Chapter 3
Meta-argumentation: Prolegomena to a Dutch Project

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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of this aspect of the essay—combining methodological orientation and theoretical conceptualization with empirical and historical content—will make up for whatever shortcomings it may possess from the point of view of substantive detail about, and completed attainment of, the project.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 Amsterdam[1] 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 Zealand, 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.

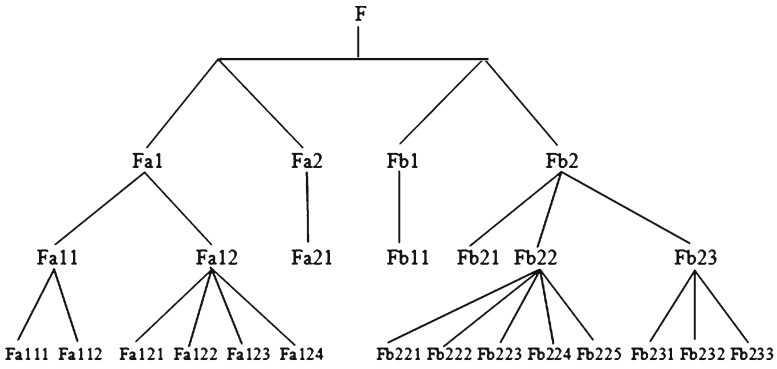
First, generally speaking, (Fa11) this work contains argumentation that is intense and varied, as revealed by (Fa111) even a cursory reading, as well as (Fa112) the considered judgment of many authorities. Moreover, (Fa12) the issues it discusses are universally significant because they involve (Fa121) 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 Wohlrapp (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).

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