ISSA Proceedings 1998 – Arguing Emotions

These reflections on emotions in rhetorical argumentative discourse build on Walton's pioneer work while re-evaluating the role of emotion in argument. First, I'll list some important questions which, nevertheless, can't be dealt with here since they would go beyond my present scope. Second, I'll present the general framework of the study ; third, I'll propose a method permitting a systematical treatment of emotion in some kind of discourses, and, by way of conclusion, I'll give a brief illustration.

In the discussion, I'll use the following two examples (these texts are analyzed more fully in Plantin, to appear a, b, c.) :
– A militant text about Ex-Yugoslavia, entitled "Sarajevo : Citizenship Assassinated" [*Sarajevo : La citoyenneté assassinée*]. This text constructs in an ideal audience, emotions ranging from apathy to pride, via shame. It is a classical written rhetorical address, delivered by a leader of a democratic movement ICE "Citizens Initiative in Europe" [*Initiative des Citoyens en Europe*], calling for democratic action and intervention in Ex-Yugoslavia. This address, which will be referred to as (D1), introduces a leaflet entitled "Ex-Yugoslavia – Proceedings of the Third ICE Meeting, Ecole Normale Supérieure, Ulm Street, Paris, December 1992" *[Ex-Yougoslavie – Compte-rendu de la troisième rencontre ICE, ENS Ulm, Paris, décembre 1992].*
– A paper from the newspaper Le Figaro (moderate wing of the right) February 13, 1997, about the evolution of the structure of the French population since the beginning of this century : more and more people live in town, less and less people in the country. As shown by the title "The empty parts of France : the frightening figures" [*La France du vide : les chiffres qui font peur*], this text exemplifies the rhetorical construction of fear ; it will be referred to as (D2).

1. Preliminary questions
To investigate the emotional involvement of participants in a communicative event would be a whole program, maybe a domain, in itself. It goes without saying that essential problems can't be touched here, such as :
– The problem of the universality of so-called basic emotions : are they universal

or language and culture specific ?

– The connection emotion – action.

– The conceptual / terminological distinction between emotion, affect, feeling, or psychological state. All these terms will be used indifferently in this paper, "emotion" being considered as an "umbrella term".

– The question of emotion as drawing a dividing line between rhetorical studies and argumentation studies won't be tackled, either as a conceptual question or as a historical legacy.

– and finally, the problem of the evaluation of "emotional interventions".**[i]** We'll focus on the discursive / rhetorical dimension of emotion.

2. A basic situation : dissenting about emotions
If we turn now to the general framework, one fundamental point must be made first.**[ii]** Some situations or events are intrinsically perceived as "emotional", for example dangerous and fearful (imagine a big truck speeding towards you). In other situations the same information, linguistic or perceptual, doesn't elicit the same emotional reaction : One person may feel nothing while the other may overreact ; it's an individual matter, rather like a musical event. Consequently, some psychologists (though not all) argue that there is a cognitive component in emotion. Thinking of the link language-cognition, a rough formulation of our research question would be : are there linguistic counterparts or correlates of this cognitive component ? Such a program can build on a whole set of research in pragmatics, pyschology, discourse analysis and grammar. The following ones are particularly interesting : Cosnier (1994) ; Scherer (1984a, 1984b) ; Caffi & Janney (1994) ; Ungerer ; Balibar-Mrabti (1995). Classical rhetoric should appear right on the top of this list (Lausberg, 1960) : actually, it is very often possible to trace back some modern "principle of inferencing" or "emotional axis", or "cognitive facet" to some well-known old rhetorical topos or rhetorical recipe. So, to use Scherer's words, I would say that I'm interested in the structure of the linguistic component of emotions. Now, this is a very general theme, how is it related to argumentation studies ?

Argument will be considered as basically a discursive activity, developing in specific languages and cultures**[iii]**. Argumentative interactions and addresses are very good objects to start with when one studies emotion in discourse, for two reasons. First because in argumentative discourse, people are deeply involved in what they say, maybe even more than in any other form of discourse. There is a

striking discrepancy between the rich emotional texture of argumentative discourse – and the poverty, the lack of systematicity of the tools at our disposal to deal with this texture.

The second reason is that argument supposes a dissensus ; once again, contradiction makes us see something interesting. Example :
(1)
A : – I'm afraid !
B : – Me too !

B assents to A's utterance and shares her feelings. The temptation here is to consider that these two people agree just because the situation is frightening in itself : they share the situation, they have the same perceptual system, a causal process took place, producing fear in these two people; so their common fear seems to be perceptually/physically induced by the situation. Now, dissensus reveals that such is not obligatorily the case :
(2)
A : – I'm not afraid
B : – You should be !

Disagreement is linguistically richer than agreement. B's dissenting utterance opens up on a justificatory sequence : now B has to explain why she disagrees. In other words, B has to argue for her emotion.**[iv]** Under its most general definition, argumentative discourse is a discourse supporting a thesis, something one should believe ; or a discourse providing reasons for something one should do. In the same way, speakers argue their emotions. They give reasons for what they feel and for what you should feel. They can do so because emotions are not something that fall on people like a book falls on the ground in virtue of a physical law.Because they are linguistic-cultural entities, emotions can be questioned :
(3)
That is not a reason to be in such a state!

Crude facts do not determine emotions. If P is dead, some emotion is certainly in order, but according to one's ideological system (that is, principles of inferencing), it is possible to argue for joy or for sadness:
(4)
A : – Let's rejoice, the tyrant is dead !
B : – Let's mourn the death of the Father of our Country**[v]**

(5)

X : – Our brand new townhall is the most beautiful, I'm proud of it !

Y : – When I think of the cost, and all the unemployment, I'm ashamed !

To take an example from real political life, the following exchange gives evidence of the importance of discursive emotional display in political discourse**[vi]** :

(6)

The distress I feel concerning the repeated and tragic actions that you have undertaken as Head of the Israeli Government is real and truly profoun.

La détresse que j'éprouve suite aux actions tragiques et répétées que vous avez prises à la tête du gouvernement d'Israël est réelle et profonde.

First sentence of the letter adressed on March 9, 1997, by King Hussein of Jordan to the Israeli Prime Minister, Benjamin Netanyahou.

I have read your letter with deep anxiety, the last thing I would wish is to provoke your doubt and bitterness

J'ai lu votre lettre avec une profonde inquiétude, je ne voudrais surtout pas susciter le doute et l'amertume chez vous.

First sentence of the answer addressed on March 9, 1997, by the Israeli Prime Minister, Benjamin Netanyahou to King Hussein of Jordania. Quoted from Le Mond, March 15 1997, p. 3 (translation translated).

Maybe one of these political partners doesn't feel distressed and the other one doesn't feel anxious. Maybe militants and/or future historians will tell us that these linguistic emotional displays were just emotional lies, serving machiavelic strategies. Discourse analysis, led from a linguistic point of view, gives no access to the reality of the feelings.

The conclusion will be that the discursive dimension of emotions appears with a particular clarity when emotion is in debate, I mean when the object of debate is emotion itself. So, our point of departure will be a/ *disagreement about emotions*, then, extending the perspective*, b/ doubt cast on an emotional state, or finally c/ the construction of an emotion by linguistic means*, by a speaker adressing a hearer who is just supposed to feel nothing or to feel differently of what he/she should feel in the speaker's opinion.

Disgreement about an emotion, doubt cast on an emotion, construction of an emotion by linguistic means : all this implies that we'll have to start with openly declared emotions. A clear distinction must be drawn between words and inner

states, between what is really experienced (if anything is experienced at all) in a given situation and what is said to be experienced in this situation. This will be one of the permanent puzzling points of this investigation, and maybe even an irritating one. But, for sure, sometimes people say that they feel something and attribute feelings to other people.

Our basic object being the organization and development of dissensual, value-loaded discourses about expressed emotions, we'll consider as basic data for this investigation discourses in which emotions are expressed, thematized and openly declared.

2. A method: Two ways to emotions
As there is a place for emotion in argument – *she fired because she was afraid – there is a place for argument in emotions* :
(7)
A : – She was frightened by the young men shouting and running around
B : – But they were not threatening, they were rejoicing!

If we acknowledge the fact that the rightfulness or the legitimacy of an emotion can be called into question, that reasons for / against emotions can be given, we now have to give some thoughts to the specificity of this kind of discourse as argumentative discourse, namely to the characteristics of their conclusions and their arguments. Consequently, the program will run as follows :
– First, the general form of the conclusion has to be determined ; we have to know what kind of emotion is aimed at and who is the person affected : *who feels / should feel what ?* A core definition must be provided for this concept of conclusion, that will be called in what follows "emotion sentences"**[vii]**.
– Second, what kind of arguments can be put forward to (de)legitimate such a conclusion ? Here we have to provide the basic guidelines along which the structure of a discourse oriented towards an "emotion sentence" can be investigated.

2.1 Emotion sentences : who feels what ?
An emotion sentence asserts or denies that a particular individual (who ?) is in the grip of a particular emotion, or in such and such psychological state (*what ?*). In linguistic terms an emotion sentence is defined as a sentence connecting an *experiencer* to an *emotion* term ; both of which must be defined.

Experiencers

Prototypical experiencers are human beings, so the basic set of potential experiencers corresponds to the list of [+Human] terms or phrases (terms referring to humans) : proper names, personal pronouns, definite descriptions. Animals can also be experiencers : a sad cow is not a sad landscape (the cow is sad, and maybe that makes you sad ; the landscape makes you sad). It might be interesting to study the emergence of animals as experiencers in our culture. Note that the speaker must be considered as an experiencer. If somebody says :
(8)
I think this is frightful news

Certainly the locutor (the linguistic being to which refers the first personal pronoun, and who is characterized by her ethos) is frightened ; and, by application of the sincerity rule, the emotion is ascribed to the speaker as a person.
(9)
This is frightful news

Here the news must be considered as frightening per se ; everybody should be frightened. The difficult question of the linguistic tools of empathy must be faced here.

From a practical point of view, a distinction must be drawn between experiencer and potential experiencer. The first move in investigating the emotional dimension of a discourse is to list the potential experiencers. For example, in (D2) the main potential experiencers are :
(10)
I
We
A list of positive individuals belonging to the we -set
The victims
The crazy men from Pale
A list of negative individuals associated to The crazy men of Pale – set The opponents :
our military and political leaders

As a rule, the potential experiencer will be designated by one of the terms mentioned in the text**[viii]**; no external ("neutral") designation is needed. The set of terms or expression referring to one potential experiencer will be called the

"designative paradigm" characterizing this actor. For example, in (D2) the "designative paradigm" of *the crazy men from Pale is* :

(11)

– some feudals who have mistaken this century for another / *quelques féodaux qui se sont trompés de siècle*

– some political leaders who have withdrawn into their own identity which quickly evolved into madness / *quelques dirigeants politiques [qui] ont sombré dans un repli identitaire qui s'est vite transformé en folie*

– the crazy men from Pale / *les fous de Palé*

– men who have interpreted in their own way what is sometimes called "the epic vertical" of the great medieval narratives / *des hommes ayant interprété à leur manière ce que d'aucuns appellent la « verticale épique » des grands récits du Moyen Age*

Emotion terms

Emotion terms can be defined or listed. The list includes probably some hundred of terms, basically the classical emotion terms, such as *fear, anger, shame…*, but not exclusively. For example the following predicates are emotion terms:

(12)

to piss sb off ; to be fed up…

Simple lists of terms of affect are very good instruments to start with ; they largely correspond to the lists provided by psychologists who pay attention to what they call "verbal labels attached to emotions"**[ix]** This basic set of emotion terms can be extended. Consider for example the sentence:

(13)

Peter was boiling

(13) contains no emotion term. But, for sure, the experiencer, Peter, really experiences something, and certainly not shame nor fear or joy ; maybe something like indignation, maybe impatience. Consequently, the emotion sentence associated to (13) will be : {Peter : /indignation/ /impatience/} – the slashes show that the emotion terms have been reconstructed and not directly taken in the text. Along these lines, some emotions can be easily identified on such purely lexical grounds. Other forms of extension are equally possible. The general conclusion is that a rich set of linguistic data can be exploited to reconstruct emotion terms.

Examples : *Reconstructing emotion sentences*

With these simple notions of experiencers, emotion terms and emotion sentences, we can have a look at a text or a corpus with our very simple question in mind : *who experiences what ?* In (D2), the emotion sentence determining the emotional orientation is given in the title of the paper:

(14)

The empty parts of France : the frightening figures / *La France du vide : les chiffres qui font peur.*

The emotion term is fear (peur), the experiencer /everybody/, so the reconstructed emotion sentence will be :

(14'){/everybody/, fear}.

(14') determines the general emotional orientation, which will remain stable throughout the paper. The emotional situation is much more sophisticated in (D1), "Sarajevo : The Assassinated Citizenship". The first reason is that the text stages several emotionally well differenciated experiencers:

– The enemies, *the crazy men from Pale*, feel a kind of *joy.*
– In our text, the class of the victims has not been qualified from the emotional point of view. This might be an important aspect helping to tell apart this kind of militant political intervention from horror tales.
– The opponents feel nothing, they are *apathetic.*

The second reason is that the we-class, which includes the ideal audience, is richly endowed with emotions, and goes through a series of emotional transformations in the address. At the beginning "we" adhere to the opponent's thesis and is *apathetic* ; then the arguer turns this apathy into *shame* ; finally, the call for action having been accepted "we" feels *proud.* Let's consider this process of emotional attribution in more detail. Consider (15), the first sentence of the text:

(15)

Bosnia has now been at war for more than nine months, and the consequences should make everyone's conscience shudder / *Cela fait plus de neuf mois que la Bosnie-Herzégovine connaît la guerre, et un bilan à faire frémir toutes les consciences.*

The verb frémir [to shudder] denotes a kind physical vibration which can be

determined by a physical or, as in this sentence, by a mental-linguistic emotional stimulus. The French language says *frémir de joie* [to quiver with joy], which is clearly inappropriate in the context " – conscience" ; the same is true for *frémir d'horreur* [to shudder with horror]. The only possible interpretation is to be found in the series *frémir d'indignation* [to shiver with indignation]... So, the emotion sentence associated to (14) will be:
(15'){/everybody/, /indignation, anger/}.

Consider now the sentence (16):
(16)
Le rouge nous montera au visage et nous resterons muets devant les questions gênantes de nos enfants / *We'll become red in the face and we'll remain speechless in reaction to our children's questions*

In French, *colère* [anger] and *honte* [shame] are linguistically associated with this kind of red which *monte au visage* [rises to the face] ; the coordinated sentence is a cliché associated to shame**[x]**, never to anger. We get here two very different emotions : anger and shame. Applied to emotion denoting terms, the principle of coordination reduction excludes anger. So, the emotion sentence associated to (15) will be :
(16'){we, /shame/}.

This is not the end of the emotion story. Consider sentence (17):
(17)
It seems that no crime against humanity can shock us and that we are getting used to horror / *Il semble qu'aucun crime contre l'humanité ne nous choque et que nous nous habituions à l'horreur.*

"Not being shocked by any crime", "getting used to horror" : this lack of affect can be rephrased as "being apathetic". The third emotion sentence is:
(17'){we, /apathy/}

So, in a few lines, three different emotions are attributed to "we" : our interpretation is that this experiencer corresponds to the ideal audience, first *apathetic* (believing in the the discourse of the Opponents "our governments", "our political and military leaders") ; then convinced by the orator's arguments, turning *indignant.* Different modalities are attributed to these two emotional states, "we" is apathetic when it *should* be indignant : this is a rather good

definition of *shame*. Shame is a value-based emotion, an incentive to action ; and the last lines of the speech are in a very different emotional tone, something like *pride*:

(18)

Like us, [our guests] think that war criminals that have initiated the ethnic purification must know that they won't remain unpunished / *Comme nous, [nos invités] estiment que les cirminels de guerre qui ont entrepris la purification ethnique doivent savoir qu'ils ne resteront pas impunis.*

Note that this sentence contains no emotion term. This suggests that radically different ways of reconstructing emotion must be considered now. I would suggest something like the following emotional stereotype : « the proposed action is basically in agreement with the deepest political value of the audience [so we must be proud to fight for such a goal] ». This stereotype corresponds to topos T6, which will be introduced in the next paragraph.

2.2 Pathemes: Emotional facets, principle, axes, topoi… argumentative features
The emotion sentence being reconstructed as previously mentioned, the emotional conclusions of the discourse are now at our disposal. We must now ask for what explains, justifies, or argues for… for this conclusion, what counts for a reason backing this conclusion, what makes the surrounding discourse coherent with it ? This construction / argumentation of emotion can be systematically investigated. The basic element of this reconstruction could be called "argumentative emotional features" (or "pathemes", from "pathos").
In this second phase of the work, emotions are not diagnosed from their subsequent manifestations, but constructed from their antecedents. If the discourse is emotionnally coherent, constructed emotion and diagnosed emotion coincide. In empathic communication, emotion is identified and transmitted both by expression and justification.
An event can be emotionally evaluated / constructed along the following emotional axes, roughly defined here as classical topoi considered in their relation with the experiencer as a person – a person being defined as a set of values.

(T1) *Position of the event on the euphoric / dysphoric axes (pleasant/unpleasant) ?*
This position of the event can be directly asserted, or constructed along the following axes. Often both processes are used :
(19)
This consequence would be unpleasant (S1). Our interests would be harmed (S2)

Here the emotional quality of the event is first directly asserted in (S1), and then argued in (S2). According to the normal argumentative interpretation, (S2) is an argument for (S1).

(T2) *Category of people affected ?* Is there a link between these people and the experiencer ? For example, in our culture the maximal emotional investment is on children : "children/ordinary citizens are dying" is emotionally most efficient than "adults/militia are dying". Here we are in the realm of emotions socio-culturally associated with different categories of people or groups (or emotional stereotypes, commonplaces or clichés, all these designations being not obligatorily pejorative). Such emotional inferences are necessary to account for the use of *but* in sentences like (20):
(20)
Children are dying from hunger, but that doesn't move him The kind of person affected is not exclusively defined by such broad stereotypes. The link between these people and the experiencer plays an essential part in the construction of emotion : what affects a citizen of my country / my village, or my children, is more moving that what affects other people.

(T3) *Analogy* ? Is there a correspondance between the event to be emotionally evaluated / constructed and domains where emotion is socially / personally stabilized?
(T4) *Quantity, intensity* ? The bigger the number of victims, the bigger the shock – and the time on TV. It seems that this emotional parameter is not capable of creating emotion just to stress a pre-existing emotion. But big / small is beautiful and it seems that low/high quantity can create enthusiasm whatever the object may be (cf. The Book of Records).
(T5) *What are the causes ? Who are the agents ?* How are they linked to the (potential) experiencer's interests, norms and values (personal / group / social)?
(T6) *What are the consequences ?* Do they affect the (potential) experiencer's interests, norms and values?
(T7) *Control?* : Can the event be controlled by the (potential) experiencer?
(T8) *Distance ?* Spatio-temporal construction of the event ? Global distance from the (potential) experiencer ? This set of principles can be illustrated by examples taken from our corpus.**[xi]**

4. Illustration
4.1 Building an orientation towards /indignation/ : Text (D1) "Sarajevo : the

assassinated Citizenship" (see the first paragraph in Annex).

This orientation is built in two moments : first as a kind of /horror/, associated with a dysphoric field ; then, by mentioning the agents, as /indignation/.

– Topos (T1) : the events are basically oriented towards the dysphoric side by the following terms and expressions :
(21)
war, dead, refugees / *guerre, morts, réfugiés*
(22)
camps where people are tortured and killed / *des camps où l'on torture et massacre*

– Topos (T2), Who ? Mainly civilians (vs military people, militia…)
(23)
80% civilians / *80% de civils*

– Topos (T3), Analogy ? Second World War camps : (28) camps / *des camps* the biggest extermination enterprise since World War II / *la plus grande entreprise d'extermination depuis la seconde guerre*

– Topos (T4), Quantity ? Big quantity :
(24)
165 000 dead / *165 000 morts*

(25)
tens of thousands of civilians trapped in camps / *des dizaines de milliers de civils enfermés dans des camps*
– Topos (T8), Distance ? Near :

(25)
under our eyes / *sous nos yeux*

(26)
to morrow … the day after tomorrow… / *demain… après demain*

This set of topoi builds a feeling of the type /horror/.

– Topos (T5), Cause and Agent ? The following designations are extracted from the designative paradigm (11) :

(27)
feudals who have mistaken this century for another / *quelques féodaux qui se sont trompés de siècle* political leaders… withdrawn into their identity… evolving into madness / *dirigeants politiques…repli identitaire … folie* the crazy men from Pale / *les fous de Palé.*

The reponsible agents are clearly designated (some of them are explicitly mentionned) ; they are the embodiment of counter-values for an experiencer posited as a "citizen" (cf. the title of the address) ; the situation calls for action. The feeling is turned from /horror/ into /indignation/. One last point : Starting from the same situation, other types of feelings could be rhetorically-argumentatively constructed, for example by a discourse locating the process far away somewhere in the Balkans, depicting the events as a tribal war, etc : this will create the orientation towards /apathy/ characterizing the Opponent's discourse.

4.1 Building an orientation towards /fear/ : Text (D2) "The empty part of France : the frightening figures". What are these "frightening figures"?
(28)
Two French people out of ten lived in town at the beginning of this century, five out ot ten after the Second World War, eight out of ten nowadays, that is to say 47 out of 58,5 millions of inhabitants of the Hexagon / *Deux Français sur dix vivaient dans une ville au début du siècle, cinq sur dix après la seconde guerre mondiale, huit sur dix aujourd'hui, soit 47 des 58,5 millions d'habitants de l'Hexagone.*

Is this "really" frightening ? A euphoric discourse could be very easily built on these figures : "France is no longer an outdated rural country, its main cities are now reaching a critical size, they are able to attract international investments…". The option chosen by the paper is quite different, and clearly dysphoric. This negative picture is built according to the following topical lines.
– Topos (T1) : The description of the "empty part of France" is built on basically dysphoric terms.

On this dysphoric basis, the specific feeling of "fear" is constructed along four "emotional lines", or classical topoi : analogy, causality and control.

Table 1

Negative terms designating places or persons	fallow land, desert / friche, désert
Neg + Positive process	doesn't provide enough to live on/ne fournit plus de quoi vivre
Negative morphemes	de- : depopulate / dé- : dépeupler
Negative predicates	to abandon, to lose /abandonner, perdre

Table 1

– Topos (T3), Like what ? Analogy turns more precisely this description towards fear by assignating to the dysphoric process an interpretation in the field of disease, death and disasters. The choice of such an interpretant for the described phenomenon commits to a certain conception of control (cf. infra, Topos T5).

(T7) Control ? The process escapes all real possibility of control.

– Topos (T5), Cause and Agent ? This "death" is attributed to abstract agents, "unemployment", "mechanization", "productivity race".

Note the difference it would make if the agents were not these ones but for example :
(29)
The bureaucrats from Brussels
Mr So and So, our Minister of Agriculture

Table 2

This second kind of agents might provide for grounds for a call to action or revolt ; in this case, the appropriate emotion would be /indignation/, not "fear". This

orientation towards non-political feelings is confirmed by a last set of fictional agents, "cannibals" and "vampires".

4. Conclusion

In this paper, I have tried to show that argumentative situations can be considered basic for investigating the emotional dimension of discourse. The concept of emotion sentence has been defined. I have suggested that an experiencer- oriented set of emotional axes or topoi is basic for the construction / orientation of discourse towards emotion. The examples chosen show that these methods and notions are operative as regards real discourse. One important problem still has to be discussed : a set of basic emotions should be defined in agreement with the topical rules ; such a definition would be rhetorical, that is based on stereotypes or commonplaces (cf. Aristotle's *Rhetoric*, Book 2).

Annex : Text (D1) :

Sarajevo : la citoyenneté assassinée Cela fait plus de neuf mois que la Bosnie-Herzégovine connaît la guerre, et un bilan à faire frémir toutes les consciences : 165000 morts, dont 80% de civils, plus de 9 millions de réfugiés et des dizaines de milliers de civils enfermés dans des camps dont certains – cela a été prouvé – sont des camps où l'on torture et massacre. Sous nos yeux e déroule la plus grande entreprise de nettoyage ethnique depuis la dernière guerre. Demain il suffit au général hiver d'intervenir à sa manière pour achever le programme de nettoyage entrepris par quelques féodaux qui se sont trompés de siècle. Et lorsque après-demain, quand il faudra faire les compte, nous réaliserons la quantité de dégâts humains causés par la folie nationaliste, le rouge nous montera au visage et nous resterons muet devant les questions gênantes de nos enfants.

Table 3

the evolution is fatal / *l'évolution est inéluctable*	The evolution is fatal explains B. Kayser [an expert] / *l'évolution est inéluctable explique B. Kayser*
One should not dream / *Il ne faut pas rêver*	Experts are not very optimistic for this "empty part of France" [...] one should not dream [...] / *Les spécialistes ne sont guère optimistes pour cette " France du vide " : [...] il ne faut pas rêver [...]*
without results / *sans grands résultat*	There has been a lot of plans to fight desertification [...] without real results. / *Des plans pour combattre la désertification de la France profonde, il y en a eu plusieurs [...] sans grands résultats*

Table 4

Unemployment / *chômage*	Accused moi, unemployment. The reasons for this geographical upheaval is simple / *Accusé no 1, le manque d'emplois La raison de ce bouleversement géographique est simple [...]*
Mechanisation, Agricultural policy / *mécanisation, politique agricole*	The agricultural revolution provoked by mechanisation, and above all the set up of a Common Agricultural Policy has completely reorganised the French demographic landscape / *La révolution agricole liée à la mécanisation, et surtout à la mise en place de la politique agricole commune (PAC) a totalement remodelé le paysage démographique de la France profonde.*
the productivity race / *la course à la productivité*	A true revolution, a productivity race which has killed the counties unable or unwilling to adapt / *une véritable révolution, une course à la productivité qui a tué les régions qui n'ont pas pu, ou n'ont pas voulu, s'adapter.*

Table 5

Cannibal / *cannibale*	The cannibal Toulouse / *Toulouse la cannibale*
Vampire / *vampire*	So Figeac, Mazamet would be « vampirised » by Toulouse / *Ainsi Figeac, Mazamet... seraient en quelque sorte « vampirisés » par l'agglomération toulousaine*

Table 3, 4 & 5

Impuissance de nos gouvernants, démobilisation de l'opinion, l'Europe reste interdite. Il semble que plus aucun crime contre l'humanité ne nous choque et que nous nous habituions à l'horreur Contrairement à ce que les responsables politiques et militaires occidentaux tentent de nous faire croire […].

Bosnia has now been at war for more than nine months, and the consequences should make everyone's conscience shudder : 165 000 dead of whom 80% are civilians, more than 9 millions refugees and tens of thousands of civilians trapped in camps some of which are – it has been proved – camps where people are tortured and massacred. Under our eyes the biggest enterprise of ethnic purification since World War II is in progress. Tomorrow "general winter" has only to intervene in its own way to complete this cleaning program initiated by some feudals who have mistaken this century for another. And when, the day after tomorrow we'll have to take stock, we'll realize the quantity of human damages provoked by nationalist madness, we'll become red in the face and we'll remain speechless in reaction to our children's embarrasing questions. Ineffectiveness of our governments, demobilization of our governments, Europe remains mute. It seems that no crime against humanity can shock us and that we are getting used to horror. Contrary to what our political and military leaders try to make us believe […]

NOTES
[i] This is not to deny the importance of a critical approach to emotions; it could even be argued that an investigation of the linguistic – rhetorical dimension of emotions is basic for a real education of emotions, particularly in public life.
[ii] This paragraph deals with my "external hypotheses"; the following one with my "internal hypotheses". These two kinds of hypotheses must be distinguished; cf. Ducrot, Les mots du discours, Paris: Le Seuil, 1980, p. 20; the concept can be traced back to the philosopher Pierre Duhem (1861-1916). Internal hypotheses are intra-theoretical hypotheses, and are currently considered as the only kind of hypotheses on which a theory is built. The external hypotheses are the set of hypotheses made on the object of investigation. Internal hypotheses are not independant of external hypotheses. In our field, a much needed reflexion of argumentative genres, or on the method for collecting corpora would be instrumental to the constitution of an (explicit) set of external hypotheses.

[iii] My examples are taken from French, and the method implies that one has to stick to the original linguistic data. An approximative translation is provided.

[iv] If her argumentation succeeds, she will have convinced A that he should be afraid. Will A really be afraid? Maybe she will, but this is another question. I should believe but I don't; I should do, but I don't; I should feel, but I don't: I certainly know, but nonetheless … Je sais bien, mais quand même.

[v] The utterance "Let's rejoice, the tyrant is dead! " refers to the dead person, X via the nominalized predicate "is a tyrant", and the conclusion follows analytically from the argument, in virtue of the common place "One must rejoice when a tyrant is dead" ("one must cry when a tyrant is dead"). Idem, mutatis mutandis, for the other case. In other words, when X is dead, under the predicate "is a tyrant" one rejoices; under the predicate "is the father of our country" , one cries; cf. Plantin, 1996: 58 on this kind of hologrammatic phenomenon.

[vi] This might be characteristic of a genre of political discourse, and/or of a period in time.

[vii] The expression "emotion sentence" translates "énoncé d'émotion". It conveys a different meaning from "emotional sentence".

[viii] Quotations from (D1) and (D2) are underlined.

[ix] For the French language Cosnier (1994) has provided a list of basic emotion terms in French language and culture. The fact is that the linguist list and the psychologist list do coincide.

[x] American-English informants tell that the expression "to become red in the face"is associated with anger or shame/embarrassment, and "blood coming up to the brow"associated with anger only.

[xi] To quote fully (D1) and (D2) is not possible here. See a less incomplete analysis in Plantin 1997.

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ISSA Proceedings 1998 – The Problem Of Truth For Theories Of Argument

*I. Introduction***[i]**

A. *The historical background*

In the beginning, as I like to tell the story, there is Aristotle. His *Prior and Posterior Analytics* present what might be thought of as the original theory of argument. According to it, a good argument must satisfy two conditions. First, the argument must be valid; that is, the conclusion must follow logically from the premises. Second, the premises must be true.**[ii]** In modern logic, much the same story is told by combining truth and validity in the ideal of soundness which becomes enshrined in the logic doctrine of the 20th century. (In (1986), I baptized this theory as FDL, an abbreviation for "formal deductive logic" and shall continue to so refer to it.) There are those who object that the idea of soundness was never intended to be the whole story of what counts as a good argument. That may be true. Yet the fact remains that many logicians and philosophers have presented it as such (Lambert & Ulrich 1980) and continue to do so (Solomon 1989).

For centuries, FDL reigned supreme as the theory of argument, until it was challenged by theorists like Toulmin and later Hamblin and later still informal logicians, and others who take the view that FDL does not provide an adequate theory of argument. Some, like Toulmin (1958), challenged the architecture of FDL; others like Hamblin (1970) challenged the truth-requirement; still others (Barth 1985) and Govier 1987) have challenged the deductivism they believe is implicit in FDL.

A kind of standard critique of FDL has emerged which goes as follows. Soundness is neither a necessary nor a sufficient condition for goodness in argumentation. It is not necessary because there are good arguments which do not satisfy this requirement, such a good inductive arguments. It is not sufficient because there

are argument which satisfy this but are not good arguments. An example would be an argument which begs the question yet has true premises. I am sympathetic to the first line of argument though not to the second, the reason being that the example used to make the point (typically "p p") strikes me as an implication rather than an argument.

In this paper, I am interested only in the issue of what has come to be called premise-adequacy: What requirements must the premises of a good argument satisfy?**[iii]** Must they be true, as FDL theorists have insisted? Or is something "less" – acceptability – adequate, as some informal logicians have held (Govier, 1996)? Or should we embrace both sorts of requirement, as both Allen (1997) and I (1996) have argued?

B. *The significance of the issue*

The issue is an important one. For one thing, the old ideal promoted the notion that the only really good arguments are conclusive arguments – a dangerous doctrine tending toward skepticism and so well worth challenging. My concern it that the alternative suggestion – that the premises of an argument must be acceptable – is some ways so problematic and weak that it may promote an unhealthy relativism and so well worth challenging.

C. *My position*

The position I defend in this paper is that logicians and argumentation theorists should include truth as a requirement for premise-adequacy. I begin by examining the arguments for including it. I then examine the arguments against. I then put forth what I believe is a decisive line of reasoning for including it. Then I review the dialectical situation, draw some conclusions, and end.

II. *Arguments for a truth-requirement for premiseadequacy*

The truth-requirement was accurately stated by Hamblin (1970): "The premises of an argument must be true." Let's briefly review the main arguments for including truth as a requirement for premise-adequacy.

First, the imposition of such a requirement has much history on its side. Going right back to Aristotle, we find logicians embracing the idea that the premises must be true in order for the argument to be a worthy one. This requirement for premise-adequacy is part and parcel of FDL's approach.

Second, it seems a natural enough method of dealing with arguments. That is, quite apart from what our theories of argument may dictate, it seems an intuitive and natural move to criticize someone's argument on the grounds that one of the premises is not true. We all do it, even a sophisticated philosopher liked Dennett,

who in responding to a suggestion by Stich, says: "This is just not true" (1987:95). Third, if we conceive of argumentation as a method for getting at the truth (again I say this seems a natural enough interpretation of what argumentation is about), then it is difficult to see how we may hope to arrive at that destination if we do not require that the premises of our arguments satisfy that requirement. Those, then, are some of the more prominent lines of argument for truth as a requirement for premise-adequacy.

III. *Arguments against a truth-requirement for premise-adequacy*
There seem to me to be at least six main opposing lines of argument. First, it can be notoriously difficult to determine what is true.
William James says that "no concrete test of what is true has even been agreed upon." As one moves away from science and towards other spheres of reasoning – the practical sphere of human decision-making, the areas of morals, ethics, politics and everyday human affairs – it becomes more and more problematic in its application. This is not because the criterion of truth is entirely inapplicable to human affairs, but rather because as one reviews the nature and functions of argumentation in this arena, it seems that the premises need not be true in order for the argument to be a good one (See Blair and Johnson, 1987).
Second, it can be argued that the truth-requirement is not a necessary condition, because the mere presence of a false premise does not in and of itself mean that the argument is a bad one, if the other true premises are sufficiently powerful to "cover" for it. Here is an example. The arguer begins with this premise: January 1998 has begun, with all major cities throwing parties with fireworks and people breaking in the new year with hopes of a better life.

The arguer proceeds to argue that all people need to get involved in the process of helping to heal the earth. Now suppose that P1 is false because one or two major cities (Tokyo and Madrid) did not throw such parties; suppose however that all others did. As matters stand then the premise is false. Will this falsity be enough to cause a rational person to reject the argument? Not necessarily, it seems to me, especially if
i. the other premises of the argument are strong enough to compensate
for this weakness; and
ii. the premise is just barely false.

Third, and related to the first, even if one decided to impose the truth-requirement on the premises of an argument, it will be asked which of the many

versions of theories of truth will be selected? Will we define truth in terms of correspondence, coherence, reliability, or what? The objection from this direction is that there is a severe theoretical obstacle in the way – choosing one particular theory of truth rather than some other.

Fourth, there is Hamblin's argument which more or less directs itself to the correspondence theory of truth, arguing that to impose truth as a requirement is unwise, since truth (and validity) are "onlookers' concepts and presuppose a God's-eye-view of the arena" (242).

Fifth, there is the objection that the ideal of truth has been notoriously abused, pressed into service of the most heinous ideologies. Given the abuse historically associated with this requirement, it is thought that we are better off not invoking it.**[iv]**

Sixth, there is Stich's challenge (1990) to truth as an epistemic value – a challenge not developed with argumentation in mind but which surely would apply to any theory of argument that opted for truth. Stich argues that the appropriate epistemic value is not that our beliefs be true but rather that they satisfy our purposes. His alternative, broadly described as pragmatic, is both pluralistic and relativistic, though not, Stich argues, in any pernicious way.

These are, then, some of the reasons that have been cited for rejecting the truth-requirement, at least in any primitive form. Before we move on, a couple of observations:

First, the above is admittedly sketchy but it contains in germinal form a point of great importance for argumentation theory: there can be good arguments on both sides of a proposition. As I have argued before (1992), this realization (found in Hamblin) is fatal to those who promote FDL as a theory of argument, because FDL cannot accommodate this requirement.

Second, now what happens? Some of my students would urge that because there are six arguments against and only three for the truth-requirement, we should conclude against it. But we know that there are better ways to handle this situation than simply counting noses. We could, for example, proceed to determine the strength of the various reasons. Some, (Grennan (1986) and Bowles (1990)) would do this by assigning some numeric value to the premises. Or we might proceed to burrow deeper into the individual arguments. Or we may wish to cast about for additional reasons on one side or the other. Which is the option I choose here.

IV. *Further arguments for the truth-requirement*

I want to introduce a line of argument for the truth-requirement that I take to be very strong. It is that it is virtually impossible to engage the work of argument evaluation without some recourse, whether explicit or implicit, to the truth-requirement. Let me refer to this as Johnson's Conjecture:

Even when a logician (or a argumentation theorist) explicitly dismisses truth as a requirement for premise adequacy, the truth-requirement will continue to perform important work in that theorist's evaluative apparatus in any or all of the following ways:

1. by making unofficial use of it even after they have discharged it;

2. by continuing to rely on it by using terms in their theory of evaluation which themselves presuppose some commitment to the truth-requirement. This happens when a theorist assigns an evaluative role to such notions as contradiction, assumption, validity, consistency – all of which seem to require that truth be assigned a normative role. It is further questionable whether a term like acceptability (often put forward as an alternative to the truth-requirement) can be rendered intelligible without recourse to the truth-requirement. The same can be said for relevance.

3. by using the truth-requirement in their metatheory, that is in the metalanguage in which they set up their theory of evaluation. The second situation is by far the most common and the one I will illustrate here. I shall cite four cases.

Case I: *Logical Self-Defense* by Johnson and Blair.

In LSD (1993), Johnson and Blair embrace acceptability rather than truth as the appropriate logical requirement for the premise adequacy. They do not exclude truth as an appropriate criterion in many cases, where the arguer is attempting to establish "the way things are in the world … for such arguments … the premises must be true" (62). But they maintain that truth is not a *logical* requirement. This is part of their larger view that criticizing a premise for not being true is a substantive rather than a logical criticism. So Johnson and Blair acknowledge the role of truth in argument evaluation but do not regard it as a *logical* criterion for premise-adequacy.

Still when it comes to the discussion of some of the fallacies, their account seems to clearly presuppose the truth-requirement.

For example, when they discuss the fallacy of *inconsistency*, Johnson and Blair rely heavily on the truth-requirement. They claim that two premises are inconsistent if they cannot be true together.**[v]**

This seems correct but not compatible with their position that a fallacy is a violation of one of the (logical) requirements for a good argument. The truth-requirement makes its presence felt elsewhere. Look, for example, at their account of the test they propose for determining relevance: "Let me suppose that P is true; does the truth of P dictate a truth value for C (the conclusion)?" (54-55). Now if truth is required in order to explain relevance, and relevance itself is a criterion for the evaluation of the premises of an argument, would that not suggest that truth should be included as a criterion?

The truth-requirement also makes an appearance in their formulation of the conditions for *popularity* (173-75) and *dubious assumption* (206), among others. It is hard to imagine any account of the fallacy of popularity which would not invoke as a norm the following claim: that many or all persons believe a premise to be true does not make it true.**[vi]**

Thus, although truth is not included among the logical criteria which the premises must satisfy, still it appears to be highly functional in their theory of evaluation.

Case 2: *Argumentation, Communication and Fallacies* by van Eemeren and Grootendorst (1992).

Noteworthy here is the attempt on the part of pragma-dialecticians to carefully avoid reference to the truth-requirement. The word does not appear in their Index except under the entry "logical truth"! Instead they use the notion of acceptability (5,7,9), or acceptance (96). It is clear from what they write on page 96 that acceptance is meant to play a role in pragma-dialectics similar to the role truth plays in logic. However, van Eemeren and Grootendorst have not, so far as I can see, offered a clear account of acceptability/acceptance that differentiates it from truth and shows that it can stand independently of the truth-requirement.

Moreover, when we examine the critical apparatus they use, we see the continuing influence of the truth-requirement. If we look at page 95, we find the authors noting "the general importance of avoiding contradiction" and they quote Frits Stall: "No rational human being would claim that 'The telephone is over there' and 'The telephone is not over there' can both be true at the same time." Clearly, pragma-dialectics will not tolerate inconsistent premises.

On page 270, the authors state: "The most obvious type of inconsistency is when two premise are contradictory. This is the case if they contain proposition that can neither both be true nor both be false at the same time." Thus it seems that pragma-dialectics wishes to expunge inconsistency and that it understands this fundamental relationship in terms of the truth-value of the respective

propositions. (It is possible that inconsistency can be spelled out in terms of acceptability, though I am skeptical that such an analysis can be provided.) Here again we see the influence of the truth-requirement in their critical apparatus.

Perhaps even more noteworthy is its behind-the-scenes presence in the notion of validity. Rule 8 appears to restrict the argumentation schemes to those which are valid or a capable of being validated. I say "would seem" because van Eemeren and Grootendorst want to avoid equating validity with deductive validity. They say "we do not want to take a specific and definitive stance on the question of exactly what kind of logical validity criterion is to be preferred" (60). They appear to reject Rescher's idea that an inductive inference is a failed deductive one, and they are sensitive to Govier's critique of deductivism. Yet in their treatment of unexpressed premises, they commit themselves to propositional logic and first-order predicate logic as the vehicles for fleshing out missing premises. On pp. 70-71 they embrace argument forms from propositional logic. To the degree that they are willing to embrace the traditional concept of validity as having some role to play in their evaluative apparatus, to that same degree, it appears, that they too have no choice but to embrace some form of the truth-requirement – unless validity can be explained without recourse to the truth-requirement. Further evidence of the role of the truth-requirement in pragma-dialectics can be found in we consult Rules 5 and 6 both of which are formulated with the adverb "falsely". And so it appears that the truth-requirement plays a significant, if unacknowledged, role in pragma-dialectics.

Case 3: *Reasoning* by Pinto, Blair and Parr (1993).

In telling their story about how to evaluate inferences, the authors adopt acceptability at the appropriate criterion: "a premise is acceptable just in case it is reasonable to accept it" (122). They go on then to discuss acceptability and the first point they make is that "acceptability is not the same thing as truth." A premise can be reasonable to believe and yet fail to be true.**[vii]**

Still the criterion of truth continues to play a significant role in their metatheory. On the very same page that they introduce the criterion of acceptability, they say:

And no matter how strong a link there is between the premises and the conclusion, if the premises are unacceptable, the inference is defective. [Example omitted.] Here the premiss is so tightly linked to the conclusion that if it is true …. the conclusion must be true too. (122)

Notice that when they explain what a strong link looks like, they invoke truth. In other words, their metatheory makes reference to a truth-requirement. Again my

point is that if the concept of truth is good enough for the metatheory it is good enough for the theory of evaluation itself. Indeed, it is difficult to get on with the business premise evaluation without invoking it, as becomes clear later in the text. For when the authors present a strategy for testing the strength of an inference, they rely heavily on the criterion of truth (128-129). Thus, in order to test the strength of the inference, the premise(s) are evaluated with respect to their truth-potential; but when it comes to evaluating the premise itself, the truth-requirement is discharged and the acceptability requirement is imposed.

Further use is made of the truth-requirement in Chapter 5 in which the authors discuss logical notions of entailment, incompatibility, consistency and contradiction. I think that other elements of the critical apparatus introduced in this text (e.g the notion of credibility) likewise lean upon the truth-requirement. So although Pinto, Blair and Parr appear to discharge the truth-requirement, it continues to play a significant role in their theory.

Case 4: *A Practical Study of Argument* by Govier (1997).

In her articulation of the conditions for a good argument, Govier discusses the truth-requirement:

In addition, the concept of truth in the traditional account of soundness poses problems. In arguments, what is really important is not so much that the premises be true but that we know them to be true, or, if, knowledge is not obtainable, that we have good reasons to believe them. Many important have premises that are plausible and accepted by the arguer and the audience but that we would hesitate to say are true in an absolute sense. (74)

But how can we understand the idea of a premise's being plausible or having good reasons to believe something without some notion of truth in the background? In her definition of argument, Govier invokes the concept of truth. She states:

In effect, an arguer putting forward an argument does these three things:

1. She asserts the premises.
2. She asserts that *if* the premises are true (or acceptable), the conclusion is true (or acceptable).
3. She asserts the conclusion. (65)

When she discusses relevance later she states:

Premises are positively relevant to the conclusion when, if true, they constitute some reason to believe the conclusion is true. (165) Here again we notice the

theorist tacitly relying on the truthrequirement. If my sample is representative**[viii]** and if my reasoning is good, then it follows that even those authors who wish to avoid the truth-requirement are in some sense committed to it. The conclusion that I draw from these sordid tales is that the truth-requirement should be included as a requirement for premise-adequacy.**[ix]**

V. *Dialectical Pause: Where Are We?*

Have I persuaded you then that the truth-requirement belongs in the set of requirements for premise adequacy? Let's see where we are dialectically. I began by reviewing the reasons for; then we looked at "the other side" – the reasons against; and most recently I have introduced yet another line of reasoning to support my claim. But there are a number of things I have not done. So I hope that you have not yet been persuaded because, as I think, my argument is radically incomplete. What I need to do, it seems to me, and what I shall not be able to do here, is return to the original arguments that oppose my position and show why, on the grounds that I have developed, I find them unsatisfactory. I have not made any argument that the reasons for the truth-requirement are stronger than those against it. Nor have I responded in detail to Hamblin's objections.

Nor have I addressed alternative positions, for example Allen's proposal (1997) for combining truth and acceptability. The failure to do these things constitutes a severe lapse in argumentation. For it means that I have thus far failed to discharge my dialectical obligations (Johnson, 1997).

I acknowledge the validity of this assessment. Alas, in the time that remains I cannot discharge these obligations. I can however refer you to a location where you will find them dealt with (See my *Manifest Rationality*, forthcoming).

VI. *Conclusion*

I suspect that many informal logicians abandoned the truth-requirement for two reasons. First, they saw it as part of the FDL which they were criticizing. Second, they were persuaded by Hamblin's case against the truth-requirement. I certainly belong to that tribe; or better, belonged. For I now believe that abandoning the truth-requirement is a mistake and that "for better … for worse," in something very like a marriage vow, informal logicians and argumentation theorists should embrace the truth-requirement.

NOTES

i. I am grateful to Gordon Plumer for his criticisms of parts of this paper.

ii. This is not Aristotle's terminology. He speaks of the demonstrative syllogism rather than argument, the term 'validity' is not known to him, and it appears that his requirement for the premises is even stronger; the premises must be necessary truths. In recognizing Aristotle as the original theorist, we must be cognizant that he makes room for other types of argument in Topics and De Sophisticis Elenchis .

iii. In putting the matter this way I want to make it clear that I am not accepting the conventional account of argument accordingto which an argument is composed of premises plus an inference from the premises to the conclusion. But this is not because I find Toulmin's proposal for the architecture of arguments much better. I don't care for the term 'premise-adequacy' because in fact we want our premises to be not just adequate but good or strong. 'Adequate' is too weak.

iv. The truth-problem for us is in some respects like the truth-problem for Nietzsche. He saw clearly many of the unwelcome consequences of the ideal of truth (i.e., that it was bound up with a metaphysical faith and otherwordly hopes, that it lies at the core of the Judaeo-Christian religiosity which he so strongly attacks) and yet he was himself unable to critique those views without at various points leaning heavily on the very notion of truth.

v. It is possible, though not likely, that the requirement of consistency can be unpacked without truth but using for example the concept of acceptability. However I think this is not likely, because I think it is possible and may well be rational for a given person to accept both P and not-P.

vi. Notice what happens if instead of truth we invoke acceptability. This fallacy will disappear. For the fact that most or all accept a premise does mean that it is acceptable at least on some versions of acceptability.

vii. I abstract from the issue of whether an account of acceptability can be given without invoking the truth-requirement at some point.

viii. I have selected here four texts whose authors are more or less sympathetic to informal logic and who have distanced themselves form the truth-requirement. In other words, these are, in my opinion, hard cases.

ix. I also believe that acceptability should be a requirement. I want them both. Whether I can develop a line of argumentation that rationally supports this desire is another matter that I cannot deal with in this paper.

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ISSA Proceedings 1998 – Figures Of Speech: Definition, Description And Critical Evaluation

1. Introduction

What are 'figures of speech' (henceforth: 'FSP')? How can they be classified? And how can we evaluate their use in keeping with the standards for rational discussions? These three general questions will be discussed in this paper.

As far as the first question is concerned, I wish to review a few attempts to define and characterize FSP. More particularly, I would like to criticize views which mainly characterize FSP as ornamental devices or as a means to make everyday language more persuasive. This way, the existence of a 'neutral', non-figurative language, which supposedly presents the bare facts, is taken for granted. These views were already formulated in ancient rhetoric, but still find their successors in recent theories of style which characterize FSP as a deviation from a kind of 'zero-variety' of language.

I would like to defend a radically different point of view, which has been developed over the last few decades by linguists, philosophers and psychologists like for example Ivor Armstrong Richards, Eugenio Coseriu, Max Black, Paul Ricoeur, Umberto Eco, George Lakoff and Mark Johnson. They suggest that FSP like metaphor, metonymy, hyperbole and irony 1) are an integral part of our

ability to use language and 2) play an eminent role in our cognitive system. This role cannot be reduced to ornamental and persuasive functions, because according to this view, FSP partake in the definition of language as a creative communicative activity. Therefore, they cannot be seen as secondary phenomena which always have to be derived from a zero-variety of language via certain linguistic operations, contextual clues or conversational implicatures.

The second question will be approached by taking a critical look at various traditional and modern typologies of FSP. Several recent attempts have tried to overcome the traditional division of FSP into tropes, figures of diction, and figures of thought. There is no doubt that these new typologies provide important insights and improvements as far as modern linguistic standards of classification are concerned. However, there remain many empirical and theoretical problems which I would like to discuss briefly, using examples from various types of texts and from different languages (all examples from languages other than English will be translated; unless indicated otherwise, these translations are mine).

The third question concerns the problem of distinguishing between rational and fallacious uses of particular FSP. Most of the traditional types of fallacies are connected with problems of formulation, including those fallacies which Aristotle classified as 'extra-linguistic' (cf. Aristotle, soph.el. 165b). Therefore, it very often depends on how a particular line of reasoning is verbally presented with the help of FSP whether it can be considered as rational or irrational. Of course, any attempt to distinguish between rational and fallacious uses of FSP presupposes a definition of rationality. Therefore, I will first briefly deal with some problems of defining rationality and then proceed with an analysis of some examples, again taken from authentic texts in different languages.

One final remark before I begin: given the fact that there is an overwhelming amount of literature about FSP, it has become virtually impossible to deal with all the major contributions, let alone consider most or everything that has been written about FSP. So let me put it this way: I have tried to take into account as much as possible without drowning…

2. On Defining FSP

In ancient rhetoric, FSP**[i]** were characterized as a kind of ornament which is added to plain speech, which is merely clear and plausible. Thus FSP are conceived of as a kind of 'clothing', an 'ornament' which makes ordinary speech more attractive and efficient (cf. Quintilian inst.orat. 8.3.61: 'ornatum est, quod perspicuo ac probabili plus est'). Further metaphorical characterizations of FSP in

ancient and medieval rhetoric are 'flores' (flowers), 'lumina' (highlights) and 'colores' (colours) (cf. Cicero or. 3.19, 3.96, 3.201; Knape 1996: 303). More specifically, tropes are characterized by Quintilian as a kind of semantic change, where the proper meaning of a word or phrase is replaced by a new meaning which enhances the quality of speech (cf. Quintilian inst.orat. 8.6.1: 'tropos est verbi vel sermonis a propria significatione in aliam cum virtute mutatio'). FSP in the narrow sense are defined as some artistic innovation of speech (cf. Quintilian inst.orat. 9.1.14: 'figura sit arte aliqua novata forma dicendi').

This perspective has been taken up and refined by modern linguistic theories of style and poetic language. Within these frameworks, FSP are conceived as deviations from everyday language. In his classical article on poetics and linguistics, Jakobson (1960: 356) has tried to formulate a general semiotic framework for a deviational perspective where 'The set (Einstellung) toward the MESSAGE as such, the focus on the message for its own sake, is the POETIC function of the language'. This specific focus on the message for its own sake is realized by 'the principle of equivalence' (ibid. 358): 'The poetic function projects the principle of equivalence from the axis of selection into the axis of combination': semantically equivalent or similar linguistic units are selected from a paradigm in a way that phonetically equivalent or similar units are established on the syntagmatic level. For example, the adjective 'horrible' is selected from a lexical paradigm also containing the synonyms 'disgusting', 'frightful', 'terrible' etc. to produce the alliterating noun phrase 'horrible Harry'.

Following the basic semiotic principles outlined by Jakobson, linguists and literary criticists have developed detailed and sophisticated deviational approaches, for example G. Leech (1966), T. Todorov (1967), the Belgian 'groupe m' (Dubois et al. 1974) and H.F. Plett (1975). I will return to these approaches (cf. section 3). Despite its intuitive appeal, deviation theory has had to face severe criticism (e.g. by Coseriu 1971, 1994: 159ff.; Spillner 1974: 39f.; Ricoeur 1975: 1173ff.; Knape 1996: 295ff.). I consider this criticism as basically justified. It is true that modern deviation theory has developed much more sophisticated standards of explicitness and consistency than ancient rhetoric. But still, the following weak points remain:
1. It is very hard to isolate a zero-variety of language which could serve as the basis from which figurative language is derived via the principle of equivalence and more specific linguistic operations. That a zero-variety is difficult to establish is conceded even by deviation theorists (cf. Todorov 1967: 97ff.; Dubois et al. 1974: 59). FSP occur – and sometimes are even extremely frequent – in many

instances of everday language: in conversations, political speeches, advertising texts, fairy tales, slogans, idioms and proverbs (many examples are given by Klöpfer 1975). Moreover, Gibbs (1994: 123f.) refers to empirical studies which provide frequency counts of metaphors within different types of text. These studies show that speakers use 1.80 creative and 4.08 dead metaphors per minute of discourse. Finally, recent publications on metaphor stress the crucial role of metaphor even in languages for specific purposes (for example, in scientific language: cf. Kittay 1987: 9; Pielenz 1993: 76ff., Gibbs 1994: 169ff.).

2. Quite often FSP are not even replaceable by a 'proper' expression because such a proper expression simply does not exist and we have to rely on figurative language (cf. Weydt 1987, Coseriu 1994: 163). This was already acknowledged by ancient deviation theorists like Quintilian (cf. inst.orat. 8.6.6.: 'necessitate nos 'durum hominem' aut 'asperum': non enim proprium erat quod daremus his adfectibus nomen'; cf. also Aristotle poet. 1457b 25-26).

This is not to deny the fact that in many cases we can distinguish proper and figurative language. As far as metaphor is concerned, Kittay correctly remarks: 'One can and ought to make the literal/metaphorical distinction while agreeing that metaphors are central to our understanding and acting in the world'. Even 'dead' or 'frozen' metaphors, which have almost become 'literal' expressions, can be recognized as such: 'One need only make the distinction relative to a given synchronic moment in a given language community' (Kittay 1987: 22; cf. also Pielenz 1993: 67, n. 40). But quite often, they can no longer be replaced by 'proper' expressions and have become basic elements of our conceptual system.

Moreover, the psycholinguistic evidence referred to by Gibbs (1994: 80ff., 399ff.) provides reasons to assume that FSP are processed as naturally and quickly as 'proper' expressions. Thus, this evidence challenges the view that figurative speech requires special or additional mental processes for it to be understood. It also shows that the ability to use FSP is acquired early by children.

3. Deviation theory could imply the assimilation of FSP with mistakes, which are indeed 'deviations'. However, unlike mistakes, FSP are the result of intentional operations. Furthermore, in the normal case the results of these operations are texts which have been adapted well for their specific purpose. It would be most implausible to assume that we first choose 'proper', but less adequate expressions from a zero-variety, then recognize that they are not adequate and then substitute them with figurative expressions. It is more plausible to assume that we directly select the most suitable verbal tool from the available paradigms in our language.

Therefore, deviation theory should be replaced by a selection theory of style (cf. e.g. Marouzeau 1935: Xff., Spillner 1974: 64, Van Dijk 1980: 97) or, on a more general level, by a pragmatic theory which models language use as a process of selective adaptation to context (cf. Verschueren 1998).

4. FSP are phenomena occurring at the textual level of language. Traditionally prevailing views of sentence grammarians (which reappear in modern rhetorical studies like for example those of Dubois et al. 1974: 260f.) claimed that the text level does not belong to the language system proper. However, textlinguists have amply demonstrated in the past few decades (cf. e.g. Van Dijk 1980, Coseriu 1994) that the text level, too, is at least partially organized according to language-specific rules. FSP are realized by verbal strategies which form an essential part of our textual and/or communicative competence. Therefore, they are not merely secondary phenomena of 'parole' or linguistic performance, but partake in a definition of language as a creative, communicative activity (cf. Coseriu 1956:22: 'la creación, la invención, es inherente al lenguaje por definición' and Coseriu 1971, Ricoeur 1975: 87ff.; Kienpointner 1997).

From these arguments we can derive the following conclusion: FSP are not merely ornamental or aesthetic devices. Many FSP are linguistically and cognitively basic. Therefore, they inevitably shape our cognition and culture-specific views or reality. This has been especially stressed in recent studies on metaphor: 'Our ordinary conceptual system, in terms of which we both think and act, is fundamentally metaphorical in nature' (Lakoff/Johnson 1980: 3)[ii]. In this respect, also conventionalized tokens of FSP are particularly important because unlike newly created instances of FSP they have ceased to attract our attention and have thus become unnoticed cognitive background phenomena. At this stage of the discussion, deviation theorists would perhaps accept some of the criticism mentioned above. But they could still argue that a restricted version of deviation theory is correct under the following conditions:

1. Its claims are restricted to poetic literature in the narrow sense of the word.

2. The difference between everyday language and poetic language is no longer seen as a qualitative deviation but as a quantitative deviation: truely poetic texts like poems usually contain more FSP than, say, editorials or parlamentary speeches.

3. It is restricted to creative FSP, which have not (yet) been conventionalized.

For example, creative metaphors – unlike dead metaphors – clearly seem to deviate from everyday language. This is a plausible claim. After all, a radical view

like the one taken by Nietzsche, who states that everyday speech is basically equivalent to figurative speech**[iii],** cannot explain the undeniable difference between creative and conventionalized FSP.

These arguments are relevant and important. Still, I believe that they can be refuted. It is true that there is a clear statistical difference between the frequency of FSP in poetic texts and everyday language. However, this difference does not justify considering poetic language as a deviation from everyday language. As FSP partake in the definition of language as a creative activity and FSP are present in all kinds of language varieties, the difference of frequency simply does not justify seeing poetic language as a deviation from other varieties of language. Rather, everyday language or scientific language could be seen as 'deviations' from or 'reductions' of poetic language. Only the latter fully exhausts the creative potential of language by using all available verbal strategies. Poetic language (or figurative language in general) can thus be seen as language in its fullest sense, as the realization of all or most creative possibilities offered by language (cf. Coseriu 1971: 184). In this respect, conventionalized FSP are not substantially different from creative FSP. In both cases, figurative patterns are used to produce texts for some communicative purpose, only that in the case of creative FSP, *new* ways of formulating meaningful texts are recognized and implemented by gifted individuals (who, however, need not be poets or trained speakers to be successful!). Conventionalized FSP are verbal strategies used to repeat these original creations, to 're-create' tokens of utterances according to stylistic patterns which are already accepted and widely used in a speech community. But this is only a difference of degree, because new realizations of FSP can gradually spread to the whole speech community and sooner or later also become conventionalized. It is in this context that Spitzer (1961: 517f.) rightly characterized syntax and grammar as 'frozen stylistics'. In the light of the preceding discussion, I suggest the following definition of FSP (cf. also Ricoeur 1975: 10):
FSP are the output of discourse strategies which we use to select units from linguistic paradigms of different levels (phonetics/ phonology, morphology, syntax, semantics) to create texts which are adequate as far as their communicative purpose in some context is concerned.

From the perspective of the audience, the same process can be conceived of as an infinite sequence of the interpretations of texts. This time, the FSP in a text are

used as interpretive clues or hints for the attentive hearer/reader. Again, most of the time we repeat or 're-create' standard interpretations of these texts. But the list of standard interpretations can be creatively extended by detecting new FSP in the text or by detecting non-traditional interpretations of well-known FSP. In this way, non-standard interpretations can be found. The use of FSP can thus be defined as an open-ended, creative communicative activity of both speaker and hearer (cf. Coseriu 1958, 1994).

3. Towards a Classification of FSP
From antiquity onwards, FSP have been classified according to the trichotomy of
1. tropes (e.g. metaphor, metonymy, hyperbole, irony),
2. figures of diction (e.g. anaphor, parallelism, climax, ellipsis)
and
3. figures of thought (e.g. rhetorical question, exclamation, persuasive definition, personification).

This typology was often taken up in (slightly) modified versions in medieval and early modern times and survives even into our times: for example, in spite of some modifications the classification of FSP in the neo-classical handbook by Lausberg (1960) still resembles the ancient typology (e.g. by taking up the distinction between tropes and figures) and the treatment in Ueding/Steinbrink (1986: 264ff.) is even closer to the ancient typology. Already Quintilian, however, conceded that there is no consensus as to the number of tropes and the delimitation of certain other FSP (inst.orat. 8.6.1). Moreover, the traditional typology offers no clear demarkation of linguistic levels, apart from the problematic dichotomic distinction of figures of diction and figures of thought (cf. Knape 1996: 310ff.). According to this dichotomy, figures of diction are fundamentally changed if the specific wording of a figure is altered. Figures of thought are said to remain the same even if the formulation is (slightly?) modified[iv]. Furthermore, promising attempts to classify all FSP according to the four basic linguistic operations used to realize them were not carried out consistently[v].
Therefore, it is not surprising that recent typologies (cf. Leech 1966, Todorov 1967, Dubois et.al. 1974, Plett 1975, 1985) try to overcome the deficiencies of the traditional typology. Most of these typologies use two basic principles for the classification of FSP: 1) a distinction of linguistic levels at which the FSP are situated; 2) a distinction of several basic operations which realize particular FSP.

I would like to stress that these principles of classification are valuable even if we are not willing to accept the deviational framework behind such typologies.

To illustrate these typologies, I have taken Plett (1975) as an example. Plett starts from a deviational perspective, but refines it considerably, distinguishing between 'rule-violating' deviation and 'rule-strengthening' deviation (cf. also Todorov 1967: 108). This way he avoids part of the criticism against deviation theory mentioned above (cf. section 2): at least some FSP are rightly classified as operations which enforce rules of everyday language – often extending their frequency of application – rather than violating them. Rule-violating deviation is based on the four elementary operations of addition, subtraction, permutation and substitution, which are executed at all linguistic levels, from the phonemic/morphemic level to text level. Some examples of FSP derived by these four operations are: prosthesis, parenthesis, tautology (addition); syncope, ellipsis, oxymoron (subtraction); metathesis, inversion, hysteronproteron (permutation); substitution of sounds or syllables, exchange of word classes, metaphor, metonymy, irony (substitution).

Rule-strengthening deviation is based on various kinds of repetition, which concern either the position of linguistic elements or their size or their degree of similarity, frequency and distribution. Here are some examples of FSP resulting from rule-strengthening deviation, again taken from various levels (from phonemic/morphemic level to text level): alliteration, assonance, anaphor, parallelism, synonymy, simile, allegory (position); rhyme (size); partial equivalence of vowels /consonants, puns, parison (similarity); the same FSP can be studied as to their frequency and distribution in a text.

Figure 1

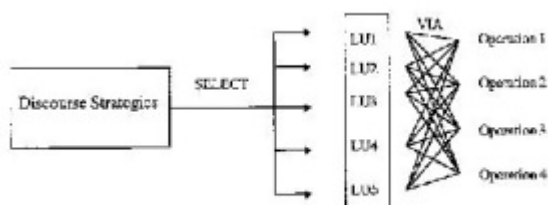Plett's elaborate classification could be subsumed under a definition of FSP like the one I have defended in section 1. From the perspective of a selection theory of style, we could see the 4 operations as an implementation of selection strategies, as a means to transform linguistic units of a paradigm into other units of the same paradigm (at the same level) and vice versa. This perspective is summarized in

Figure 1:
Abbreviations: LU1-5 = Linguistic units from different paradigms at different linguistic levels (e.g. phonemic, morphemic, syntactic, semantic level): sounds, syllables, words, phrases, clauses, sentences; word meaning...sentence meaning; Operation 1-4: Addition, Subtraction, Permutation, Substitution.

This display shows that, unlike deviation theory, we need not assume that one of these linguistic units (phonemes, morphemes, phrases, clauses, word meanings and sentence meanings) is part of a zero-variety of language and all the others are derived from it. Rather than assuming a unidirectional transformation of linguistic elements which always starts from an unmarked zero-level, the four operations would be better conceived of as multilateral transformations which can operate in all directions, from linguistic unit 1 to unit 2, 3, 4, 5 as well as from unit 2 to unit 1, 3, 4, 5 etc.

Linguistic Levels	Operations:
Phonology	I. Rule-violating Deviation:
Morphology	1. Addition: a+b+c → a+b+c+d
Syntax	2. Subtraction: a+b+c → a+b
Semantics	3. Permutation: a+b+c → a+c+b
Graphemics	4. Substitution: a+b+c → a+z+c
	II. Rule-strengthening Deviation:
	5. Equivalence: a+b+c → a+b+c+a

Figure 2

I will now turn to the details of Plett's typology. Plett distinguishes the following linguistic levels: phonology, morphology, syntax, semantics and graphemics**[vi]**. Plett classifies *all* FSP according to the respective operations and levels of analysis. The following display shows a summary of Plett's typology (1975: 148). Note that 'rule-strengthening' deviation is a further operation which has to be added to the 4 basic 'rule-violating' deviations:

Plett illustrates his typology with examples which are mainly taken from German and English poetic texts. Due to lack of space I must content myself with quoting only a few of Plett's examples for rule-violating FSP at the semantic level (cf. Plett 1975: 252ff.). However, I have added a few further examples taken from other languages and other types of discourse such as everyday conversation, political speeches and advertisements:

I. Rule-violating Deviation at the semantic level
1. *Addition*:

Tautology (with the help of synonymic expressions, the same semantic content is predicated twice):

(1)

Hamlet:: There's ne'er *a villain* dwelling in all Denmark

But he's *an arrant knave* (W. Shakespeare, Hamlet I.5: 123f.; H. Craig: The complete Works of Shakespeare. Chicago: Scott 1951: 911)

(2)

GW: Why would you want to hack in Paoli eight hours a day?

DE: *A job's a job.*

(6 March 1985; from the corpus of tautological utterances in Ward/Hirschberg 1991: 512ff.; cf. also colloquial tautologies like *Boys will be boys, Business is business* etc.)

2. *Subtraction*

Oxymoron/Paradoxon (antonymic semantic properties are ascribed to the same object simultaneously, within the same noun phrase or sentence):

(3)

Romeo: Why, then, *o brawling love!* O *loving hate!…*O *heavy lightness!…cold fire, sick health! Still-waking sleep, that is not*

what it is!

(W. Shakespeare, Romeo and Juliet I.1.182-187; H. Craig: 397)

(4)

Opel Omega. *Son silence est la plus belle des symphonies.*

(Opel Omega. *Its silence is the most beautiful symphony*)

(LE FIGARO 491/30.9.89, S. 51)

(5)

Patria… *tacita loquitur*

(Our native country *talks silently*) (Cicero, In Catilinam 1.7.18)

(6) *Cum tacent, clamant*

(*While being silent they shout*) (Cicero, In Catilinam 1.8.21)

3. *Permutation*

Hysteronproteron (a clash between temporal succession and linear word order: a chronologically later event 1 is presented earlier in the text and followed by the chonologically earlier event 2 later in the text):

(7)

Ihr Mann ist tot und läßt Sie grüßen.

(*Your husband is dead and sends you his regards*)

(W. v. Goethe, Faust I. 2916)

4. *Substitution*

Metaphor (expressions containing semantic features like [+abstract] or [+visual] are combined with other expressions containing semantic features like [+concrete] or [+acoustic]/[+tactile] in the same phrase, clause or sentence):

– [+abstract] -> [+concrete]:

(8)

...hands/ That lift and drop a question on your plate

(T.S. Eliot, The Love Song of J. Alfred Prufrock, 29f.)

(9)

stirps ac semen malorum omnium

(*the root and the seed of all evils*)(Cicero, In Catilinam 1.12.30)

(10)

He (= Ronald Reagan) *took words and sent them out to fight for us*

(Peggy Noonan, TIME 151.15 (April 13 1998): 101)

(11)

C'est une Française qui a *donné une medaille à la France*

(It's a French woman who has *given a medal to France*)

(Roxana Maracineanu, L'EXPRESS 2439, 2/4 (1998): 10)

– [+visual] -> [+acoustic]:

(12)

Pyramus: I *see a voice*

(W. Shakespeare, A Midsummer Night's Dream V.1. 194; H. Craig: 203)

– [+visual] -> [+tactile]:

(13)

Von kühnen Felsen *rinnen Lichter nieder*

(From bold rocks *lights are flowing down*) (Cl. Brentano, Der Abend)

Apart from its deviation-theoretic background, which can of course be criticized (cf. section 2), Plett's typology is to be praised for the following reasons:

1. The principles of classification are much more transparent than in traditional classifications.

2. Standards of explicitness and demarkation are thus considerably raised.

3. The cross-classification based on basic operations and linguistic levels is carried out much more consistently than in typologies following the classical tripartite classification.

But still, important points of criticism remain. First, a high degree of intersubjective reliability has apparently been realized only at the phonological, morphological and syntactic levels. Here, different typologies classify in much the same way. This can be seen by a comparison of recent typologies by Plett and the 'groupe m' (Dubois et al. 1974: 80ff.; Plett 1975: 150ff.). At the semantic level there are considerable discrepancies. For example, Plett defines oxymoron as a FSP derived via semantic subtraction (cf. above), whereas Dubois et al. (1974: 200) derive it via semantic substitution:

(14)

Cette *obscure clarté* qui tombe des étoiles

(This *dark brightness* which falls from the stars)(P. Corneille, Le Cid IV.3. 1273; G. Griffe: Corneille. Le Cid. Bordas 1965: 88)

There are more examples for discrepancies at the semantic level:

Dubois et al. consider only a small part of the classical tropes to be semantic figures ('Métasémèmes', 1974: 152ff.), while they treat most of them as extra-linguistic logical figures ('Métalogismes', 1974: 204ff.). Plett, however, treats all tropes as figures of semantic deviation. The view of Dubois et al. could be criticized as the problematic equation of semantic phenomena of natural languages with the semantic phenomena of formal logic.

Another example is provided by problematic attempts to reduce semantic FSP like metaphor, metonymy and synecdoche to one basic type (e.g. metaphor to a double synecdoche, cf. Dubois et al. 1974) or to one linguistic dimension (e.g. metaphor to the paradigmatic dimension, metonymy to the syntagmatic dimension, cf. Jakobson 1971). These attempts have plausibly been criticized as instances of reductionism (cf. Ricoeur 1975: 222ff.; Eggs 1994: 188ff.; cf. also Eco's (1985: 169ff.) encyclopedic model of metaphor, metonymy and synecdoche).

Second, a great part of the traditional 'figures of thought' has not been systematically integrated in recent typologies (cf. the relatively short remarks in Todorov 1967: 110; Dubois et al. 1974: 218f.; 260ff.; Plett 1975: 302). Take, for example, 'praeteritio' ('faked omission'), where the speaker mentions a fact which is harmful for his opponent while pretending at the same time not to refer to it. In the following example, Cicero pretends to omit the financial problems of his enemy Catilina while at the same time mentioning them:

(15)

Praetermitto ruinas fortunarum tuarum.

(I *omit the ruin* of your fortune) (Cicero, In Catilinam 1.6.14)

Or see the following example of another important 'figure of thought', namely, rhetorical question ('interrogatio'):

(16)

What use is a smoke alarm with dead batteries?

Don't forget it, check it.

(The Observer, 3.3.1991, quoted after Ilie 1994: 103)

The neglect of 'figures of thought' in modern typologies may be due to the fact that unlike other FSP they cannot easily be classified with the help of formal and structural features.

Third, the distinction of different linguistic levels from phonology to semantics should not obscure the fact that *all* FSP are strategies at the textual level, that is, discourse strategies. They are means to produce and enhance adequate sense relations within a given type of discourse. Therefore, in principle all FSP could be called 'textual' or 'pragmatic' figures. Only for the sake of analysis or clearness of presentation can we isolate FSP involving phonemes, morphemes, phrases, clauses and so on (this kind of criticism is acknowledged by Plett 1975: 149; 301f.).

Finally, it has to be criticized that structural typologies tend to neglect the fact that FSP should be considered as linguistic elements having certain communicative functions like clarification, stimulation of interest, aesthetic and cognitive pleasure, modification of the cognitive perspective, intensification or mitigation of emotions etc. Ideally, each structurally identified FSP should be assigned one or more functions as a complementary part of its description (for a first attempt cf. Plett 1985: 77, quoted after Knape 1996: 340). This is also important because one and the same FSP can have different functions according to the type of text in which it is used (cf. Knape 1996: 320, 339f.).

4. Aspects of a Critical Evaluation of FSP

Any attempt to distinguish rationally acceptable uses of FSP from more or less irrational uses has to define the concept of rationality. Before I try to do so, however, I would like to criticize some unrealistic expectations as far as the rational use of FSP is concerned. Some philosophers have postulated that rational discourse has to avoid all kinds of FSP. Take the example of John Locke (1975: 508; in: 'An Essay Concerning Human Understanding', 3.10.34):

'But yet, if we would speak of Things as they are, we must allow, that all the Art of

Rhetorick, besides Order and Clearness, all the artificial and figurative application of Words Eloquence hath invented, are for nothing else but to insinuate wrong Ideas, move the Passions, and thereby mislead the Judgment; and so indeed are perfect cheat: And therefore however laudable or allowable Oratory may render them in Harangues and popular Addresses, they are certainly, in all Discourses that pretend to inform and to instruct, wholly to be avoided':

However, as my remarks on the problems of isolating a zero-variety of language have already made clear, it is simply not possible to refrain from using FSP. Of course, we can do without creating new (applications of) FSP. However, to speak or write without using any already established FSP like dead metaphors or dead metonymies, repetitions of sounds, words or phrases, parallel syntactic structures etc., is almost impossible. Even Locke in his severe criticism uses dead metaphors like '*to move passions*' and '*to mislead judgment*'! (cf. Kittay 1987: 5). Nor would it be desirable to speak or write without using FSP. A postulate to present the 'naked' facts and nothing else – note that the postulate, too, makes use of a metaphorical expression! – is not only completely unrealistic, it also obscures the fact that FSP can make a positive contribution to the rationality of argumentation by making good arguments even stronger. Therefore, the application of stylistic strategies should not be deplored unless plausible reasons can be given that FSP have been applied in a fallacious way.

It is also impossible to ban or stigmatize specific types of FSP unconditionally. A prominent example is metaphor. Aristotle (together with other prominent authors) is often quoted as an authority for the prohibition of metaphors in rational discourse (Topics 139b, 34f.: 'metaphorical expressions are always obscure'; transl. by Forster; cf. Pielenz 1993: 60, n. 12). However, Aristotle supports a much more sympathetic view of metaphor in his Rhetoric and Poetics, where he acknowledges its positive cognitive role[vii]:

'To learn easily is naturally pleasant to all people, and words signify something: so whatever words create knowledge in us are the pleasantest...Metaphor most brings about learning, for when he calls old age "stubble", he creates understanding and knowledge through the genus, since both old age and stubble are [species of the genus of] things that have lost their bloom'. Even in the Topics, he recognizes the fact that metaphors can make a certain contribution as to the better recognition of an object (Top. 140a 8-10).

Moreover, it has to be made clear that 'metaphorical thought, in itself, is neither

good nor bad; it is simply commonplace and inescapable' (Lakoff 1991: 73, quoted after Pielenz 1993: 109, n. 141). The same metaphors can be used in a more or less rationally acceptable way, for example, 'light' and 'darkness' as metaphorical symbols for more or less respectable ideological concepts. Furthermore, different metaphorical domains, only some of which are rationally acceptable, are applied to the same concept: 'love' can be portrayed metaphorically as 'war', 'madness', but also as a 'collaborative work of art' or a 'journey' (Lakoff/Johnson 1980: 139ff.). Likewise, 'anger' can be linguistically portrayed in many different ways, for example, as 'boiling liquid in a container', 'fire', 'explosion' or 'madness' (Lakoff 1987: 397ff.).

Third, it is not plausible to ask for standards of the rational application of FSP which would be equally valid for all kinds of discussion, let alone for other types of discourse like poetry or narrative texts; here, I will mainly deal with FSP in argumentative texts. Walton's remarks (1996: 15; cf. also Walton 1992: 19ff.) on the rationality of argumentation schemes equally apply to FSP. Plausibility judgments have to take into account if you are dealing with a quarrel, a TV talk show, a parliamentary debate, a scientific inquiry or a critical discussion in the sense of Van Eemeren/Grootendorst (1984, 1992). In a competitive type of discussion, it would not only be unrealistic, but also implausible to demand that even moderate verbal retaliations to previous attacks should be banned completely.

This would be in contradiction to widely accepted and rationally acceptable principles of fair play. But it is certainly right that in cooperative types of discussions all applications of FSP which block the goal of resolving a conflict of opinion by rational means should be prohibited.

Fourth, a distinction between acceptable and unacceptable bias has to be made (cf. Walton 1991). Neither is it unacceptable that FSP are used to enhance strong and relevant arguments nor would it be realistic to require that everybody should refrain from making their own standpoint as strong as possible. Only if a speaker uses FSP to hide a lack of critical distance in relation to his or her standpoint and tries to immunize their own standpoint, can FSP become fallacious.

How, then, can we distinguish rational and fallacious uses of FSP in a particular type of discussion? In what follows, I shall attempt a preliminary answer to this difficult question.

First of all, I will try to elaborate a concept of rationality which could be used as the basis of standards of evaluation for FSP. This concept cannot rely on

foundationalist principles of rationality if it is designed to avoid the standard criticisms of being dogmatic (cf. Kopperschmidt 1980: 121ff., 1989: 104ff.; Van Eemeren/Grootendorst 1988: 279ff.). More particularly, it is very difficult to find ideas, concepts, theories which could be accepted as universally valid foundations of rational reasoning beyond reasonable doubt. Furthermore, philosophers like Wittgenstein (1975) have rightly pointed out that standards of rationality are relative to rules of language games and forms of life. Language games can be so different that the problem of incommensurability arises (cf. Fuller/Willard 1987, Luekens 1992). Moreover, Perelman/Olbrechts-Tyteca (1983) have correctly stressed the important role of the audience. Most of the time, it is hardly possible to evaluate a particular type of argumentation without taking into account that standards of rationality differ from audience to audience (cf., however, Siegel's (1989) criticism of relativistic positions).

In the light of these problems I prefer to take a procedural approach in defining rationality. Thus I follow the lines of reasoning developed by scholars like Habermas (1981) and Van Eemeren/ Grootendorst (1984, 1992). Habermas' normative concept of 'discourse' within an ideal speech situation and Van Eemeren/Grootendorst's code of conduct for rational discussants are interesting approximations towards a procedural definition of rationality.

However, one important problemstill remains. The discursive procedures guaranteeing the rationality of the outcome of the discussion should be motivated in a way that the following question can be answered: why should people engage in a critical discussion in the first place? Here we ought to be realistic and should not simply postulate that rational people should behave rationally. So there should be some independent motivation. This motivation could be provided by a basic principle of rationality, which I would like to call 'the conciliation of interests' (cf. Kienpointner 1996a): a discussion can be called rational if and only if the outcome of the discussion leads to a conciliation of the interests of all the persons and groups involved. To a lesser degree, it could still be called rational if it at least makes some compromise between the respective parties possible. If persons who start a discussion have a realistic chance that their interests – including egoistic interests – will be at least partially taken into account, they could be willing to accept further and more detailed procedural rules. This is not a completely unrealistic assumption because all participants can now expect that the discussion will lead to some sort of compromise regardless of factors like

power, gender, race or age.

Of course, such a conciliation of interests cannot be achieved in all the kinds of discussions mentioned above. Therefore, some of them are excluded as inherently irrational, for example quarrels (which is not to deny that quarrels can have useful effects for all involved persons sometimes, cf. Walton 1992). From the more general reflections above we can derive the following five global criteria for the rational acceptability of FSP:

– 1) *FSP should contribute to the appropriateness of verbal contributions to the discussion, both at the informational and at the interpersonal and situational level* (cf. Kienpointner 1996a and the comparable term 'aptum' in ancient rhetoric, e.g. Cic. or. 3.53).

More particularly, a contribution is appropriate at the informational level if it makes sure that the verbal presentation of the arguments is clear, understandable and to the point (cf. the maxims of Grice 1975 and Van Eemeren/Grootendorst 1992: 50ff.). It is appropriate at the interpersonal level if it is well adapted to the personal needs of the discussants, that is, if it is formulated in a polite, interesting, stimulating way. It is appropriate at the situational level if it is well adapted to the situational context of the discussion, that is, if it takens into account whether the discussion takes place in a public or a private context, in a tense or a relaxed atmosphere etc.

– 2) *FSP should contribute to all dimensions of appropriateness.*
This standard rules out the possibility that discussants use FSP with the goal of manipulating other discussants. True, in this case FSP can still be judged as highly efficient. However, they are no longer appropriate or rationally acceptable, because they are less than optimally informative and try to conceal personal interests instead of furthering a conciliation of interests. Moreover, also clear, relevant and honest formulations are not fully appropriate if discussants fail to present them in a way which makes them interesting and stimulating for the other participants of the discussion. In this case, even plausible arguments can fail to convince their audience because they appear in the form of boring and monotonous speech. And of course, it is not in the interest of all participants that strong arguments get 'lost'.

– 3) *FSP should not be used to hide a false belief or assumption.*

In this case the speakers follow principles like Searle's (1969) sincerity condition of speech acts and Grice's (1975) maxim of quality**[viii]**. The only exceptions are cases where it is in the interest of the other participant(s) that the speaker uses FSP to conceal his or her real belief, for example, for reasons of politeness or to protect the feelings of the other discussant(s).

– 4) *FSP should never be used to replace arguments.*
This means that speakers should not use FSP to fake a substantial argument with the help of some argument-like formulation where there is none. Moreover, they should not be used to exaggerate the evidence for a certain standpoint in a way which immunizes the standpoint or even tries to preclude further discussion. It cannot be in the interest of all persons/groups involved that substantial arguments are not brought forward or that the possibility of a future revision of previous results of a discussion is prevented.

– 5) *FSP should not be formulated in a way that they aggressively attack other participants in the discussion.*
This criterium also holds if the aggressively attacked people are absent at the moment the respective formulations are used and the people which are present could be effectively persuaded with the help of the aggressive formulations. This is another obvious implication of the principle of the conciliation of interests: it concerns all persons involved, whether they are present or not at the moment when the respective FSP are employed.

More specific standards can only be developed if specific FSP are discussed on the basis of authentic examples, to which I will now turn. Due to lack of time, I will only provide a short survey of some rational and irrational ways of using metaphor. For the same reason, I will not try to provide an elaborate definition of metaphor, but content myself to state that I follow interactional and conceptual approaches to metaphor (cf. Black 1983, Ricoeur 1975, Lakoff/Johnson 1980, Eco 1985: 133ff.; Lakoff 1987). A brief, but basically acceptable characterization of metaphor is given by Lakoff/Johnson (1980: 5): 'The essence of metaphor is understanding and experiencing one kind of thing in terms of another'.

Clear cases of irrational metaphors are the verbal attacks of political opponents in public speeches which use animal metaphors (or other kinds of degrading metaphors). It cannot be in the interests of all participants to dehumanize an opponent, even if he or she is sincerely believed to be some sort of monster.

Nevertheless, the history of political rhetoric provides us with many examples of this abuse of metaphor, from antiquity to our times. Here are a few of them. Demosthenes, arguably one of the greatest orators of all times, did not refrain from calling his political opponent Aischines 'a spiteful animal' and a 'monkey of melodrama' (kivnado".. aujtotragiko; "pivqhko"; Dem. 18.242; transl. by C.A. Vince/J.H. Vince, London: Heinemann 1963: 179). In his turn, Aischines addressed Demosthenes in a no less insulting way, for example, with 'you curse of Hellas' (with'" JEllavdo" ajleithvrie; Aisch. 3.131; transl. by Ch.A. Adams; London: Heinemann 1968: 411). Cicero,

maybe the only rival of Demosthenes as the putatively greatest speaker of all time, thanked Jupiter for having saved Rome from 'a so dreadful, so horrible, so hostile plague of the republic' (*tam taetram, tam horribilem tamque infestam rei publicae pestem*; In Catilinam 1.11) as his political enemy Catilina. Moreover, Cicero called Catilina's followers 'the scum of the republic' (*sentina rei publicae*; In Catilinam 1.12), although some of these were members of the Roman senate and even present during Cicero's speech, as he himself admits (In Catilinam 1.8).

Unfortunately, these examples from antiquity cannot be dismissed with the remark that such FSP would be impossible in modern political speech. Nowadays, the dubious practice of denigrating political opponents with animal metaphors has found many successors, among them the leaders of Nazi-Germany. To quote just a few examples: in his infamous speech of 18th February 1943 in the Berliner Sportpalast, Joseph Goebbels (in: H. Heiber (ed.): Goebbels-Reden. 2 Bde. Düsseldorf 1971; Rede Nr. 17: 182f.) formulated violent antisemitic attacks with the help of dehumanizing metaphors, calling the Jews *die Inkarnation des Bösen (the incarnation of evil), Dämon des Verfalls (demon of decay), eine infektiöse Erscheinung (an infectious phenomenon), diese Weltpest (this world plague).*

But also politicians in democratic systems abuse metaphors in this way, for example, former U.S. President Ronald Reagan, who called the totalitarian leader of Lybia, Moamar Gaddhafi, *a mad dog.* As an Austrian, I am ashamed to add our present minister of foreign affairs, Wolfgang Schüssel, member of the conservative Austrian People's Party (ÖVP), to this list**[ix]**. Several Austrian journalists, who also made statutory declarations and against whom Schüssel took no action, testified that at a press conference (here in Amsterdam in June 1997) Schüssel called the chairman of the German Central Bank, Hans Tietmeyer, *a real pig (eine richtige Sau;* cf. PROFIL 28, 7.7.97, p. 21).

The same kind of criticism applies to racist or sexist metaphors in clichés,

slogans, proverbs or other kinds of idiomatic expressions in everyday language which dehumanize racial minorities or women. Examples can be found in many languages**[x]** 264.

Another kind of criticism applies to metaphors which are too obscure or very hard to understand (cf. already Aristotle rhet. 1410b 31-32; Quintilian 8.6.14ff.). This does not mean, of course, that bold or difficult metaphors have to be avoided at all costs (cf. Aristotle rhet. 1412a 9-14; Cicero or. 3.160) or in all types of discourse. In poetry, obscure metaphors can even be appreciated as a virtue of style (cf. Eco 1985: 176ff.). Moreover, 'bold' metaphors need not always be difficult to understand or far-fetched. Weinrich (1976: 295ff.) correctly remarks that the very concept of 'distance' between the two conceptual spheres which are mapped onto each other is 1) metaphorical itself (which again shows that we cannot escape metapher even when we are talking about metaphors) and 2) has no direct connection with the degree of 'boldness' of metaphors. Weinrich argues that common everyday metaphors like *Redefluß* (*flow of words*) connect elements with greater semantic 'distance' than 'bolder' metaphorical connections like *les lèvres vertes* (*the green lips*) in Arthur Rimbaud's poem 'Métropolitain' or *schwarze Milch* (*black milk*) in Paul Celan's poem 'Todesfuge' (Weinrich 1976: 303ff.; note that Weinrich classifies 'oxymoron' as a subtype of metaphor). However, in everyday argumentation obscure metaphors should normally not be used. It should not happen that plausible arguments are not easily understood because they contain expressions which are hard to process.

A further kind of criticism concerns metaphors which are stilistically inadequate in relation to the situational context, that is, too refined, too vulgar or simply ridiculous. Especially ridiculous metaphors do not only not contribute to the force of potentially plausible arguments, but even prevent their effectiveness.

Trivial examples of metaphors which have gone wrong in this way are provided by slips of the tongue in public speeches, like the following example reported by Sigmund Freud (1974: 80): in the year 1908, a representative (Lattmann) tried to convince the German parliament ('Reichstag') to express the common will of the German people in an address to the emperor, William II., and intended to continue: 'if we can do that in a way that truly respects the feelings of the emperor, we should do that *without reserves*' ('wenn wir das in einer Form tun können, die den monarchischen Gefühlen durchaus Rechnung trägt, so sollen wir das auch *rückhaltlos* tun'). However, the speaker unwillingly produced a metaphor which not only expressed the opposite of what he wanted to say but was

also ridiculous in the given institutional context; it caused laughter which went on for some minutes: 'wenn wir das...tun können, so sollen wir das auch *rückgratlos* tun' (lit. 'if we can do that...we should do that *spinelessly*', that is, '*we should act without backbone, in a bootlicking way*').

Of course, in this case we are not dealing with an FSP as the result of a verbal strategy, but with a mistake, a deviation in the narrow sense of the word. But there are cases where metaphors cannot achieve their goal even if they are intentionally used by a participant in a discussion, for example, when they mix up several hardly compatible conceptual spheres.

The following dialogue provides an example: in a debate which took place in the year 1978, the opponents were two German physicians, J. Hackethal and C.F. Rothauge. At that time, Hackethal was well known for his severe criticism of orthodox medicine. Rothauge accuses Hackethal of exaggerating his criticism beyond reasonable limits. To enforce his arguments, Rothauge combines a traditional metaphor with an innovative extension of the conceptual sphere of the traditional metaphor (cf. Pielenz 1993: 111ff.) and a comparison (SPIEGEL 40.2 (1978): 155):

(17)

ROTHAUGE: Ich kann dazu nur sagen, daß Herr Kollege Hackethal *in der Manier eines Michael Kohlhaas nun hier das Kind mit dem Bade ausschüttet und dann noch die Mutter mit der Badewanne totschlägt.* (The only thing I can say is that my colleague, Mr. Hackethal, acting like a second Michael Kohlhaas, is now throwing out the baby with the bathwater and then goes on to kill the mother with the bathtub)

....

HACKETHAL: ...zu Zeiten von Kohlhaas gab's noch keine Badewannen....

(...in Kohlhaas' days, bathtubs had not been invented...)

To demonstrate that Hackethal overstates his point, Rothauge not only uses the traditional metaphor *to throw out the baby with the bathwater,* but also hyperbolically extends it (*to kill the mother with the bathtub*; on extensions of metaphorical domains cf. Lakoff/Johnson 1980: 139; Pielenz 1993: 71ff.). Adding a comparison of Hackethal with the legendary M. Kohlhaas (1500-1540, a German merchant who became a symbol of fanatic struggles for justice without success), Rothauge himself comes close to overstatement. Therefore, he can be criticized of combining to many semantic spheres which are only partially compatible and thus

forming a somehow inconsistent whole. This is recognized by his opponent Hackethal who tries to ridicule Rothauge's remark by pointing out the internal inconsistency of his FSP.

What, then, are clear cases of rationally used metaphors? The treatment of irrational metaphors has already partially answered this question: as good metaphors are the opposite of bad ones, they have to avoid aggressive attacks and have to be easily understandable, clear and consistent. But more than this, they should also provide interesting cognitive insights and shed new light upon the debated problem. The following metaphorical argument from an article on Martin Luther King seems to be a good candidate:
(18)
It is only because of King and the movement he led that the U.S. can claim to be the leader of the "free world" without inviting smirks of disdain and disbelief...How could America have convincingly inveighed against the *Iron Curtain* while an equally oppressive *Cotton Curtain remained draped across the South?* (Jack E. White, in *TIME* Magazine 151.15 (1998): 88)

In this passage, the relevance of White's argument is guaranteed by a warrant which is called the rule of justice by Perelman/Olbrechts-Tyteca (1983: 294; Kienpointner 1992: 294ff.). According to this type of warrant, persons, groups or social institutions who can be subsumed under the same category have to be treated equally: all human beings, for example, have to be granted fundamental human rights by the respective authorities. It can hardly be denied that violations of the human rights of black people were widespread in the U.S. even after the Supreme Court struck down racial segregation in 1954. Moreover, these offenses were comparable with at least some of the severe violations of human rights in the former Eastern block. One could reply that the total amount of violations of basic human rights was higher in the Eastern block than in the U.S. and that, therefore, the rule of justice cannot apply. But this remark would come close to the fallacy of the two wrongs: even a higher rate of violations of human rights in the east could not justify violations of human rights in the west. Therefore, White's argument can be judged plausible because a U.S. criticism of human-rights offenses in the former Communist countries could hardly have been consistent without a commitment to high standards of civil rights in America.

To enhance the strength of his argument, White 1) formulates it as a rhetorical question and thus increases the direct involvement of the reader, and 2) uses a

dead metaphor (*Iron Curtain*) together with a creative metaphor (*Cotton Curtain*) and thus increases the weight of his argument according to the rule of justice. Recall that the latter asks for identical treatment of persons or institutions belonging to the same category. Now the new metaphor (*Cotton Curtain*) makes it cognitively much easier to perceive the oppressive treatment of black people in the U.S.A. and the oppressive treatment of citizens in the Communist states *as parallel cases*. If my analysis of White's argument is acceptable, this has been an example of a rational use of metaphor. Unfortunately, most arguments involving metaphors neither belong to the clearly rational nor the clearly irrational cases. They lie somewhere in between and evaluative assessments will vary according to the cultural and political background of the hearers/readers. I wish to conclude this section providing a few examples of borderline cases: in newspaper reports, editorials, comments and political speeches the Hong Kong handover in July 1997 was metaphorically portrayed quite differently by authors and speakers with a western and/or a democratic background and those of a Chinese and/or a communist background, respectively. These two groups include on the one hand western journalists, British ex-governor Chris Patten or members of the pro-democracy movement in Hong Kong like Martin Lee, and on the other hand mainland-Chinese journalists, representatives of the newly established Provisional Legislative Council of Hong Kong like Tung Chee Hwa or the President of the People's Republic of China, Jiang Zemin[**xi**]. Here are some metaphors used by the opposed parties. On the one hand, in the German and Austrian press and in media from the English and French speaking world, Hongkong is often metaphorically called 'a jewel' or the 'crown jewel' ('das Kronjuwel', 'ein Juwel' cf. Th. Sommer, *ZEIT Punkte* 3 (1997): 72; 73; cf. similarly: *Tiroler Tageszeitung* 148 (1997): 7; H.L. Müller in Salzburger Nachrichten June 28 (1997): 1), 'one of the safes of the planet' ('un des coffres-forts de la planète'; Frédéric Bobin in *LE MONDE* June 29./30 1997: 12), 'a bride' ('the bride Hongkong...is bringing...the biggest dowry since Cleopatra': 'die Braut Hongkong...bringt ...seit Kleopatra die größte Mitgift'; Th. Sommer, *ZEIT Punkte* 3(1997): 73), 'the goose which lays golden eggs' ('die Gans, die...die goldenen Eier legt'; *ibid.* 76; cf. similarly H. Bögeholz in ainfo (= the newsletter of the Austrian section of Amnesty International) July (1997): 6; B. Voykowitsch in *DER STANDARD* July 1 (1997): 30), Martin Lee claims that 'Beijing is putting a noose around the goose's neck and still expecting it to lay golden eggs' (*TIME* July 1 (1997): 24): – the future of Hong Kong is often conceived of pessimistically, for example, some fear that 'Hong Kong could become the Miami of China, dominated by the underworld,

awash in dirty and laundered money and swamped with migrants from China' (*TIME* July 1 (1997): 26);

– Great Britain is still sometimes referred to as Hong Kong's 'motherland' ('Mutterland Großbritannien'; U.J. Heuser, *ZEIT Punkte* 3 (1997): 78); – the People's Republic of China is called 'the giant in the north' ('der Koloß im Norden'; ibid. 81), 'the only master of the area' ('Pékin a démontré que la Chine était désormais le seul maître des lieux'; Francis Deron in *LE MONDE* July 3 1997: 4), the Provisional Legislative Council is called a 'shadow parliament' ('Schattenparlament', ainfo July (1997): 7), whose members were 'handpicked' by Beijing ('handverlesen'; *ibid.* 8), the members of the pro-democratic camp are said to be unsure how to fight 'an adversary as formidable as mainland China' (*TIME* July 1 (1997): 24).

On the other hand, in Chinese sources, – the People's Republic of China is called Hong Kong's 'motherland' (*China Today* July (1997): 7), the handover is 'the return of Hong Kong to the motherland' and is 'erasing a century-old national humiliation' (*ibid.*), the Chinese people struggled to wipe out their national humiliation (*ibid.*); the interests of Hong Kong and China are 'intricately linked and intertwined' (Tung Chee Hwa in his speech at the Special Administrative Region Establishment Ceremony, in: *South Morning Post* July 2 (1997): 8). In the same vein, Chinese President Jiang Zemin calls 'Hong Kong's return to the motherland...a shining page in the annals of the Chinese nation' *(South Morning Post* July 2 (1997)); – Tung Chee Hwa writes that the inhabitants of Hong Kong are finally 'the masters of our own house' (*NEWSWEEK* May-July (1997): 48) and calls the last-minute pro-democratic reforms of Britain 'political baggage' (*ibid.* 49); – the future of Hong Kong is seen optimistically (e.g. by Tung Chee Hwa in his speech at the Special Administrative Region Establishment Ceremony: 'We can now move forward... to lead Hong Kong to new heights'; *South Morning Post* July 2 (1997): 8), 'Hong Kong and the mainland will move forward together, hand in hand' (*ibid.*).

These two groups of metaphors follow the criteria for a rational use of FSP I stated above, at least to a certain degree : all in all, they are not aggressively dehumanizing the political opponent and they are clear and consistent. At the same time, the examples show that both groups of metaphors are strongly biased to one side of the question. However, if you do not share the cultural and political values which are presupposed and metaphorically reinforced by the respective

parties, it becomes quite difficult to judge whether either sort of bias could be rationally justified or not (remember that bias in itself is not a sufficient criterium for a fallacious use of FSP). Perhaps one could argue that metaphors which do not exclusively portray Hong Kong as part of the western culture on the one hand or part of the Chinese tradition on the other would be more rational insofar they arguably are more in the interest of all parties involved. Luckily, such metaphors have been used, too: for example, both Chinese President Jiang Zemin and Britain's Foreign Minister, Robin Cook, have metaphorically called Hong Kong a 'bridge' between China, Britain and the rest of world (cf. South Morning Post July 2 (1997); *DER STANDARD* July 1 (1997): 2). Let's hope that this metaphor, rather than more aggressive ones, will shape future discursive treatments of this important political issue and the resulting policies...

5. Conclusion

The remarks I have made in this paper have more often than not been only sketchy (esp. in sections 3 and 4). Obviously, there is still a great deal more work to do before a full answer to the three basic questions concerning the definition, classification and critical evaluation of FSP can be given. I would like to finish with a short list of open problems. Definitions of FSP should try to solve the difficult question of how to elaborate a clearer distinction between creative and conventionalized uses of FSP (e.g. creative and dead metaphors). Typologies of FSP should apply the standards of explicitness and demarcation achieved in recent approaches while integrating the so far missing classes of FSP which have traditionally been classified as figures of thought. As far as the evaluation of FSP is concerned, one of the goals should be the formulation of complete and detailed lists of critical questions as to the rational use of FSP, very much in the same way as these critical questions have already been elaborated for argumentation schemes (cf. Van Eemeren/Kruiger 1987, Kienpointner 1996a, Walton 1996).

NOTES

i. Note that I use of this term in its broadest sense, including both tropes and FSP in the narrow sense, that is, figures of diction and figures of thought.

ii. Similarly, Ricoeur remarks (1975: 25): 'Il n'y a pas de lieu non métaphorique d'où l'on pourrait considerer la métaphore, ainsi que toutes les autres figures, comme un jeu déployé devant le regard'.

iii. 'Eigentlich ist alles Figuration, was man gewöhnliche Rede nennt'; quoted after Knape 1996: 293.

iv. 'Sed inter conformationem verborum et sententiarum hoc interest, quod verborum tollitur, si verba mutaris, sententiarum permanet, quibuscumque verbis uti velis'; Cic. or. 3.200.

v. The four operations are: addition, subtraction, substitution, permutation ('adiectio, detractio, immutatio, transmutatio'; cf. Quintilian inst. orat. 1.5.38).

vi. I will not deal with graphemics here.

vii. Cf. rhet. 1410b 10-15; translation by G.A. Kennedy: Aristotle: On Rhetoric. Oxford: Oxford Univ. Press 1991: 244; cf. also Arist. poet. 1459a 5-8; Ricoeur 1975: 49; Eco 1985: 151; Kittay 1987: 2ff.

viii. For a synthesis of the approaches of Searle and Grice see Van Eemeren/Grootendorst 1992: 51.

ix. Not to mention the Austrian right wing politician Jörg Haider, who frequently uses dehumanizing metaphors as a political strategy, cf. Scharsach 1992: 214f.

x. The following examples are taken from English, French and German: there's a nigger in the woodpile, parler petit nègre (to talk gibberish, lit.: to talk little negroe), daherkommen wie ein Zigeuner (to have a scruffy appearance, lit.: to come along like a gypsy); cf. also the widespread habit of calling women chicken, cows, bitches; poules, lièvres, souris; Hasen, Bienen, Bären; for racist metaphors in the media cf. e.g. Van Dijk 1993: 263f.

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ISSA Proceedings 1998 – Dialogical Argumentation: Statement-Based, Argument-Based And Mixed Models

1. Introduction

The dialectical style of studying argumentation is old, very old. Already Aristotle and Protagoras did recognize the dialectical nature of argumentation. A few millennia later, from the beginning of the 1990s onwards to be exact, researchers involved in the field of Artificial Intelligence & Law (AI & Law) became interested in dialogical models of argumentation [e.g., Gordon, 1993; Loui et al., 1993; Farley & Freeman, 1995; Lodder & Herczog, 1995; Prakken, 1995; Kowalski & Toni, 1996]. By approaching argumentation dialogically the research on AI & Law followed in the footsteps of prominent researchers from various fields, like philosophy [e.g., Perelman & Olbrechts-Tyteca, 1971; Habermas, 1973; Rescher, 1977], logic [e.g., Lorenz, 1961; Barth & Krabbe, 1982], legal theory [e.g., Aarnio, Alexy & Peczenik et al., 1981], and argumentation [e.g., Hamblin, 1970; Van Eemeren & Grootendorst, 1982; Woods & Walton, 1982].

There is a difference between the product and process of argumentation. If the product of argumentation is studied, general structures of support between sets of premises and a conclusion are defined. In a product-approach of argumentation a statement is justified:
– if the premises are justified, and
– if by valid inference,
– the conclusion can be derived from the premises.

The product of argumentation is static. Conversely, the process of argumentation is dynamic. If the process of argumentation is studied procedural rules are defined that determine for each stage of the process whether a statement is justified. In a process approach of justification a statement is justified:
– if after a sequence of one or more steps, the statement is justified according to

the rules of the procedure.

If the procedural model of argumentation is defined as a dialog game, statements are justified if they are successfully defended in a dialog, that is, if a player (the proponent of the statement) succeeded in convincing his opponent. A commonly accepted starting point in dialogical models is that a player who claims a sentence must be willing to defend it, or, in other words, on the claiming players rests the burden of proof. This paper elaborates on the various ways this defense can be modeled. Therefore, three dialogical models of argumentation are discussed. One, probably the best known dialogical model of argumentation, stems from the field of argumentation: MacKenzie's DC. The other two are AI & Law models: Gordon's Pleadings Game and my own DiaLaw. Especially by concentrating on the possible moves of the game and the way in which commitment is used, these models will be characterized. Moreover, by showing a representation of the same sample dialog in the three models differences are illustrated. The reason to discuss these three models is that they are examples of what I like to call statement-based models (DC), argument-based models

(Pleadings Game), and mixed models (DiaLaw). Besides introducing this taxonomy of models, the different model types are related to the possible purposes of argumentation models, viz. empirical purposes, theoretical purposes and normative purposes.

The paper is structured as follows. First, definitions are given of both arguments and statements. Subsequently, the legal sample dialog is introduced and the three models are discussed. Finally, the possible purposes of argumentation models are briefly introduced, and it is suggested that a statement-based model is best suited as an empirical model, that a mixed-model is best-suited as a theoretical model, and that an argument-based model is best suited as normative model.

2. Terminology

There is a difference between a statement and an argument. Suppose we have two statements:
1. Jeffrey is punishable, and;
2. Jeffrey has intentionally killed someone.
An argument shows a relation between statements. Arguments indicate that a statement supports or justifies another statement. An example is the argument that Jeffrey is punishable, *because* he has intentionally killed someone.

Since we are dealing with dialogical models, the discussion is restricted to statements and arguments that are putted forward in a dialog. If a concrete support relation is expressed, what is asserted is called an argument. If the support relation is general, e.g., a rule or principle, what is asserted is called a statement. In fact, if *not* a concrete support relation is expressed, what is asserted is called a statement. An argument indicates a support relation between sentences or propositions that could be expressed as statements.

Since everybody is familiar with the Modus Ponens argument, I will use this argument type to illustrate the difference between a statement and an argument. The premises A and A _ B together with the conclusion B can be used in the following Modus Ponens argument.

A

A -> B

_____

B

Note that the Modus Ponens *argument* in fact has three elements.

First, a set of premises: {A -> B, A}. Second, a conclusion: B.

Finally, a derivation rule (implicitly present in the Modus Ponens argument), that guarantees that if the set of premises is accepted, it is warranted to accept the conclusion:[i] If {A -> B, A}, then B. If the premises or conclusion of this Modus Ponens argument are introduced in the dialog, and they are not a part of an argument, they are statements, e.g., A, B, A & B, A -> B, etc.

3. A sample dialog

In all models, that is MacKenzie's DC, Gordon's Pleadings Game, and DiaLaw, there are two parties (see [Lodder, 1998] for a detailed discussion of each of these models). In the representations of the sample dialog in the following sections, the participants of the dialog are named as in the original work. The dialog is based on the following case.

On October 3, 1991, Tyrell attends a football game with two fellow gang members. The week before there had been a shooting incident at a game. The police is afraid that it will happen again and is therefore very vigilant. One of Tyrell's gang members attracts the attention of the police officers, because he is wearing a heavy, quilted coat – although the temperature is in the eighties.[ii] They are all searched, and on Tyrell marihuana is found. So far it seems a clear

case of illegally obtained evidence, but there is a complicating factor. Namely, Tyrell had been placed on probation subject to, amongst others, the condition: "to submit to a search of his person and property, with or without a warrant, by any law enforcement officer...". The searching officer, however, is unaware of the probation condition. The question that arises is the following. Is evidence concerning the possession of marihuana obtained illegally, because the search was without probable cause, or was the evidence obtained legally given the probation condition? In the example dialog we concentrate on two arguments:
– Only suspects may be searched, and Tyrell was not a suspect;
– One of Tyrell's probation conditions was that he had to allow search any time.
Bert: It was not allowed to search Tyrell.
Ernie: Why do you think so?
Bert: Only if someone is a suspect he may be searched, and Tyrell was not a suspect.
Ernie: I agree, but Tyrell was on probation and had to allow a search at any time.
Bert: You are right, search was allowed.

In subsequent sections each game is briefly introduced and demonstrated by using this example dialog. The following abbreviations are used:
– sa = search was allowed;
– s = suspect;
– pc = probation condition.

4. Statement-based dialogical models
To investigate fallacies, Hamblin [1970, p. 265f.] developed the dialog game 'Why-Because system with questions', often abbreviated as 'H'. To my knowledge, the game H was the first to use the notion of commitment in dialogs and the possibility to retract moves. A well-known variant of the game H is the game DC by MacKenzie [1979]. The players exchange statements.

4.1 Moves
The players perform moves in turn, and are only allowed to make one locution at each turn. There are five different locutions or move types.**[iii]**
The move Statement is used for the introduction of statements. In addition to normal statements, also the ordinary compounds of statements may be claimed. After the move statement, both players are committed to the statement. The principle *silence implies consent* is used, because it saves time (not every statement a player agrees to has to be conceded) and it fits in with daily life

discussions (normally someone will let it be known if he disagrees). The principle structures the dialog: it forces the players to react to what the other says, in order to prevent commitment to statements they do not want to be committed to.

Move type	Representation
1. Statement	'P', 'Q', etc. (and 'Not P', 'If P then Q', and 'Both P and Q')
2. Withdrawal	'No commitment P'
3. Challenge	'Why P?'
4. Resolution demand	'Resolve whether P'
5. Question	'Is it the case that P?'

Move type – Representation

The move Withdrawal is used for the retraction of statements. The challenge is a demand for evidence for a particular statement.

The resolution demand is meant to confront the opponent with an inconsistency in his commitment store.

A question (is it the case that P?) forces the opponent to make his position about the statement P clear. There are no preconditions for this move, what makes it possible for instance to ask this question to a player who is already committed to P. Although this appears to be redundant, a player may sometimes want to be sure. For instance, if a player introduces the material implication 'If P then Q' in order to prove Q, he may want to be sure about the opponent's position regarding P.

4.2 Commitment
The commitment stores in DC are empty at the beginning of the dialog. This is different from Hamblin [1970, p. 265], who included the axioms of the language in the initial commitment store. In Mac-Kenzie's game each player has his own commitment store, in which the statements are stored that he is committed to.

The commitment store is not closed under logical consequence. It is for instance possible to be committed to P -> Q, P and ~Q. Only immediate contradiction, e.g., P and not P, is forbidden. The idea behind this way of modeling commitment is that a player is not omniscient and cannot be aware of all consequences of his commitments, especially not when these consequences are remote. In one of the systems discussed in Hamblin [1971] commitment is closed under logical consequence, and it appears that such strict commitment is not very useful in modeling (daily life) discussions.

	Wilma	Bob
1.	~ sa	Why ~ sa
2.		
3.	~ s	
4.		If pc than sa
5.	sa	

Wilma & Bob

4.3 The example dialog

The game starts with the Wilma's statement that search was not allowed. In the second move Bob challenges the statement Wilma started with. In defense Wilma puts forward the statement that there was not a suspect. Bob replies with the statement that if the probation condition is fulfilled, search is allowed. On the basis of this information Wilma decides that search was allowed after all.

5. Argument-based dialogical models

After nonmonotonic logics were introduced in a special issue of *Artificial Intelligence* in 1980, many new nonmonotonic logics have been developed. Generally characterized, these logics aim to model human reasoning by using theories of defeasible knowledge. From more recent date are the argument-based approaches, known as formal argumentation. [e.g., Vreeswijk, 1993; Pollock, 1994; Gordon, 1995; Verheij, 1996]. In these approaches the notions of argument and counterargument are central. Put simply, in the argument-based theories a conclusion is justified only if it is supported by an undefeated argument.

Gordon's Pleadings Game [1995] is used as an example of an argument-based model.

5.1 Moves

A player can declare a rule. If a player declares a rule, he claims that the way he represents the rule is accurate. A rule expresses a general relation between a condition and a conclusion. A rule is not necessarily based on legislation, but can be based on a legal principle as well, or on whatever other general relation the player likes to express. Rules play an important role in the Pleadings Game, because arguments are based on rules. This brings us to the move in which arguments are introduced.

An argument is introduced as a request to the opponent to defend his statement against the argument. So, an argument only indirectly supports one's own standpoint, and directly attacks the statement of the opponent.**[iv]**

Statements can be part of the game, but are only introduced indirectly: the consequence of a move can be that a statement is added. For instance, if an argument is introduced, the condition of the argument becomes a statement in the game. So, if a player introduces an argument in which A is meant to support p, his opponent can react to the statement A. He can either concede A, question A, or adduce an argument against A.

5.2 Commitment

Gordon's way of handling commitment is rather complicated. Each player is committed to statements in four different sets. It is confusing in the present context, but arguments are called statements in Gordon's work. The statements of a player are stored in the triple i *O, D, C.*

The proponent (^{P}) is in the first place committed to all statements he claimed and the opponent did not respond to (O^P), deny (D^P), or concede (C^P). Furthermore, he is committed to statements claimed by his opponent (

ISSA Proceedings 1998 – Democratic Justice, Argumentative Dialogue, And Political Legitimacy

1. Introduction

My aim in this paper is to address some links between argumentation theory and political theory. Practitioners in both areas share an important element of common concern, namely, identifying the conditions of rational argumentative dialogue. On the one hand, argumentation theorists have offered models idealizing a preferred structure of discussion aimed at reaching a reasonably well-defended position on some subject, while on the other hand, some political theorists have been concerned, over the past decade or so, to think about social deliberation as part of a defense of democratic legitimacy

and social justice. In the present context, the interest of the latter idea, for both sorts of theorists, is that an appealing conception of legitimacy or justice for modern democratic societies might be developed by focusing on the idea of a rational democratic discussion.

My more specific aims are as follows: first, to explain the immediate background in political philosophy to the current concern with the links between dialogue and justice (i.e., John Rawls's approach and its problems); secondly, to clarify the reasons for thinking that democratic legitimacy is best understood by reference to a model of social discussion; thirdly, to register a general claim about the material preconditions for meaningful participation in democratic discussion aimed at reaching decisions about the terms of political association; and finally, to address several objections to the idea that a model of "deliberative democracy" is at all relevant to our self-understanding as citizens in modern democratic societies.

2. Rawls's Contractarian Argument and Beyond

In 1971, John Rawls's book, *A Theory of Justice* , was published, immediately reinvigorating political philosophy and initiating a series of debates about justice and political justification that have continued to this day. Rawls's achievement consists in two different variations on some old themes: first, he offers substantive principles of justice, attempting to show that liberty and equality are compatible moral and political values, and secondly, he defends those principles, in part, by means of a social contract argument. For our purposes, it is this argument – rather than Rawls's specific conclusions – that is the jumping-off point for my discussion.

Rawls's argument appeals to a hypothetical contractual situation in which individuals choose principles from behind a 'veil of ignorance', a device designed to rule out bias and therefore ensure impartiality in the resulting principles. The problem is to choose principles of justice to underpin the main social, economic, and political institutions for a given society, and Rawls's argument is that we should imagine what principles individuals would choose if they did not know anything about themselves that would enable them to tailor the chosen principles to their own advantage. The principles that would be chosen in this hypothetical so-called 'original position' are the principles we should accept because the choosing situation is designed to cohere with our considered judgements about the requirements of justice. One such judgement is that justice is closely linked to *impartiality* , another is that a person's life prospects should not be determined by their good or bad luck in respect of natural abilities or social circumstances

(Rawls 1971: 18-19).

According to Rawls, as I have said, persons in the original position are situated behind a 'veil of ignorance', thereby preventing them from knowing precisely who they are. (They do know some general facts and theories about human psychology and social structures, and they know that their society is characterized by moderate scarcity of resources and limited benevolence of individuals.) Accordingly, in the original position there is nothing to distinguish one person from anyone else: if anyone has a reason to prefer one principle of justice to another, then everyone has that same reason. Hence, at this stage, we are presented with a problem of rational choice, and Rawls (controversially) believes that a rational chooser would adopt a 'maximin' decision rule, focusing only on the worst-off position in any resulting social framework and preferring that framework in which the worst-off are better off than they would be under any other arrangement.

The most important thing for us to notice about Rawls's account is that its goal is to provide a means of defending principles of justice everyone can accept, yet it does so not by appealing to everyone to participate in a dialogue about justice but by adopting the standpoint of any person selected at random while behind the veil of ignorance (Rawls 1971: 139). So Rawls's argument is 'monological' in form, that is, the thought experiment puts everyone on an equal footing so that each person will reason in precisely the same way. But there are two important objections to this monological approach: first, it fails to account for the different perspectives individuals and groups legitimately bring to the ongoing public dialogue within contemporary pluralist societies, and secondly, it does not provide a satisfactory link between justice and *democracy* in the justification of the central social institutions of a society, a link whose importance stems from the claim that both justice and democracy are bound up with the morally prior notion that each person's interests are due equal consideration. These objections point the way to an alternative conceptualization of how to defend principles of justice. On this view, the justice of an arrangement is connected to its legitimacy, and legitimacy in turn is best thought of as arising from a deliberative process in which each person has an effectively equal say in determining their terms of association. Hence we should turn our attention to the topic of 'democratic justice' and to the *egalitarian dialectical process* that is sometimes taken to be a necessary condition of political legitimacy.

3. Democratic Legitimacy and Argumentative Discussion

Democratically organized discussion and deliberation are valuable because they help individuals better understand their own interests as well as the interests of others (Christiano 1996: 84). Moreover, where a society's institutions enable all citizens to discuss matters of public concern, people will be better able to exercise the equal power that is suggested by a prior moral commitment to the equal consideration of persons: in short, someone has power when they actually know which policies will promote their interests (Christiano 1996: 85), and such knowledge is most likely to be gained by everyone when discussion and deliberation are open to all. In a democratic society, each citizen should have an equal say in determining the society's overall aims. Ideally, this means that deliberation about public policy should be modelled on a discussion procedure that is both rational and egalitarian. I want to address the question of whether such a model is relevant to large, technologically advanced societies, but first we need to know a bit more about this model of democratic deliberative discussion (I direct the reader to two of the more helpful accounts in the recent literature, on which I base much of what follows: Christiano 1996: 116-28 and Cohen 1989). Citizens gain information through social discussion and deliberation in which individuals and groups communicate with each other with the aim of reaching a consensus. But if this process is to be legitimate, the consensus reached (or the process whose ideal end-point is the reaching of consensus) must be in line with certain *criteria for procedural legitimacy*; otherwise, the so-called "consensus" will lack normative force.

What are these criteria? At the very least, participants must appeal to reasons acceptable to anyone, regardless of their social position, class background, natural talents, and so on. This criterion rules out what we might call 'persuasion by coercion', that is, giving someone a reason to adopt a position by threatening good or bad consequences if they act in one way rather than another. The idea here is related to the rationale behind Rawls's veil of ignorance: when self-interested people know certain specific facts about themselves, they can be expected to reason so as to use that knowledge, perhaps to the detriment of others. When a reason is a reason only for someone in a given social position, the danger is that discussants will engage in bargaining aimed at maximally benefiting themselves, taking the interests of others into account only to the extent necessary to further one's own interests. It should be fairly clear that bargaining in full knowledge of one's class position and natural talents, combined

with minimal rationality directed at achieving one's ends, will lead to agreement on terms of association that benefits members of the materially advantaged classes and those better endowed with socially useful talents. Since the socially and naturally disadvantaged have less bargaining power, they have to settle for less. But if we accept this bargaining picture, we commit ourselves to the legitimacy of a social arrangement in which people's life prospects are largely determined by features of themselves – say, their class position or natural talents – for which they are not responsible. It is difficult to believe that the bargaining model is legitimate, for it more or less ensures that the society's institutional structure results from a series of threats and offers. On the other hand, if we want to model social legitimacy we should not conceive of society as a bargaining procedure in which the parties aim merely to get as much as they can for themselves, regardless of the basic needs and interests of the other parties. The agreement reached by that procedure might be "rational," in one sense of that much-contested word, but it will not be reasonable.

Participants, then, need to be able to recognize the force of the reasons given in the discussion. But they also need to adopt a certain attitude of mind. Specifically, they must be willing to listen to the reasons given by those with opinions different from themselves. Each discussant wants to persuade the others of the acceptability of his own view, but he must also be persuadable by the reasons offered by those others. Additionally, the aim of participants should be that people change their views on the basis of reasons offered, and not for any other reason. So rational social discussion is in this sense distinguishable from *indoctrination* in which the two-fold goal is to bring about some belief in others (regardless of the reasons there might be for that belief) and to close off those others to any future change in view (Christiano 1996: 117).

Another criterion for rational deliberation about political goals is that a range of views should be on offer. The need for a plurality of positions stems from the plural character of free societies themselves: it is highly unlikely that a social arrangement will be legitimate if it fails to address the concerns and perspectives of the diverse viewpoints that develop in the context of free deliberation. One of the problems with the Rawlsian thought experiment with which I began is that it does not make room for this plurality at any basic level. Bringing in a range of views has one important consequence, for our purposes: namely, conflict between perspectives will be inevitable, and there is the persistent worry that consensus can never be reached. I address this problem later on.

Another criterion for reasonable social discussion is what we might call *universal comprehensibility*. This is the idea that every citizen must be capable of following the arguments given in the process of deciding upon social goals, and that positions are adopted (ideally) on the basis of reasons everyone understands. Yet another criterion is efficiency (Christiano 1996: 118). By this I mean simply that the deliberative process should not take up so much time and effort that the citizens lack the time and energy to pursue other socially useful tasks or purely private activities. Moreover, discussion on any given topic should not consume so much time that other, equally valuable subjects are not discussed.

Perhaps the most interesting criterion is that the process should be guided by the reasons offered (Christiano 1996: 119 and Cohen 1989: 22). Positions should be adopted when they are supported by the best reasons. Despite the obvious importance of this criterion, I will not say much about it here, since the difficult work of deciding which reason is best in a particular instance will likely appeal to considerations at least partly tied to whatever subject-matter is in dispute. (I say, "at least partly," rather than "wholly," because any discussion must meet certain general, context-insensitive criteria such as consistency, openness to different viewpoints, and so on.)

Still, what counts as a reason must be a reason that anyone can reasonably accept and that, where expert knowledge in some subject-area is relevant, the experts' consensus figures centrally. So much for the outline of general criteria for rational democratic discussion aimed at determining a society's central goals. I want to turn now to consider a necessary condition for implementing such a model of discussion in contemporary societies, namely, the achievement of a roughly equal level of material well-being. We will see, however, that meeting this condition may be necessary, but it is certainly not sufficient for the legitimate reaching of agreement on terms of political association.

It seems fairly clear that the democratic ideal of political equality cannot be realized where there is persistent *material* inequality. It is more or less impossible for individuals lacking a reasonable share of social and material resources to make their voices heard, especially in societies where relatively few people possess vast resources enabling them to wield great influence upon both the main media of opinion *and* political representatives. Notice that this state of affairs can persist even where there is no coercive interference with political expression or association; it is simply that some groups speak "so loudly and so much as to deny an effective hearing to contrary voices" (Fishkin 1992: 161). Here the underlying concern for equal consideration and respect should lead democrats to favour (one

version of) principles of distributive justice ensuring not only equal civil and political liberties but the material prerequisites for making those liberties practically meaningful. Although this claim is controversial in some quarters, I now will assume its truth in order to focus on a deeper problem for democrats.

4. The Problem of Pluralism

The problem is this: even where everyone had a substantively equal say in democratic deliberation, we would still live in a society "characterized by moral pluralism, and so [we] must contend ... with disagreements rooted in differing conceptions of the aims and purposes of human life, and in different allegiances and attachments, differences that can lead to deep and enduring conflicts" (Moon 1993: 86). One way to counter this problem was suggested by Jean-Jacques Rousseau (Rousseau 1762): we could ensure uniformity of opinion by way of a strict regime of censorship along with other mechanisms such as a civil religion that serves as a focus of patriotic devotion. This approach is unacceptable in large, modern societies – Rousseau himself favoured small, simple societies for precisely this reason. In any case, if, like Rousseau, one is concerned foremost with freedom, it seems odd to try to achieve it by setting up an institutional framework in which freedom is directly and intentionally curtailed.

The pluralism problem generates an objection to the model of democratic deliberative discussion. The objection is that the consensus at which the model aims is simply not possible. There is a vast range of opinion on matters of social policy, for instance: think of policies on welfare, taxation, education, and health, not to mention abortion and euthanasia. In the end, I think it is fair to say that if achieving consensus is required by the model, then the model must be rejected. But the obvious reply is that the model need not deny the persistence of deep-seated conflict of opinion about matters of public concern. The utility of the model is not that it promises to settle all conflicts; rather, it is that it might lead to the acceptance by the majority of citizens that such conflicts as are irresolvable are nonetheless defended on all sides by people who can and do appeal to *reasons* with some persuasive force, even if those reasons are reasonably rejectable by those who do in fact reject them. An additional benefit of the model I have been describing is that it institutionalizes free and open discussion in a way that is aimed at generating respect for co-participants in the process. Consequently, where conflict of opinion is not resolvable, there is greater likelihood that peaceful means will be used to change the views of one's opponents.

But there are alternative discussion models, distinguishable by their characteristic handling of the pluralism problem. I want to focus now on one of the more interesting alternatives for dealing with the pluralism of modern societies. This is the approach favoured by Bruce Ackerman. On Ackerman's view, a just society institutionalizes a public dialogue characterized by what he calls "conversational restraint" (Ackerman 1989). According to this strategy, conflicting and deeply-held moral ideals should be excluded from public dialogue. Instead, the emphasis should be on those beliefs shared by all participants. In this way, no one will be forced to impose on others views those others may reasonably reject. (Remember that directives backed by state authority are ultimately supported by the *force* of the organs of the state; the aim is to maximize the extent to which that inevitable threat of force is further sustained by reasons the citizens can accept, reasons unrelated to that threat.) Ackerman's model is compatible with the idea that the terms of political association should be freely accepted. But it fails to satisfy the criterion (mentioned earlier) that views should be accepted on the basis of reasons offered in the discussion. The model prevents participants from questioning competing beliefs; yet if the aim is to pick out commonly held views, the model backfires, since it is precisely such questioning that can lead to the identification of common beliefs (Moon 1993: 77). That is, we identify the positions we share with others by defending claims they question, since we defend those claims by appealing to reasons we believe others will accept. Perhaps paradoxically, common ground is found by testing views that conflict with each other in order to see what can be publicly defended. Ackerman's 'conversational restraint' model fails because it backs away from dialogue in precisely those contexts where dialogue holds out the only non-violent hope of reaching an accommodation between competing views. My tentative conclusion here is that we would be better advised to encourage civilized discussion about conflicting moral ideals, rather than pushing all such ideals off the public agenda.

5. Further Objections

I began with an outline of Rawls's contractarian method for defending principles of distributive justice, and we were led to the idea of a democratic dialogue as a means of making up for certain weaknesses in the Rawlsian approach. There is a further respect in which the dialogue strategy improves upon the monological approach. The Rawlsian style of contractarian argument is sometimes accused of begging the question. Its purported *basis* is what would be agreed by individuals

in a hypothetical contractual situation, but the principles of justice it aims to produce are not in fact adequately defended by appeal to hypothetical agreement: the correct characterization of the initial choice situation presupposes a substantive view about justice, hence all contractarian justifications of justice are viciously circular: one gets out only what one puts in, so skeptics of one's substantive conclusions may reasonably reject such a method of persuasion. Moreover, a further problem with the contractarian strategy is that, being hypothetical, it cannot generate actual obligations to abide by the conclusions agreed to. The idea here is that real contracts generate obligations – think of a promise which, once made, obligates (at least *prima facie*) the promissor to do whatever it is she promised to do – but a hypothetical contract is patently unreal, so it couldn't in itself generate anything. The movie mogul Sam Goldwyn – the 'G' in 'MGM' – is supposed to have said that a verbal contract isn't worth the paper it's written on; the present point is that a *hypothetical* contract isn't worth the paper it's written on. (Or, to be strictly accurate, a hypothetical contract isn't worth the paper it's *not* written on. See Hampton 1997: 66).

The solution to these difficulties is to conceive of one's contract as actual rather than hypothetical, thereby enabling agreements reached to have real justificatory force. The deliberative dialogue is meant to be an actual process, so (at least potentially) it packs the relevant justificatory punch. The problem then is to point to a real form of agreement people reach that has the legitimacy-producing features I've pointed to in setting out criteria for procedural legitimacy. There are many reasons why we might think that any actual process of generating agreement cannot generate legitimacy; the pluralism problem is among the most difficult. I will close by mentioning another.

An obvious difficulty is that the level of participation required by this account of democratic legitimacy is too high to be realistic in the context of large modern states. This problem is akin to the difficulty with socialism once noted by Oscar Wilde: it would take up too many evenings. In fact, the objection might not be simply that the deliberative democratic ideal is too time-consuming: the problem might be more serious. For one might argue that, even if time could be set aside for discussions about society's goals in which everyone participates, it might be the case that some people – perhaps the vast majority – are *incapable* of contributing to such a discussion. In short, the ideal of rational social deliberation cannot be the ideal for a *democratic* society in which every citizen is meant to contribute to the determination of social aims (Christiano 1996: 123).

In reply to this objection, one must temper the enthusiasm for large-scale participation that might have seemed to characterize the deliberative model. The aim is definitely for more participation than we now see, but it does not require that every detail of state policy be up for discussion. There are experts in many areas necessary to the formation of a rational social policy, and no one is capable of becoming an expert in all of those areas. However, the deliberation model should call for all citizens to be participants in the setting of overall aims for the society, and for this task they need only a general capacity to understand policy directives and institutional mechanisms (Christiano 1996: 169). Most importantly, every citizen is in fact capable of judging for themselves the *effects* of a policy or the workings of an institution: as Aristotle said in the *Politics*, Book 3, the best judge of a house's livability is the person who lives in the house, not the person who built it. The political analogue of this argument is that, even if we rightly make use of experts in devising social and political institutions, citizens themselves should be allowed to decide whether some directive is satisfactory. And if their decision is to be rational and informed, everyone must play at least some role in following the reasons offered in public dialogue. Moreover, democratic participation has the potential for moral education of the entire body of citizens (Christiano 1996: 82-3). In short, the model of deliberative democratic discussion is far from perfect, but no other scheme holds out any hope of generating legitimacy in societies committed to equal consideration for all of their citizens.

One might question the empirical evidence, pro and con, relevant to the deliberative model we have been discussing. On the one hand, it seems implausible to say that this model has ever been implemented to any significant degree in a modern democratic state. But there is one indication that the model is worth further investigation. Consider, in closing, an article in *The Economist* magazine for May 16th, 1998, p61. The background is as follows: the American political philosopher James Fishkin has recently been defending something called a "deliberative opinion poll" in setting out his ideal of a "self-reflective society" (Fishkin 1992). Roughly, the idea is to get a representative sample of the population together for a long weekend, all expenses paid, and expose them to the details of a specific policy question. At the end of the discussion, in which experts are questioned and the participants debate amongst themselves, a "deliberative poll" is taken. Fishkin's general approach has much in common with the abstract model I have been defending. It is an attempt to create a forum for discussion among citizens in societies where it is literally impossible for everyone to

participate equally on every occasion.

The model would be of potential value if it produced results in conflict with a status quo in which prevailing views are generally in line with influential interests and often directly opposed to the public good. This is where the recent article becomes relevant. *The Economist* describes an implementation of this vision in the state of Texas. Fishkin himself organized the event. In the case in question, the aim was to discuss the spending plans of public power companies. How did this experiment work? Well, I will finish with a question: Would we have predicted that a representative sample of the population of Houston would opt for an increase in their energy bill in order to pay for wind turbines?

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ISSA Proceedings 1998 – The Use Of Ambiguous Expressions In Discussions

The fallacy of misusing lexical ambiguity in argumentation is called the fallacy of equivocation. I will explain what the fallacy consists of by sketching a dialectical situation. Starting from the notion of a precization, I will explore some possible moves of the opponent and proponent in that situation.

My main conclusions will be that it is polysemy rather than ambiguity in a narrow sense that is at the bottom of the fallacy of equivocation and that, partly in consequence of this, the proponent has some interesting possibilities after the opponent has detected the ambiguity. Before one accuses someone of the fallacy of equivocation one should not only check if a distinction is apt, but also whether there is any reasonable defence for the proponent.

1. The fallacy of equivocation

Equivocation is the fallacy of the misuse of the multiple meanings of an expression in argumentation. Two examples are:

(1) The money is in the bank, the bank is by the river, so you should go to the river. (Walton 1996: 72)

(2) All acts prescribed by law are obligatory. Nonperformance of an obligatory act is to be disapproved. Therefore, nonperformance of an act prescribed by law is to be disapproved. (Hamblin 1970: 292)

What's wrong with these arguments? I will focus on the second, more realistic example. We can best understand the function of the elements of the argument from the perspective of a persuasion dialogue or critical discussion (Walton & Krabbe 1995: 68, Van Eemeren & Grootendorst 1992: 34). A proponent tries to persuade an opponent of his thesis. To achieve this end he needs a strategy.

The proponent should offer reasons that are plausible to the opponent. If the opponent does not object to these reasons, they count as commitments that cannot be withdrawn without explanation. The proponent will then have to show that the opponent is inconsistent when she is committed to the reasons that form part of his argument, but still maintains her critical attitude towards the thesis.

That means that when we are confronted with an argument for a thesis, we can evaluate the argument by (1) examining the plausibility of the reasons relative to the opponent and (2) checking if the position in which one is committed to the reasons but criticizes the thesis is inconsistent. So the evaluation is partly dependent upon the choice of the opponent. This choice is dependent upon the

end of the evaluation. One can be interested in the tenability of the argumentation relative to oneself or relative to another actual or imagined group or individual.

When we imagine some reasonable and charitable opponent and look at the second example, we see an argument that could be successful. Both reasons have a certain plausibility. Acts prescribed by law are obligatory in a sense, because nonperformance of an act prescribed by law is often followed by sanctions of some sort. And nonperformance of an obligatory act is to be disapproved in a sense, because we should disapprove of the nonperformance of an act that one should perform. So, there is some ground to expect that this reasonable and charitable opponent will commit herself to the reasons.

We can picture the relevant fragment of dialogue as follows. Moves one and two form the confrontation stage, moves three and four are part of the argumentation stage (van Eemeren & Grootendorst 1992: 35).

(3)
Ax: x is an act prescribed by law
Bx: x is obligatory
Cx: nonperformance of x is to be disapproved

Opponent	Proponent
1	$\forall x(Ax \to Cx)$
2 I do not accept	$\forall x(Ax \to Cx)$
3 I commit myself to:	$\forall x(Ax \to Bx), \forall x(Bx \to Cx)$
4 I commit myself to:	$\forall x(Ax \to Bx)$
	$\forall x(Bx \to Cx)$

After the opponent has conceded the reasons, the proponent is in a strong position. He can ask her again to accept the thesis. And if the opponent refuses, he can accuse her of being unreasonable. For the thesis follows logically from the reasons, the denial of the thesis is inconsistent with the truth of the reasons. To back this up, he can prove this within predicate logic.

In models for discussion that do not provide the critical instruments for the opponent to handle this kind of situations, for example RPD (Walton, Krabbe 1995: 154-163) or Systems 1, 2, 3 (Mackenzie 1989), the proponent can win an easy triumph.

But that does not mean that the opponent would lose in a more complete model for discussion. For the expression 'is obligatory' represented by 'Bx', and thereby both reasons, represented by '.x($\forall$x->Bx)' and '.x(Bx->Cx)', can be subjected to a

distinction (Crawshay-Williams 1953, Rescher 1977, Mackenzie 1989). The participants in the discussion should be more precise (Naess 1953, Crawshay-Williams 1957, Pinkal 1995).

'Obligatory' can be interpreted in a legal sense or in a moral sense. How should we read the reasons and consequently the commitments? A better representation of the dialogue is the following. A questionmark before a reason or commitment means that it is open in what way the statement should be interpreted.

$$(4)$$

Opponent	Proponent
1	$\forall x(Ax \rightarrow Cx)$
2 I do not accept	$\forall x(Ax \rightarrow Cx)$
3 Int?	$(\forall x(Ax \rightarrow Bx))$, Int? $(\forall x(Bx \rightarrow Cx))$
4 I commit myself to: Int?	$(\forall x(Ax \rightarrow Bx))$

In a legal sense of obligatory it is definitely true that acts prescribed by law are obligatory. And in a moral sense of obligatory it is definitely true that the nonperformance of an obligatory act is to be disapproved. So if the opponent was aware of the double meaning of 'obligatory', she would probably have committed herself only to those statements.

Walton (Walton 1996: 66) describes the fallacy of equivocation as a mixing up of different arguments. The proponent seems to give one good argument, but actually he gives several defective arguments. These defective arguments can be reconstructed by substituting for 'obligatory' either 'legally obligatory' or 'morally obligatory'. Either both reasons are acceptable for the opponent, but then each argument contains 'obligatory' in a different sense, and the thesis does not follow. Or both reasons contain 'obligatory' in the same sense, so the thesis follows, but then one of the reasons is not acceptable for the opponent.

2. The defence of the opponent
When the opponent detects the ambiguity in the reasons adduced by the proponent before she commits herself to the statements, she should request the proponent to make his reasons more precise. But it is also possible that the opponent finds herself in the situation that she has already committed herself to statements that turned out to be ambiguous. In this situation too she should be able to make her commitments more precise. I will start from this latter and more difficult situation.

Her defence could be expressed like Mackenzie's *Distinguo!* (Mackenzie 1988). 'I distinguish between two different senses of 'obligatory', "morally obligatory" and "legally obligatory". I make my commitments more precise in the following way: under the legal interpretation (1) of obligatory it holds that acts prescribed by law are obligatory, under the moral interpretation (2) of obligatory it holds that nonperformance of an obligatory act is to be disapproved.' In schematic form:

(5)
Distinguo!
I replace my commitment .x(∀x->Bx) with the more precise commitment
Int1(.x(∀xÕBx))
I replace my commitment .x(Bx->Cx) with the more precise commitment
Int2(.x(Bx->Cx))

After this move, until further orders, every statement that makes use of 'Bx' should be supplied with an index that shows in what way it should be interpreted.

After this move the proponent is no longer in the position any more to accuse the opponent of an inconsistency. The thesis follows only from the reasons when both are read under the same interpretation of 'obligatory' and under each interpretation one of the reasons is not accepted by the opponent. So with the *Distinguo!*-move, the opponent has an effective instrument to counter the strategy of the proponent. Precision is the subject of the next section.

Instead of this move, the opponent can make the further move to accuse the proponent of committing a fallacy by exclaiming *Equivocatio!.* The burden of proof will consist of explaining why the moves of proponent were fallacious, for example by pointing out which rules of discussion were broken or in what way his arguments were seriously misleading. But it consists in any case of making a distinction in the meaning of an expression used by the proponent. The move *Distinguo!* is part of a complete defence of the move *Equivocatio!.* So after each of these moves of the opponent, the proponent needs to be able to counter the distinction if he does not want to lose this line of argumentation.

An easy triumph by the proponent due to the ambiguity of an expression can only be successful if the opponent is deceived and does not make a distinction. Most authors locate the capacity of an argument to mislead in this way in the ambiguity of an expression. The proponent expresses two different things, but the opponent does not notice, because these different things are indicated by the same words. But there is a difference in the examples mentioned above. It is hardly imaginable

that someone will be trapped by example (1), but it is imaginable that one is trapped by example (2). This capacity to mislead explains the realistic character of the latter. I will contend that the ambiguity in realistic examples is of a different nature than in didactic examples. The potential to mislead has a semantic explanation. The difference between both kinds of ambiguity can be explained by means of the notions 'precization' and 'specificity'.

3. Precizations

Manfred Pinkal presented in *Logic and Lexicon* (Pinkal 1995) a theory for reasoning with ambiguous and vague expressions. The central ideas of this book are very suitable for modelling the problem of ambiguity in discussions. I adopt his notion of a precisification in a slightly different form for the purpose of this paper and call it, like Naess (Naess 1966: 38), a precization.

Imagine a context of utterance where two persons, S and L, are talking about ships. S utters the following ambiguous statement, whereas L evaluates the different precizations (relevant and more precise interpretations) of this statement.

(6)
S: The Santa Maria was a fast ship.
L: Fast? If you mean 'fast compared to a modern sailboat', then I do not agree. The Santa Maria was not fast compared to a modern sailboat, not in the actual sense, nor in the dispositional sense of the word. If you mean 'fast for a 15th century ship', then it depends. I think the Santa Maria was fast in the dispositional sense of the word, but, actually, she had to sail slowly because the accompanying ships were much smaller. So one statement (0) is given six precizations:

0: The Santa Maria was fast.
P1: The Santa Maria was fast compared to a modern sailboat.
P2: The Santa Maria was actually fast compared to a modern sailboat.
P3: The Santa Maria was dispositionally fast compared to a modern sailboat.
P4: The Santa Maria was fast for a 15th century ship.
P5: The Santa Maria was actually fast for a 15th century ship.
P6: The Santa Maria was dispositionally fast for a 15th century ship.
The set of precizations is dependent on the context of utterance. If S and L were talking about 15th century ships the possible interpretation of 'fast' as 'fast

compared to a modern sailboat' would not be relevant.

But in a more general context of utterance, the above conversation about ships for example, L sees six ways to interpret the statement of S. In precizations P2 and P3 the statement is unacceptable. Since those are the only relevant further precizations of the statement in precization P1, the statement in precization P1 is unacceptable too. The statement in precization P4 has two further precizations, of which one, P5, is unacceptable and one, P6, is acceptable. The statement in precization P4 is therefore neither fully acceptable, nor fully unacceptable, but indefinite. The same applies to statement 0 itself. Because statement (0) does not admit of only acceptable, nor of only unacceptable precizations, it is neither fully acceptable or unacceptable itself, but indefinite.

A statement that is indefinite in a context can also be called too imprecise for that context. A statement that admits of only acceptable or of only unacceptable relevant precizations in a context can be called precise enough for that context. The notion of precision is tied up to particular contexts of utterance, so total precision does not need to bother us.

In accordance with the above terminology a statement (in a certain context) gets the value 'A' (acceptable) if it is acceptable in all relevant senses in that context of utterance, the value 'NA' (not acceptable) if it is unacceptable in all relevant senses in the context of utterance. A statement gets a third value, designated with 'I' if there is a relevant interpretation in the context of utterance under which the statement gets 'A' as well as a relevant interpretation under which it gets 'NA'.

A statement φ is in context c a precization of a statement ι, φ a ι, if and only if,
1. φ expresses in c a relevant interpretation of ι,
2   (i) if ι is A in c, then φ is A,
    (ii) if ι is NA in c then φ is NA in c,
    (iii) if ι is I in c, then φ can be A, NA or I.

So, by the transitivity of 'is an interpretation of', a precization w of i never admits of an interpretation that i does not admit. To keep the definition simple the relation here defined is not the 'more precise than' relation, but the 'at least as precise as' relation. The practical function of course is to exclude interpretations.

5. Ambiguity in the narrow sense and polysemy
With the notion of 'precisification' Pinkal classifies a wide range of linguistic phenomena that can lead to indefiniteness. For this paper it is enough to use a less subtle classification of ambiguity than he does.
When we use the notion of precization to denote parts of sentences, we can say

that the word 'bank' admits of two standard precizations: 'edge of a river' and 'financial institution'. But when this word is used, it is always in the one or the other specific meaning of 'bank'. It does not have a potential to mislead. That's why the linguistic ambiguity test is effective. Put an expression like 'bank' in a sentence of the following form 'That biologist is working on a bank, just as Duisenberg.' When it is not possible to precizate 'bank' to one of the precizations, without feeling that something is wrong with the sentence, the expression is ambiguous. There is, except for some special contexts (Geeraerts 1993: 245), no widest reading (Pinkal 1995: 78) that allows a listener to interpret the expression in a general sense that includes financial institutions and edges of rivers. I call this type of ambiguity 'ambiguity in the narrow sense'.

When the linguistic ambiguity test is applied to 'obligatory' there is not such a strong feeling of awkwardness: 'Waiting for a red traffic-light is obligatory, just as helping someone in need.' This type of ambiguity is called polysemy. A listener, eager for distinctions, will point to the difference between the legal and the moral senses of 'obligatory', but polysemous expressions do allow for a widest reading. The sentence admits a natural precization without awkwardness: 'Waiting for a red traffic-light is obligatory in a general sense, just as helping someone in need.' The word 'obligatory' has three different precizations: (P1) 'morally prescribed', (P2) 'legally prescribed' and (P3) 'prescribed (legally or morally)'. The meanings of P1 and P2 are semantically strongly related. P3 is the widest reading of the expression that is unspecific towards P1 en P2. That means that in the case of these one-place predicates that the positive extensions of both P1 and P2 are included in the positive extension of P3. So polysemous statements allow for specific precizations and at least one unspecific precization, all precizations being equally precise. So being more precise is not the same as being more specific (Naess 1966: 42). A user of a polysemous expression could have intended something general.

When the fallacy of equivocation is treated (Freeman 1988: 111-120, Walton 1996: 37-76) the more realistic examples make use of polysemous expressions and not of ambiguous expressions in the narrow sense. This can be explained as follows. Non-realistic examples are non-realistic because it is not imaginable that the listener does not notice that two senses of the expression are being used. The potential of narrow sense ambiguity to mislead within one sentence is minimal, as we saw with the linguistic ambiguity test. The potential to mislead in the broader context of an argument is also very small. That's why they are used in didactic examples of equivocation. The reader notices immediately that something is

wrong. So the author has to explain only what is wrong.

Not only does a polysemous expression designate several meanings, but the specific meanings themselves are so similar that they allow for a widest reading. So if an opponent is mislead by a polysemous expression this can be explained by the fact that not only two meanings are designated by one word, but also by the fact that those two meanings are similar to each other. The opponent can get confused by mixing up different but similar meanings.

6. The seeming correctness of argumentation
A fallacy was traditionally regarded as "an argument that seems to be valid but is not so" (Hamblin 1970:12). In the modern theory of argumentation (Walton & Krabbe 1995, Walton 1996) the distinction between what it seems and what it really is keeps to plays a role in the conception of fallacy. A characteristic for many fallacies is that they could be reasonable arguments in some type of context but that they are not reasonable in the context wherein they are actually used. That gives the argumentation a semblance of reasonableness that is able to deceive a discussionpartner.

The seeming correctness of an equivocation can be explained by pointing at the nature of polysemy. The semantical similarity relation between the different possible precizations, specific and unspecific, explains the persuasive power of the terminology.

7. Discussion-techniques
The opponent can not only precizate her commitments to commitments that are more precise and more specific, but she also has the possibility to make her commitments precise but unspecific. This is a variant of the *Distinguo!*-move that is seldom pointed at, probably because the notions of preciseness and specificity are often not clearly separated. For now, I will discuss only the *Distinguo!*-move I described in section 2:

(5)
Distinguo!
I replace my commitment .x(Ax->Bx) with the more precise commitment
Int1(.x(Ax->Bx))
I replace my commitment .x(Bx->Cx) with the more precise commitment
Int2(.x(Bx->Cx))

What possibilities are there for the proponent at the next stage of the discussion?

I will describe some plausible moves, skipping the possibility of giving up this line of argumentation or abandoning the discussion altogether.

A. The proponent can choose one of the interpretations of 'obligatory', for example interpretation 2, and check which of the reasons is not yet accepted in that interpretation by the opponent. The proponent defends that reason in interpretation 2. The same is possible for a choice for interpretation 1.

(7)
Under the moral interpretation of 'obligatory' it holds that acts prescribed by law are obligatory, in schematic form:
Int2(_x(∀x_Bx)).
Under the legal interpretation of obligatory it holds that nonperformance of an obligatory act is to be disapproved, in schematic form:
Int1(.x(Bx->Cx)).

Both possibilities imply that the proponent accepts the distinction and that he wants to try to convince the opponent that for one of the precizations both reasons are acceptable under that interpretation. If the proponent would succeed, he once again can confront the opponent with the inconsistency between her adherence to the commitments and her critical attitude towards the thesis.

B. The proponent can attack the relevance of the distinction by claiming that both reasons should be acceptable under all precizations. Since the opponent already committed herself to two of the required statements, the proponent brings forward the other two: Int2(.x(∀x->Bx)) and Int1(.x(Bx->Cx)).
With this move he tries to neutralize the distinction. If the opponent eventually accepts all reasons in all relevant precizations, both parties may henceforth use expression 'obligatory' without mentioning which precization is intended.

C. The proponent can appeal to the unspecific precization of his reasons. He can explain that the opponent is wrong in neglecting the general interpretation. He explains that he meant obligatory in general, legally or morally, and asks the opponent to consider if the reasons are acceptable to her under that precization. In schematic form: Int3(.x(∀x->Bx)) and Int3(.x(Bx->Cx)). The proponent will probably have to defend the second reason that now reads: 'nonperformance of an act that is either morally or legally obligatory is to be disapproved.'

D. Walton (Walton 1987: 255) discusses the further option where an extreme legal

positivistic proponent defends himself by saying that he meant 'legally and obligatory', because moral obligation and legal obligation are the same thing. In schematic form:

Int4(.x(∀x->Bx)) and Int4(.x(Bx->Cx)). This could be a specific precization, but in the present case it is not an interpretation standard in ordinary English (so perhaps violating clause (1) of the definition of 'precization'). The proponent could of course stipulate this meaning for this discussion. He will then probably have to defend the first reason that now reads: 'actions prescribed by law are both legally and morally obligatory'.

E. In special cases the proponent can appeal to a meaning postulate. The case in question is not suitable to illustrate this kind of move, so I take a different case. In the following discussion the opponent makes the wrong choice in precizating her commitments. She should not be able to get away with it. So the proponent must be able to appeal to relations between meanings expressed in meaning postulates.

(8)
Proponent: Donald is a duck. Ducks are female.
Opponent: I admit this.
Proponent: So Donald is female.
Opponent: *Distinguo!* I precizate my commitment 'Donald is a duck' to 'Donald is a duck in the specific sense of 'duck'' and precizate my commitment 'Ducks are female' to 'Ducks in the general sense of duck are female'.
Proponent: There is a meaning postulate for 'duck' that says 'if x is a duck in the specific sense than x is a duck in the general sense.' You committed yourself to 'Donald is a duck in the specific sense, so you should commit yourself to 'Donald is a duck in the general sense.' You also committed yourself to 'Ducks in the general sense of duck are female'. So you should accept my thesis.

The use of meaning postulates by the proponent prevents the opponent of winning an easy triumph with a non-sensible *Distinguo!*.

F. The proponent can make a counter-distinction. Such a move can be directed towards an expression that has not yet been the subject of an earlier distinction, but it can also be directed towards the expression the opponent already submitted to a distinction. An example of the first possibility.

(9)

Proponent: You are right, nonperformance of a legally obligatory act is not to be disapproved, in the strict moral sense of 'disapproved'. But nonperformance of a legally obligatory act is to be disapproved in a general sense of 'disapproved'.

In schematic form: *Distinguo!* I precizate Int1(.x(Bx->Cx)): not Int1.1(.x(Bx->Cx)) but Int1.2(.x(Bx->Cx)).

An example of the second possibility.

(10)
Proponent: You are right, it's not the case that acts prescribed by law are morally obligatory, in the sense of moral that you should do what is morally minimal. But it is the case that acts prescribed by law are morally obligatory, in the sense of moral that you should do what is morally maximal.

In schematic form: Distinguo! I precizate Int2(.x(∀x_Bx)): not Int2.1(.x(∀x->Bx)) but Int2.2(.x(∀x->Bx)).

These distinctions in reaction to another distinction are very much like Reschers countermoves to distinctions (Rescher 1977: 15), but here they are especially related to the use of language and not restricted to presumptive reasoning.

8. The evaluation of ambiguity in argumentation.
It is polysemy rather than ambiguity in the narrow sense that has the potential to mislead in a discussion. My first point therefore is that the seeming correctness of an argument that one wants to qualify as fallacious, can be explained by the similarity of the meanings of a polysemous expression.
As already said, within a dialectical approach, an argument should be evaluated relative to an opponent with a specific set of commitments. It is perfectly possible to imagine an opponent who does not make a difference between legal and moral prescriptions. In this situation, the argument contains a polysemous expression, but the expression is precise enough for this situation. For this opponent will probably accept the statements containing the polysemous expression in all precizations. My second point is that the occurrence of polysemy does not always indicate a lack of precision.
But relative to the opponent we imagined throughout the paper, the proponent is too imprecise, whether the opponent notices it or not. After she notices it and makes a *Distinguo!*-move or *Equivocatio!*-move the proponent has not yet lost this line of argumentation. We have seen that the proponent has possibilities to go on

within the line of argumentation he started, for example by defending both reasons under one specific or unspecific precization of 'obligatory'. It is even possible that the proponent accepts the meaning distinction and submits it to a further distinction. So my third point is that lack of precision relative to an attentive opponent does not imply that the discussion is blocked. In the examined case the proponent could combine two possible moves in the following way.

Proponent: I intended 'obligatory' in both reasons in the general sense of 'morally or legally obligatory'. And I did not mean 'disapprove' in the strict moral sense, but also in the general sense of 'morally or legally disapprove'.

So the proponent can make his own reasons more precise with unspecific precizations. My fourth point is that distinctions and precision should not be mixed up with specificity.

What in the beginning was presented as an example of a fallacy, now turns out to be an argument that does not have to block the course of the discussion. Furthermore it is possible that it is capable of being reasonably defended by the proponent. I represented the moves by proponent and opponent without mentioning any discussion rules, but as I see it, none of the represented moves contains a clear violation of a rule of an ideal model for discussion. So my fifth point is that example (2) (just as the first example for not being misleading) is not a straightforward example of a fallacious argument. To present it as an example of the fallacy of equivocation it should be placed in a context where the proponent lacks any reasonable defence relative to his opponent.

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