” (CFC; Strathman et al. 1994). As the name suggests, this refers to differences in the degree to which people consider temporally distant (future) as opposed to temporally proximate (immediate) consequences of contemplated behaviors.

Perhaps unsurprisingly, persons differing in CFC respond differently to persuasive messages depending on whether the message's arguments emphasize immediate consequences (more persuasive for those low in CFC) or long-term consequences (more persuasive for those high in CFC). For example, Orbell and Hagger (2006) presented participants with one of two messages describing both positive and negative consequences of participating in a diabetes screening program. Participants low in CFC were more persuaded when the message described short-term positive consequences and long-term negative consequences; participants high in CFC were more persuaded by the message that described short-term negative consequences and long-term positive consequences. (Similarly, see Orbell and Kyriakaki 2008.)

As with the self-monitoring research, these findings—even if unsurprising—do represent a genuine contribution. If nothing else, such research underscores the importance of persuaders' thinking about whether the consequences they intend to emphasize are long-term or short-term, and how that connects to their audience's likely dispositions. That is, one important substantive dimension of variation in consequences is their temporal immediacy, and attending to that dimension can thus be important for successful advocacy.

But, as with self-monitoring, what underlies these findings is the general phenomenon of heightened persuasiveness of arguments-from-consequences that emphasize more desirable consequences of the advocated viewpoint. At least when it comes to the consequences invoked by the arguments in these studies' messages, CFC variations go proxy for value variations—and hence the effects of CFC variations on the persuasiveness of different appeals can be straightforwardly ascribed to the underlying variation in evaluations.

19.1.3 Regulatory Focus and Corresponding Appeal Variations

Yet another parallel example is provided by research concerning individual differences in “regulatory focus” (Higgins 1997, 1998). Briefly, regulatory-focus variations reflect broad differences in people's motivational goals, and specifically a difference between a promotion focus, which emphasizes obtaining desirable outcomes (and hence involves a focus on accomplishments, aspirations, etc.), and a prevention focus, which emphasizes avoiding undesirable outcomes (and hence involves a focus on safety, security, etc.). This individual difference obviously affords a possible basis for adaptation of persuasive messages.

Perhaps unsurprisingly, persons differing in regulatory focus respond differently to persuasive messages depending on whether the message's arguments emphasize promotion-oriented outcomes or prevention-oriented outcomes. For example, Cesario et al. (2004, Study 2) presented participants with messages advocating a new after-school program for elementary and high school students, with the supporting arguments expressed either in promotion-oriented ways (“The primary reason for supporting this program is because it will advance children's education and support more children to succeed”) or in prevention-oriented ways (“The primary reason for supporting this program is because it will secure children's education and

prevent more children from failing”; p. 393). As one might expect, participants tended to be more persuaded by appeals that matched their motivational orientation. (For a general review of such research, see Lee and Higgins 2009.) [Notice that an alternative description of this appeal variation is to say that what varies here is whether the desirable consequences of the advocated action are expressed as the obtaining of some good state (more persuasive for promotion-oriented audiences) or as the avoidance of some bad state (more persuasive for prevention-oriented audiences).]

As with research concerning self-monitoring and CFC, this work identifies another substantive dimension of variation in the consequences associated with the advocated behavior, namely, whether the consequences concern prevention or promotion. This finding is useful, as it can emphasize to persuaders that, depending on the receiver’s regulatory focus, advocates might prefer to emphasize either prevention-related or promotion-related outcomes.

But, as with self-monitoring and CFC, what underlies these findings is the general phenomenon of the greater persuasiveness of arguments-from-consequences that invoke more desirable consequences of the advocated action. At least when it comes to the consequences invoked by the arguments in these studies’ messages, regulatory focus variations go proxy for value variations—and hence the effects of regulatory focus variations on the persuasiveness of different appeals can be straightforwardly ascribed to the underlying variation in evaluations. (For research linking regulatory-focus variations with variations in more abstract personal values, see Leikas et al. 2009.)

19.1.4 Individualism-Collectivism and Corresponding Appeal Variations

A final parallel example is provided by research on “individualism-collectivism,” which refers to the degree to which individualist values (e.g., independence) are prioritized as opposed to collectivist values (e.g., interdependence). Although there is variation from person to person in individualism-collectivism, this dimension of difference has commonly been studied as one element of larger cultural orientations (see Hofstede 1980, 2001). So, for example, Americans are likely to be relatively individualistic whereas (say) Koreans are more likely to be collectivistic. This variation in cultural values obviously affords a possible basis for adaptation of persuasive messages.

Perhaps unsurprisingly, persons from cultures differing in individualism-collectivism respond differently to persuasive messages depending on whether the message’s appeals emphasize individualistic or collectivistic outcomes (for a review, see Hornikx and O’Keefe 2009). For example, advertisements for consumer goods are more persuasive for American audiences when the ads emphasize individualistic outcomes (“this watch will help you stand out”) rather than collectivistic ones

(“this watch will help you fit in”), with the reverse being true for Chinese audiences (e.g., Aaker and Schmitt 2001). This effect plainly reflects underlying value differences—differences in the evaluation of various attributes of consumer products.

Thus, as with self-monitoring, CFC, and regulatory focus, these effects derive from the general phenomenon of the greater persuasiveness of consequence-based arguments that invoke more desirable consequences of the advocated action. At least when it comes to the consequences invoked by the arguments in these studies’ messages, individualism-collectivism variations go proxy for value variations—and hence these effects of individualism-collectivism variations on the persuasiveness of different appeals can be straightforwardly ascribed to the underlying variation in evaluations.

19.1.5 The Argument Thus Far

To summarize the argument to this point: Consequence-based appeals are more persuasive when they invoke consequences of the advocated view that are (taken by the audience to be) relatively more desirable than when they invoke consequences that the audience doesn’t value so highly. Individuals can vary in their evaluations of consequences of an action, and so matching appeals to the audience’s evaluations is important for persuasive success. Individual variations in the evaluation of particular sorts of consequences can be indexed in a great many different ways—by differences in self-monitoring, or in individualistic-collectivistic orientations, or in regulatory focus, or in consideration of future consequences—but these all reflect underlying variation in the evaluations of consequences.

So what might seem on the surface to be a crazy quilt of isolated research findings—about self-monitoring, regulatory focus, and so forth—in fact represents the repeated confirmation of a fundamental truth about what makes consequence-based arguments persuasive: Arguments-from-consequences are more persuasive to the extent that they emphasize how the advocated view yields outcomes thought by the audience to be relatively more (rather than less) desirable.

19.1.6 Argument Quality Variations in Elaboration Likelihood Model Research

The four lines of research discussed to this point have all involved differences between people (either individual or cultural differences). The general idea has been that persons differ on some variable (e.g., self-monitoring), and that persuasive appeals matched to the audience’s level of that variable will be more persuasive than mismatched appeals. But these variables all turn out to be associated with systematic underlying variation in the evaluation of the consequences of the advocated action, and what makes a persuasive appeal matched or mismatched turns out to depend on whether the appeal emphasizes relatively more or relatively less desirable consequences (the former representing matched appeals, the latter mismatched).

However, the same basic phenomenon can be detected in an area of persuasion research not involving individual differences, namely the effects of variation in "argument quality." Argument-quality variations have figured prominently in research on Petty and Cacioppo's well-known elaboration likelihood model of persuasion (ELM; Petty and Cacioppo 1986).

ELM researchers have used variations in (what has been called) argument quality (or argument strength) as a device for assessing the degree to which message recipients closely attended to message contents. For example, Petty et al. (1981) varied argument quality, source expertise, and the audience's involvement with the persuasive issue (that is, the personal relevance of the issue). Under conditions of low involvement, the persuasiveness of the message was more influenced by variations in expertise than by variations in argument quality; under conditions of high involvement, the reverse pattern obtained. The implication is that under conditions of higher involvement, audiences were more closely processing the message and so were more attentive to argument quality variations.

In such ELM research, "argument quality" has been defined in terms of persuasive effects. That is, a high-quality argument is one that, in pretesting, is relatively more persuasive (compared to a low-quality argument) under conditions of high elaboration (close message processing). But what makes those high-quality arguments more persuasive?

ELM researchers have not been very interested in identifying exactly what makes their "strong" and "weak" arguments vary in effectiveness. From the perspective of ELM researchers, argument quality variations have been used "primarily as a methodological tool to examine whether some other variable increases or decreases message scrutiny, not to examine the determinants of argument cogency per se" (Petty and Wegener 1998, p. 352).

But other researchers have naturally been concerned to identify the "active ingredient" in these ELM manipulations. And although the picture is not yet entirely clear, there is good reason to suppose that a—if not the—key ingredient in ELM argument quality variations is precisely variation in the evaluation of the consequences invoked by the arguments. (For some empirical evidence on this matter, see Areni and Lutz 1988; van Enschot-van Dijk et al. 2003; Hustinx et al. 2007; see also Johnson et al. 2004) That is, it now looks likely that the kinds of "argument quality" variations used in ELM research reflect underlying variations in the desirability of claimed consequences—the "strong argument" messages used consequence-based arguments with highly desirable outcomes, whereas the "weak argument" messages used consequence-based arguments with less desirable outcomes. Small wonder, then, that the strong arguments should turn out to generally be more persuasive than the weak arguments (see Park et al. 2007, p. 94).

To illustrate this point concretely: One much-studied message topic in ELM research has been a proposal to mandate university senior comprehensive examinations as a graduation requirement. In studies with undergraduates as research participants, the "strong argument" messages used arguments such as "with mandatory senior comprehensive exams at our university, graduates would have better employment opportunities and higher starting salaries," whereas the "weak argument"

messages had arguments such as “with mandatory senior comprehensive exams at our university, enrollment would increase” (see Petty and Cacioppo 1986, pp. 54–59, for examples of such arguments). It’s not surprising that, at least under conditions of relatively high elaboration (that is, close attention to message content), the “strong argument” messages would be more persuasive than the “weak argument” messages, because the messages almost certainly varied in the perceived desirability of the claimed outcomes.

So here is yet another empirical confirmation of the general point that consequence-based arguments become more persuasive with greater perceived desirability of the claimed consequences of the advocated view. This argument-quality research offers a slightly different kind of evidentiary support than that represented by the previously-discussed individual-difference research (self-monitoring and so on), because here there likely is relative uniformity across audience members in the comparative evaluations of the consequences under discussion. That is, among the message recipients in the ELM studies, there was presumably general agreement that (for example) enhanced employment opportunities is a more desirable consequence (of the proposed examinations) than is increased university enrollment, whereas the individual-difference studies focused on circumstances in which study participants varied in their evaluations. (Of course, within a given condition—such as among high self-monitors—there would be relative homogeneity of evaluations.)

19.1.7 Summary: Variation in the Desirability of the Consequences of the Advocated Action

The effects observed in a number of distinct lines of persuasion research appear to all be driven by one fundamental underlying phenomenon, namely, that the persuasiveness of consequence-based arguments is influenced by the desirability of the depicted consequences of the advocated view: As the desirability of those consequences increases, the persuasiveness of the arguments is enhanced. This commonality has not been so apparent as it might have been, because persuasion researchers have not been attentive to the argumentative structure of the appeals used in their experimental messages. But once it is seen that these various lines of research all involve arguments based on consequences, and once it is seen that the experimental messages vary with respect to the desirability of the consequences invoked, then it becomes apparent that one basic process gives rise to all these apparently unrelated effects.

Indeed, this may justifiably be thought of as perhaps the single best-supported empirical generalization about persuasion that can be described to date. Findings from a variety of different lines of research—self-monitoring, consideration of future consequences, regulatory focus, individualism-collectivism, argument quality—all buttress the conclusion that consequence-based arguments emphasizing relatively more desirable consequences of the advocated action are likely to be more persuasive than are arguments emphasizing relatively less desirable consequences.

19.2 Variation in the Undesirability of the Depicted Consequences of Not Adopting the Advocated Action

The just-discussed appeal variation involves variations in the consequent of a conditional in which the antecedent was adoption of the communicator's recommendation ("If advocated action A is undertaken"). But a parallel appeal variation can be identified in which the antecedent is a failure to adopt the recommended action ("If advocated action A is *not* undertaken") and the *undesirability* of the consequence varies. Abstractly put, the contrast here is between arguments of the form "If advocated action A is not undertaken, then *slightly* undesirable consequence U1 will occur" and "If advocated action A is not undertaken, then *very* undesirable consequence U2 will occur." And the research question is: which of these will be more persuasive?

Again, one might think that this question too obvious to merit study. *Of course* appeals that invoke very undesirable consequences will be more persuasive than those invoking mildly undesirable consequences. Nonetheless, this turns out to have been the object of considerable empirical research—but, as above, the research question has not been stated quite this plainly.

The work of interest here is research on "fear appeals," which are messages that invoke the specter of undesirable consequences from failing to follow the communicator's recommendations. Fear appeal research has addressed a number of different questions concerning the invocation of fear-arousing consequences as a means of persuasion, but one substantial line of work in this area has implicitly addressed the appeal variation of interest here. Specifically, considerable research has manipulated fear-arousal messages so as to vary the depicted undesirability of the consequences. In theoretical frameworks such as protection motivation theory (Rogers and Prentice-Dunn 1997), this is represented as variation in "threat severity." Perhaps unsurprisingly, the general research finding has been that threats perceived as more severe (i.e., more undesirable) make for more effective persuasive appeals than do threats perceived as less severe (less undesirable); see, for example, the meta-analytic reviews of Floyd et al. (2000) and Witte and Allen (2000).

This appeal variation—where the consequences of not adopting the advocated action differ in their undesirability—can be housed together with the previously-discussed variations involving different desirability of the claimed consequences of adoption. Abstractly put, these comparisons consider variations in the extremity of evaluation of claimed outcomes (the degree of desirability of the consequences of adoption, or the degree of undesirability of the consequences of nonadoption). Unsurprisingly, consequences that are evaluated more extremely (more desirable consequences of adopting the advocated action, or more undesirable consequences of failing to adopt the advocated action) make for more persuasive appeals than do consequences that are less extremely evaluated.

Thus, as with self-monitoring, CFC, regulatory focus, individualism-collectivism, and argument quality, what produces these fear appeal threat-severity effects is the general phenomenon of the greater persuasiveness of consequence-based arguments that invoke more extremely evaluated consequences. Variations in perceived

threat severity plainly represent variations in the evaluative extremity of potential outcomes—and hence these effects of variations in depicted threat severity can be straightforwardly ascribed to the underlying variation in evaluations.

19.3 Conclusion

Any persuasive circumstance that permits identification of systematic variation across individuals in the extremity of the evaluation of consequences is one that permits corresponding adaptation of persuasive appeals. If people of kind X and people of kind Y generally vary in their evaluation of the outcomes of a given action, then a persuader will want to craft different appeals to type X audiences and to type Y audiences. As discussed above, such systematic value variations are associated with self-monitoring differences, variations in cultural background, variations in “consideration of future consequences,” and variations in regulatory focus—and hence each of these individual-difference variations provides a basis for corresponding appeal adaptation.

Similarly, any persuasive circumstance in which there is relative uniformity (in a given audience) of the evaluation of particular consequences is a circumstance that permits corresponding construction of appeals in ways likely to maximize the chances of persuasive success. When describing the consequences of adoption of the advocated course of action, advocates will naturally want to emphasize those consequences the audience thinks most desirable (as ELM research on argument quality suggests). When describing the consequences of failing to adopt the advocated action, advocates will naturally want to emphasize those consequences the audience thinks most undesirable (as fear appeal research on threat severity suggests).

But, as will be apparent by now, the underlying phenomenon is exactly the same in all these different lines of research. That may not have been easy to see without closely considering the underlying argumentative structure of these appeals—but once seen, the common thread is obvious: Persuasion researchers have confirmed, over and over again, that the persuasiveness of consequence-based arguments is affected by the evaluative extremity of the depicted consequences.

Now the research to date does add something beyond this broad generalization, because it identifies various substantively different kinds of outcomes whose evaluations might vary. To express this in concrete message-design terms: An advocate can, in addition to thinking abstractly about the audience’s perceived desirability of various consequences, also think concretely about some more specific substantive aspects of the contemplated arguments. For example: Do the contemplated appeals mostly emphasize long-term rather than short-term consequences, and are consequences of that sort likely to appeal to the audience? Do the contemplated appeals mostly emphasize promotion-oriented rather than prevention-oriented consequences, and are consequences of that sort likely to appeal to the audience? And so forth. Still, what makes these substantive variations of interest is precisely that they correspond to underlying systematic differences in evaluation—and the underlying evaluative differences are what’s crucial.

19.3.1 Questions for Future Research

The present analysis invites three questions for future exploration: (1) What is the size of the persuasive advantage conferred by invoking evaluatively more extreme consequences? (2) Might consequence-based arguments vary in other ways (besides the evaluative extremity of the consequences) that affect persuasive success? (3) Can this analysis be extended so as to encompass and illuminate other lines of persuasion research?

19.3.1.1 The Size of the Persuasive Advantage Provided by Invoking More Extremely-Evaluated Consequences

One question is that of the size of the persuasive advantage conferred by invoking relatively more extremely-evaluated consequences. That is, even though it seems plain that messages invoking evaluatively more extreme consequences are more persuasive, that leaves open the question of just how much more persuasive they are. In a few of the research areas discussed here, some meta-analytic work has been undertaken that speaks to this matter (e.g., Floyd et al. 2000; Hornikx and O'Keefe 2009; Witte and Allen 2000), but additional such work—and comparative assessment that might indicate whether certain sorts of substantive variations are more consequential than others—would be valuable, both for practical reasons (as it would suggest what sorts of variations are worth special attention from advocates) and for larger theoretical reasons (because it will specify phenomena for explanation).

19.3.1.2 Other Features of Consequence-Based Argument Variation

A second question to be addressed is whether there are other features of consequence-based argument variation (beyond those previously discussed) that are important for persuasive outcomes. This question has two facets. One is whether there are other identifiable substantive dimensions of variation (other than the previously-discussed ones—long-term versus short-term consequences, image-oriented versus product-quality-oriented, etc.) that can go proxy for evaluative variations. For example, one might wonder whether there is any general difference in persuasiveness between appeals that emphasize consequences for the message recipient as opposed to consequences for others (see, e.g., Kelly 2007; White and Peloza 2009). Similarly, one might consider whether expressing a given consequence of the advocated action as producing a desirable outcome (“if you exercise, you’ll feel energized later”) or as avoiding an undesirable outcome (“if you exercise, you’ll avoid feeling tired later”)—or the parallel of expressing the consequences of failing to engage in the advocated action as a foregone desirable outcome (“if you don’t exercise, you’ll miss out on feeling energized later”) or an obtained undesirable

outcome (“if you don’t exercise, you’ll feel tired later”)—makes for any general difference in persuasiveness; it might be that “feeling energized later” and “avoiding feeling tired later” are differentially evaluated, either in general or by certain kinds of people. [This matter is related to the earlier discussion of regulatory focus. In studies of persuasive appeals and regulatory-focus variations, a common message contrast is between appeals emphasizing that the advocated action leads to some desirable outcome (a promotion-focused appeal) and appeals emphasizing that the advocated action leads to the avoidance of some undesirable outcome (a prevention-focused appeal).]

The second facet of this question is whether there are persuasiveness-relevant features of consequence-based argument variation other than the evaluative extremity of consequences. Perhaps most obviously, variations in the depicted *likelihood* of consequences might be considered as potentially important for persuasion. The variation of interest here might be described as that reflected in the differences among “If the advocated action A is undertaken, then desirable consequence D will *certainly* occur” and “If the advocated action A is undertaken, then desirable consequence D will *probably* occur,” “If the advocated action A is undertaken, then desirable consequence D will *possibly* occur,” and so on. [And there’s the parallel set of variations for arguments focused on the consequences of failing to adopt the advocated view: “If advocated action A is not undertaken, then undesirable consequence U will certainly (or probably or possibly) occur.”]

Consequence-likelihood variation in consequence-based arguments seems to have received rather less empirical attention than consequence-evaluation variation. What relevant work does exist is scattered in separate lines of research, such as fear appeal research concerning effects of variations in depicted threat vulnerability (e.g., Floyd et al. 2000), research on belief strength and likelihood-based appeals (e.g., Hass et al. 1975; Smith-McLallen 2005), and so forth. Plainly, systematic and thorough consideration of the effects of such variations would be useful.

19.3.1.3 Other Lines of Persuasion Research

One final question is whether the present analysis can be extended so as to encompass additional message variations that figure prominently in the persuasion research literature. For example, the contrast between gain-framed and loss-framed appeals (e.g., Meyerowitz and Chaiken 1987) looks to be the difference between two forms of consequence-based argument, namely, a consequences-of-compliance form (“If the advocated action A is undertaken, then desirable consequence D will occur”) and a consequences-of-noncompliance form (“If advocated action A is not undertaken, then undesirable consequence U will occur”).

As another example, fear appeal messages paradigmatically have two components. One is a fear-arousal component, meant to arouse fear or anxiety concerning possible undesirable events, and the other is a recommended-action component, meant to provide a course of action for avoiding those negative outcomes. But this seems to be a combination of two consequence-based arguments, one focused on

the undesirable consequences of noncompliance (the fear-arousal element), one focused on the desirable consequences of compliance (the recommended-action element). Thus exemplary fear-appeal messages would seem conceptually to be identical in argumentative structure to what elsewhere have sometimes been termed “mixed-frame” messages, that is, messages involving both gain-framed and loss-framed appeals (e.g., Latimer et al. 2008).

In short, it seems plausible that other areas of persuasion research might be usefully examined with an eye to considering similarities and differences in the underlying argumentative structure of the message variations involved.

19.3.2 Coda: Argumentation Studies and Persuasion Research

One way of describing the current project is to say that it seeks to bring the sensibilities of an argument analyst to bear on some of the message types that have figured prominently in persuasion research. The purpose has been to try to bring some greater clarity to that research, by identifying common argumentative forms (and variations) within seemingly different lines of empirical research. In addition to whatever value this has for illuminating persuasion research, perhaps it might also serve as an illustration that an ongoing dialogue between argumentation studies and persuasion research can continue to bear fruit.

References

- Aaker, J. L., & Schmitt, B. (2001). Culture-dependent assimilation and differentiation of the self: Preferences for consumption symbols in the United States and China. *Journal of Cross-Cultural Psychology, 32*, 561–576.
- Areni, C. S., & Lutz, R. J. (1988). The role of argument quality in the elaboration likelihood model. *Advances in Consumer Research, 15*, 197–203.
- Cesario, J., Grant, H., & Higgins, E. T. (2004). Regulatory fit and persuasion: Transfer from “feeling right. *Journal of Personality and Social Psychology, 86*, 388–404.
- DeBono, K. G. (1987). Investigating the social-adjustive and value-expressive functions of attitudes: Implications for persuasion processes. *Journal of Personality and Social Psychology, 52*, 279–287.
- Floyd, D. L., Prentice-Dunn, S., & Rogers, R. W. (2000). A meta-analysis of research on protection motivation theory. *Journal of Applied Social Psychology, 30*, 407–429.
- Gangestad, S. W., & Snyder, M. (2000). Self-monitoring: Appraisal and reappraisal. *Psychological Bulletin, 126*, 530–555.
- Hass, J. W., Bagley, G. S., & Rogers, R. W. (1975). Coping with the energy crisis: Effects of fear appeals upon attitudes toward energy consumption. *Journal of Applied Psychology, 60*, 754–756.
- Higgins, E. T. (1997). Beyond pleasure and pain. *American Psychologist, 52*, 1280–1300.
- Higgins, E. T. (1998). Promotion and prevention: Regulatory focus as a motivational principle. *Advances in Experimental Social Psychology, 30*, 1–46.
- Hofstede, G. (1980). *Culture's consequences: International differences in work-related values*. Beverly Hills: Sage.
- Hofstede, G. (2001). *Culture's consequences: Comparing values, behaviors, institutions, and organizations across nations* (2nd ed.). Thousand Oaks: Sage.

- Hornikx, J., & O'Keefe, D. J. (2009). Adapting consumer advertising appeals to cultural values: A meta-analytic review of effects on persuasiveness and ad liking. *Communication Yearbook*, 33, 39–71.
- Hustinx, L., van Enschot, R., & Hoeken, H. (2007). Argument quality in the elaboration likelihood model: An empirical study of strong and weak arguments in a persuasive message. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & B. Garssen (Eds.), *Proceedings of the sixth conference of the International Society for the Study of Argumentation* (pp. 651–657). Amsterdam: Sic Sat.
- Johnson, B. T., Smith-McLallen, A., Killea, L. A., & Levin, K. D. (2004). Truth or consequences: Overcoming resistance to persuasion with positive thinking. In E. S. Knowles & J. A. Linn (Eds.), *Resistance and persuasion* (pp. 215–233). Mahwah: Erlbaum.
- Kelly, B. J. (2007). Effects of benefit-target framing on intentions to engage in avian flu vaccination and other health behaviors. Doctoral dissertation. Retrieved from UMI. (UMI No. AAT-3300394).
- Latimer, A. E., Rench, T. A., Rivers, S. E., Katulak, N. A., Materese, S. A., Cadmus, L., Hicks, A., Hodorowski, J. K., & Salovey, P. (2008). Promoting participation in physical activity using framed messages: An application of prospect theory. *British Journal of Health Psychology*, 13, 659–681.
- Lavine, H., & Snyder, M. (1996). Cognitive processing and the functional matching effect in persuasion: The mediating role of subjective perceptions of message quality. *Journal of Experimental Social Psychology*, 32, 580–604.
- Lee, A. Y., & Higgins, E. T. (2009). The persuasive power of regulatory fit. In M. Wanke (Ed.), *The social psychology of consumer behavior* (pp. 319–333). New York: Psychology Press.
- Leikas, S., Lonnqvist, J.-E., Verkasalo, M., & Lindeman, M. (2009). Regulatory focus systems and personal values. *European Journal of Social Psychology*, 39, 415–429.
- Meyerowitz, B. E., & Chaiken, S. (1987). The effect of message framing on breast self-examination attitudes, intentions, and behavior. *Journal of Personality and Social Psychology*, 52, 500–510.
- O'Keefe, D. J. (2002). *Persuasion: Theory and research* (2nd ed.). Thousand Oaks: Sage.
- O'Keefe, D. J. (2003). Message properties, mediating states, and manipulation checks: Claims, evidence, and data analysis in experimental persuasive message effects research. *Communication Theory*, 13, 251–274.
- Orbell, S., & Hagger, M. (2006). Temporal framing and the decision to take part in Type 2 diabetes screening: Effects of individual differences in consideration of future consequences on persuasion. *Health Psychology*, 25, 537–548.
- Orbell, S., & Kyriakaki, M. (2008). Temporal framing and persuasion to adopt preventive health behavior: Moderating effects of individual differences in consideration of future consequences on sunscreen use. *Health Psychology*, 27, 770–779.
- Park, H. S., Levine, T. R., Westermann, C. Y. K., Orfgen, T., & Foregger, S. (2007). The effects of argument quality and involvement type on attitude formation and attitude change: A test of dual-process and social judgment predictions. *Human Communication Research*, 33, 81–102.
- Perelman, C. (1959). Pragmatic arguments. *Philosophy*, 34, 18–27.
- Petty, R. E., & Cacioppo, J. T. (1986). *Communication and persuasion: Central and peripheral routes to attitude change*. New York: Springer.
- Petty, R. E., & Wegener, D. T. (1998). Attitude change: Multiple roles for persuasion variables. In D. T. Gilbert, S. T. Fiske, & G. Lindzey (Eds.), *Handbook of social psychology* (4th ed., Vol. 1, pp. 323–390). Boston: McGraw-Hill.
- Petty, R. E., Cacioppo, J. T., & Goldman, R. (1981). Personal involvement as a determinant of argument-based persuasion. *Journal of Personality and Social Psychology*, 41, 847–855.
- Rogers, R. W., & Prentice-Dunn, S. (1997). Protection motivation theory. In D. Gochman (Ed.), *Handbook of health behavior research* (Personal and social determinants, Vol. 1, pp. 113–132). New York: Plenum.
- Schellens, P. J., & de Jong, M. (2004). Argumentation schemes in persuasive brochures. *Argumentation*, 18, 295–323.
- Smith-McLallen, A. (2005). Is it true? (When) does it matter? The roles of likelihood and desirability in argument judgments and attitudes. Doctoral dissertation. Retrieved from UMI. (UMI No. AAT-3187759).

- Snyder, M., & DeBono, K. G. (1985). Appeals to image and claims about quality: Understanding the psychology of advertising. *Journal of Personality and Social Psychology*, *49*, 586–597.
- Snyder, M., & DeBono, K. G. (1987). A functional approach to attitudes and persuasion. In M. P. Zanna, J. M. Olson, & C. P. Herman (Eds.), *Social influence: The Ontario symposium* (Vol. 5, pp. 107–125). Hillsdale: Erlbaum.
- Strathman, A., Gleicher, F., Boninger, D. S., & Edwards, C. S. (1994). The consideration of future consequences: Weighing immediate and distant outcomes of behavior. *Journal of Personality and Social Psychology*, *66*, 742–752.
- van Enschot-van Dijk, R., Hustinx, L., & Hoeken, H. (2003). The concept of argument quality in the elaboration likelihood model: A normative and empirical approach to Petty and Cacioppo's "strong" and "weak" arguments. In F. H. van Eemeren, J. A. Blair, C. A. Willard, & A. F. Snoeck Henkemans (Eds.), *Anyone who has a view: Theoretical contributions to the study of argumentation* (pp. 319–335). Amsterdam: Kluwer.
- Walton, D. N. (1996). *Argumentation schemes for presumptive reasoning*. Mahwah: Erlbaum.
- White, K., & Peloza, J. (2009). Self-benefit versus other-benefit marketing appeals: Their effectiveness in generating charitable support. *Journal of Marketing*, *73*, 109–124.
- Witte, K., & Allen, M. (2000). A meta-analysis of fear appeals: Implications for effective public health campaigns. *Health Education and Behavior*, *27*, 591–615.

Chapter 20

The Costs and Benefits of Arguing: Predicting the Decision Whether to Engage or Not

Dale Hample, Fabio Paglieri, and Ling Na

20.1 Introduction

Pragma-dialectical theory (van Eemeren and Grootendorst 2004) explains that a critical discussion has four stages: confrontation, opening, argumentation, and concluding. In the confrontation stage, two people discover that they have a disagreement, and in the opening stage they decide how to pursue it. This study focuses on the transition from the confrontation stage to the opening stage. Not all disagreements are explored or even expressed. When circumstances invite disagreement and then argument, sometimes we move forward and sometimes we move away. This is an investigation of the decision to engage or not. What factors predict engagement and which predict that no argument will be voluntarily forthcoming?

20.2 A Theory of Engaging in Arguments

Recent work (Paglieri 2009; Paglieri and Castelfranchi 2010; see Hample 2009) has analyzed the circumstances in which face-to-face arguments are most likely to escalate out of control, suggesting that people take these factors into account in deciding

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whether or not to argue at all. This paper takes that work as a theory of argument engagement. Our most general claim is that people are predicted to engage in an argument when the expected benefits of doing so exceed the expected costs.

The essential model being tested here is

$$\text{Beh} \sim \text{BI} = f(\text{S}, \text{P}, \text{C}, \text{B}), \quad (20.1)$$

where Beh represents behavior, BI is behavioral intention, S is the situation, P represents various aspects of the person, C is the expected costs of the behavior, and B is the expected benefits of the behavior. Our interest here is in a particular behavior, engaging in an interpersonal argument. While our design does not include a direct observation of arguing behavior, meta-analysis shows that behavioral intentions are highly correlated with behaviors ($r = .83$, Kim and Hunter 1993), and so BI serves us as a suitable proxy – that is, Beh is approximated by (\sim) BI. We theorize that behavioral intention to engage in a face-to-face argument will be a function of the characteristics of the situation that might or might not invite an argument, individual differences among people, and anticipated costs and benefits of arguing. S, P, C, and B can be operationalized in many ways. We will test only one set of instantiations, one collective example of how the model might be applied.

Equation 20.1 is essentially a cost-benefit model that makes room for personal and situational influences on the assessment of costs and benefits. Cost-benefit models are common in the social sciences and have a good record of accurate predictions in many domains. They go by various names, such as Subjective Expected Utility models, Predicted Outcome Value theory, Social Exchange Theory, Utility Theory, and others (e.g., Lave and March 1975; Thibaut and Kelley 1959; Uehara 1990).

Several particular applications of this general theoretical orientation are supportive of our current project. The literature shows, for example, that some formulation of costs and benefits predicts behavioral intentions, relational engagement, conflict engagement, and conflict resolution. Fishbein and Ajzen (1975) showed that an algebraic combination of positive and negative beliefs predicts attitudes, and that similar combinations of attitudes and norms predict behavioral intentions. Marek et al. (2004) found that the costs and benefits implied in one's first impression of another person predicted whether roommate relationships would persist and be constructive. Similarly, the positivity of one's expectations about a relationship predicted one's emotional engagement in the relationship, the amount of interaction, and the intimacy of exchanges (Ramirez et al. 2010). Bippus et al. (2008) found that people who felt they were under-benefitted in a relationship were angrier, more critical, and more avoidant during conflicts, compared to people who felt properly- or over-benefitted. Vuchinich and Teachman (1993) analyzed data indicating that the likelihood of ending riots and family arguments increases as they go on because their costs increase; in contrast wars and strikes become entrenched. Both pairs of results were predicted from the premise that the prospects of concluding a conflict can be projected from the momentary and projected costs of continuation. These findings encourage us to theorize that people's intentions to argue or not will be

predictable if we know how the people project their costs and benefits if they were to argue.

The S, P, C, and B elements of Eq. 20.1 can be operationalized in a great number of ways, with each set of instantiations essentially providing a separate specification and test of Eq. 20.1. Here, our main situational variable is the type of argument topic: whether it is personal, public, or occupational. Johnson (2002; Johnson et al. 2007) has shown that whether an argument concerns a personal or public *topic* (i.e., whether the argument is about something that directly affects the nature or conduct of the arguers' personal relationship or not) predicts how people think about and react to the argument. This is a distinction between whether the topic is internal (private) or external (public) to the conduct of the interpersonal relationship. Which of us should drive the car to the polling place is a private topic but who should be the next senator is a public one. We add workplace topics to Johnson's list in the expectation that these are also common topical sites for arguments, and seem to us to have a character intermediate between personal and public matters. The key person variables here are *argumentativeness* and *verbal aggressiveness* (Infante and Rancer 1982; Infante and Wigley 1986), which are important to many arguing phenomena (Rancer and Avtgis 2006). Argument topic (S) and both argumentativeness (P) and verbal aggressiveness (P) are variables that have been very useful in understanding and predicting argument behaviors and beliefs.

Our understanding of the costs and benefits of engaging in arguments is taken from Paglieri's (2009) work. He identified nine factors that should affect people's decision whether to engage or not. We have reduced these to seven, making use of previous concepts and scales whenever possible. The *cost* of arguing refers to the cognitive effort involved, one's emotional exposure, and one's estimates of unwelcome relational consequences. The *benefits* of arguing immediately index what an arguer might get out of the interaction if it were to go well. The likelihood of *winning* is important in projecting possible benefits to an argument. A key consideration in whether outcomes might be attainable is whether the other arguer is expected to be *reasonable*, or might be stubborn or truculent. The *civility* of a possible argument has to do with whether it would be pleasant and productive, or angry and destructive. Whether an argument is thought to be *resolvable* or not has important consequences for relational satisfaction and other valued outcomes (e.g., Johnson and Roloff 1998). People feel that it is *appropriate* to engage in some arguments but not in others, and this has implications for whether participation would be more or less costly.

Expected costs (C) and benefits (B) are measured with essentially the same scales, arranged so that if a high score represents an estimate that an argument would be costly, a low score would imply that it would be beneficial (or vice versa). At this point in our theoretical development, we suppose that these are continuous linear matters rather than, say, threshold or step-function considerations. These cost and benefit measures are discriminable on their face, and if they should prove to be highly correlated, this will be substantively informative without endangering our test of the basic model. Dividing the general ideas of cost and benefit into several specific measures makes it empirically possible for a person to project engagement

as being both highly beneficial and very costly, low in both respects, or high on one and low on the other.

Equation 20.1 specifies only that behavioral intentions will be some function of S, P, C, and B, without indicating the exact functional form. Our theory predicts that intention to engage will be heightened when benefits are expected to be substantial and decreased when costs become predominant. We predict that the intention to argue will be highest when the argument is expected to be resolvable, civil, low in effort, successful, appropriate, and beneficial, and when the other person is anticipated to be reasonable. We expect people to prefer non-engagement in the opposite conditions. Estimates of costs and benefits are specific to a particular argument and we understand these estimates to be the proximal causes of the decision to engage. But those estimates may well vary according to the type of argument topic (S) and the arguers' predispositions for argumentativeness and verbal aggressiveness (P). Furthermore, the size of the effects of C and B on the decision to engage may also be moderated by S and P (i.e., cost estimates may be more forceful in one situation rather than another, or for one type of person rather than a different one). We expect to replicate findings indicating that people high in argumentativeness and verbal aggressiveness are more likely to engage. Since Johnson has shown that personal topic arguments are more involving than public topic ones, we expect that the causal system will reflect this difference, because public topic arguments have been found to be less costly (especially in emotional terms) than personal issue arguments. We make no hypotheses about the job topic arguments, since these have not previously been compared to personal and public arguments. While the P variables might have direct causal effects on the engagement decision, we expect that their effects will tend to be indirect, influencing and then being mediated by the cost and benefit estimates. We test our expectations by means of a structural equation model (SEM) that will reveal both the direct and indirect effects of P, C, and B on the intention to engage in arguing. The S variable's influence should be apparent when we contrast the structural equations predicting intention to engage for personal, public, and workplace topics.

20.3 Method

20.3.1 Procedures

Data were collected online. Respondents filled out the argumentativeness (Infante and Rancer 1982) and verbal aggressiveness (Infante and Wigley 1986) instruments, along with demographic items. Each participant then read stimuli describing a situation that invited an argument with a close friend, dealing with a personal, public, or workplace topic. Each participant responded to all three stimuli. The responses had to do with costs, benefits, and behavioral intentions. The study was approved by the Institutional Review Board at the first author's institution, where the data were collected.

20.3.2 Respondents

A total of 509 undergraduates at a large public Mid-Atlantic university in the U.S. provided data in exchange for extra credit in undergraduate communication classes. 207 (41%) were men, and 302 (59%) were women. Their average age was 20.1 years ($SD=1.83$). Freshman constituted 11% of the sample, sophomores 32%, juniors 31%, and seniors 25%. Most (53%) self-categorized themselves as Euro-Americans. Asian-Americans (11%), African-Americans (10%), and Hispanic-Americans (5%) were also common in the sample. The other respondents were scattered among other ethnicities and national origins, or declined to answer.

20.3.3 Argument Topics

Three argument topics were used in the study. All three were designed to invite but not require the respondent to participate in an interpersonal argument. In other words, they each constituted the first half of a confrontation stage (van Eemeren and Grootendorst 2004). All described the other potential participant as a “good friend” to control for relationship with the other person. The public topic concerned musical preferences: the friend remarks that the respondent’s preferred sort of music is “awful.” The personal topic dealt with the friend’s new romantic partner. The respondent has not been enthusiastic about the relationship, and the friend says that the respondent has been holding back and should be more supportive. In the workplace topic, the respondent and friend work together, and the friend says that the respondent has not been doing his or her share of the work, placing more burden on the friend. In each case, the respondent might plausibly have engaged in a disagreement with the friend’s standpoint or might have found some way to avoid an argument. The topics represent the S element in Eq. 20.1. The full text of the three topics is reported below:

PUBLIC TOPIC: You and a good friend are both very fond of music. Besides just listening to lots of music over the radio and on iPods, when you have a little extra money, both of you like to go to fairly expensive concerts. You really like different sorts of music, however, and always have. One day when you’re just spending a little time together, your friend makes a remark about how good the sort of music s/he likes is, and says that the kind of music you like is awful.

PERSONAL TOPIC: You and a good friend have just had a third person come into your lives because your friend has been dating him/her. The problem is that you and the third person really don’t get along very well. You don’t like him/her because you don’t trust him/her to treat your friend well, and he/she doesn’t seem to like you, either. You and the third person have made some effort to be pleasant to one another for the sake of your common friend, but your friend has begun to notice that you seem to be holding back a little. One day when you’re just spending some time

together, your friend makes a remark about how you don't seem very sincere about liking the third person, and that you really should make more of an effort.

WORKPLACE TOPIC: You and a good friend work together in an office. You have essentially the same job and your common boss gives the two of you similar work to do. Your boss pays attention to how you're doing on your current tasks, and when one of you has finished, your boss gives that person the next set of assignments. You think that the two of you work at about the same pace and do about the same quality of work. But your friend has apparently begun to feel that you're not quite doing as much as he/she does. One day at work when you're just spending a little time together without much to do, your friend makes a remark about how you don't seem to be doing your share and that he/she is a little resentful about having to do extra work.

20.3.4 Measures

The P elements in Eq. 20.1 were argumentativeness and verbal aggressiveness. As is the case with the other measures in the study, they were assessed with five-choice Likert items. Both are 20 item scales supposed to be composed of two 10-item sets. Argumentativeness (Infante and Rancer 1982) measures the motivation to attack another person's position, and resolves into a measure of argument-avoid and another of argument-approach. Verbal aggressiveness (Infante and Wigley 1986) is an index of one's predisposition to attack another arguer's character or qualities, and has been shown to have a two-factor structure (Levine et al. 2004). One factor measures pro-social impulses and the other, which Levine et al. suggested is the more genuine measure of verbal aggressiveness, measures anti-social inclinations.

The C and B elements of Eq. 20.1 were measured in several ways. *Cost* of arguing was measured with ten items, dealing with the time and effort expected, complexity of the anticipated argument, likelihood of emotional exposure for self and other, and the possibility of damaging the friendship. *Benefits* of arguing involved six items asking globally whether the respondent would regret the argument or find it beneficial. The other's expected *reasonability* was operationalized with six items that referred to whether the friend would be stubborn, reasonable, open-minded, and mature. *Resolvability* refers to the estimate of whether the argument could be productively concluded (Johnson and Roloff 1998). The likelihood of *winning* asked for projections about who would win the argument and who had the better supporting evidence and reasons. *Appropriateness* included seven items asking whether this was the right time, place, topic, and person for an argument. *Civility* (Hample et al. 2009) is a set of ten items asking the respondent to say whether the argument would be cooperative, hostile, open-minded, and so forth.

The dependent variable is behavioral intention to engage in an argument, and this was assessed separately for each of the argument topics (S). Seventeen items were used. These expressed the respondent's willingness to argue, to exchange reasons and evidence, to confront, to concede, and so forth.

Table 20.1 Descriptive statistics for multi-item measures

	Cronbach's			
	Alpha	N	Mean	SD
Argument-avoid	.85	509	2.70	.63
Argument-approach	.84	509	3.37	.57
VA – prosocial	.78	509	3.29	.53
VA – antisocial	.82	509	2.69	.60
Behavioral Intention				
Public	.87	509	3.56	.52
Personal	.84	490	3.22	.49
Workplace	.90	490	3.48	.57
(Un)Resolvability				
Public	.75	508	2.82	.64
Personal	.80	488	2.71	.64
Workplace	.80	489	2.58	.62
Civility				
Public	.84	508	3.58	.58
Personal	.80	489	3.35	.54
Workplace	.80	489	3.38	.55
Reasonability				
Public	.68	509	3.23	.62
Personal	.74	490	3.13	.62
Workplace	.71	489	3.24	.57
Costs				
Public	.80	508	2.72	.61
Personal	.80	489	3.23	.57
Workplace	.79	489	2.99	.55
Winning				
Public	.69	490	3.19	.51
Personal	.66	480	3.16	.48
Workplace	.76	478	3.29	.55
(In)Appropriateness				
Public	.87	508	2.63	.70
Personal	.84	490	2.69	.66
Workplace	.85	489	2.85	.70
Benefits				
Public	.83	507	2.94	.66
Personal	.80	487	3.24	.63
Workplace	.80	489	3.25	.61

Note: Means and standard deviations are on a 1–5 scale

Descriptive statistics including Cronbach's alphas for all these variables are presented in Table 20.1. Table 20.2 shows the correlations between the trait measures and the other variables for each topic type. These are provided for the benefit of future meta-analysts, and readers should notice that these variables are calculated by simply averaging their component items, with reverse scoring as appropriate. Other results in this report concern the latent variables calculated as part of our structural equation modeling.

Table 20.2 Correlations between exogenous and endogenous variables

	VA prosocial	VA antisocial	Arg-avoid	Arg-approach
VA prosocial				
VA antisocial	-.38			
Arg-avoid	.32	-.00		
Arg-approach	-.04	.26	-.51	
BI public	-.05	.10	-.31	.44
Uresolv public	-.15	.24	.00	.02
Civility public	.33	-.33	-.02	.10
Reasonbl public	.23	-.19	.07	.01
Cost public	-.12	.23	-.02	.11
Win public	.09	.06	-.13	.27
Inapprop public	.00	-.02	.30	-.24
Benefit public	.07	.03	-.22	.24
BI personal	-.06	.06	-.14	.19
Ureslv personal	-.15	.17	.11	-.10
Civil personal	.23	-.29	.02	.05
Reasonbl Persnl	.28	-.14	.07	.08
Cost personal	.01	.13	.05	.03
Win personal	.12	.09	.06	.20
Inapprop Persnl	-.00	.11	.17	-.12
Benefit Persnl	.13	-.01	-.12	.18
BI work	.05	-.01	-.23	.33
Uresolvbl work	-.12	.17	.06	-.06
Civility work	.20	-.27	.02	.06
Reasonbl work	.19	-.09	.05	.02
Cost work	-.05	.15	.02	.06
Win work	.10	-.02	-.09	.18
Inapprop work	-.04	.04	.16	-.16
Benefit work	.10	.02	-.15	.17

Note: Correlations with absolute values of .09 or higher are significant at $p < .05$

20.4 Results

20.4.1 Measurement Model

Structural equation modeling (SEM) has two steps. First, the measurement model must be evaluated. The measurement model refers to our theorized connections between particular response items and the concepts they are supposed to measure. Although we planned that a particular set of items (e.g., for appropriateness) would represent the general concept we specified, whether those items measure it properly is an empirical question. In SEM terms, the individual items are indicators and the general concept (e.g., appropriateness) is a latent variable. Latent variables are

unmeasured and are understood as the unobserved causes for the values of the indicator items. Only with a passable measurement model can the theoretical model (here, Eq. 20.1's instantiations) be properly assessed.

We conducted confirmatory factor analyses (CFA) on our measures. Because LISREL (a standard SEM software package) does not permit missing data, our sample size for these and other SEM analyses is 473. Given the number of parameters involved in the study compared to our sample size, we conducted separate CFAs on the trait and then the cost, benefit, and intention measures. We parceled indicators for each measure (Little et al. 2002). This involves averaging two or more indicators to create a composite indicator. The purpose of parceling is to permit some of the random measurement error to cancel out before the indicators enter the model. Each parcel had two to five indicators, and we created three or four parcels for each latent variable. Details on the parcels are available from the authors.

The trait measures were argumentativeness and verbal aggressiveness. Hamilton and Hample (2011) have recently shown that two of the argumentativeness items (items 16 and 18 in the standard numbering) seem to form an ability factor. Items 16 and 18 loaded poorly on the proposed ability factor in this study and so these items were dropped from our analyses. This left four trait measures: argument-approach, argument-avoid, VA-prosocial, and VA-antisocial. The CFA was reasonably successful in spite of a significant overall fit test: $\chi^2(48, N=473)=129.49, p<.001$, RMSEA=.061, $\chi^2/df=2.70$, NFI=.96. All of the parcels had substantial R^2 s with their latent variables, ranging from .45 to .80.

The remaining variables assessed the costs, benefits, and intentions for the three argument topics. All these variables were included in a single CFA. The third parcel for *winning* had an R^2 less than .10 for all three topics, and so was dropped from the analyses. In addition, one item from *benefits* performed badly in the exploratory factor analysis used to inform the parceling, and that indicator was dropped as well for one topic. The CFA was again reasonably successful in spite of a significant fit test: $\chi^2(2208, N=473)=5934.75, p<.001$, RMSEA=.071, $\chi^2/df=2.69$, NFI=.89. The R^2 between the parcels and their latent variables ranged from .21 to .87.

Tests of the measurement model showed it to be a reasonable fit to the observed data. The latent variables (e.g., argumentativeness) are well defined by their indicator variables (i.e., their response items). If there is a problem in the overall analysis, it will be attributable to the underlying theory and not to the measurement techniques.

20.4.2 Structural Model

The second phase in SEM is usually more theoretically interesting than the measurement step. The theory (here, our instantiation of Eq. 20.1) specifies a set of causal relations among the latent variables. This causal system is called the structural model. It models the possibility of causal influence from exogenous variables (those not theorized as caused by any other variables in the system) to endogenous

variables (those that have at least one cause in the system). The idea is to test the theorized set of relationships among the latent variables against the observed relationships. If the observed and theorized relationships are similar (i.e., they “fit” one another), the structural model is successful. A successful structural model is in turn good evidence for its generative theory.

Our initial structural model defined the P variables (the subscales for argumentativeness and verbal aggressiveness) as causes of the cost and benefit estimates, and the cost and benefit variables then were modeled as causing the behavioral intentions. Fit statistics for this model were $\chi^2(3291, N=473)=9541.24, p<.001, \chi^2/df=2.90, RMSEA=.076, NFI=.84$. However, the most notable result was a null one. None of the P variables had significant effects on any of the cost-benefit variables. Without exception, the paths from the P variables to these estimates were nonsignificant. Prior to discarding the P variables entirely, we explored the possibility that they might instead have direct effects on the behavioral intention measures. One of them did, although only for the public issue topic. Therefore we retained the P measures in the model, but placed them in the same causal phase as the cost-benefit variables. An interesting implication of the lack of influence of P variables on the C and B elements is that the estimates of cost and benefits in argumentative contexts seem to be fairly person-independent matters, at least insofar as argumentativeness and verbal aggressiveness are concerned.

After trimming the model by eliminating the nonsignificant paths between the exogenous and endogenous latent variables, we obtained a reasonably good fit for the new model: $\chi^2(3090, N=473)=7485.53, p<.001, \chi^2/df=2.42, RMSEA=.064, NFI=.88, CFI=.92$. The main results are best conveyed by the structural equations. All the coefficients detailed below are statistically significant. The coefficients are unstandardized. Error terms are omitted. All the variables are measured on the same 1–5 metric.

$$BIPub = .12*ArgApp + .18*Civil - .10*Reason + .53*Win - .18*Inapprop \quad (20.2)$$

$$BIPers = .54*Win - .14*Inapprop + .07*Benefit \quad (20.3)$$

$$BIWork = -.17*Unresolv + .15*Cost + .70*Win - .08*Inapprop \quad (20.4)$$

The R^2 for each equation was substantial. The behavioral intention to argue on a public topic was predicted with an R^2 of .66. For personal topics, the figure was .61. For workplace topics, the R^2 was .73.

Table 20.3 reports the correlations among the endogenous variables as well as those within each topic’s set of cost-benefit exogenous variables. The BI intercorrelations indicate that intention to engage in argumentation had some consistency from topic to topic (about 10–20%), with the public and personal topic intentions least strongly related. The correlations among the exogenous variables reveal that for the most part, these latent variables had quite consistent covariation across topic types. Particularly strong relations appeared between these pairs: unresolvability/

Table 20.3 Correlations among endogenous and exogenous latent variables

	BIPub	BIPers				
<i>Endogenous variables, all topics</i>						
BIPers	.31					
BIWork	.44	.42				
	Unreslv	Civility	Reasnbl	Cost	Win	Inappr
<i>Exogenous cost-benefit variables, public topic</i>						
Civility	-.59					
Reasnbl	-.66	.70				
Cost	.47	-.67	-.63			
Win	-.05	.28	-.05	-.11		
Inappr	.25	-.34	-.08	.25	-.38	
Benefit	-.13	.02	.13	.06	.23	-.18
<i>Exogenous cost-benefit variables, personal topic</i>						
Civility	-.64					
Reasnbl	-.52	.66				
Cost	.37	-.39	-.75			
Win	-.01	.26	.01	.21		
Inappr	.35	-.42	-.20	.04	-.37	
Benefit	-.34	.40	.36	-.10	.52	-.45
<i>Exogenous cost-benefit variables, workplace topic</i>						
Civility	-.76					
Reasnbl	-.53	.74				
Cost	.45	-.55	-.65			
Win	-.25	.27	.08	.09		
Inappr	.29	-.28	-.20	.14	-.21	
Benefit	-.27	.35	.38	-.20	.39	-.18

civility, civility/cost, unresolvability/reasonability of other, civility/reasonability, and reasonability/cost. Given the direction of scoring, all of the correlations seem to be reasonable. Several other pairs also had noticeable relationships. As a consequence of these correlations, the exogenous variables that lack a direct path to intention had indirect effects that passed through other exogenous variables. The strength and consistency of several of these relationships suggest that it may be possible to simplify future models by condensing some of the cost and benefit conceptions.

As Eqs. 20.2, 20.3, and 20.4 imply, the intention to engage in arguing has different causes depending on the topic type. The public topic argument was the only one to show any effects for a P variable, engagement being more likely for those having high argument-approach scores. Public topic arguing was also more likely when the argument is projected to be civil, the respondent feels confident of winning, when arguing would be appropriate, and when the other party is expected to be unreasonable. This last finding was unexpected. We had supposed that engagement would be more attractive when the potential arguing partner is projected to be reasonable. These are not the same considerations as for the other two topic types. For the personal topic (Eq. 20.3), the strongest consideration was whether one would win the argument, somewhat supplemented by a

sense of potential benefit, and inappropriateness was again a deterrent. In the workplace (Eq. 20.4), intention was highest when one expected to win, even at some cost, and when the argument was projected as being resolvable and appropriate. The positive coefficient for cost was also unexpected. We projected that higher costs would make engagement less likely.

The only predictors that appeared in all three equations are winning and appropriateness, and of the two, regression coefficients show that winning was far more important; in fact, it is the most important predictor in all three equations. These two variables had the same sign in each equation. The other person's expected reasonability was relevant for the public topic, but not for the other two types. Benefit was mainly a consideration for the personal topic, and cost only in the workplace. So although intention to engage was well predicted for all three topic types, the intention-relevant considerations were quite different. In this study, the S variable for Eq. 20.1 was far more important than the P variables: The P variables had little predictive effect, but distinguishing among the topic types produced different structural equations. Two effects (cost in Eq. 20.4 and reasonability in Eq. 20.2) were unexpected. Below we will revisit our initial understandings of cost and other's reasonability.

20.5 Discussion

People do not have to argue whenever arguing is invited. One can be challenged, or provoked, or confounded, and any of these makes arguing possible but not necessary. In pragma-dialectical terms (van Eemeren and Grootendorst 2004), we can find ourselves partway into a possible confrontation stage, needing to make the next move. In response to the protagonist we might change the topic, fall silent, concede, or otherwise avoid engagement. Or we might express disagreement. Should that occur, the original protagonist might then move away from the matter, or might initiate the opening stage of discussion. In the opening stage arguers make joint decisions about how to proceed. However, somewhere in the confrontation stage or in the transition to the opening stage, people must decide whether or not to engage in arguing. This has been a social scientific investigation of when the decision to engage is made and when it is rejected.

The most general statement of our theory is in Eq. 20.1, which posits that the engagement decision will be influenced by one's general predispositions, situational features, projected costs, and projected benefits. Given the innumerable possible ways of implementing this general view, we adapted Paglieri's (2009) theory for empirical use. We operationalized personal variables as argumentativeness and verbal aggressiveness; situational variables as topic (public, personal, or workplace); and costs and benefits as resolvability, civility, other's reasonability, costs, prospects of winning, appropriateness, and possible benefits. Several variables – most notably the traits – fell out of the model. Others had only indirect effects rather than the

direct ones we expected. Two had effects that we did not anticipate. A fair judgment is that we have not confirmed our model, but have begun to develop it.

Our final structural equation model was a reasonably good match to our data. The most stringent assessment of fit is the χ^2 test, but it tends to report significant departures between a model and a data set when sample sizes are large and so is often discounted. Here we know that while our measurement model was reasonable it was also imperfect, with the consequence that its departures were carried forward into the fit test for our structural model. In our view, the most important results were the R^2 results for Eqs. 20.2, 20.3 and 20.4. They indicate that our structural model is able to account for about two-thirds of the variance in engagement intentions.

The most influential predictor in Eqs. 20.2, 20.3 and 20.4 was winning. The expectation one would win the argument had a very strong and positive relationship to one's willingness to engage. We suppose that the prospect of winning carries two sorts of rewards. One is the likelihood of achieving whatever instrumental aims are involved in the argument – getting agreement on music, on the dating partner, or on workload. The other is a positive feeling – perhaps of pride, superiority, dominance, or the thrill of victory. A glance at Table 20.3 shows that winning has some connection to benefits, although other pairs of exogenous variables are more closely associated. So both sorts of motive – personal and instrumental – may well be in play here.

The other exogenous variable that appeared in all three structural equations was inappropriateness. While not as influential as winning, it has a consistent effect on the intention to engage. Appropriateness scales involved the propriety of arguing on that topic, with that person, and at that time. We conceived inappropriateness as a cost of arguing, but it obviously has some connection to the situation as well.

In fact, all of our cost and benefit measures reflect the circumstances of the potential argument. This is because an actual argument is always situated and always takes place in concrete reality. In that sense, everything in our model except the traits can be understood or re-understood as situational. One might win against one opponent but not against another; more benefits might accrue in one argument compared to another; one antagonist might be reasonable and another truculent; and so forth. It is interesting that the P variables essentially disappeared from our models (excepting the relevance of argument-approach to the public topic). Other scattered evidence has suggested that the influence of personality tends to evaporate once an argument is joined (Hample 2005), and the present results imply that our participants responded in that way instinctively. Cost and benefit estimates appear to be situationally calibrated without much influence from the personal traits we have studied here.

Two of our results were unexpected. For the public topic engagement was more likely the *less* reasonable the other person was thought to be. In the workplace, the *higher* the costs the more likely the respondent was to decide to argue. We thought that other's reasonability would promote engagement and that high costs would discourage it. Our best explanations of these unexpected findings have to do with the argument topic types.

Public topics can be about social issues, ideas, or minor interests (Johnson 2002). Here, the public topic was about musical taste. For some people some of the time, arguments might be taken up for the sake of entertainment (Hample 2005). Perhaps on a topic such as musical preference, it might be more fun to argue with a stubborn opponent who would keep the interaction going.

Another possibility – one that is of more methodological concern – concerns how people interpret the word “argue.” Commonly arguments are seen as nasty episodes, unproductive and threatening (Benoit 1982; Gilbert 1997). Benoit showed that when people expect an exchange of reasons and disagreements to be pleasant and constructive, they call the episode a “discussion.” The place of other’s reasonability in Eq. 20.2 is consistent with the idea that one can only engage in an “argument” with an unreasonable opponent; otherwise one will be discussing. If this is so, we will need to be very careful in working with these ideas in other languages (a Romanian data collection is under way, and one in Italy is planned).

High costs encouraged arguing on our workplace topic (Eq. 20.4). The particular topic we chose – the accusation of laxity and the consequent over-burdening of one’s friend – may have been seen as having notable costs to begin with. Light complaints (implying minor costs) might be disregarded at work or might call out some sort of conciliation, just to smooth things over. If this reasoning is correct, perhaps high costs are a prerequisite to workplace arguing. However, the same line of thought might make a similar prediction for personal topics, and we did not see a positive loading for cost in Eq. 20.3. Another possible explanation of this result is that the very fact of being ready to suffer high costs in arguing is an effective way of rebutting the accusation of laxity, by demonstrating with one’s own behavior that the person does not fear efforts but rather embraces them when they are in the common interest. Conversely, the actor may feel that avoidance might lead, in this particular case, to confirming the opponent’s accusation (“You see? You avoid committing to argue when it is too effortful, the same way you skirt your workload and let me struggle on your behalf!”). Since the accusation of laxity is specific to our workplace scenario, this line of reasoning may explain why a positive association between high costs and intention to argue is not observed in the other situations. Moreover, if this explanation is correct, it implies that such an association will emerge whenever an accusation of laxity is launched, regardless of whether this happens in a public, personal, or workplace context.

This investigation did not offer much support for the importance of the P element in Eq. 20.1, but the S variable was quite important. Situations can be distinguished on many grounds. Here we chose to feature Johnson’s (2002) distinction between personal and public topics, and added workplace topics to her list. We found the distinction among topic types to be important. The intention to engage had only modest consistency from one topic to another (varying from 10% to 20%), and our structural equations were noticeably different from one topic to another. Although winning was a predominant predictor and appropriateness a lesser one for all three topics, the effects of civility, other’s reasonableness, the argument’s perceived resolvability, benefit, and cost depended entirely on which topic was in play. We only instantiated each topic type with a single example in this study, so we are a

long way from offering firm conclusions. But we are encouraged that topic type will prove to be an important consideration in understanding why people engage in arguing and why they don't.

Finally, using scenarios to manipulate situational variables proved to be effective, but it also inevitably introduced other variables that were not contemplated by the model and yet may have had an impact on the respondents' estimates. If we look carefully at the scenarios used in this study, some potentially relevant factors appear: for instance, the personal and workplace scenarios involve an accusation against the respondent, who is supposed to have done something wrong, whereas nothing of the sort is present in the public scenario; similarly, in the public and personal scenarios the matter of the dispute is fairly subjective (tastes in the first case, feelings in the second), while the workplace scenario is about settling an objective matter (whether or not the respondent did a fair share of work); moreover, the attitude of the respondent towards the friend is characterized differently across all scenarios, as an attempt to help in the personal case (respondent tried to get along with his/her friend's partner, even though the friend was not satisfied by the effort), while in the workplace scenario the respondent was just doing a fair share of work (although the friend does not think so), and in the public scenario the topic of discussion was musical tastes, with no pro- or anti-social attitude towards the friend. The fact that these and other similar factors may have influenced the participants' responses is no reason to abandon scenario-based manipulations of situational variables. It simply suggests that further research is needed to provide more robust and fine-grained assessment of the model, including studies that use other methods to operationalize situational factors.

References

- Benoit, P. J. (1982, November). *The naïve social actor's concept of argument*. Paper presented at the annual conference of the Speech Communication Association, Louisville, KY.
- Bippus, A. M., Boren, J. P., & Worsham, S. (2008). Social exchange orientation and conflict communication in romantic relationships. *Communication Research Reports, 25*, 227–234.
- Fishbein, M., & Ajzen, I. (1975). *Belief, attitude, intention, and behavior*. Reading: Addison-Wesley.
- Gilbert, M. A. (1997). *Coalescent argumentation*. Mahwah: Lawrence Erlbaum Associates.
- Hamilton, M. A., & Hample, D. (2011). Testing hierarchical models of argumentativeness and verbal aggressiveness. *Communication Methods and Measures, 5*, 250–273. doi: 10.1080/19312458.2011.596991.
- Hample, D. (2005). *Arguing: Exchanging reasons face to face*. Mahwah: Lawrence Erlbaum Associates.
- Hample, D. (2009, June). *Commentary on: F. Paglieri's "Ruinous arguments: Escalation of disagreement and the dangers of arguing."* Paper presented at the biennial meeting of the Ontario Society for the Study of Argumentation, Windsor, ON.
- Hample, D., Warner, B., & Young, D. (2009). Framing and editing interpersonal arguments. *Argumentation, 23*, 21–37.
- Infante, D. A., & Rancer, A. S. (1982). A conceptualization and measure of argumentativeness. *Journal of Personality Assessment, 46*, 72–80.

- Infante, D. A., & Wigley, C. J. (1986). Verbal aggressiveness: An interpersonal model and measure. *Communication Monographs*, *53*, 61–69.
- Johnson, A. J. (2002). Beliefs about arguing: A comparison of public issue and personal issue arguments. *Communication Reports*, *15*, 99–112.
- Johnson, K. L., & Roloff, M. E. (1998). Serial arguing and relational quality: Determinants and consequences of perceived resolvability. *Communication Research*, *25*, 327–343.
- Johnson, A. J., Becker, J. A. H., Wigley, S., Haigh, M. M., & Crait, E. A. (2007). Reported argumentativeness and verbal aggressiveness levels: The influence of type of argument. *Communication Studies*, *58*, 189–205.
- Kim, M.-S., & Hunter, J. E. (1993). Relationships among attitudes, behavioral intentions, and behavior: A meta-analysis of past research, Part 2. *Communication Research*, *20*, 331–364.
- Lave, C. A., & March, J. G. (1975). *An introduction to models in the social sciences*. New York: Harper & Row.
- Levine, T. R., Beatty, M. J., Limon, S., Hamilton, M. A., Buck, R., & Chory-Assad, R. M. (2004). The dimensionality of the verbal aggressiveness scale. *Communication Monographs*, *71*, 245–268.
- Little, T. D., Cunningham, W. A., Shahar, G., & Widaman, K. F. (2002). To parcel or not to parcel: Exploring the question, weighing the merits. *Structural Equation Modeling*, *9*, 151–173.
- Marek, C. I., Wanzer, M. B., & Knapp, J. L. (2004). An exploratory investigation of the relationship between roommates' first impression and subsequent communication patterns. *Communication Research Reports*, *21*, 210–220.
- Paglieri, F. (2009, June). *Ruinous arguments: Escalation of disagreement and the dangers of arguing*. Paper presented at the biennial meeting of the Ontario Society for the Study of Argumentation, Windsor, ON.
- Paglieri, F., & Castelfranchi, C. (2010). Why argue? Towards a cost-benefit analysis of argumentation. *Argument and Computation*, *1*, 71–91.
- Ramirez, A., Jr., Sunnafrank, M., & Goei, R. (2010). Predicted outcome value theory in ongoing relationships. *Communication Monographs*, *77*, 27–50.
- Rancer, A. S., & Avtgis, T. A. (2006). *Argumentative and aggressive communication: Theory, research, and application*. Thousand Oaks: Sage.
- Thibaut, J. W., & Kelley, H. H. (1959). *The social psychology of groups*. New York: Wiley.
- Uehara, E. (1990). Dual exchange theory, social networks, and informal social support. *The American Journal of Sociology*, *96*, 521–557.
- van Eemeren, F. H., & Grootendorst, R. (2004). *A systematic theory of argumentation: The pragma-dialectical approach*. Cambridge: Cambridge University Press.
- Vuchinich, S., & Teachman, J. (1993). Influences on the duration of wars, strikes, riots, and family arguments. *Journal of Conflict Resolution*, *37*, 544–568.

Chapter 21

The Extended Pragma-Dialectical Argumentation Theory Empirically Interpreted

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21.1 Introduction

According to van Eemeren (2010), the participants in argumentative discourse are in the predicament of having to reach the results that are the most advantageous from their points of view while remaining within the boundaries of reasonableness. This is why they have to maneuver strategically to reconcile their pursuit of effectiveness with the maintenance of reasonableness (p. 40). In pragma-dialectical terms, this means that in their strategic maneuvering they try to be convincing by combining artful rhetorical operating systematically with complying fully with the dialectical rules for critical discussion.

The introduction of the concept of strategic maneuvering into the pragma-dialectical theory makes it possible to formulate testable hypotheses regarding the persuasiveness of argumentative moves that are made in argumentative discourse. Taking our departure from this observation, we have started a comprehensive research project under the title Pragma-Dialectical Effectiveness Research (for theoretical reasons which we will explain in this paper we consider it more appropriate to use the term *effectiveness* than the term *persuasiveness*). This project is aimed at determining methodically what kinds of argumentative moves can be effective in the process of convincing another party.

Before we can embark on the pragma-dialectical effectiveness research we have in mind, some preliminary questions need to be answered. First, we need to know whether ordinary arguers are indeed aware of their dialectical obligations. Second, we need to find out whether they do assume that the other party in the discussion is committed to the same kind of dialectical obligations. Third, we need to establish whether ordinary arguers prefer the participants in a discussion to be held accountable

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for being unreasonable when their discussion contributions violate the joint norms of reasonableness that are incorporated in the rules for critical discussion. Because our notion of effectiveness is not exactly the same as the notion of persuasiveness, fourth, as a last preliminary step to the start of our pragma-dialectical effectiveness research, we need to clarify the conceptual and theoretical differences.

In this article, we explain in Sect. 21.2 first the quintessence of the standard pragma-dialectical approach to argumentation. In Sect. 21.3, we sketch the pragma-dialectical treatment of the fallacies as violations of rules for critical discussion. In Sect. 21.4, we explain the fallacies in terms of the extended pragma-dialectical approach as derailments of strategic maneuvering. Next, we give in Sect. 21.5 an empirical interpretation of the extended pragma-dialectical model in which we discuss the testing of three hypotheses and the results of these tests. We end, in Sect. 21.6, with a conclusion in which we make clear what the implications are of the results of our preliminary research for our project Pragma-Dialectical Effectiveness Research.

21.2 The Pragma-Dialectical Theory of Argumentation

Scholars of argumentation are often drawn to studying argumentation by an interest in particular practices of argumentative discourse and improving their quality where this is called for. To be able to satisfy this interest, they have to combine an empirical orientation with a critical orientation towards argumentative discourse. This challenging combination can only be achieved if they not only examine argumentative discourse as a specimen of actual verbal communication and interaction but also measure its quality against normative standards of reasonableness. Pragma-dialecticians make it their business to clarify how the gap between the normative dimension and the descriptive dimension of argumentation can be systematically bridged, so that critical and empirical insights can be integrated. They tackle the complex problems that are at stake with the help of a comprehensive research program consisting of various interrelated components (van Eemeren and Grootendorst 2004, pp. 9–41). On the one hand, there is a philosophical component in which a philosophy of reasonableness must be developed and a theoretical component in which, starting from this ideal of reasonableness, a model for acceptable argumentation is to be designed. On the other hand, there is an empirical component in which argumentative reality as it is encountered in argumentative discourse must be investigated, qualitatively as well as quantitatively. Then, in the analytical component the normative and the descriptive dimensions must be systematically linked. Finally, in the practical component the problems must be identified that occur in particular argumentative practices and methods must be developed to solve these problems.

When developing the pragma-dialectical approach to argumentation, van Eemeren and Rob Grootendorst started from a conception of reasonableness that replaces so-called *justificationism* with a critical testing procedure (van Eemeren and Grootendorst 1984, pp. 15–18). This critical and dialectical conception of reasonableness is associated with a “critical rationalist” philosophy of reasonableness

which claims that, ultimately, we cannot be certain of anything and takes as its guiding principle the idea of critically testing all claims that are made to acceptability (van Eemeren and Grootendorst 1988). As Albert (1975) has emphasized, the critical rationalist conception of reasonableness is all embracing: it pertains to *any* subject that can be the object of a regulated discussion and covers – as we would like to have it – the discussion of descriptive as well as evaluative and prescriptive standpoints.

By implementing the critical rationalist view in the theoretical component of the research program we pursued the development of a model of critical discussion that gives substance to the idea of resolving differences of opinion on the merits by means of dialectically regulated critical exchanges in which the acceptability of the standpoints at issue is put to the test (van Eemeren and Grootendorst 1988, pp. 279–280). The outcome of the discussion between the protagonist and the antagonist depends on the critical questions asked by the antagonist and the adequacy of the protagonist’s responses to these critical questions. The systematic account of the interaction that takes place between the speech acts performed by the protagonist to defend the standpoint and those performed by the antagonist to respond critically is characteristic of the “pragma-dialectical” resolution procedure we have designed, which combines a dialectical view of argumentative reasonableness with a pragmatic view of the verbal moves made in argumentative discourse as contextualized speech acts.

The model of a critical discussion we developed provides an overview of the argumentative moves that are pertinent to the completion of each of the discussion stages that furthers the process of resolving a difference of opinion on the merits in each particular stage. Analytically, in a critical discussion four stages can be distinguished that have to be completed in a constructive way in order to be able to resolve the difference of opinion on the merits. First, there is the “confrontation stage” in which the difference of opinion is externalized from the potential disagreement space. Next there is the “opening stage” in which the protagonist and the antagonist of a standpoint at issue in the difference of opinion determine their zone of agreement as far as common procedural and material starting points (or “concessions”) are concerned. In the “argumentation stage” both parties try to establish whether, given the point of departure acknowledged by the parties, the protagonist’s standpoint is tenable in the light of the antagonist’s critical responses. Finally, in the “concluding stage,” the result of the critical discussion is established.

In a critical discussion, the parties attempt to reach agreement about the acceptability of the standpoints at issue by finding out whether or not these standpoints are defensible against doubt or criticism. To be able to achieve this purpose, the dialectical procedure for conducting a critical discussion should not deal just with inference relations between premises and conclusions, but should cover all speech acts that play a part in testing the acceptability of standpoints. In pragma-dialectics, the notion of a critical discussion is therefore given shape in a model that specifies all the types of speech acts instrumental in any of the stages the resolution process has to pass. Because in actual argumentative discourse speech acts are often performed implicitly or indirectly, in practice, a great variety of speech acts may fulfill a constructive role in the process of resolving a difference of opinion on the merits (van Eemeren and Grootendorst 1984, 2004).

21.3 The Pragma-Dialectical Treatment of the Fallacies

In our view, the theorizing about fallacies has to start from a general and coherent perspective on argumentative discourse that provides a common rationale to the treatment of all fallacies. Because a theory of wrongs cannot be constructed independently of a theory of what is normatively correct, a theory of fallacies must be an integral part of a normative theory of argumentation that provides well-defined standards for judging argumentative discourse. The theoretical account of the fallacies should be systematically related to these standards in such a way that it is clear in all cases why the argumentative moves designated as fallacies are fallacious.

The simplest case of argumentation is that a speaker or writer advances a standpoint and acts as “protagonist” of that standpoint and a listener or reader expresses doubt with regard to the standpoint and acts as “antagonist.” In the discussion that develops the two parties try to find out whether the protagonist’s standpoint can withstand the antagonist’s criticism. In this exchange an interaction takes place between the speech acts performed by the protagonist and those performed by the antagonist that is typical of what we call a “critical discussion.” This interaction can, of course, only lead to the resolution of the difference of opinion if it proceeds in an adequate fashion. This requires a regulation of the interaction through rules for critical discussion specifying when exactly the performance of certain speech acts does or does not contribute to the resolution of the difference on the merits.¹ The procedural rules proposed in pragma-dialectics are claimed to be problem-valid because each of them contributes in a specific way to solving problems inherent in the process of resolving a difference of opinion. Their conventional validity is confirmed by systematic empirical research regarding their intersubjective acceptability (van Eemeren et al. 2009).

The rules for conducting a critical discussion must state all the norms pertinent to resolving a difference of opinion on the merits. The pragma-dialectical approach differentiates a functional variety of norms for judging fallaciousness.² Rather than considering the fallacies as belonging to an unstructured list of nominal categories inherited from the past, or considering all fallacies to be violations of the same validity norm, different (combinations of) norms may be pertinent.³ Any move that is an infringement of any of these rules, whichever party performs it and at whatever stage in the discussion, is a possible threat to the resolution of a difference of

¹Because a procedure regulating the resolution of a difference must consist of a system of rules covering all speech acts that need to be carried out to resolve a difference of opinion, the procedure should relate to all four stages that are to be distinguished in a critical discussion.

²Each of the pragma-dialectical rules constitutes in principle a distinct norm for critical discussion.

³A comparison shows that fallacies which were traditionally only nominally lumped together are now either shown to have something in common or clearly distinguished, whereas genuinely related fallacies that were separated are now brought together. In addition, the pragma-dialectical approach also enables the analysis of thus far unrecognized and unnamed “new” obstacles to resolving a difference of opinion on the merits.

opinion on the merits and must therefore – and in this particular sense – be regarded as fallacious. In this way the use of the term *fallacy* is systematically connected with the rules for critical discussion. In the pragma-dialectical approach a fallacy is thus a hindrance or impediment to resolving a difference of opinion on the merits and the specific nature of a particular fallacy depends on the way in which it interferes with the resolution process.

21.4 Fallacies as Derailments of Strategic Maneuvering

The pragma-dialectical theory of fallacies we have just sketched is, in our view, still not entirely satisfactory because it ignores the intriguing problem of the *persuasiveness* that fallacies may have – which is in fact why they deserve our attention. In the Logical Standard Definition of fallacies as “arguments that *seem* valid but are not valid,” the persuasiveness of the fallacies was hinted at by the use of the word “seem,” but since Hamblin (1970, p. 254) issued the verdict that including this qualification brings in an undesirable element of subjectivity, the treacherous character of the fallacies – the Latin word *fallax* means deceptive or deceitful – has been ignored and the search for its explanation abandoned. This means that fallacy theorists are no longer concerned with the question of how fallacies “work,” that is, why they can be successful and why they can go so often unnoticed. Because of the nature of the problem, we think that the pragma-dialectical theory of argumentation can only remedy this neglect if it is first enriched by insight from rhetoric.

The inclusion of rhetorical insight in the pragma-dialectical theory that van Eemeren and Peter Houtlosser have brought about is an effort to bridge the conceptual and cultural gap between dialectic and rhetoric that currently exists (van Eemeren and Houtlosser 2002; van Eemeren 2010). We started from the observation that in argumentative discourse, whether it takes place orally or in writing, it is not the sole aim of the arguers to conduct the discussion in a way that is considered reasonable, but also, and from a certain perspective even in the first place, to achieve the outcome that is from their point of view the best result. The arguers’ rhetorical attempts to make things go in their way are, as it were, incorporated in their dialectical efforts to resolve the difference of opinion in accordance with proper standards for a critical discussion. This means in practice that at every stage of the resolution process the parties may be presumed to be at the same time out for the optimal rhetorical result at that point in the discussion and to hold to the dialectical objective of the discussion stage concerned. In their efforts to reconcile the simultaneous pursuit of these two aims, which may at times be at odds, the arguers make use of what we have termed *strategic maneuvering*. This strategic maneuvering is directed at diminishing the potential tension between jointly pursuing the “dialectical” aim of reasonableness and the “rhetorical” aim of effectiveness.

In argumentative discourse, strategic maneuvering manifests itself in the moves that are made in three aspects, which can be distinguished only analytically: “topical choice,” “audience adaptation,” and “presentational design.” Topical choice refers

to the specific selection that is made in a move from the topical potential – the set of dialectical options – available at a certain point of the discussion, audience adaptation involves framing a move in a perspective that agrees with the audience, and presentational design concerns the selection that the speaker or writer makes in a move from the existing repertoire of presentational devices. In their strategic maneuvering aimed at steering the argumentative discourse their own way without violating any critical standards in the process, both parties may be considered to be out to make the most convenient topical selection, to appeal in the strongest way to their audience, and to adopt the most effective presentation.

A clearer understanding of strategic maneuvering in argumentative discourse can be gained by examining how the rhetorical opportunities available in a dialectical situation are exploited in argumentative practice. Each of the four stages in the process of resolving a difference of opinion on the merits is characterized by having a specific dialectical objective. Because, as a matter of course, the parties want to realize these objectives to the best advantage of the position they have adopted, every dialectical objective has its rhetorical analogue. Because in each discussion stage the parties are out to achieve the dialectical results that serve their rhetorical purposes best, in each stage the rhetorical goals of the participants in the discourse will be dependent on – and therefore run parallel with – their dialectical goals. As a consequence, the specifications of the rhetorical aims that may be attributed to the participants must take place according to dialectical stage. This is the methodological reason why the study of strategic maneuvering that we propose boils down to a systematic integration of rhetorical insight in a dialectical framework of analysis.⁴

Although in strategic maneuvering the pursuit of dialectical objectives can well go together with the realization of rhetorical aims, this does not automatically mean that in the end the two objectives will always be in perfect balance. If a party allows his commitment to a critical exchange of argumentative moves to be overruled by the aim of persuading the opponent, we say that the strategic maneuvering has got “derailed.” Such derailments occur when a rule for critical discussion has been violated. In that case, trying to realize the rhetorical aim has gained the upper hand – at the expense of achieving the dialectical objective. Because derailments of strategic maneuvering always involve violating a rule for critical discussion, they are on a par with the wrong moves in argumentative discourse designated as

⁴What kind of advantages can be gained by strategic maneuvering depends on the particular stage one is in. In the confrontation stage, for instance, the dialectical objective is to achieve clarity concerning the issues that are at stake and the positions the parties assume. Each party’s strategic maneuvering will therefore be aimed at directing the confrontation rhetorically towards a definition of the difference that highlights precisely the issues this party wants to discuss. In the argumentation stage, where the standpoints at issue are challenged and defended, the dialectical objective is to test, starting from the point of departure established in the opening stage, the tenability of the standpoints that shaped the difference of opinion in the confrontation stage. Depending on the positions they have taken, the parties will maneuver strategically to engineer rhetorically the most convincing case – or the most effective attack, as the case may be.

fallacies. Viewed from this perspective, fallacies are derailments of strategic maneuvering that involve violations of critical discussion rules.⁵

Each mode of strategic maneuvering has, as it were, its own continuum of sound and fallacious acting and the boundaries between legitimate and illegitimate argumentative acting are not in all cases immediately crystal clear.⁶ More often than not, fallacy judgments are in the end contextual judgments that depend on the specific circumstances of situated argumentative acting. The criteria for determining whether or not a certain norm for critical discussion has been violated may be dependent on the institutional conventions of the “argumentative activity type” concerned, that is, on how argumentative discourse is disciplined in a particular sort of case. This does not automatically mean, of course, that there are no clear criteria for determining whether the strategic maneuvering has gone astray, but only that the specific shape these criteria take may vary to some extent from the one argumentative activity type to the other. Who or what counts as authoritative, for instance, may vary depending on the institutional requirements pertaining to the activity type concerned, so that an appeal to a certain kind of authority may be legitimate in the one case but not in the other. Referring to precedent, for example, can be a perfectly legitimate appeal to authority in a civil law case, but not, at least in some systems, in a criminal law case – let alone in a scientific discussion.

This account of the fallacies as derailments of strategic maneuvering explains why it may, as a matter of course, not be immediately apparent to all concerned that a fallacy has been committed, so that the fallacy can pass unnoticed. Each mode of strategic maneuvering has, in principle, both sound and fallacious manifestations, so that it is more difficult to tell the fallacious manifestations apart from their sound counterparts than when the distinction involved two completely different types of animals, like when all legitimate moves would be cats and all fallacious moves were dogs. On top of that, it is fully in line with the presumption of reasonableness that a party that maneuvers strategically will normally be assumed to uphold a commitment to the rules of critical discussion (Jackson 1995), so that a presumption of reasonableness is conferred on every discussion move – and this presumption is also operative when the strategic maneuvering is fallacious.

Deviations from the rules for critical discussion may be hard to detect because none of the parties will be very keen on portraying themselves as unreasonable, so that it is to be expected that to realize a purpose that is potentially at odds with the objective of a particular discussion rule, rather than resorting to completely different means, they will stick to the usual dialectical means for achieving their objective

⁵This means in practice that the argumentative moves concerned are not in agreement with the relevant criteria for complying with a particular dialectical norm. These criteria are determined by the soundness conditions the argumentative moves have to fulfill to remain within the bounds of dialectical reasonableness in the argumentative context in which they are made and they may vary to some extent according to the argumentative activity type in which they occur.

⁶The difference between legitimate manifestations of strategic maneuvering and manifestations that are fallacious is that in the latter case certain soundness conditions applying to that way of strategic maneuvering in a particular context have not been met.

and try to “stretch” the use of these means in such a way that they allow for the other purpose to be realized as well. Echoing the Logical Standard Definition of a fallacy, we can then say that the strategic maneuvering involved *seems* to be in agreement with the critical discussion rules, but is in fact not. The most tricky fallacies are violations of rules for critical discussion that manifest themselves in derailments of strategic maneuvering which can easily escape our attention because the derailed cases may be very similar to familiar instances of sound strategic maneuvering.⁷

21.5 Empirical Interpretation of the Extended Pragma-Dialectical Model

Extended pragma-dialectics provides the theoretical tools enabling the analyst to give a more refined, accurate and comprehensive analytic and evaluative account of “argumentative reality” than could be achieved by means of the purely dialectical tools of standard pragma-dialectics. In a reconstruction based on the extended pragma-dialectical theory, it is not only assumed that the arguers aim to resolve their dispute on the merits, but also that they are the same time intent on having their own standpoints accepted. With the help of the notion of strategic maneuvering it becomes possible to reconstruct argumentative discourse as it occurs in practice in such a way that not only the dialectical dimension pertaining to its reasonableness is taken into account, but also the rhetorical dimension pertaining to its effectiveness (van Eemeren 2010).

It should be clear however that extended pragma-dialectics does not provide an empirical model of the various ways in which in real-life argumentative discourse ordinary arguers try to achieve effective persuasion within the boundaries of dialectical rationality and reasonableness.⁸ The notion of strategic maneuvering is incorporated in a theoretical model with a normative character, which is not a tool for describing empirically the argumentative behavior of ordinary arguers and their intentional pursuit of persuasion goals. One of the consequences of the normative character of the model is that, strictly speaking, it cannot be put to a critical empirical test. After all, the model can neither be falsified nor be confirmed by means of empirical data. This does not mean, however, that viewed from an empirical point of view the model is useless. On the contrary: it is easy to see that the model operative

⁷All the same, it is of course necessary to make the distinction. To mark the importance of the distinction between non-fallacious and fallacious strategic maneuvering most clearly, we do not use the same labels indiscriminately for the fallacious as well as the non-fallacious moves, as others do, but reserve the traditional – often Latinized – names of the fallacies, such as *argumentum ad hominem*, for the incorrect and fallacious cases only.

⁸We follow O’Keefe’s definition of persuasion: persuasion is “a successful intentional effort at influencing another’s mental state through communication in a circumstance in which the persuadee has some measure of freedom” (2002, p. 5). For the differences between *effectiveness* and *persuasiveness* and our use of the terms *rationality* and *reasonableness*, see van Eemeren 2010, p. 39 and p. 29, respectively.

in extended pragma-dialectics can very well function as a source for the derivation of theoretically motivated hypotheses about the argumentative behavior and persuasion goals of arguers in ordinary argumentative practice. And this is precisely the way in which we are going to use it in our present article.

If the notion of strategic maneuvering is given an empirical interpretation, three rather straightforward and plausible hypotheses can be derived from the theoretical model in which strategic maneuvering is incorporated. We will explain why this is the case and then formulate them.

If ordinary arguers would lack any knowledge of the boundaries of the norms of reasonableness as incorporated in the theoretical framework of pragma-dialectics, then there would be no reason for them to maneuver strategically in the sense inherent in the notion of strategic maneuvering – in that case, they could go all out for rhetorical effectiveness, pursuing only and exclusively their own personal persuasion aims. At a pre-theoretical level, they must generally know which contributions to the discussion are in accordance with the norms of reasonableness incorporated in the rules for critical discussion and are thus to be regarded as reasonable, and which contributions have to be considered as violations of these dialectical norms, so that these moves are to be regarded fallacious and thus unreasonable. Our first hypothesis therefore is that, at least to a certain extent, ordinary arguers are aware of their dialectical obligations.⁹

If ordinary arguers would in ordinary discussions not expect that their interlocutors apply similar norms and criteria for evaluating the reasonableness of the discussion contributions as they themselves do, again, there would be no reason for them to maneuver strategically, because without such jointly shared assumptions being in force (the protagonist expects... [...], the protagonist knows that the antagonist expects [...], etc.), there is no telling that the other party will indeed recognize reasonable argumentative moves, which are in agreement with the dialectical norms, as reasonable and regard argumentative moves that are unmistakably fallacious according to dialectical standards unreasonable, so that it makes no sense having an argumentative exchange.¹⁰ Our second hypothesis therefore is that ordinary arguers assume that the other party in the discussion is committed to the same kind of dialectical obligations.

If ordinary arguers would not prefer to use the notion of ‘reasonableness’ primarily in a prescriptive sense that goes beyond just “descriptive” reasonableness in the sense of an empirically observable normativity, then there would be, again, no reason

⁹With words like ‘know’, ‘knowledge’ and ‘aware’ we don’t mean that ordinary arguers have any conscious, articulated knowledge of the pragma-dialectical rules, let alone any theoretical sophistication (with the possible exception of the burden of proof rule, they certainly don’t have, as we showed in *Fallacies and Judgments of Reasonableness* 2009, pp. 219–224). With these words and expressions we only mean that their discussion behavior (or assessment and judgment of discussion behavior) can be modeled as being sensitive to the pragma-dialectical rules and thus be couched in terms of these rules.

¹⁰See the second part of Lewis’s (1977, p. 42) definition of convention pertaining to shared expectations. Cf. van Eemeren and Grootendorst (1984, p. 60).

for them to maneuver strategically, because it would not be possible to issue any sanctions when the other party makes argumentative moves that are not reasonable because they are not in agreement with the dialectical norms, so that having an argumentative exchange is of no consequence. Our third hypothesis therefore is that, assuming that their interlocutors prefer the same, ordinary arguers prefer participants in a discussion to be held accountable for being unreasonable when their discussion contributions violate commonly shared norms incorporated in the rules for critical discussion.¹¹

21.5.1 Hypothesis 1

21.5.1.1 Background

Since 1995 we have collected a mass of empirical data that are relevant for testing the claim involved in the first hypothesis. We then started a comprehensive experimental research project titled *Conceptions of Reasonableness*, which was completed in 2008 (see van Eemeren et al. 2009). The aim of this project was to determine empirically which norms ordinary arguers use (or claim to use) when evaluating argumentative discourse, and to what extent these norms are in agreement with the critical theoretical norms of the pragma-dialectical theory of argumentation. Expressed differently: the aim of this 10-year project was to investigate and to test the *conventional validity* of the pragma-dialectical discussion rules: can it be expected that in actual discussion the rules are intersubjectively approved by the parties involved in a difference of opinion? The *problem validity* of the pragma-dialectical rules (are the rules instrumental in resolving a difference of opinion?) is primarily a theoretical issue. In contradistinction, the conventional validity of these rules can only be established by means of empirical research.

21.5.1.2 Method Hypothesis 1

In the framework of the project *Conceptions of Reasonableness*, we carried out some 50 independent small-scale experiments, investigating the (un)reasonableness of 24 different types of fallacies. The setup of these experiments, the design of which we will report here, was in all cases the same: a *repeated measurement design*, combined with a *multiple message design*. That means that a variety of discussion fragments, short dialogues between two interlocutors A and B, were presented to the participants. (1) is an example of such a discussion fragment in which the abusive variant of the *ad hominem* fallacy is committed, (2) an example of the circumstantial variant, and (3) an example of the *tu quoque*-variant.

¹¹ See again the third part of Lewis' (1977, p. 42) definition of convention pertaining to the joint preference for complying with the shared expectations. Cf. van Eemeren and Grootendorst (1984, p. 60).

(1) (abusive variant; direct attack)

A: I think a Ford simply drives better; it shoots across the road.

B: How would you know? You don't know the first thing about cars.

(2) (circumstantial variant; indirect attack)

A: In my view, the best company for improving the dikes is Stelcom Ltd; they are the only contractor in the Netherlands that can handle such an enormous job.

B: Do you really think that we shall believe you? Surely, it is no coincidence that you recommend this company: It is owned by your father-in-law.

(3) (*tu quoque*-variant; you too variant)

A: I believe the way in which you processed your data statistically is not entirely correct; you should have expressed the figures in percentages.

B: You're not being serious! Your own statistics are not up to the mark either.

For baseline and comparison purposes, the participants also had to judge the (un)reasonableness of fragments in which no violation of a pragma-dialectical rule was committed:

(4) (no violation of the freedom rule)

A: I believe my scientific integrity to be impeccable; my research has always been honest and sound.

B: Do you really want us to believe you? You have already been caught twice tampering with your research results.

In all cases in the discussion fragments non-loaded topics were discussed, and in all cases paradigmatic, *clear-cut* cases of the fallacies were constructed. All fragments (in most experiments 48 in total) were put in a certain context. For instance, fragment (1) was presented in a domestic discussion context, fragment (2) in a political context, and fragment (3) and (4) in the context of a scientific debate. The participants were invariably asked to judge the reasonableness of the last contribution to the discussion, i.e. the contribution of B in the examples above. The participants had to indicate their judgment on a 7-point Likert scale, ranging from very unreasonable (=1) to very reasonable (=7).

21.5.1.3 Results Hypothesis 1

With regard to our first hypothesis our experimental research has shown (see Table 21.1¹²) that – with the notable exception of the logical variant of the *argumentum ad consequentiam* – the respondents made consistently a clear (i.e. statistically

¹²Table 21.1 in which an overview is given of the empirical results of the project *Conceptions of Reasonableness*, stems from *Fallacies and Judgments of Reasonableness* (i.e. 9.6 on page 223).

Table 21.1 Overview of average reasonableness score for fallacious discussion contributions and the non-fallacious counterparts; effect size (*ES*) for the difference between the (un)reasonableness of fallacious and non-fallacious discussion contributions, according to stage; 1 = very unreasonable, 4 = neither unreasonable, nor reasonable, 7 = very reasonable

	Violation	No violation	ES
Violations of the freedom rule: confrontation stage			
1. <i>argumentum ad hominem</i> (abusive variant)	2.91	5.29	.47
2. <i>argumentum ad hominem</i> (circumstantial variant)	3.89	5.29	.21
3. <i>argumentum ad hominem</i> (<i>tu quoque</i> variant)	4.45	5.29	.14
4. <i>argumentum ad baculum</i> (physical variant)	2.04	5.64	.57
5. <i>argumentum ad baculum</i> (non-physical variant)	2.91	5.64	
6. <i>argumentum ad baculum</i> (direct variant)	1.86	5.41	.29
7. <i>argumentum ad baculum</i> (indirect variant)	3.72	5.41	
8. <i>argumentum ad misericordiam</i>	3.86	5.06	.13
9. Fallacy of declaring a standpoint taboo	2.79	5.14	.46
10. Fallacy of declaring a standpoint sacrosanct	2.68	5.67	.52
Violations of the burden of proof rule: opening stage			
11. Fallacy of shifting the burden of proof (non-mixed dispute)	2.37	4.51	.36
12. Fallacy of evading the burden of proof (non-mixed dispute) presenting standpoint as self-evident	3.04	4.68	.24
13. Fallacy of evading the burden of proof (non-mixed dispute) giving personal guarantee of correctness of standpoint			
By means of a commissive	3.29	5.18	.33
By means of a directive	2.77	5.14	.45
14. Fallacy of evading the burden of proof (non-mixed dispute) immunizing standpoint against criticism	2.68	4.76	
15. Fallacy of evading the burden of proof (mixed dispute)			
Standpoint without presumptive status	2.72	5.68	.63
Standpoint with presumptive status (truths)	3.45	5.68	.41
Standpoint with presumptive status (changes)	3.48	5.68	.45
Violations of the argument scheme rule: argumentation stage			
16. <i>argumentum ad consequentiam</i>			
Logical variant	3.92	4.39	.00
Pragmatic variant	2.96	5.03	.37
17. <i>argumentum ad populum</i>	2.77	5.88	.40
18. Slippery slope	3.31	5.31	.25
19. False analogy	3.14	4.74	.29
Violation of the rule for the concluding stage			
20. <i>argumentum ad ignorantiam</i>	2.56	5.56	.50

significant) distinction between the unreasonableness of discussion moves that, according to pragma-dialectical standards, involve a fallacy and those discussion moves that are not fallacious. In general, fallacious discussion moves are considered unreasonable and non-fallacious moves are considered reasonable.¹³

These results can be taken as a strong support for our first hypothesis: ordinary arguers are, at least to a certain extent, aware of what the dialectical obligations in an argumentative discussion entail.¹⁴

21.5.2 Hypothesis 2

The experiment we conducted to test the prediction involved in our second hypothesis derives from the extended model incorporating strategic maneuvering and pertains to the reciprocal social expectations of discussion parties regarding the commitment to dialectical discussion rules. The prediction is that ordinary arguers expect that the other party in the discussion is committed to the same kind of dialectical obligations as they themselves are. As for testing this second prediction (and, by the way, also the third prediction), we will make use of the empirical results obtained in the project *Conceptions of Reasonableness*.

In the project *Conceptions of Reasonableness* the three variants of the *ad hominem*-fallacy ('direct attack', 'circumstantial', *tu quoque*) are investigated frequently, not only in the Netherlands but also in other countries (see Table 21.2). As a consequence, we have now insights into (1) the stability of the reasonableness data for the three types of fallacy and for the non-fallacious discussion contributions, (2) the ordinal reasonableness relations of the three types of fallacy, and (3) the

¹³With the exception of the logical variant of the *ad consequentiam* fallacy, all differences in reasonableness between a particular fallacy and its non-fallacious counterpart are statistically significant – ordinary arguers not very often regard the *reductio ad absurdum* as a type of sound argumentation, just as they hardly see that the fallacy that copies this sound argumentation (namely the logical variant of the *argumentum ad consequentiam*) is an obvious fallacy. In some cases in Table 21.1 no effect size is reported – in those cases ES could not be computed, due to the specific characteristics of the chosen design. Moreover, from the data presented in Table 21.1 (and equally in Table 21.2) one may not infer that fallacies such as the *tu quoque*-variant are regarded as reasonable moves. In Table 21.1 we abstracted from the specific discussion context in which the fallacies were offered to the participants, but in a scientific discussion context the *tu quoque* fallacy is invariably judged as an unreasonable move.

¹⁴Notice that there is an enormous range in the judged unreasonableness of the various fallacies: the physical variant of the *argumentum ad baculum*, for example, is regarded as an absolute unreasonable move, while the *tu quoque* variant of the *ad hominem* fallacy tends to be considered as a reasonable move (provided we abstract from the specific discussion contexts in which this fallacy was presented). Such data make sense: threatening the other party in the discussion with brute physical violence is the example *par excellence* of irrational, unreasonable behavior, while committing a *tu quoque* fallacy has at least in some discussion contexts the appearance of being reasonable: serious participants in a conversation may be expected to show some consistency between their (past and present) words and deeds.

Table 21.2 Average reasonableness score for three types of *ad hominem*-fallacy (direct attack (=dir), indirect attack (=ind), *tu quoque* variant (=tu)) and for non-fallacious reasonable argumentation, per replication (standard deviation: between brackets) 1=very unreasonable, 4=neither unreasonable, nor reasonable, 7=very reasonable, dir = direct personal attack, ind = indirect personal attack, tu = *tu quoque*

	dir	ind	tu	reasonable
Original investigation	2.91 (.64)	3.89 (.57)	4.45 (.60)	5.29 (.64)
Replication 1	2.99 (.76)	3.47 (.94)	3.82 (.88)	5.26 (.72)
Replication 2	3.08 (.66)	3.82 (.92)	4.15 (.61)	5.03 (.65)
Replication 3	3.38 (.87)	4.21 (.78)	4.54 (.67)	5.09 (.67)
Replication 4 (UK)	3.32 (.64)	4.13 (.61)	4.54 (.46)	5.24 (.48)
Replication 5 (Germany)	2.99 (.61)	3.52 (.66)	3.93 (.63)	4.88 (.42)
Replication 6 (Spain)	3.51 (.87)	4.23 (.70)	4.49 (.73)	4.93 (.65)
Replication 7 (Spain)	3.01 (1.12)	3.61 (.75)	3.99 (.78)	4.97 (.86)
Replication 8 (Indonesia)	3.21 (.78)	3.75 (.99)	4.53 (.83)	5.10 (.56)

absolute reasonableness assessments of the three types of fallacy. In our investigation of prediction 2 we exposed our respondents again to instantiations of the three types of *ad hominem* fallacy and instantiations of non-fallacious moves. We requested them to rate the (un)reasonableness of these discussion fragments (i.e. the last contribution) according to their own insights and judgment. In addition, they had to rate similar fallacious and non-fallacious fragments, but with the instruction to indicate how reasonable or unreasonable they think and expect that *relevant others* would judge these fragments. Prediction 2 can be considered to be confirmed if the three stable patterns of Table 21.2, ((1) stability of the reasonableness data for the three types of fallacy in comparison with the judged reasonableness of non-fallacious argumentation, (2) stability of the ordinal reasonableness relations of the three types of fallacy, and (3) stability of the absolute reasonableness assessments of the three types of fallacy), show up again, not only in the condition in which the participants have to rate the fragments according to their own insight but also in the condition in which they have to make an estimation of the judgment of relevant others. A statistical significant interaction between ‘condition’ and ‘type of fallacy’ would be disastrous for the confirmation of prediction 2.

21.5.2.1 Method Hypothesis 2

In order to test hypothesis 2, 48 discussion fragments were constructed: short dialogues between two discussants (A and B) in which the antagonist B violated 36 times the pragma-dialectical rule for the confrontation stage by means of one of the three variants of the *argumentum ad hominem*. In 12 discussion fragments no discussion rule was violated; in those fragments B adduced only non-fallacious, reasonable argumentation.

Two versions were constructed: version ‘Self’ and version ‘Other’, both consisting of 24 discussion fragments; the fragments in each version were randomly drawn

Table 21.3 Average reasonableness score for three types of *ad hominem*-fallacy and for non-fallacious reasonable argumentation, per version (N=56); 1=very unreasonable, 4=neither unreasonable, nor reasonable, 7=very reasonable, dir = direct personal attack, ind = indirect personal attack, tu = *tu quoque*

Version	dir	ind	tu	reasonable
Self	2.90 (.83)	4.32 (.68)	4.65 (.59)	4.77 (.69)
Other	3.28 (.80)	3.95 (.76)	4.27 (.74)	4.94 (.72)
	3.09 (.72)	4.13 (.59)	4.46 (.51)	4.86 (.61)

from the whole set of 48 fragments and subsequently quasi-randomly assigned to one of the two versions, such that both versions contained precisely the same number of instantiations of the same type of fallacy. Consequently, both in the version Self and in the version Other the direct attack, the indirect attack and the *tu quoque*-variant are each represented by 6 instantiations. The design in this experiment can thus characteristically be regarded as a *multiple message design* (examples of concrete messages presented to the participants are shown in Sect. 21.5.1.2).

Fifty-six pupils of the fourth and fifth year of secondary school (most of them 16 and 17 years old respectively) participated in the experiment; none of them had ever had any specific argumentation teaching. After each discussion fragment in the version Self the question that is asked is “How reasonable or unreasonable do you (*yourself*) think B’s reaction is?”, and in the version Other the question that is asked is “How reasonable or unreasonable do you think *relevant others* would judge B’s reaction?” (relevant others were in the instruction described as friends or relatives). In both versions they could indicate their judgment on a 7-point scale, ranging from 1 ‘very unreasonable’ (=1) to ‘very reasonable’ (=7). The order of presentation of the two versions was randomized over the subjects; half of the participants had first to fill in the version Self and subsequently the version Other, the other half of the participants received the reversed order (as there were no statistical significant differences between the two orders, we will abstract from this variable). As all the participants were exposed to all levels of both the independent variable ‘version’ and the independent variable ‘fallacy/no fallacy’, the chosen design can also be described as a *repeated measurement design*.

21.5.2.2 Results Hypothesis 2

The data in Table 21.3 were analyzed by means of a multivariate analysis of variance (‘mixed model’) approach for repeated measurements, with ‘subject’ and ‘instantiation’ as *random* factors and the variables ‘version’ and ‘type of fallacy’ as fixed factors; the *random* factor ‘instantiation’ is nested within the interaction of the fixed factors ‘version’ and ‘type of fallacy’, whereas the *random* factor ‘subject’ is fully crossed with the *random* factor ‘instantiation’ and the fixed factors ‘version’ and ‘type of fallacy’; the statistical consequence of this rather complicated design is that – instead of ordinary F-ratio’s – quasi F-ratio’s have to be computed, while the degrees of freedom have to be approximated (see Clark 1973).

From the data in Table 21.3 it is evident that the well-known ordinal pattern in reasonableness relations between the three types of *ad hominem* fallacies crops up again in this experiment, regardless of the type of condition (version). No matter whether the participants have to base their reasonableness ratings on their own judgment or whether they have to estimate the verdict regarding the unreasonableness of the three variants of the *ad hominem* fallacy of relevant others, the direct attack is invariably judged as the most unreasonable move, next the indirect attack and subsequently the *tu quoque*-variant. And precisely as was the case in the investigations presented in Table 21.2, again the *tu quoque*-variant tends to be considered as a reasonable discussion move.

So far as the differences in reasonableness between non-fallacious reasonable argumentation on the one side and fallacious argumentation on the other side are concerned, there are no statistically significant differences between the version Self and the version Other. In both conditions reasonable argumentation is regarded (in an absolute sense) as reasonable, while in both conditions the direct attack and the indirect attack are considered as significantly less reasonable than non-fallacious argumentation (contrast direct attack vs. reasonable argumentation $F(1,42)=84.46$; $p<0.001$; $ES=0.31$; contrast indirect attack vs. reasonable argumentation $F(1,28)=12.51$; $p<0.001$; $ES=0.07$). However, both in the condition Self and in the condition Other our subjects do not discriminate between the (un)reasonableness of the *tu quoque*-variant and the (un)reasonableness of reasonable argumentation: $F(1, 23)=2.60$; n.s.).

At least as important for the confirmation of prediction 2 is our finding that there is no statistical significant (main) effect of the independent variable ‘condition’ in case of the three relevant contrasts between (1) the direct attack and reasonable argumentation: $F(1,32)=3.81$; n.s., (2) the indirect attack and reasonable argumentation: $F(1,25)=0.35$; n.s., and the *tu quoque*-variant and reasonable argumentation: $F(1,25)=0.24$; n.s., nor a statistically significant interaction between the independent variables ‘condition’ and ‘fallacy/no fallacy’ (direct attack: $F(1,25)=0.41$; n.s.; indirect attack: $F(1,27)=1.72$; n.s.; *tu quoque*-variant: $F(1,23)=1.17$; n.s.).

All these results point in the same direction: ordinary arguers expect others to judge the (un)reasonableness of fallacious and non-fallacious discussion contributions in a similar way as they themselves do.

21.5.3 Hypothesis 3

21.5.3.1 Method Hypothesis 3

Prediction 3, involved in our third hypothesis, was that ordinary arguers will prefer – and assume that their interlocutors will prefer – that discussants who violate the commonly shared rules for critical discussion are not left alone but will be considered unreasonable and, if need be, reproached for being unreasonable. Consequently, ordinary arguers will not only use the notion of reasonableness in a merely “descriptive”

Table 21.4 Average scores for the extent of norm violation for three types of ad hominem fallacy and for non-fallacious reasonable argumentation (N=59); 1 = absolutely violating a norm, 7 = not at all norm-violating

Dir	ind	tu	reasonable
2.97 (1.11)	3.64 (1.04)	4.18 (.72)	4.76 (.88)

normative sense, but also and primarily in a prescriptive sense. Building on our consistent findings in the project *Conceptions of Reasonableness*, in testing the third prediction we presented again the three variants of the *ad hominem* fallacy to the respondents, but this time the contributions in the discussion fragments did not have to be judged on their reasonableness. Instead, they had to be rated according to the extent that in these contributions the antagonist is violating a norm.

Fifty-nine subjects (18–19 years old pupils) participated in this experiment. Similar discussion fragments were presented to them as in the previous experiment. In 12 of the 48 fragments the fallacy of the direct attack was committed, in 12 fragments the indirect attack, in 12 fragments the *tu quoque*-variant and in the remaining 12 fragments reasonable argumentation was used. This time the reaction of antagonist B had to be judged on a 7-point scale ranging from ‘absolutely violating a norm’ (=1) to ‘not at all norm-violating’ (=7). The design of this experiment is the same as in the previous experiment: a *repeated measurement design*, combined with a *multiple message design*.

21.5.3.2 Results Hypothesis 3

As is evident from Table 21.4, the familiar patterns are again present: The direct attack is judged as the most norm-violating move, next the indirect attack, and finally the *tu quoque* variant. As expected, the non-fallacious contributions to the discussion are rated as moves that can be regarded as non-norm-violating. Each of the three *ad hominem* fallacies is judged in a statistically significant sense as more rule-violating compared with non-fallacious reasonable argumentation. This holds even in the case of the *tu quoque* variant (direct attack: $F(1,72)=65.73$; $p<0.000$; $ES=0.27$; indirect attack: $F(1,58)=31.80$; $p<0.000$; $ES=0.13$; *tu quoque* variant: $F(1,28)=6.03$; $p<0.02$; $ES=0.04$). Not surprisingly in light of the data in Table 21.2, there are big differences between the three types of fallacies regarding the extent to which they are regarded as norm-violating ($F(2, 57)=15.03$; $p<0.000$; $ES=0.11$). According to the judgment of our respondents, in case of the direct attack the norms are much more violated than in the case of the other two types of fallacy ($F(1,57)=23.41$; $p<0.001$). In turn, the indirect attack is considered more norm-violating than the move involving the *tu quoque* variant ($F(1,57)=5.92$; $p<0.02$).

In sum, discussion moves that are considered unreasonable by our respondents (moves which are according to the pragma-dialectical standards also unreasonable in a theoretical sense) are judged to be norm-violating, while moves that our respondents judge reasonable (moves which are also reasonable in a theoretical sense) are considered as not norm-violating.

21.6 Conclusions and Implications for Pragma-Dialectical Effectiveness Research

As we have shown, bridging the paradigmatic division between the dialectical perspective and the rhetorical perspective on argumentative discourse with the help of the theoretical notion of strategic maneuvering, as proposed in the extended pragma-dialectical theory of argumentation, makes it possible to integrate rhetorical insights into a dialectical framework of analysis and to examine empirically the relationship between the arguers' aiming for rhetorical effectiveness and complying with dialectical standards of reasonableness. If the theoretical model underlying this analytic framework is interpreted empirically, three vital claims can be derived, which experimental research has shown to be strongly supported by pertinent empirical data.

First, ordinary arguers are to a certain extent aware of what we call their dialectical obligations because they generally know which contributions to a discussion are to be considered reasonable and which contributions are to be considered unreasonable, and therefore fallacious. The standards they use in giving their judgments agree strongly with the norms incorporated in the pragma-dialectical rules for critical discussion. Second, ordinary arguers assume that the other party in the discussion will be committed to the same kind of dialectical obligations as they themselves are. Third, ordinary arguers prefer – and assume that their interlocutors prefer – that contributions to the discussion that do not comply with supposedly commonly shared standards for critical discussion will be regarded as unreasonable and that interlocutors who offend the standards for critical discussion can be held accountable for being unreasonable.

What do these results mean for our perception of the relationship between reasonable argumentation and persuasiveness? All three hypotheses that we have tested empirically constitute preparatory theoretical steps for determining this relationship more closely.¹⁵ If, unlike we hypothesized in our first hypothesis, arguers were not aware of any committing standards of reasonableness, there could not be any rational relationship between reasonableness and persuasiveness in the sense of becoming persuaded based on the reasonableness of the argumentation that is put forward.¹⁶ And the fact that arguers are committed to standards of reasonableness that are equivalent with the pragma-dialectical standards makes it possible to substantiate what reasonableness means to them. If, unlike we hypothesized in our second hypothesis, arguers did not expect that the party addressed has in principle the same (or equivalent) standards of reasonableness as they have, their appealing to the other party's standards of reasonableness by putting forward argumentation would be pointless. And the fact that they prove to assume that there are shared standards of reasonableness makes it possible to connect the standards of reasonableness arguers

¹⁵The three hypotheses are in fact closely connected with the theoretical views on the relationship between argumentation and persuasiveness in the sense of convincingness expounded in van Eemeren and Grootendorst (1984).

¹⁶Cf. van Eemeren and Grootendorst's (1984, pp. 63–74) analysis of rational perlocutionary effects.

have with their aiming for effectiveness with the other party. If, finally, unlike we hypothesized in our third hypothesis, arguers did not prefer that the prevailing standards are put into effect, their argumentative efforts would be pointless in the sense that they would not lead to any consequences. And the fact that arguers prove to give reasonableness a prescriptive meaning, and expect their interlocutors to do the same, makes it possible to interpret the connection between reasonableness and persuasiveness in such a way that, in principle, reasonableness may be expected to induce persuasiveness in others, even if in communicative practice, or in certain kinds of communicative practices, reasonableness would not be the only factor, and even not the biggest factor, leading to bringing about persuasion.¹⁷ Correlatively: if reasonableness in argumentative contributions of arguers is deficient or totally lacking, persuasiveness won't be achieved.

Against this background it makes sense for argumentation theorists to pay attention to the relationship between reasonableness and persuasiveness and to examine the connection between the two in their empirical research. In our view, however, this empirical research should differ from the prevailing persuasion research. Presently, persuasion researchers are predominantly oriented towards social and cognitive psychology and connect persuasiveness with the more general attitudes individuals have rather than with the successful defense of specific standpoints in argumentative discourse. Persuasion effect research seems to concentrate in the first place on showing empirically the influence that isolated factors, such as presenting a view explicitly or making use of a rhetorical question, can have on the persuasiveness of the message. As it is commonly practiced, persuasion research in general and persuasion effect research in particular is by no means focused on the effectiveness of argumentative appeals to reasonableness in the dialogical situations of argumentative discourse. Therefore, as an alternative, we would like to propose to complement (not to substitute) this type of research with theoretically motivated empirical effectiveness research concentrating on the strategic maneuvering involved in making certain argumentative moves at a particular stage of the process of resolving a difference of opinion on the merits, taking all three aspects of strategic maneuvering into account.

Our preference for 'effectiveness' research rather than 'persuasiveness' research is not so much motivated by the fact that the term *effectiveness* lacks the psychological connotations of the term *persuasiveness* and the irrational overtones that go with the latter, as by the fact that the term *effectiveness* is not exclusively applicable to argumentative moves made in the argumentation stage (as the term *persuasiveness* is), but also to argumentative moves made in the other dialectical discussion stages (which are not aimed directly at gaining acceptance of a standpoint). In accordance with an earlier proposal made by van Eemeren and Grootendorst, 'effectiveness' is in this empirical research to be defined as realizing the 'inherent' interactional (or *perlocutionary*) effect that is conventionally aimed for by performing the speech acts by which the argumentative moves concerned are made (van Eemeren and

¹⁷According to Wittgenstein, "at the end of reasons comes *persuasion*" (cited in Fogelin 2005, p. 9).

Grootendorst 1984, pp. 24–29). In this way, pragma-dialectical effectiveness research will concentrate only on intentional and externalizable effects regarding the addressee’s dialectical commitments which are achieved by using reasonable means and depend on the outcome of rational considerations on the part of the addressee based on an understanding of the functional rationale of the argumentative moves concerned. This empirical effectiveness research starts from the notion of strategic maneuvering and the theoretical framework in which this notion is embedded, takes account of all three mutually interdependent aspects inherent in strategic maneuvering, and covers all stages of the dialectical process.¹⁸

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References

- Albert, H. (1975). *Traktat über kritische Vernunft* (3rd ed.). Tübingen: Mohr.
- Clark, H. H. (1973). The language-as-fixed-effect-fallacy. *Journal of Verbal Learning and Verbal Behavior*, 12, 335–359.
- Fogelin, R. J. (2005). The logic of deep disagreements. *Informal Logic*, 25, 3–11.
- Hamblin, C. L. (1970). *Fallacies*. London: Methuen. Reprinted Newport News, Va: Vale Press.
- Jackson, S. (1995). Fallacies and heuristics. In F. H. van Eemeren, R. Grootendorst, J. A. Blair, & C. A. Willard (Eds.), *Analysis and evaluation. Proceedings of the third ISSA conference on argumentation* (Vol. II, pp. 257–269). Amsterdam: Sic Sat.
- Lewis, D. K. (1977). *Convention: A philosophical study* (3rd ed.). Cambridge, MA: Harvard University Press. (1st ed. 1969).
- O’Keefe, D. (2002). *Persuasion. Theory & Research*. Thousand Oaks: Sage
- van Eemeren, F. H. (2010). *Strategic maneuvering in argumentative discourse. Extending the pragma-dialectical theory of argumentation*. Amsterdam/Philadelphia: John Benjamins.
- van Eemeren, F. H., & Grootendorst, R. (1984). *Speech acts in argumentative discussions: A theoretical model for the analysis of discussions directed towards solving conflicts of opinion*. Berlin/Dordrecht: De Gruyter/Foris.
- van Eemeren, F. H., & Grootendorst, R. (1988). Rationale for a pragma-dialectical perspective. *Argumentation*, 2(2), 271–291.
- van Eemeren, F. H., & Grootendorst, R. (2004). *A systematic theory of argumentation: The pragma-dialectical approach*. Cambridge: Cambridge University Press.
- van Eemeren, F. H., & Houtlosser, P. (2002). Strategic maneuvering: Maintaining a delicate balance. In F. H. van Eemeren & P. Houtlosser (Eds.), *Dialectic and rhetoric: The warp and woof of argumentation analysis* (pp. 131–159). Dordrecht: Kluwer.

¹⁸We think, in fact, that it is not too bold to conclude that the empirical results reported in this article lend credibility to the general idea that reasonableness plays an important part in rhetorical persuasiveness, even to the extent that, in principle, reasonableness may be considered a necessary condition for the rational version of persuasiveness that van Eemeren and Grootendorst dubbed *convincingness* (van Eemeren and Grootendorst 1984, p. 48).

- van Eemeren, F. H., Garssen, B., & Meuffels, B. (2009). *Fallacies and judgments of reasonableness. Empirical research concerning the pragma-dialectical discussion rules*. Dordrecht: Springer.
- van Eemeren, F. H., Garssen, B. J., & Meuffels, B. (2011). The extended pragma-dialectical argumentation theory empirically interpreted. In F. H. van Eemeren, B. J. Garssen, D. Godden, & G. Mitchell (Eds.), *Proceedings of the 7th conference of the international society for the study of argumentation*. Amsterdam: Sic Sat, CD Rom.

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