ISSA Proceedings 2006 – Contradiction In Madhyamaka Buddhist Argumentation

What happens when one utters a contradiction, something of the form 'p and not p'? To do so is to challenge one's audience to work out the Gricean conversational implicature (Grice 1975). One of Grice's rules governing conversation is that one utter only statements that one takes to be true. And by the laws of classical logic, any statement of the form 'p and not p' must be false. If the utterance is clearly of that form, it will be evident to the audience that this is evident to the speaker. And so there is open flouting of a rule governing conversation. Such flouting is the mechanism whereby Gricean conversational implicatures are generated. The question in the case of a contradiction is, which implicature? What might the speaker intend to communicate through uttering something that is transparently false?

So-called paradoxes are a staple of religious discourse. This is especially evident in expressions of religious mysticism, such as the writings of Eckhart, Śankara and the masters of Sufiism and Zen. But one also finds this element in what are taken to be expressions of quite sane religious doctrine, such as the Christian teaching of the trinity. The sort of statement I have in mind here is not strictly speaking paradoxical in the logical sense: a statement that if true is false and if false is true.**[i]** It is rather a statement that is evidently false; it is called a paradox simply because its assertion seems to defy the rules of communication. We can see why use of such a trope might be common in the religious context. Through it the speaker can convey the sense that something quite esoteric is being communicated, thereby contributing to the perceived value of the religion's teachings by suggesting that they may hold the answer to some of life's persisting problems. People expect religious teachings to have an element of the mysterious about them: if 'the answer' were perfectly straightforward, wouldn't everyone have worked it out already?

Such language can also serve to mark a separation of the sacred from the profane. The Christian doctrine of the trinity works this way. We know that one

person cannot be three persons (particularly when at least one of them is necessarily omniscient). So when God is said to be three persons, this will suggest that things work quite differently where the divine is concerned. We see an extreme form of this in certain explicitly contradictory teachings of the Upanishads and Advaita Vedānta concerning Brahman, where the language seems intended to be taken as apophatic. Thus when Śankara says it can be neither affirmed nor denied that Brahman is cause of the world, the intended implicature is that we understand Brahman to be beyond the representational capacities of rational discourse.

There is a class of Mahāyāna Buddhist texts containing what appear to be similar claims. In the *Prajñāpāramitā* literature one often encounters statements such as, 'All feeling is devoid of the nature of feeling', and 'Space is neither existent nor non-existent'. That these statements are meant to function as part of a soteriological discourse is clear both from context and from the fact that they make clear reference to some of the Buddha's most basic teachings. It is thus tempting to suppose that the intention here is likewise to convey that the object of Buddhist wisdom is something inexpressible, perhaps something that can only be apprehended through a kind of non-rational intuition.

But this temptation should be resisted. For the use of apparent contradiction has a long history in Buddhist literature, beginning with some key discourses of the Buddha himself. When the Buddha was asked whether the enlightened person or *arhat* is reborn after death, the Buddha replied that this could not be said (Horner 1957, pp.162-7). But when it was then asked whether the *arhat* was not reborn after death, the Buddha replied that this too could not be said. When asked how it could be that someone is neither reborn nor not reborn after death, the Buddha replied with the analogy of the fire that has gone out: if it were asked where this no longer visible fire had gone, it could not be answered that it had gone to the north, to the south, to the east or to the west. For the question 'Where has the fire gone?' has a false presupposition, namely that the fire continues to exist. Likewise the question whether the *arhat* is or is not reborn after death has a false presupposition, namely that there is such a thing as a person. For according to the Buddha's teaching of non-self, while there is a causal series of psychophysical elements, the person as owner of these elements is a mere conceptual fiction, something we take to be real only because we take too literally what is just a useful way of talking.

In this case the contradictory statement 'The *arhat* is neither reborn nor not

reborn' generates the following conversational implicature: the question concerning the post-mortem status of the arhat contains a false presupposition, that persons are ultimately real. And Buddhists claim that our ignorance about the falsity of this presupposition is an important source of the suffering we seek to mitigate. Thus statements with the form of a contradiction may function quite differently in the Buddhist context. They need not generate the implicature that the subject matter of the statement is ineffable and accessible only through some special non-discursive faculty. They may instead generate the implicature that strictly speaking the statement lacks a subject matter. The seeming failure of the law of bivalence – that every well-formed statement is either true or false – may be due to simple failure of reference. And given the soteriological context, this may be important to our well-being.

The founder of the Madhyamaka school of Mahāyāna Buddhism, Nāgārjuna (2nd c. CE), gave arguments for many of the seemingly contradictory claims of the *Prañājpāramitā* literature, such as that space is neither existent nor non-existent. The overall conclusion he wishes us to draw is that all things lack intrinsic nature, i.e., are empty. Since prior Buddhist philosophers had presumably established that only things with intrinsic nature are ultimately real, the claim that all things are empty has an air of paradox about it. For if it is true that all things are empty, then ultimately there are no things of which it is true that all things are empty. So if it is true, then it is not true. But we are also made to understand that realization of the truth that all things are empty is crucial to our attaining liberation from suffering. What are we to make of this situation?

There seem to be three options: that Nāgārjuna failed to see that his view was inconsistent; that he intends us to conclude that the ultimate nature of reality transcends the capacities of the intellect; or that he intends us to reject the presupposition that there is such a thing as the ultimate nature of reality. But there are textual reasons for rejecting the first option.**[ii]** And the second, apophatic interpretation may be called into question by the point just made about Buddhist uses of bivalence failure. Thus the third option seems the most plausible. Since Buddhists use the term 'ultimate truth' to mean both the realization which brings about liberation from suffering, and the correct account of how things ultimately are, this may be put as 'The ultimate truth is that there is no ultimate truth'.
This is the understanding of the Madhyamaka doctrine of emptiness that I have

championed in my own work. But I have also long been interested in showing that the Buddhist philosophical tradition and the Western tradition may have important things to say to one another. The doctrine of emptiness is, I think, a case in point. The position known as semantic anti-realism, developed by Michael Dummett and Hilary Putnam, holds that the truth of true statements cannot be said to depend on a world the nature of which is independent of the concepts we happen to employ (Dummett 1993; Putnam 1981). In effect it challenges the naive conception of truth as correspondence to an ultimate reality that transcends our interests and cognitive limitations. On my understanding of the doctrine of emptiness, this doctrine is a form of semantic anti-realism. But it differs in at least one important respect from the anti-realisms developed by Dummett and Putnam. The latter rely on some form of semantic internalism, the view that meanings must be internally accessible to the speaker.**[iii]** This may be seen most readily by reflecting on the Kantian pedigree of contemporary semantic anti-realism. Kant's dictum, 'Concepts without intuitions are empty' is an expression of semantic internalism. And the anti-realist denial of verification-transcendent truth-conditions might be seen as an updated formulation of this dictum. Semantic internalism is, however, controversial. Thus it is of some interest that the Madhyamaka doctrine of emptiness does not depend on any internalist assumptions. If this doctrine is a semantic anti-realism, it is one that does not rely on internalism.

A word may be in order as to why I think a Buddhist philosopher might have been in the business of denying the semantic realist conception of truth. The Buddhist project of obtaining liberation from sansāra is said to depend on realizing the truth of non-self. The key move in this project is to see that our sense of 'I', of there being an enduring person, comes from taking too seriously what is actually just a useful way of talking about a causal series made up of many discrete and impermanent entities. Out of this move there developed a distinction between how things seem to us given our interests and cognitive limitations, and how things truly are independently of those interests and cognitive limitations. In the Abhidharma schools of Buddhist philosophy this became the distinction between conventional truth and ultimate truth – with ultimate truth being the privileged member of the pair. The latter is, of course, just the semantic realist conception of truth. And it requires that there be things with natures that are independent of the concepts that we happen to employ due to our interests and cognitive limitations. These things are what are called *dharmas.* And it turns out that they

have their natures intrinsically, independently of the existence or nature of other things. They are to be contrasted with things whose natures are dependent on the natures of other things, which turn out to be mere conceptual fictions (such as the chariot, the forest, the person).**[iv]**

To say that all things are empty is to say that there are no things with intrinsic natures. For emptiness is just the being devoid of intrinsic nature. When Madhyamaka asserts this, it is denying that there are the sorts of things that ultimately true statements could be about. So it is in effect denying that there is such a thing as ultimate truth. And it also holds that realizing this has great soteriological significance – hence 'The ultimate truth is that there is no ultimate truth'. Presumably this is because the distinction between conventional truth and ultimate truth involves a valorizing of the latter, and this can serve as the ground for a subtle form of clinging or self-assertion. Hence full realization of non-self requires that one come to see the semantic realist conception of truth as itself merely another useful tool.

But this reading of Madhyamaka is based on the presupposition that classical logic holds, and that contradictions must be false. Some recent developments in logic call this into question. Under classical logic, allowing a contradiction leads to what is called 'explosion' – the fact that any proposition whatever may be derived, so that there is a population explosion among the propositions to which we are committed. This means that anyone who affirmed a contradiction would be thereby committed to affirming any and all propositions. Since it is a requirement on meaningful discourse that speakers be prepared to affirm some propositions and deny some others, explosion provides a good reason to reject contradictions. One who will say anything is in fact saying nothing. So-called relevance logics and Routley's paraconsistency system provide ways of halting explosion. Hence the adoption of one of these non-classical systems removes the principal reason for saying that all contradictions must be false.

Relevance logics were first developed as a way to get around the so-called paradoxes of material implication. On the standard interpretation of first-order predicate calculus, and in particular the introduction rule for the conditional, given the truth of p, $q \rightarrow p$ can always be derived for any q. Relevance logics prevent this result by placing constraints of relevance on what can be introduced into a derivation. What Routley pointed out is that these constraints also provide a way of halting explosion. Explosion results from the fact that given a contradiction $p \& \sim p$, one can obtain both p and $\sim p$ by detachment, from $\sim p$ one

can derive $p \rightarrow q$, and from this in turn one can derive q by *modus ponens* given p. Since q can be any proposition whatever, one is thereby committed to affirming every proposition. But relevance logics block the derivation of $p \rightarrow q$ from $\sim p$ alone. The same relevance constraints that prevent the derivation of $q \rightarrow p$ for arbitary q from p alone, likewise block the derivation of $p \rightarrow q$ for arbitrary q from $\sim p$ alone.

Graham Priest's dialetheism uses Routley's result to show how there can be true contradictions 'at the limit' or at the boundaries of intelligibility.**[v]** Priest claims that dialetheism sheds light on the thought of such major philosophers as Kant, Hegel, Heidegger and Wittgenstein. To this list, Priest and Garfield add N~g~rjuna (Priest 2002, pp.249-70; Garfield 2002, pp.86-105). But before coming to their defense of that claim, I should say something about another of Priest's claims. He asserts that the view that there can be true contradictions is widespread in Asian philosophy, e.g., in Taoism, Zen, and among those Indian philosophers who employ the device known as the *catushkoti* or tetralemma (Priest 2004). I shall only discuss the last claim, since I think it is important that the record be set straight. The example cited above concerning the question of what happens to the *arhat* after death is actually an example of the *catushkoti*, for the Buddha's interlocutor puts not just two but four questions to the Buddha:
Is the *arhat* reborn?
Is the *arhat* not reborn?
Is the *arhat* both reborn and not reborn?
Is the *arhat* neither reborn nor not reborn?

The Buddha replies to each question in turn that it would not be correct to say so. Priest claims that this format embraces the possibility of true contradictions, for instance in the third lemma. But this seems unlikely given what is actually said by the Buddha in actual cases following this scheme. Take the case of the question concerning the post-mortem status of the *arhat*. The four possibilities are existent, non-existent, both, and neither. The Buddha rejects each. Now the occurrence of the third might seem to suggest the possibility of true contradictions. But it is significant that this lemma is put forth only after the Buddha has rejected the first and second. That fact suggests that the third possibility involves equivocation on 'existent': that the *arhat* does exist when 'existent' is taken in one sense, but does not exist when it is taken in some other sense. For when the Buddha rejects both of the first two lemmas, this generates an apparent contradiction. And one way of seeking to resolve this contradiction is

to suppose that there is equivocation at work. We do this, for instance, when we interpret the statement, 'She is the same and yet not the same' to mean she is the same person (numerical identity) but has undergone significant qualitative change and so lacks qualitative identity. So when the Buddha rejects this lemma, he is ruling out the possibility that there are different senses of 'exists' at work here.

The fourth possibility also looks to be formally contradictory. (Indeed it seems logically equivalent to the third.) But the tradition treats this as quite different from the third lemma. It is taken to be the claim that there is some alternative characterization of the subject at hand that is not contained within the pair p and $\sim p$. For instance, when Nāgārjuna examines the relation between cause and effect at the outset of his foundational work *Madhyamakakārikās*, the four possibilities considered are that these are identical, distinct, both and neither. The last possibility is explained as the view that origination is without cause. This is likewise a way of trying to resolve the apparent contradiction resulting from rejecting what look to be all the possibilities: that things arise from themselves, from distinct things, or from both. So this would be a way of saying that one does not contradict oneself when one rejects each of the first three possibilities. To consider this possibility is not to envision that there might be true contradictions. It is a way of trying to avoid attributing to the speaker the view that a contradiction holds.

Priest and Garfield claim that certain of Nāgārjuna's statements about emptiness represent examples of contradictory statements that may meaningfully be said to be true. Nāgārjuna's commentator Candrakīrti says, for instance, that the intrinsic nature of all things is to lack intrinsic nature (de la Vallée Poussin 1970, pp.264 – 265). This statement says that things both have and lack an intrinsic nature, so it is formally contradictory. Yet it may nonetheless be true according to the dialetheist.

Notice that the dialetheist reading differs markedly from the false presupposition reading. According to the former, the statement in question is true. According to the latter the statement lacks a truth value. There is an important difference between saying that the ultimate nature of reality is contradictory, and saying there is no such thing as the ultimate nature of reality. The former reinstates the presupposition that the latter rejects. There is, according to this presupposition, something we are talking about when we inquire into the ultimate nature of reality. Indeed Priest and Garfield think there is reason to believe ultimate reality

must be contradictory in nature. For, they argue, the ultimate nature of reality is how things are independently of the concepts we happen to employ. But any attempt to specify its nature must employ concepts. And so the ultimate nature of reality must be such as not to be expressible using our concepts. And yet if this is true, then there is something about the ultimate nature of reality that can be expressed using our concepts, namely the fact that it is indescribable. So the ultimate nature of reality is contradictory in nature.

The dialetheist reading is also said to have the advantage that it gives the enlightened person something to be right about. (To put it in the terms I used earlier, it preserves the gap between the sacred and the profane.) Thus it achieves the goal of the second option described above, of preserving a transcendent subject-matter. But it does this without requiring that one work out a conversational implicature – at least not if one knows there can be true contradictions. So the dialetheist reading might seem preferable to the false presupposition reading.

I must confess that I am not persuaded, though. For one thing, I think the argument concerning the inexpressibility of the ultimate nature of reality is flawed. For another, I think this turns Madhyamaka and Advaita Vedānta into notational variants of each other – something that would be unacceptable to both sides. I also fail to see why the appeal to the insight of the enlightened should have any force. While there may be an epistemic difference between those who are enlightened and the rest of us, it is not clear to me why this would have to be explained in terms of some transcendent subject-matter about which we are ignorant and they have insight. Why could this not be accounted for instead in terms of a mistake that we make and they do not, but a mistake concerning a shared world constructed in conformity with classical logic?

To elaborate on this last point, I want to say something about a matter on which I think Garfield, Priest and I agree. When Mādhyamikas claim that all things are empty, they do not exempt emptiness itself from this claim. They say that emptiness is itself empty. In commenting on the consequences of this, Garfield and Priest say:

The emptiness of emptiness is the fact that not even emptiness exists ultimately, that it is also dependent, conventional, nominal, and in the end it is just the everydayness of the everyday. Penetrating to the depths of being, we find ourselves back on the surface of things and so discover that there is nothing, after

all, beneath those deceptive surfaces. Moreover, what is deceptive about them is simply the fact that we assume ontological depth lurking just beneath. (Garfield 2002, p.101)

With this characterization I am in complete agreement. What I would suggest, however, is that it opens up the possibility of giving the enlightened something about which they can be right without requiring that there be a sphere of the ultimate that they perceive and we do not. For what the enlightened perceive might be just the same world we perceive, only without the illusion of hidden depths.

But perhaps the more interesting question is what dialetheism would do to the Mādhyamika's ability to argue for their claim that all things are empty. I think the result would be rather dire. Nāgārjuna's strategy is to use only *reductio* arguments. He seeks to demonstrate that the opponent's various theses concerning the ultimate nature of reality invariably lead to contradiction, and so cannot be maintained. Now suppose he took this to show that ultimate reality has a contradictory nature, for instance in its having an inexpressible nature that is expressible, or in having as its nature that it lacks a nature. If he is willing to countenance true contradictions, then the opponent might insist on revisiting the *reductio* arguments that presumably refuted their theses. Such refutations employed a *modus tollens* argument from the falsity of the derived contradiction to the falsity of the thesis from which the contradiction was derived. But if some contradictions may be true, perhaps the contradiction derived from the opponent's thesis is among them. Of course the opponent is unlikely to be someone who believes that there are true contradictions. The present point, though, is that the Mādhyamika is not well positioned to claim that only those contradictions that favor their own position are true, while the contradictions derived from the opponent's theses are simply false. In that case the *modus tollens* argument to the falsity of the opponent's thesis cannot get off the ground. The Mādhyamika would be left without a way of showing that all things are empty.

Mādhyamikas say that only mad people accept contradictions (de la Vallée Poussin 1970, p.15). We have just seen why this might be. Embracing dialetheism would threaten their use of *reductio* arguments. And the alternatives do not look very promising. Suppose they sought to construct independent arguments for their claim that all things are devoid of intrinsic nature. The opponent is someone

who will only accept reasons that are grounded in the ultimate nature of reality. If the Mādhyamika proffers reasons that appeal to the ultimate nature of reality, then they will contradict their thesis that all things are devoid of intrinsic nature. Suppose they claim that since ultimate reality is contradictory in nature, they are entitled to employ reasons that contradict their thesis. The opponent will then justifiably charge the Mādhyamika with question-begging. It is up to the Mādhyamika to establish some such thesis as that all things are empty, or that the ultimate nature of reality is inexpressible, before they can claim to have reason to believe that ultimate reality is contradictory in nature. The burden of proof rests with them, since it is they who propose that we abandon a logic that has served as common currency until now.**[vi]**

There are also historical reasons to reject the attribution of dialetheism to Nāgārjuna. These have to do with an approach to contradictory statements that was widely shared among classical Indian philosophers. I bring this up because I think it is an approach that is worth our consideration. On this approach, there is no proposition that is expressed by a contradictory statement. This is because in order for a word string to express a proposition, the words must be 'semantically fit', that is, their referents must be such as can be related as the syntax of the string says them to be. The stock example of a word-string that lacks semantic fitness is 'Devadatta waters the plants with fire'. Since fire cannot perform the function of irrigating plants, this word string fails to denote a possible state of affairs, and so does not express any meaning. It is neither true nor false. And the same holds for statements that have the form of a contradiction. The statement, 'Feeling lacks the nature of feeling' fails to denote any state of affairs, since anything that is a feeling has the nature of feeling, and its having that nature stands in the way of its lacking that nature. So the statement is neither true nor false. And likewise for any other contradiction. On this approach there can be no true contradictions.**[vii]**

This might appear incompatible with the use of reductio arguments. If a contradiction can be neither true nor false, then there can be no modus tollens argument from the falsity of the contradiction to the falsity of the opponent's thesis. But the Mādhyamika has a way to get around this difficulty. They do not assert that the contradiction derived through the reductio is false. They say instead that the derived contradiction should not be asserted by the opponent. And realizing that this statement should not be asserted, the opponent will realize that the thesis from which this contradiction was derived should likewise not be asserted. This strategy allows the Mādhyamika to set about disabusing us of the

notion that there is such a thing as the ultimate truth without themselves saying anything that could be construed as a characterization of how things ultimately are (or are not). They thus avoid being put in the odd (and potentially embarrassing) position of claiming that some contradictions are true.

NOTES

[i] Logical paradoxes typically involve sets of statements. Such is the case for instance with sorites paradoxes. But there are formulations of the Liar that involve a single statement, e.g., 'This statement is false'.

[ii] For instance, at Vigrahavyāvartanī 5-6, Nāgārjuna has the opponent raise the objection that if all things are empty then there can be no means of knowledge whereby it is known that all things are empty. In verses 29-51 of the same text he replies to this objection. Regardless of whether or not the reply is successful, this shows that Nāgārjuna was aware of the paradoxical consequences of the doctrine of emptiness. Thus a conversational implicature is generated by his utterance of the doctrine.

[iii] The British empiricist doctrine that the meaning of a word is an idea is a form of semantic internalism, as is the logical positivist doctrine of verificationism.

[iv] I develop this in some detail in Chapters 1-4 of Siderits 2003.

[v] For technical details see Priest 1987. For various applications of dialetheism see Priest 2002.

[vi] Garfield and Priest note that in employing reductio arguments, Nāgārjuna shows himself to be committed to the falsity of contradictions in the conventional plane (Garfield 2002, 94-6). They claim he holds that it is only 'at the limit' in the domain of the ultimate truth that there may be true contradictions. But they do not explain how such a distinction can be shown to be principled.

[vii] That Candrakīrti takes this view of contradictions is at least suggested by his comments on MMK xxvii.28, which concerns the rejection of the possibility that existence both has and does not have a limit: 'Because the object of the negation cannot really be, so the negation is not possible' (de la Vallée Poussin p.590).

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ISSA Proceedings 2006 – Argumentation Theory, Critical Discourse Analysis And Corpus Linguistics: A Case Study

1. *Introduction*

This paper is part of a broader project, which explores the possibility of combining the qualitative approach of critical discourse analysis with the quantitative methodology of corpus linguistics. The aim is to propose an integrated model of analysis which benefits both from the interest of CDA for the modalities through which language represents and constructs reality,

and from corpus linguistics' concern for a rigorous description of language, based on a representative sample of data. In particular this paper will give an account of how presuppositions and dissociations were used in the discourse of preparation to the war on Iraq which took shape in the British press**[i]** from January 2002, when Bush delivered his "axis-of-evil speech", to the outbreak of the war itself, through the analysis of a corpus of newspaper articles which has been built for the purpose of this study.

The first hypothesis for the present study is that the integrated model I propose can be applied also to higher structures of discourse, such as argumentative moves, which are not so often addressed by CDA, notwithstanding declarations of intents, and even less by corpus linguistics, due to the fact that the typical tools of such discipline are thought to work at best on the level of words and grammar. The choice of presuppositions and dissociations, among all the possible argumentative aspects, is motivated by the fact that they are signalled by words which act as indicators, and are thus retrievable using the tools of corpus linguistics. The second hypothesis is that the occurrence of presuppositions and dissociations in a corpus might signal controversial areas of discourse, where argumentative strategies are more or less covertly used, and therefore worthy of closer qualitative analysis.

2. *Model*

The rationale behind the original project results from a double interest: on the one hand there was an epistemological interest for the modalities through which the press represented the debate about the possibility of a war on Iraq, in line with the scope of critical discourse analysis; on the other hand the focus was methodological, and addressed the issue of how corpus linguistics could help to overcome the limits of CDA, which were pointed out in several occasions by different scholars. One first reason of complaint is that the strong political commitment of critical discourse analysts, aimed at unveiling the role of language in maintaining existing power relations to the advantage of dominant groups, has a negative influence in terms of methodological rigorousness (Widdowson 1995). In particular, some interpretations of the texts are seen to rely more on an ideological basis than on a sound linguistic analysis, and apart from that the relation between discourse and grammar is often uncertain. The second reason concerns the way texts are selected, which often translates into the fact that analyses are carried out on small samples of text which are chosen ad hoc, because they allow to demonstrate pre-constituted interpretative views (Philips

1989: 8).
As suggested by seminal studies which advocated an integration of qualitative and quantitative approaches (Hardt-Mautner 1995, Stubbs 1996, Garzone and Santulli 2004), the integration of corpus linguistics and CDA could solve both these problems, starting from criteria for text selection. In the first place, the sample of texts and the range of sources should be wide enough to be representative of a certain discourse type and the same is true for what concerns the range of sources. Second, when it comes to the analysis of the corpus proper, the quantitative approach forces to a closer observation of data, with a view to the frequency with whom a certain characteristic occurs, so that uses which can be identified as recurring are considered as more relevant than isolated examples.

3. *Presupposition and dissociations*
The two structures which have been selected for analysis present a twofold reason of interest. On the one hand, they add to the propositional content, which is explicitly expressed, an evaluative component, which is not physically coded by language, but which is conveyed thanks to the background knowledge and the beliefs shared by the participants. More specifically, this added evaluative component results from the fact that the speaker implicitly attaches different values to related aspects, one being judged more positive or more relevant than the other. Because it is formulated in such a covert way, this form of evaluation is less likely to raise criticism on the part of the reader, and has therefore a high potential for influencing public opinion. With regard to this Thompson and Hunston (2001: 9) state:
The less obtrusively the evaluation is placed in the clause, the more likely it is to successfully manipulate the reader.

On the same topic, Ducrot (1979: 14), with reference to the presupposition, says:
Every explicit statement becomes, for the very fact of being explicit, an object of possible discussion. All that is stated can be contradicted […].The formulation of an idea is the first and decisive step towards it being put into discussion.

On the other hand both presuppositions and dissociations can be retrieved electronically within a corpus of large amount of texts, because they are associated with specific indicators. Of course, the correspondence between indicator and structure is not automatic, but the output of a query can be scrolled manually, in order to retain only the relevant occurrences. The discussion will

now move on to deal with each of the two structures.

3.1 *Presupposition*
A form of pragmatic inference, presupposition is defined by Levinson (1983: 168) starting from the meaning the term is given in everyday language, that is
any kind of background assumption against which an action, theory, expression or utterance makes sense or is rational (Ibidem).

In a "technical" sense, however, it is possible to talk of "presupposition" only in those cases in which inferences
*seem at last to be built into linguistic expressions***[ii]**, *and which can be isolated using specific linguistic tests (especially, traditionally, " constancy under negation").*

To illustrate how presupposition works, Levinson quotes the example
"John managed to stop in time",
which presupposes
"John tried to stop in time".

As for the "constancy under negation" requisite, it is satisfied when the presupposed information stays true even if the verb is negated, as can be seen in the following example:
John didn't manage to stop in time'
"John tried to stop in time".

However, even if presuppositions are semantically triggered, their meaning potential is not achieved just on the semantic level, but on the contrary the context plays an important role, giving presuppositions a pragmatic value. With reference to the previous example, the presupposition is built into the word "manage", but it is the context, for example the attribution of responsibility in a car accident, which makes this statement relevant and evaluative.

Different lists of indicators have been drawn, which can be used to spot presuppositions in texts. The analysis of presuppositions in this study was carried out starting form Levinson's selection of "presupposition triggers"(1983: 181-4), which is reported below, focusing only on the ones which recurred more frequently in the corpus:
· Definite descriptions
· Factive verbs

· Implicative verbs
· Change of state verbs
· Iteratives
· Verbs of judging
· Temporal clauses
· Cleft sentences
· Implicit clefts with stressed constituents
· Comparisons and contrast
· Non restrictive relative clauses**[iii]**
· Counterfactual conditionals
· Questions

3.1.1 *Presupposition analysis*

In a pragmatic perspective the analysis of presuppositions aims at understanding what functions they perform in the discourse of preparation to war, with reference to the Hallidayan categories of ideational, textual and interpersonal meaning**[iv]** (1994). However, while presuppositions can be found to work on all of the three levels, the most interesting uses concern the codification of stance on the level of interpersonal meaning, which subsumes comments, attitudes and values expressed by the writer in the attempt to influence the reader.

The eminently linguistic concept of presupposition has been integrated with notions of evaluation theory (Hunston and Thompson 2001), to make it more suitable for the investigation of ideology in the texts. In particular the analysis revolves around two parameters, one affective, which assigns value in terms of the "good-bad" polarization, the other epistemic, concerning the degree of certainty attached by the speaker to the propositional content of his/her message.

i. *Presuppositions with an affective evaluative component*

Evaluation is expressed most obviously in those presuppositions triggered by verbs with a clear negative connotation, such as verbs of judging. Among these "accuse", some examples of which follow, is the one which occurs most frequently in the corpus:

1. Mr Bush has accused Iran of trying to undermine the new regime in Kabul and offering a haven to fleeing Taleban and al-Qaeda fighters. *Times*: undermining the new regime in Kabul is wrong.

2. Hans Blix, the chief UN weapons inspector, *accused* both the US and Britain of failing to hand over intelligence on Iraq's activities. *Guardian*: The US and Britain

should hand over their intelligence on Iraq's activities.
3. The official *accused* the French and Germans of using tactics that rendered Resolution 1441 ineffective. " *Telegraph*: The French and Germans should commit themselves to implement Resolution 1441.
4. Mr Duncan Smith *accused* Europe of "gazing at its political navel" while its cities have been coming in range of Middle East missiles. He made clear that a Conservative government would seek to join the United States in developing a global missile defence system […] *Telegraph*: Europe should not "gaze at its political navel".

Apart from presuppositions triggered by explicitly evaluative judgemental verbs, other presuppositions have the effect of expressing value in a less direct way. This is the case when evaluation is not semantically contained in the trigger, but stems from larger stretches of text, as in the following examples:
5. Mr Arafat *had managed* to enforce a ceasefire for three weeks, but there was no diplomatic action to shore it up, as international attention was focused on the trouble in south Asia. *Telegraph*: he made an effort to enforce a ceasefire.
6. If the pressing concern of America and Britain is the threat posed by Iraq's secret efforts to procure weapons of mass destruction, then a proper course is still to demand the return of the UN weapons inspections regime. Critics will argue that Saddam *managed* to hide large sections of his programme from inspectors before they left in 1998. *Guardian*: Saddam pursued the aim of hiding large sections of his programme.

As can be noticed from (5) and (6) the implicative verb "manage" is neither negatively nor positively connotated in itself, but it takes on its value from the prosody of the verb which follows. In (5) the presupposition on the one hand can be seen as appreciatory of the effort made by Arafat, but on the other it casts a doubt as to his being in control of his people; in (6), since the action of hiding weapons program from the UN inspectors is judged negatively, saying that Saddam "managed" to do that simply adds a negative emphasis on his actions.

ii. *Presuppositions with an epistemic evaluative component*
The discussion will now move on to presuppositions with epistemic value, which turned out to be the ones which were deployed most extensively and with the most effective results. Occurrences of epistemic evaluation in the corpus can be mainly divided into two groups: on the one hand those used to present allegation as evidence; on the other the ones which present opinions and judgements as if

they were commonly accepted knowledge.

The presuppositions in the first group are principally triggered by factive verbs, verbs which indicate change of state, and iteratives. Here are some examples of the former kind of verbs:
7. A key question would be whether Saddam was *aware* of or had sanctioned such a transfer. His special security organisation, run by his son Qusay, has close control over concealed weapons programmes. *Telegraph*: there was a transfer.
8. Tony Blair reinforced the message yesterday by telling the Commons: "We do *know of* links between al-Qaida and Iraq. We cannot be sure of the exact extent of those links." *Guardian*: there are links between al-Qaeda and Iraq.
9. But we now *know* that since the departure of the inspectors in 1998, Saddam has bought or attempted to buy specialised vacuum pumps of the design needed for the gas centrifuge cascade to enrich uranium. *Times*: Saddam has bought (or tried to buy) vacuum pumps.
10. Given the latest Bush projections last week – "we know that thousands of trained killers are plotting to attack us" – he must surely have an even more gargantuan cliché up his sleeve. *Independent*: there are thousands of trained killers ready to attack.

In all these examples, the factive verb *be aware/know* presupposes that the object of such knowledge does exist, but since it is presupposed, no evidence is put forth to support the claim that all these threats are real. In most examples (8 to 10), the authoritativeness of the speaker (Bush/Blair) is presented as the only attempt of justification for what is being said, on the basis of the implicit argument: "you can believe to what I'm saying because I am the president, and I know for sure". In line with this way of reasoning, it seems reasonable to believe that the first person plural pronoun "we" is used exclusively with respect to the receiver, having as a referent the president and his entourage, who thanks to their position possess intelligence which is still unknown to the public or which is to remain undisclosed in its details for the sake of security. This is what emerges from the context of the single examples: in (8) and (9) Blair is disclosing the content of the Dossier on Iraq; in (10) Bush's alarm is presented as a "projection", presumably drawn on the basis of private intelligence.

In all these examples fallacy consists in the fact that the standpoint that Saddam possesses such weapons is not defended properly. What is violated in this case is the rule of the "burden of proof" (van Eemeren 2002: 113) according to which:

A party who puts forward a standpoint is obliged to defend it if asked to do so.

In political discourse, where no real dialogic exchange is going on, the condition "if asked to do so" should be implicit, since the aim of the speaker is necessarily to influence public opinion and the nature of communication is therefore argumentative. As for the modalities through which such a rule can be violated, in the examples above the burden of proof is avoided by giving one's authority as a guarantee of truthfulness, rather than supporting the standpoint with evidence (ibidem 116).

Still in relation with Iraq's possession of weapons of mass destruction, predicates of change give rise to presuppositions which represent another kind of fallacy, namely violation of the starting point rule, as explained by van Eemeren et. al. (2002: 129):
The protagonist violates rule 6 [starting point rule] if he acts as though a certain proposition was accepted as a starting point when that is not the case. A familiar trick for preventing a proposition from being attacked is to formulate something controversial in such an inconspicuous way that it is not noticed. This can be done by presenting the controversial proposition as a presupposition (an assumption tacitly assumed by the speaker) of another statement […].

In the following examples, the verb "stop" presupposes that the action referred to is actually under way, considering the "reality" of it as an accepted starting point, be it the possession of WMD by what Bush defined "rogue states" (11, 13, 14) or the relation between "Palestinians" and terrorism (12):
11. The Bush team is convinced that only the removal of Saddam himself can *stop* his obsessive efforts to accumulate lethal agents. *Telegraph*: Saddam is accumulating lethal agents.
12. The second is that the Palestinians must *stop* encouraging terrorism. This is especially horrifying when it is carried out by teenage girls on a suicide mission. *Independent:* the Palestinians encourage terrorism.
13. But this morning Mr Bush said the three nations must *stop* developing biological, chemical and possibly nuclear weapons or risk US action. *Times:* the three nations are developing biological, chemical and possibly nuclear weapons.
14. He also wants to *stop* Iran from funneling arms to terrorists, and seek to prevent North Korea from developing and selling missiles. *Guardian*: Iraq funnels arms to terrorists.

The same fallacy is generated in presuppositions triggered by iteratives, as exemplified by the following occurrences of the verb "continue":
15. He needs to *continue* to make the case for confronting Saddam and eradicating every part of his infrastructure for weapons of mass destruction […] *Times.*
16. My nation will *continue* to encourage all parties to step up to their responsibilities as we seek a just and comprehensive settlement to the conflict. *Telegraph.*
17. A White House source declined to comment on the draft report in detail, but said: "In general, we have confidence that Mr Blix will *continue* to back our view that Saddam has co-operated on process but not on substance. *Telegraph.*

In (15) it is presupposed that Blair ("He") has been making the case for war, whereas one of the leitmotifs in the British press at that time was the lack of a clear "casus belli"; in (16) Bush uses a presupposition to present his foreign policy as equidistant from Palestine and Israel, which is in fact quite disputable, having in several occasion shown a closer bondage with Israel, also in the name of a common fight to terrorism; in the same way, in (17) Blix's communality of opinion with the White House is presupposed as an accepted starting point, whereas the UN Chief Inspector has always highlighted the positive aspect of Iraq's moves of cooperation.

As already pointed out, a second group of presuppositions which can be included under the label of epistemic evaluation presents opinions and judgements as if they were common knowledge. This is best exemplified by the cases where the verb "know" is associated with a plural first person pronoun, which includes the reader, as in the following examples:
18. Mr Blair told the committee: "We *know* perfectly well, I think most of us, that what he said in his declaration of December 8 is not true. *Independent.*
19. We all *know* that New Labour is obsessed with manipulation of the news and of its own image*. Telegraph.*
20. Most Americans *know* that the administration is acting with moral and historical responsibility. *Guardian.*

In all these cases what is presented as a belief accepted by most people is in fact potentially controversial and far from undisputable. This is demonstrated by the fact that in some of the examples above the purpose is highly polemical since they point out different views shared by competing parties: "we" versus Saddam

regime in (18), conservatives and labourists in (19), and more implicitly groups with different positions as to the US Administration in (20).
In this way what is violated is the rule of argumentation scheme, according to which: *a standpoint may not be regarded as conclusively defended if the defence does not take place by means of an appropriate argument scheme that is correctly applied* (van Eemeren 2002: 130).
In particular the violation consists in the use of the *ad populum* argument, the implication of which is that a standpoint should be considered valid simply because many people agree with it, thus running the risk of falling into pure demagogy (ibidem 131).

3.2 *Dissociation*
Originally studied by Perelman and Olbrechts-Tyteca (1958) and more recently by van Rees (2002, 2005) dissociation is an argumentative scheme in which the speaker "separates elements that previously were considered by the auditorium as a whole or a conceptual unit" (van Rees 2005: 53). In a more extended definition, which highlights its functional aspect, van Rees (2005: 54) explains dissociation as an:
[…] argumentative technique that serves to resolve the contradictions that a notion that originally was covered by a single term and that was considered a unity, gives rise to. Dissociation resolves these contradictions by distinguishing various aspects within that notion, some of which are subsumed under a new denominator. The now reduced old notion and the new notion that has been split off are not equally valued, one is considered more important and more central than the other; therein lies the source of argumentative potential of the technique.

Through a comparison with similar techniques, such as *semantic shift, distinction* and *precisation*, van Rees (2005: 64) draws three conditions which have to be met in order to identify an argumentative move as dissociation:
1. from an existing conceptual unit, expressed by a single term, one or more aspects are split off;
2. through this operation a contradiction or paradox is resolved because now a proposition can be considered true in one interpretation of the original term and false in the other;
3. the reduced and the split off concept are assigned a different value.

On the basis of these features, van Rees finds some possible indicators of

dissociation, which can be identified as clues of separation, with reference to feature 1, clues of negation, in touch with feature 2 and reference to a value scale, according to feature 3. In some cases the dissociation is performed explicitly, while in others a part of the process remains unexpressed and is taken as a "self evident starting point" (ibidem).

In real use, however, it is not always possible to distinguish clearly whether dissociation is originated by a process of separation, negation or attribution of different values on a given scale, as it is often the case that more than one process is in progress. For this reason, in the analysis which follows a data driven approach will be preferred to a classificatory one, and accordingly analysis will be organized around those uses of dissociation which can be recognized as belonging to frequently used patterns.

3.2.1 *Analysis of dissociations in the corpus.*
Two main uses of dissociation emerge from the corpus: a polemical use aimed at presenting this war as anomalous in various respects, and a defensive use adopted by those who are against it in order to defend their position from the attacks of war supporters. For what concerns the first group, an example can be found in the following fragment:
20. Why won't the Government tell us whether it thinks military action against Iraq would be lawful in the absence of an explicit resolution from the United Nations Security Council? Tony Blair and his ministers have repeatedly said anything they may do will be in accordance with international law. That sounds reassuring, but only until you remember that *international law is not like other law*. As Ross Cranston, an academic lawyer and former Labour law officer, said in the Commons this week: "One of the difficulties with international law, as opposed to domestic law, is that no body has jurisdiction over the whole range of issues." *Telegraph.*

The speaker separates international law from other law assigning a diminished value to the former to demonstrate that Blair's words cannot be reassuring. The speaker's implicit standpoint is that in his opinion, the British premier would be ready to back a US war even without a UN resolution, and this would be illegal. Blair's statement that any action would be in accordance with International law seems to be in contradiction with the speaker's standpoint, but the dissociation allows to solve this problem, by presenting international law as defective: if normally the fact that an action abides by a law can be seen as a guarantee of its

equity, this is not the case with international law. In the following example the explicit opposition *these times – normal times* points to a more indirect opposition, concerning the UN draft resolution about Iraq:
22. The draft resolution goes further than previous UN directives in imposing the kind of intrusive rules, regulations and timetables that any sovereign nation, in normal times, would reject out of hand. The US, for example, has stubbornly resisted international inspections of its biological weapons facilities. Israel, for example, has unknown, undeclared stockpiles of weapons of mass destruction. But these are not *normal times*. *Guardian.*

In this case it is more difficult to spot a dissociative move, because most of the reasoning is implicit. The focus of discussion is on the draft resolution and indirectly on its effects in terms of the possible Iraqi reaction. It is foreseen that Saddam's reaction will not be of compliance, but the position of the speaker is that he can't be blamed for that. This could give rise to a contradiction, because in Western democracies it is customary to believe that not complying with UN resolutions is wrong. However this is resolved by separating this resolution, which is the output of "these times", from the resolutions of "normal times": while in normal times resolutions respect national sovereignty, in this case it imposes rules, regulations and timetables that any sovereign nation would normally reject, therefore it cannot be expected that Iraq will be an exception.

In a similar way, also the next fragment presents the contemporary situation as anomalous, and therefore as requiring new measures:
23. The Divisional Court concluded that it had no jurisdiction to consider the issue of international law. It was plainly *correct to do so as a matter of constitutional law.* As pointed out by Lord Justice Simon Brown (with whom Mr Justice Maurice Kay and Mr Justice Richards agreed), it is well-established that the courts will not declare the meaning of an international agreement that is not part of domestic law. On the basis of high judicial authority, the Divisional Court had no choice but to reject the CND claim.

But should the courts refuse to entertain such a complaint? The Divisional Court gave three main reasons why the courts decline to be involved, none of them very persuasive. The first was the evidence from the Foreign Office that if the Government were obliged to answer international law arguments, it may undermine the prospects of a diplomatic solution to the crisis, "damage our relations with the US" and "give comfort to the Iraqis". But the Government

would be responding on issues of law, not policy or strategy. The Divisional Court's refusal to consider the substance of the case *was correct on the existing precedents*. But it is time for legal policy to be reconsidered. *Times*.

With reference to the conclusion of the Divisional Court that "it had no jurisdiction" to express itself on the lawfulness of a war on Iraq without a UN resolution, the dissociation, is performed by separating the notion of "correct on the existing precedents" from the notion of uncompromisingly "correct", where clearly the newly separated notion is assigned a diminished value. In this way the speaker can argue that the decision of the court was not the best, even if it was in accordance with the law, while at the same time he advocates a change in the current legislation, motivated by the changes in the international political situation.

The next fragment presents another anomalous aspect related to the war on Iraq, that is the nature of the "new" terrorism, and two dissociative moves:
24. Not only is the message not getting across, but there seems to be a fundamental *misunderstanding* of where the real sophistication of Jihad International comes from. It is not in its ingenious and despicable skill in butchering innocent civilians, or even in its apparently formidable organisational skills, which in reality may be far less formidable than assumed, but in syndicating and marketing its brand of terror. This is not the old terrorism of the IRA or ETA, with structures, doctrines and pseudo-military organisation. What Bush and Blair and all their allies do not understand is that it is *the idea of al-Qaeda,* not its physical reality, that is the key, an idea which has taken deep root in countries from Afghanistan to South East Asia and Africa. *Guardian*

First of all, the expressions "misunderstanding" and "real sophistication" are indicators of a process of dissociation. Since it cannot be denied that ingeniousness and skill in the preparation of attacks are among the characteristics of al-Qaeda, the speaker, who wants to make the point that something else, ie. the ability in "marketing its brand of terror", is at the basis of the terrorist organization's "success", distinguishes "real sophistication" from a more marginal kind of sophistication. A second dissociation reinforces the speaker's line of argument: the previously unified concept of al-Qaeda is split off into two new concepts, its physical reality, and its idea. In this way, it can be argued without contradiction that the widespread conception about al-Qaeda, shared by Bush, Blair and all their allies, is right if limited to the organization's

physical reality, while it does not seize the real force of the organization, which lies in its idea and which is well rooted in many countries.

As mentioned before, a second pattern related to dissociation reveals that this technique is used with a defensive function, to negate that one party's position is in some way contradictory, as suggested by the other party. In particular this form of dissociation was exploited by those who were against the war, but did not want to be seen as supporters of the Iraqi regime, as in the next example:
25. In yesterday's speech Mr Blair widened his case in an attempt to appease rebellious members of his party. As well as making the familiar global arguments about the need to disarm Saddam, he put the moral "progressive" arguments for the removal of the Iraqi regime. This was the clearest sign that Mr Blair is rattled by the scale of the internal opposition. He cited the atrocities committed by Saddam and warned of the potential horrors if there were no war against Iraq. *The Independent on Sunday is a progressive newspaper, but we do not accept this argument as a justification for a pre-emptive strike against another country.* As we have argued for several months, President Bush and Mr Blair have to convince voters that Iraq poses a real and immediate threat. Their failure to do so is the reason why Mr Blair faces the biggest political crisis of his career. *Independent.*

In this case a double use of implicit dissociation is made. On the one hand Blair's recourse to the "moral progressive argument" for the removal of Saddam Hussein relies on a submerged dissociation. Confronted by his own party's opposition, Blair finds himself in the potentially contradictory position of being progressive and being at the same time in favour of a war. By means of an implicit dissociation he can defend war for humanitarian reasons and reject "offensive" wars thus staying true to progressive values. At the same time Blair seems to imply that those who claim to be progressive but are not ready to defend the human rights of the Iraqi people are not really progressive. On the other hand, the *Independent on Sunday* defends itself from such an accusation by separating the notion of "accepting the progressive argument for a pre-emptive war" from the notion of "being progressive", which allows them to reject the former and assert the latter.

In a similar way, the next fragment can be seen as an attempt to escape a polarizing argument:
26. No doubt there are some abroad who support Saddam, others who are neutral and *others who want to see him go but do not think an American war is the way to*

do it. Guardian.

Here the Guardian is making the point that there is no contradiction in being against Saddam and at the same time against a war on Iraq. Implicitly the writer splits off the concept of a dictator's removal distinguishing between the principle underlying it and the way it is effected, so that the newspaper can hold its position of being in favour of the principle, but against the war as a way to achieve this objective. The same happens in the next example, where the dissociation concerns the concept of "supporting America".
27. Only 19 per cent believe Britain should join America in military action. Almost the same proportion, 17 per cent, believe that the British government should publicly condemn America if it takes unilateral action. In between, a large majority believe Britain should either "support America diplomatically but not militarily" (32 per cent) or else "distance itself from America but not condemn it" (29 per cent). YouGov's findings hint at the possibility that considerable numbers of Britons would like to see America bear the heat of the day and, with luck, successfully toppling Saddam Hussein, with Britain remaining comfortably on the sidelines. *Telegraph.*

One of the possible answers to the items of a questionnaire separates the notions of diplomatic support and military support to the US, thus giving the interviewee a chance to escape the "pro-war or pro Saddam" moral blackmail, while at the same time solving the contradiction which would come from the decision of denying support to an ally.

Finally a last example will be discussed, which does not pertain to any of the two patterns of dissociation use presented so far, but which is in its own representative of a highly manipulative line of argument in support of war:
28. "These are not people like us," he [Tony Blair] said of the Iraqi leadership on Sunday. "They are not people who abide by the *normal rules of human behaviour.*" *Guardian.*

Here Blair places the Iraqi leaders outside the domain of humanity, which is implicitly and in a rather circular fashion redefined as the community of those who "abide by the norms of human behaviour". This way of reasoning is in itself potentially dangerous in ethical terms for the perspectives it could open up, but it also hints at a likewise dangerous dissociation which pervasively underpinned the pro-war discourse, that is the artificial distinction between Iraqi leaders and Iraqi

people. On this basis the war was massively presented as directed exclusively against Saddam's regime, in favour of the Iraqi people, thus suggesting that harm from military action would fall only on the former.

4. *Conclusions*

For this paper I set a double aim: from a theoretical point of view I addressed the issue of the possibility to integrate critical discourse analysis, with its typically qualitative approach, Corpus linguistics, which on the other hand relies on quantitative methodology and argumentation theory, which I hypothesized could help to extend the analysis to higher structures of discourse. On a more operative level, I applied this model in the analysis of the discourse produced by the British press in preparation of the war in Iraq, focusing on presuppositions and dissociations, two discursive structures which have an argumentative potential and at the same time can be retrieved electronically thanks to the presence of possible indicators.

On this second level the analysis dealt in turn with the two structures, following essentially a data driven approach, which aimed at highlighting recurrent patterns of use. For what concerns presuppositions, they were discussed in relation to the kind of evaluation they express, both of affective and epistemic nature. While presuppositions of the first kind confirmed that this structure is a good starting point for the analysis of ideology in discourse, the most interesting results came from presuppositions of the second kind. What emerged is that they were extensively used to refer to weapons of mass destruction, with the effect that Iraq's possession of illegal weapons was generally taken for granted and it rarely became the focus of explicit argument. Also some fallacies were identified, in relation to the use of presuppositions.

For what concerns dissociations, two patterns emerged, which confirmed the highly argumentative potential of this technique. On the one hand they were used with a critical intent to highlight anomalous aspects of this war, which responded to new political doctrine of pre-emptive. On the other hand they were used by those who rejected the option of war, to defend themselves from the accusation of being in favour of a brutal regime and of terrorism.

In the light of the results presented in this paper, it can be concluded that corpus linguistics' tools can be profitably integrated with critical discourse analysis and argumentation theory into a model for the analysis of discourse structures, as has been done here with presuppositions and dissociations.

NOTES

[i] The corpus includes both British and Italian newspapers for a total of 800 articles. This paper, however, takes into account only the British quality newspapers sub-corpus.

[ii] The fact of being "built into linguistic expressions" makes presupposition different from implicature, another form of pragmatic inference, which requires higher cooperation by the reader in order to be interpreted correctly.

[iii] Although the notion that non restrictive relative clauses can generate presuppositions is not undisputed (Lombardi-Vallauri 2002: 24), in this study they are considered presupposition triggers, resting on Levinson (1983: 181-4).

[iv] The three categories are referred to the levels of meaning which can be codified in text. The first concerns informative content, the second deals with metadiscursive content and the third with the expression of stance.

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ISSA Proceedings 2006 – Why There Is No Argumentum Ad Hominem Fallacy

Contemporary introductions to logic (e.g. Hurley 2003: 118-121, Copi & Cohen 2002: 143-145) typically treat the *argumentum ad hominem* as a fallacy of relevance. It is said to consist generically in a response to someone's statement or argument by an attack on that person. The abusive *ad hominem* is pure abuse; it points out some fault of character or intellect in the opponent. The circumstantial ad hominem is tied

more specifically to the content of the opponent's discourse; it alleges some self-interested motive or dogmatic bias as the source of the opponent's position. The *tu quoque* responds to a criticism of behaviour by pointing out that the critic has previously engaged in that very behaviour. All three types of personal attack, the textbooks typically say, are irrelevant to the merits of the opponent's position. Thus all three are fallacies. To show that someone's statement or argument is inadequate, one must point out substantively what is wrong with it. Personal attack is logically otiose.

On the contrary, I shall argue, there is no such thing as an ad hominem fallacy.
What is a fallacy? Trudy Govier nicely sums up the standard conception of a fallacy in the western logical tradition, as follows: "By definition, a fallacy is a mistake in reasoning, a mistake which occurs with some frequency in real arguments and which is characteristically deceptive." (Govier 1995: 172) If there is an ad hominem fallacy, as opposed to an argumentum ad hominem which is sometimes legitimate and sometimes not, it should according to this definition be a move in argument or reasoning. Further, it should be always mistaken; a move that is sometimes legitimate and sometimes mistaken is not a fallacy. Further, it should occur with some frequency in real arguments. A mistake in an unrealistic invention of a logic textbook writer, designed to fit the textbook's theory, does not amount to a fallacy, for a mistake is not a fallacy unless people actually make it. To support a claim that a certain mistake is a fallacy, one therefore needs to point to actual examples, and one's analysis of these examples as committing the mistake needs to be defensible, i.e. accurate and fair. Further, one needs to show that people are taken in by this mistake; thus, sophisms that would fool nobody are not fallacies.
Contrapositively, to show that a certain move is not a fallacy, one needs to show only that one of the necessary conditions for fallaciousness is lacking. Perhaps the move is not even a way of reasoning or arguing. Perhaps it is not a mistake, or not always a mistake. Perhaps people do not actually make this move in real arguments, at least not with enough frequency to deserve the invention of a label and a listing in the pantheon of logical fallacies. Or, if the move does occur with some frequency, perhaps it is so patently absurd that it would not fool anybody with even a minimum of logical acuity. Any of these four possibilities would be enough to show that the move in question is not a fallacy.
The reasons for the non-fallaciousness of the argumentum ad hominem vary from one species to another. I shall therefore consider each species separately, in each

case giving some historical background.

1. *The Traditional Sense of the Ad Hominem*

In western thought, to argue ad hominem (*Greek pros ton anthrÇpon*) originally meant to use the concessions of an interlocutor as a basis for drawing a conclusion, thus forcing the interlocutor either to accept the conclusion or to retract a concession or to challenge the inference. Aristotle in his discussion of the principle of non-contradiction distinguishes "absolute proof" (*haplÇs apodeixis*) from "proof relative to this person" (*pros tonde apodeixis, Metaphysics* XI.5.1062a3). In his influential 13th century commentary on this work (Lectio V. n. 2213, 2219, 2222; cited in Nuchelmans [1993: 40, n. 9]), Thomas Aquinas uses the corresponding Latin phrase *demonstratio ad hominem* for relative proofs of first principles. By the 17th century, logic textbooks were using the phrases "argumentum ad hominem" and "argumentatio ad hominem" quite generally for arguing about any subject-matter at all from the concessions of one's interlocutor, a usage attested as a scholastic commonplace (Nuchelmans 1993: 41); in the same century, Galileo uses the expression "ad hominem" for an argument whose author derives a conclusion not acceptable to an opponent from premisses accepted or acceptable by the opponent but not the arguer (Finocchiaro 1973-74). John Locke is referring to this background when he reports in his essay *Concerning Human Understanding*, first published in1689, that "to press a man with consequences drawn from his own principles or concessions … is already known under the name of argumentum ad hominem" (Locke 1959/1689: 278; IV.XVII.21).

In this whole tradition, which continued in logic textbooks of the 18th and 19th century (Nuchelmans 1993), there is not a hint that an argumentum ad hominem is a personal attack. It is not an argument *against* the opponent, but an argument to the opponent, i.e. to the commitments already made by the opponent, whether by unprompted assertion or by concession in response to a question. It is a perfectly legitimate way for a proponent to get the opponent to accept the consequences of those commitments, even if the proponent does not share them. It is not in itself mistaken, merely of limited probative value.

One would make a mistake in reasoning if one represented such an argument ad hominem as an absolute proof of its conclusion. And in fact this misrepresentation is how Richard Whately (1827/1826) defines the ad hominem fallacy – apparently the first time in a logical tradition going back more than 23 centuries that arguing

ad hominem was stigmatized as fallacious. A fallacy is committed, Whately claims, if (and apparently only if) an argumentum ad hominem is presented as having established the conclusion absolutely, rather than merely as one that the individual referred to is bound to admit. But it is confusing to describe this mistake as an ad hominem fallacy while at the same time maintaining that the argumentum ad hominem on which it is based is non-fallacious. Parry and Hacker (1991) have coined the phrase *illicit metabasis* for the mistake of claiming on the basis of an argumentum ad hominem to have proved the conclusion to someone other than the opponent. The mistake here is in the misrepresentation of a legitimate argumentum ad hominem. It may of course be doubted whether the mistake occurs often enough, and is deceptive enough, to be dignified with the label of a fallacy. Certainly most contemporary logic textbooks do not mention this error in their list of fallacies.

2. *The Tu Quoque*

Two writers from the early 19th century testify to a further broadening of the phrase "argumentum ad hominem" to cover arguments from the conduct or character of one's opponent. In his 1826 *Elements of Logic*, Richard Whately represents unnamed "logical writers" as describing the argumentum ad hominem in "lax and popular language" as "addressed to the peculiar circumstances, character, avowed opinions, or past conduct of the individual", and as thus referring to him only and not bearing directly and absolutely on the real question (Whately 1827/1826: 191). Schopenhauer (1951/ca. 1826-1831), writing at about the same time, extends the concept of a proof ad hominem to proof from an opponent's actions. Such a proof may point out an apparent inconsistency between present words and previous deeds, as in Whately's famous sportsman's rejoinder: A sportsman accused of barbarity in killing unoffending hares or trout for his amusement "not unjustly" shifts the burden of proof to the accusers with the rejoinder, "Why do you feed on the flesh of animals?" (Whately 1827/1826: 192). The rejoinder establishes a presumption that the accusers are bound by their flesh-eating conduct to admit that there is nothing wrong with killing unoffending animals for sport. With the presumption established, the flesh-eating critics must now establish a relevant difference between killing animals for food and killing them for sport.

In its use to turn an opponent's criticism on himself, this form of argument appears in 21st century logic textbooks as the "tu quoque" (you too). It can be

deployed erroneously, for example by misdescribing the past actions of one's critic, alleging an inconsistency where there is none, or representing the opponent's proposition as refuted absolutely when it is in fact refuted only ad hominem. But these mistakes are ways in which a perfectly legitimate form of argument can be manipulated. The error is not a tu quoque fallacy or an ad hominem fallacy, but a fallacy of misrepresentation ("straw man"), false allegation of inconsistency, or illicit metabasis. Properly used, the tu quoque puts a reasonable burden on a critic to explain away an apparent inconsistency between word and deed. As a paradigm case, we may look at the following passage quoted by Engel:

(1)

I am a Newfoundlander, and I cannot help but feel some animosity toward those people who approach the seal hunt issue from a purely emotional stance. Surely this is not the way they look in their butcher's freezer, when they are looking for pork chops. Yet the slaughtering method approved by the Department of Health officials for swine is hideous, and nowhere near as humane as the dispatching of a young seal. (Engel 1994: 31)

This passage is a tu quoque addressed to a third party: it alleges that the critics of the seal hunt support even less humane means of killing animals, by eating pork. Hurley (2003, p. 119) claims that the tu quoque is an irrelevant attempt to show that the premisses of an opponent's argument do not support its conclusion. Hurley's analysis clearly does not fit our passage, which makes no reference to the emotional critics' arguments. Copi and Cohen (2002, p. 144), on the other hand, treat the tu quoque (which they label a species of circumstantial ad hominem) as an irrelevant attempt to show on the basis of the opponent's previous actions that the opponent's claim is false – in effect, Whately's ad hominem fallacy extended to arguments from an opponent's actions. The Copi-Cohen analysis does not fit our passage either, since the author does not take the critics' inconsistency to establish that the seal hunt should be allowed, but rather uses it to explain his animosity towards them. The appeal to apparent inconsistency has the same function as Whately's sportsman's rejoinder: it puts the critics on the defensive.

Our passage is typical in this respect. Fairly interpreted, real instances of the tu quoque are in principle legitimate. It would of course be a logical mistake to take an inconsistency between an opponent's words and deeds to show that the conclusion of the opponent's argument does not follow from its premisses, or to

show that the words are incorrect. But that is not what happens with real instances of the tu quoque. Real cases are legitimate attempts to put an opponent on the spot by pointing out an apparent inconsistency between word and deed.

3. *The Abusive Ad Hominem*

The abusive argumentum ad hominem seems to have emerged from an amalgamation of traditions stemming from two remarks of Aristotle.

In his *Sophistical Refutations* Aristotle distinguishes two ways in which one may "solve" a fallacious argument. The proper way is relative to the argument (*pros ton logon*, 177b34, 178b17): the solution will work for all instances of the fallacy and is independent of the particular commitments of the argument's author. To depend on the author granting some proposition is to propose "a solution relative to the man" (*lusis pros ton anthrôpon*, 178b17), a phrase translated into Latin by Boethius as "solutio ad hominem". Apparently following Boethius, logical treatises of the 12th and 13th century use "solutio ad hominem" for a pseudo-solution of a fallacy that attacks the questioner instead of his faulty argument (Nuchelmans 1993: 43).

In his *Rhetoric* Aristotle complains that writers of rhetorical handbooks in his day paid no attention to its subject-matter, persuasion, but focused on accessories "outside the thing" (*exô tou pragmatos,* I.1.1354a15-16). Appropriating this notion, later ancient rhetorical writers identified one such feature as the person of the disputant, thus setting up a contrast between the person or man (*Latin persona, homo*) and the business or cause or thing (*Latin negotium, causa, res*) (Nuchelmans 1993: 43-44). Features of a speech that point out unsavoury personal characteristics of one's opponent were generally respectable, as long as they were effective in persuading the audience. Such a rhetorical ad personam or ad hominem would typically appear in the refutation section of a speech (*Latin refutatio, confutatio, solutio*) after one's proof, in which case it could be given the name "solutio ad hominem".

The dialectical and the rhetorical solutio ad hominem came together in a number of logical treatises of the 15th and 16th centuries. The solutio ad rem, characterized as a genuine refutation of a bad argument, was contrasted to a solutio ad hominem, which could consist either in repelling an adversary (whether by making a counter-charge or by arguing that it was inappropriate for him to utter his accusation) or in trivializing the offence with which one was charged or in inserting a digression. These treatises tended to disparage such devices as not belonging to logic, though they did not stigmatize them as fallacies (Nuchelmans

1993: 44-46).

In the late 19th and early 20th century, perhaps influenced by this tradition, introductory logic textbooks (e.g. Jevons 1882, Joseph 1906, Sellars 1917, Cohen & Nagel 1934, Beardsley 1950, Copi 1953) began to use the phrase argumentum ad hominem not in Locke's and Whately's dialectical sense of arguing from an opponent's concessions or other commitments, but in the rhetorician's sense of a response to an opponent with a personal attack, and to stigmatize it as a fallacy. This shift appears to have happened by means of a slide from Whately's (1827/1826) extended sense of argumentum ad hominem. The argumentum ad hominem appears in the plural in Augustus De Morgan's *Formal Logic*, which was first published in 1847, accompanied by the claim that argumenta ad hominem generally commit the fallacy of *ignoratio elenchi*, characterized as answering to the wrong point (De Morgan 1847, pp. 308-309). De Morgan describes argumenta ad hominem as arguments with some reference to the person to whom the argument is addressed, a loose characterization that covers both arguments *ex concessis* and personal attack arguments. It is noteworthy that he does not claim that an argumentum ad hominem is in itself a fallacy, only that in context it generally commits the fallacy of answering to the wrong point. As species of argumenta ad hominem De Morgan mentions recrimination, charge of inconsistency and parallel cases – the latter illustrated by Whately's sportsman's rejoinder, which De Morgan argues is not really a parallel case. Jevons (1882, pp. 178-179) simplifies De Morgan's claim by classifying the argumentum ad hominem, defined as "an argument which rests, not upon the merit of the case, but the character or position of those engaged in it", as in itself a species of irrelevant conclusion, which "consists in arguing to the wrong point, or proving one thing in such a manner that it is supposed to be something else that is proved". He gives as examples the barrister following the solicitor's advice, "No case; abuse the plaintiff's attorney"; a man accused of a crime saying that the prosecutor is as bad; and an argument that the proposer in Parliament of a change in the law is not the man to bring it forward. Thus the shift from the traditional dialectical sense of argumentum ad hominem to the contemporary abusive sense is complete. As one example of the abusive argumentum ad hominem, we may take the following letter to the editor:

(2)

Re: Emotional Bardot Makes Plea For Seals (March 23): Is Brigitte Bardot really the compassionate crusader she claims to be?

A quick Google search reveals that she has been found guilty of inciting hatred at least four times by French courts in recent years. Her most recent conviction was in 2004, for remarks in her book, *A Scream in the Silence*, that viciously attacked gays, Muslims, immigrants and the unemployed. She considers homosexuals to be "fairground freaks" and opposes interracial marriage. Her political hero is Jean-Marie Le Pen, the extreme-right National Front leader. This is the champion that animal activists have brought to teach Canadians about ethics and compassion? (Alan Herscovici, executive vice-president, Fur Council of Canada, Montreal, *The Globe and Mail,* 24 March 2006)

The function of this letter is to undermine the standing of the famous French actress as a spokesperson for opposition to the seal hunt. It marshals evidence that in many respects she is not a compassionate person. Her alleged lack of compassion for various groups of human beings does not address her position that the annual seal hunt in Canada should be abolished, or its supporting arguments. In fact, however, media reports attributed no arguments to Bardot, only an appeal to stop what she called a "massacre" and a failed attempt to deliver her message personally to the Canadian prime minister. Since her celebrity was the chief basis for the media attention to her appeal, it is a relevant response to question her standing on this issue, what rhetoricians following Aristotle call her *ethos*. Brinton (1985, 1995) has ably defended the traditional rhetorical position that such attacks on an opponent's *ethos* are relevant, and not fallacious.

A rather different example of the abusive argumentum ad hominem occurred in an exchange in the Canadian House of Commons in 1970, reported by Walton (1985: 203-204). The prime minister was asked if he would consider using a certain government plane, the Jet-star, to send an information-gathering team to Biafra. He responded as follows:
(3)
Mr. Trudeau: It would have to refuel in the middle of the Atlantic Ocean…
Mr. Hees: On a point of order, Mr. Speaker, I bought the plane for the government and I know it can make the flight with the proper stops on the way…
Mr. Trudeau: I do not think it would have to stop if the hon. Member went along and breathed into the tank.

The prime minister insinuates that Mr. Hees is habitually drunk. Walton in his commentary on this example construes the insinuation as an argument that Hees' argument should not be taken seriously. But, in the first place, Hees has not made

an argument, just a statement. Secondly, to say the least, it is not at all obvious that the prime minister has alluded to the alleged drinking habits of Mr. Hees in order to show that Mr. Hees' statement is false. The attack is a diversion, making a joke at Hees' expense rather than acknowledging the correctness of Hees' point and retracting his (Trudeau's) previous statement. It has no probative force, and appears to have no probative intent.

Perhaps the most careful textbook discussion of the abusive ad hominem occurs in Johnson and Blair's *Logical Self-Defense* (Johnson & Blair 1977, 1983, 1993). The authors quote real examples, describe their context, and discuss in a nuanced way whether the passage commits the fallacy as they understand it. In the most recent edition of their textbook (1993, pp. 88-93), they characterize the fallacy as committed when two conditions are met:
1. The critic responds to the position of an arguer by launching a personal attack on the arguer, ignoring the arguer's position.
2. The personal attack on the arguer can be shown to be irrelevant to the assessment of the argument.

On the conception of fallacy used in this article, such a personal attack is a fallacy only if it amounts to a piece of reasoning that the arguer's argument or position should be rejected. If the attack has a purely diversionary function, as does Trudeau's response to Hees in the example just discussed, it may be reprehensible, but it is not a fallacy, because it is not a mistake in reasoning. (A possible exception would be a diversionary personal attack in a rule-governed dialogical game in which the rules required the attacker to respond substantively to the opponent's position or argument.) In their (1993), Johnson and Blair analyse five passages (pp. 88-91, 305) which they take to commit an ad hominem fallacy. These passages satisfy the two conditions just quoted. In my opinion, however, none of them is fairly interpreted as committing a fallacy in the sense defined in this article. For reasons of space, I shall discuss just one of their passages, an excerpt from a review in the magazine *Rolling Stone* of Allan Bloom's 1987 best-seller *The Closing of the American Mind.* In the book, Bloom criticizes rock music as contributing through its overt sexuality to an overall climate of promiscuity. The reviewer wrote the following:
(4)
Bloom's attack is inane. Still the professor is correct about one important distinction between the kids of the 50s and those of the 80s: in the 50s the kids

talked endlessly about sex; today the young people actually do it. This seems to drive the 56-year-old Bloom – who is still a bachelor – crazy. Bloom denounces Jagger with such relish that one may wonder if the professor himself is turned on by Mick's pouty lips and wagging butt.

Following their two-pronged strategy, Johnson and Blair first note that this response is largely a personal attack that makes no attempt to deal with Bloom's arguments. Then they assert the irrelevance of Bloom's bachelorhood and his conjecturally repressed homosexuality to the appraisal of those arguments. Thus, they conclude, the reviewer commits an abusive ad hominem fallacy.
But is the attack a fallacy in the sense defined in this article? Certainly, dismissal by the single word "inane" is an inadequate response to a serious argument from a distinguished political philosopher commenting on a significant aspect of contemporary popular culture. And the innuendo that Bloom's critique may be motivated by repressed homosexual desire is offensive.**[i]** But the reviewer would commit a fallacy only if the personal attack was a piece of reasoning that Bloom's critique was incorrect or his supporting arguments flawed. In fact, the attack comes after the dismissal of Bloom's position, and on a fair reading is not intended to support that dismissal. It is gratuitous, but not a flawed piece of reasoning, and so not a fallacy.

Although it is rare for someone to use a personal attack as an explicit basis for finding the person's reasoning deficient, the 18th century moral philosopher and economic theorist Adam Smith used such a personal attack in just that way, in the course of some lectures on rhetoric. Weinstein (2006) quotes the following remarks about the 3rd Earl of Shaftesbury:
(5)
Shaftesbury himself, by what we can learn from his Letters, seems to have been of a very puny and weakly constitution, always either under some disorder or in dread of falling into one. Such a habit of body is very much connected, nay almost continually attended by, a cast of mind in a good measure similar. Abstract reasoning and deep searches are too fatiguing for persons of this delicate frame. Their feableness of body as well as mind hinders them from engaging in the pursuits which generally engross the common sort of men. Love and Ambition are too violent in their emotions to find ground to work upon in such frames; where the passions are not very strong. The weakness of their appetites and passions hinders them from being carried away in the ordinary manner …"

Smith's negative comments on Shaftesbury's "cast of mind" differ from the personal attacks previously quoted as examples of the abusive ad hominem, in that they are not a response to a particular argument or piece of reasoning but to an entire corpus. Smith invites his audience to infer that they will not find in Shaftesbury's writings abstract reasoning or the results of deep searches. Such an argument is in principle legitimate; everything depends on whether Smith is correct in inferring from Shaftesbury's letters that he had a puny and weakly physical constitution, and from the puny and weakly physical constitution a puny and weakly "cast of mind" for which "abstract reasoning and deep searches" would be too tiring. The latter inference seems highly speculative, to say the least; a contemporary counter-example is the theoretical physicist Stephen Hawking, who has produced very deep abstract thinking about the nature of the universe despite the severe physical handicap of being a quadriplegic suffering from amyotrophic lateral sclerosis. Thus Smith's reasoning is probably inadequate. But it cannot be dismissed on the ground that any attack on a person is in principle irrelevant to the quality of that person's arguments.

Thus the sort of personal attack labelled as an abusive ad hominem does in fact occur with some frequency. It may have various functions. It can be a relevant attack on some aspect of an opponent's ethos that bears on the acceptability of her position. It can be purely diversionary, an attempt to divert attention from the substantive claim or argument of one's opponent. In the latter case, it is generally objectionable as a rhetorical strategy, but is not a kind of reasoning, and so not a mistake in reasoning. Hence, on the conception of fallacy with which we are working, it is not a fallacy. Rarely, as in the lecture by Adam Smith, it reasons explicitly from some deficiency in a person's makeup to the general inadequacy of the person's reasoning. But real cases of the abusive ad hominem do not make the crude mistake of reasoning from some fault of character or behaviour in an opponent to the unacceptability of some particular statement or argument by that opponent. Nor would addressees be deceived by such a crude mistake.

4. *The Circumstantial Ad Hominem*

The circumstantial ad hominem described in contemporary textbooks is in effect a specific version of the abusive ad hominem, namely, an allegation that the opponent is predisposed to take a certain position and to argue for it, because of self-interest or dogmatic bias (see for example Hurley 2003, p. 119). The textbooks typically interpret such allegations as arguments that the opponent's

argument is bad (Copi & Cohen 2002:145, Hurley 2003: 119). I shall consider with reference to two examples of allegations of self-interested bias whether this analysis is fair.

First example: The previously quoted letter from the executive vice-president of the Fur Council of Canada prompted the following reply:
(6)
Whatever Brigitte Bardot's ethical failings in the minds of some, such as Alan Herscovici of the Fur Council of Canada (Bardot's Blind Spots-letter March 24), the annual slaughter of baby seals off Canada's east coast is a bloody stain on our national identity. The majority of Canadians are appalled by this massacre and, like Ms. Bardot, want it to end. Of course, Mr. Hercovici's objection to Ms. Bardot's crusade can only spring from his own pure conscience. One would never accuse him of supporting this ecocide just to protect the profits of the vanity industry. (G. Cooper, Toronto, *The Globe and Mail*, 25 March 2006)

The first paragraph of this letter asserts the writer's opposition to the annual seal hunt, regardless of the ethical failings pointed out by the fur industry official, on the ground that it is "bloody" and a "massacre". The second paragraph ratchets up the emotive language by calling the hunt an "ecocide", and uses irony to point out that the fur industry has a vested interest in continuing the hunt. The reader is expected to infer that the official's letter is motivated by this financial interest, which the writer's use of the expression "vanity industry" implies is illegitimate. Thus this part of the letter is clearly a circumstantial ad hominem, in the sense of an allegation that the fur official's attack on Bardot's credentials is motivated by a vested interest rather than by a "pure conscience". Its point is clearly not to show that he was mistaken in what he wrote about Bardot, as textbook accounts of the circumstantial ad hominem would have it, but to undermine his credentials in somewhat the same fashion as he undermined Bardot's. As such, it makes a perfectly legitimate point. Further, although the writer uses overheated and unsupported emotive language rather than reasoned argument to condemn the seal hunt, the writer does assert opposition to it independently of the circumstantial ad hominem attack, and does not use the official's bias as an irrelevant reason for thinking that the seal hunt should be abolished. There is no fallacy of irrelevance in the letter.

Second example: The following sentence was displayed on a screen as part of a presentation in August 2005 on global climate change:

(7)
Almost all criticisms of global climate predictions are backed by people with much to lose if policies are changed. (Howard Barker, Cloud Physics Research Division, Meteorological Service of Canada, "The real scoop behind global climate change", presentation at the Hamilton Spectator auditorium, Hamilton, Canada, 11 August 2005)

Asked in the question period what conclusion he wanted the audience to draw from this point, the author replied: "They are not motivated by a scientific interest in the truth." In subsequent e-mail correspondence, I suggested to him that this sort of circumstantial ad hominem is typically intended as a warning that the opponent's argument should be scrutinized very carefully. He responded: "Exactly! That was the point I wanted to get across to the audience, and that is why I stated explicitly that they should note the affiliation of an author as well as the quality of the citations provided."
Attention to "the affiliation of an author" is a perfectly legitimate critical response to a person's statements or arguments. It can legitimately put one on one's guard. Although it would be a mistake to use an allegation of bias as a proof that a position is incorrect or an argument is flawed, real allegations of bias are not fairly interpreted as committing it. The circumstantial ad hominem, understood as an allegation of bias, therefore does not belong in a list of logical fallacies.

5. *Summary*
If we accept Trudy Govier's articulation of the traditional conception of a fallacy as "a mistake in reasoning, a mistake which occurs with some frequency in real arguments and which is characteristically deceptive", there is no argumentum ad hominem fallacy. In its original meaning, an argumentum ad hominem is a perfectly legitimate dialectical argument from the concessions or commitments of an opponent that one need not share. The tu quoque historically emerged from this sense as an appeal to commitments implicit in the behaviour of one's critic; it legitimately challenges the critic to explain away an apparent inconsistency between word and deed. The purely abusive ad hominem is generally either a relevant attack on the opponent's ethos in a rhetorical context or a diversionary tactic that does not involve reasoning, and so is not a mistake in reasoning. The rare variant found in Adam Smith's lecture, quoted above, is a general attempt to infer limited reasoning capacity from some other deficiency; such a pattern of reasoning is not in principle mistaken, although particular examples of it may

make unwarranted assumptions. The circumstantial ad hominem attributes the position of one's opponent to self-interest or a dogmatic bias, and thus raises legitimate suspicion about the credibility of the opponent's statements and arguments.

NOTE

[i] In fact, as Saul Bellow makes clear in his 1999 roman à clef Ravelstein, Bloom was a homosexual, who did not publicly announce the fact but made no attempt to hide it from his friends. He was not repressing his homosexuality.

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ISSA Proceedings 2006 – Memorializing In A Time Of

Terror: A Case Study Of Public Argument

In “Punctuations: The Time of a Thesis” Jacques Derrida offers a remembrance that goes back to 1966. After delivering a paper at a colloquium in the United States, he recalls Jean Hyppolite’s remark: “I really do not see where you are going.” Derrida replied to him, more or less, in the following way: “If I clearly saw ahead of time where I was going, I really don’t believe that I would take another step to get there.” He then offers a brief meditation on his own response: “Perhaps I then thought that knowing where one is going may no doubt help in orienting one’s thinking, but that it has never made anyone take a single step, quite the opposite in fact. What is the good of going where one knows oneself to be going and where one knows that one is destined to arrive” (Derrida 2004, p. 115)? Now I want to say something today about the relationship between knowing and doing and, even more specifically, about the relationship between reason and argument. And I want, by risking a step beyond the habits and habitus of my own thought (I have no formal training in the theory and practice of argument), to suggest, with all due respect to the experts amongst us, that we need desperately a new ethics of argument. So, knowing and doing, reason and argument, risk and ethics. But I am getting ahead of myself; this is not yet the time of my thesis. First, a retracing of my steps and a warning in advance that I will not be delivering the essay that is promised in the program. Instead, a bit of a mis-step that I hope will lead us in the direction of something completely other. The completely or radically other, whom one can never anticipate but whose arrival must nonetheless be prepared for in advance, will be yet another of my motifs.

As I said, I knew what I was doing, was quite sure of where I was going. I set out to support the claim that above all else Ground Zero has always been and would necessarily remain much less a space of memorialization – or, to use Pierre Nora’s terms, site of memory – and much more a landscape of argument (there is a critique of Nora’s thesis barely buried here, one toward which I will gesture again shortly but whose full elaboration will have to wait for another day). Indeed, nearly five years out and, still, the question of what to do with Ground Zero – the

sixteen acres in Lower Manhattan on which the Twin Towers of the World Trade Center once stood – is far from settled. As one journalist writing for the *New Statesman* reported, "argument over what should replace the towers began before the last body part was removed from the smouldering ruins" (Wapshott 2005) and there is little sense that a consensus will emerge in the near future. To the contrary, since the Lower Manhattan Development Corporation's jury announced its international competition's winning design ("Reflecting Absence") on 14 January 2004, differences of opinion have only intensified.

I meticulously tracked the controversy, step by step. Here I invoke only a sampling from that relatively protracted and deeply invaginated public debate. A near immediate reaction to "Reflecting Absence" was the formation of the Twin Towers II Memorial Foundation, a not-for-profit corporation in the State of New York whose aim is to "provide a vehicle for the American public, New Yorkers and 9-11 family members to voice their opinions by encouraging education about the current proposed site plan for the rebuilding of the World Trade Center" (Shurbet 2006). With the assistance of no less a celebrity than Donald Trump, the Twin Towers II Memorial Foundation countered the LMDC's proposal with its own "appropriate and family-inspired above-ground memorial at the World Trade Center Site" (Shurbet 2006).

Later, the announced redesign of the Freedom Tower (a response to concerns that the structure was unnecessarily vulnerable to a truck bomb) was met by scathing critique from journalists, laypersons, and architects alike, not the least of whom was Jeff Speck, Design Director at the National Endowment for the Arts, who lambasted the revision: "We must ask ourselves what it says about our nation to produce a 'Freedom Tower' hiding behind twenty-stories of solid concrete. Better to build nothing than such an alienating monument to surrender" (Nason 2005, p. 24). Then summer 2005 saw the formation of "Take Back the Memorial," a coalition of 9-11 family groups and firefighters whose most pressing mission (in addition to a massive overhaul of the memorial's design) was to have the proposed International Freedom Center "removed" from the 16-acre site (the Drawing Center had already been effectively eliminated from what should perhaps no longer be referred to as The World Trade Center Memorial Cultural Complex). Prompted by an op-ed piece penned by Debra Burlingame (a 9/11 family member and World Trade Center Memorial Foundation board member) and published in the *Wall Street Journal*, the coalition adamantly insisted that an *international* freedom center promised to denigrate the sacred site. As Burlingame put it in terms that unmistakably invoke the partisan culture wars of

the eighties and nineties that the tragedy of 9/11 was more than once claimed to have inspired the nation to transcend.

Instead [of a memorial that will 'take them back to who they were on that brutal September morning'], [visitors] will get a memorial that stubbornly refuses to acknowledge the yearning to return to that day. Rather than a respectful tribute to our individual and collective loss, they will get a slanted history lesson, a didactic lecture on the meaning of liberty in a post-9/11 world. They will be served up a heaping foreign policy discussion over the greater meaning of Abu Ghraib and what it portends for the country and the rest of the world (Burlingame 2005, p. 14a).

Even more recently, a new splinter group, the Uniformed Firefighters Association (which represents more than 24,000 active and retired New York City firefighters), has demanded that the names of rescue workers be listed separately rather than folded randomly into the list of names of the victims in two voids on the footprints of where the towers stood. A "moral imperative," claimed Steve Cassidy, president of the UFA: "To accurately reflect the realities of 9/11," plans for the memorial must include "a third memorial space – equal in size to the two but… exclusive to first responders" whose "division, battalion, unit and rank, and badge numbers" would "be listed alongside their name[s]" (Cassidy 2006, p.31). And, now, the possibility that all parties involved will have no other choice than, as Steven Edward of the *National Post* reasonably surmises, to "start again from scratch:

"[Although] [h]ow to memorialize the 2,749 people killed in the 9/11 attack on the World Trade Center has always been… a sensitive topic, the cost has passed under the radar…. Reality struck this month after a call went out for bids to construct Reflecting Absence…. When all exceeded the US$500-million rough estimate, officials ordered the first in-depth cost analysis. The finding: a whopping US$1-billion" (Edwards 2006, p. A13).

Back to ground zero.

It is by no means certain how to tally this public debate. But rather than attempt to settle that score, my plan was to take a critical step back, reading the failure to produce a consensus as symptomatic of the people's still-indeterminate relation to the attacks themselves. Even more, I intended to make the case that the struggle over the 9/11 Memorial – out of which has emerged a series of questions pointing toward infinite regress (from the question of how to most appropriately

memorialize the 'event' to "what, exactly, is to be memorialized or what was/is the 'event'?" to "whose 'event' was/is it – the nation's, the city's, the family's?" to "what constitutes the site of memorializing as such?" or, "where does 'sacred' ground end and commercial, cultural and public space begin?") – presents itself as a unique opportunity to take careful measure of the people's *rhetorically* induced incapacity to mourn. I thus expected to suture the ongoing controversy over memorializing Ground Zero to the thesis I advanced in "No Time for Mourning: The Rhetorical Production of the Melancholic Citizen Subject in the War on Terror" (Biesecker, 2006). In that essay I tender a reading of post-9/11 patriotism as an effect of a carefully crafted and meticulously managed melancholic rhetoric whose specific aim and accomplishment is the formation of a public 'political will' that, with considerable irony, cedes the power of the citizenry to the remilitarized state for the sake of protecting *what will have been lost*: namely, the democratic way of life. Neither mourning nor memorializing, then, in the time of terror. Finally, from that point I would slide into and conclude with a reading of the controversy over Ground Zero as a vaguely postmodern reiteration of Sophocles' *Antigone*: Empire's auto-immunity kicks in, leaving in its catastrophic wake survivors struggling, sometimes against one another and not just against the State, on behalf of a decent burial for our kin**[i]**.

I am relatively happy with this reading, as far as it goes. But between the moment I drew up the plan (wrote the abstract) and the time it took to finish reading the discourses that together constitute the controversy itself, it became apparent to me that my analysis would not go far enough: although it would succeed in accounting for a situated and specific trained incapacity to mourn, it would fail to articulate a rhetorical alternative to the melancholic cultural imaginary that, I am still convinced, structures our relation to the 'present'. So, that will be my next – and risky – step: to begin to think through how we might move collectively beyond the melancholic deadlock and begin to memorialize 9/11 in a responsible way. That will require, I have already suggested, a 'new' ethics of argument. Of course, the road toward the future that in retrospect can justifiably be described as some of the worst disasters of the past, have often been paved with the best of intentions. I do not offer that up as insurance against being held to account but, rather, to underscore the risk that is involved in stepping forward without guarantees.

Where Are Our Ears?

Shortness of time obliges me to pass over the body of literature that subtends the following claim: Memorials are not only proceeded by and, therefore, effects of argument; they also make arguments as well as incite them. Thus, Sophocle's *Antigone* is not the only fiction that is of some use to me here. In the crucial first section of *The New Rhetoric* wherein its authors lay down the general framework of argumentation, Perelman and Olbrechts-Tyteca invite readers to "recall the story of Aristippus, who, when he was reproached for having abjectly prostrated himself at the feet of Dionysius the tyrant in order to be heard by him, defended himself by saying that the fault was not his, but that of Dionysius who had his ears in his feet" (Perelman 1971, p. 16). In the story is a lesson that is as obvious as it is seldom heeded: namely, that when it comes to speaking, to making an argument, the "position of the ears [is hardly] a matter of indifference"(16). A lesson for speakers about audience that the authors of *The New Rhetoric* elaborate upon in the following way:

knowledge of those one wishes to win over is a condition preliminary to all effectual argumentation…. Every social circle or milieu is distinguishable in terms of its dominant opinions and unquestioned beliefs, of the premises that it takes for granted without hesitation; these views form an integral part of its culture, and an orator wishing to persuade a particular audience must of necessity adapt himself to it (Perelman 1971, p. 20-21).

Quite rightly, Perelman and Olbrechts-Tyteca proceed to sharpen the obvious point by addressing the particular pressures imposed on the speaker by the composite audience, competing audience functions, and various conditioning agents, concluding nonetheless that "**[i]**t is indeed the audience which has the major role in determining the quality of argument and the behavior of orators" (Perelman 1971, 24). That, however, is not all; there is another lesson because there is always already another ear that not only orients the speaking but also may serve as a measure by which the speaker may be judged. To be sure, it is precisely the difficult issue of weighing the necessity of audience adaptation against the need to preserve "the quality of argument and the behavior of orators" that leads these authors – whose interest is not only to advance a philosophically rigorous theory of practical argument but, also, to rehabilitate the denigrated art of rhetoric – to one of their more decisive and useful contributions to its theory and practice. Let us follow, briefly, the movement of their thought:

Although orators, in their relationship to listeners, have been compared to cooks, and even to parasites who "almost always speak a language contrary to their

sentiments in order to be invited to fine meals," it must not be overlooked that the orator is nearly always at liberty to give up persuading an audience when he cannot persuade it effectively except by the use of methods that are repugnant to him. It should not be thought, where argument is concerned, that it is always honorable to succeed in persuasion, or even to have such an intention.... [But] if... one allows the existence of audiences of corrupt persons, whom one nonetheless does not want to give up convincing, and, at the same time, if one looks at the matter from the standpoint of the moral quality of the speaker, one finds oneself led, in order to solve the difficulty, to make distinctions and dissociations that do not come as a matter of course (Perelman 1971, p. 25).

As is well known by many gathered here, the important distinction to be made is between persuading and convincing, a crucial entailment of which is the "universal audience" – that necessary, normative and useful theoretical fiction for which speakers and audience may be held to account. Finessing their fine-tuned and action-oriented distinction between persuading and convincing out of a swift critique of Kant's ostensibly rigorous opposition of the subjective and objective that shores up the privilege of "the purely logical proof" and, thus, authorizes his dismissal of the art of rhetoric, Perelman and Olbrechts-Tyteca boldly risk the *insertion of the particular and contingent into the universal*: "Instead of believing in a universal audience, analogous to the divine mind which can assent to the 'truth', we might, with greater justification, characterize each speaker by the image he himself holds of the universal audience that he is trying to win over to his view" (Perelman 1971, p. 33). Now (and here I am getting close to stepping into the space of my thesis), it is this notion of the "universal audience," at once imperfect and recuperable, that I believe can serve as a productive point of departure for a new ethics of argument in the time of terror. But of course, a good deal depends on the training of our ears. Where are our ears?

Argument Beyond the Limits of Mere Reason Alone

Imperfect and recuperable. Whatever its shortcomings, *The New Rhetoric* cannot be indicted for preaching to the already converted. Quite the contrary, the strategies of argument and the occasional rhetorical flourish make it perfectly clear that the audience to whom the ears of our authors have been turned are those least predisposed toward granting their assent. Perelman's and Olbrechts-Tyteca's sustained attempt to supplement – in the thoroughly Derridean and, thus, dangerous sense of the term – a strong tradition of formal reasoning with a philosophically robust conception of practical argument indicates, with near

indexical clarity, that they are speaking to, in the process of theorizing beyond the limits of, all schooled persons who, like Kant, "accept only purely logical proof" and thereby render insignificant "all argument that does not absolutely compel acceptance" (Perelman 1971, p. 29). In their words, Kant's conception [of conviction and persuasion] is defensible only if it is conceded that what is not necessary is not communicable, and this would exclude all argumentation directed to particular audiences: but argumentation of the latter kind is the chosen sphere of rhetoric. And from the moment one admits the existence of other means of proof than necessary proof, argumentation addressed to particular audiences assumes a significance beyond mere subjective belief (Perelman 1971, p. 29).

In embracing all the consequences of "the existence of other means of proof than necessary proof," the monumental achievement of The New Rhetoric is to have moved argument studies irreversibly beyond the sphere of Pure Reason and into the realms of rhetoric and ethics. To invoke the decisive remark that sounds the closing of the first section of the treatise, "[s]ince rhetorical proof is never a completely necessary proof, the thinking man who gives his adherence to the conclusions of an argumentation does so by an act that commits him and for which he is responsible" (Perelman 1971, p. 62).

Imperfect and recuperable. It is my desire to reposition for reuse Perelman's and Olbrecht-Tyteca's theoretical elaboration of the necessary and fictional insertion of the particular and contingent into the universal – the universal audience – in everyday argument that prompts me to push at one of its historically determined and conceptually determining limits: the reduction of practical argument to the sometimes more and other times less persuasive play of mere reason and practical judgment alone. (And here I note all too quickly that we must refuse absolutely to take claims insisting upon the constitutive role of unreason or the irrational as something like its corrective; particularly in this time of terror, appeals to the irrational in all its nominations too quickly gets us off the hook of having to work toward anything like understanding and response.) Now it is no minor matter that Perelman's and Olbrecht-Tyteca's virtual totalization, indeed fetishization, of mere reason is made possible in part by their exclusive and careful engagement with only one of Kant's great works, the *Critique of Pure Reason***[ii]**. The question I will pose to this text is what might happen to its theory of mere reason, the universal audience, and the ethics of rhetoric inaugurated therein were it to be put in contact with *The Critique of Judgment* and, even more

specifically, the “Analytic of the Sublime?”

“[T]he sublime is to be found,” Kant boldly asserts at the outset of the “Analytic,” “in an object even devoid of form, so far as it immediately involves, or else by its presence provokes, a representation of *limitlessness*” (Kant 1988, p. 90). As Gayatri Spivak points out over the course of rereading Kant in our time of terror, in the experience of the sublime and where ‘terror’ is an affect, the line between agent and object wavers: my exposure to the *limitlessness* of that radically other (unformed) thing, exposes me to myself – or, more correctly, my capacity to reason – as *limited*. Now the experiential force of the sublime is, Spivak goes on to suggest, typically to produce in me a “negative pleasure” that, in reacting to the utter inadequacy of the imagination “to extend this limit,” incites my imagination to “recoil upon itself” (Kant 1988, p. 100) – to be sure, what I would call a melancholic response to the sublime object as the positivization of a void or lack in the self. We usually cope with the sublime in one or two ways. Terrified by some thing that is too big for me to grasp or comprehend, “reason kicks in… and shows me, by implication, that the big thing is mindless, ‘stupid’ in the sense in which a stone is stupid, or the body is” (Spivak 2004, p. 94). Or I manage my experience of the sublime by seeking to annihilate the thing that scares me. The first, of course, all too often prompts the second.

However, the sublime that is the experience of the limit – of my being limited (and, thus, this is an experience that prevents me from thinking myself as “the proper shadow of the transcendental” [Spivak 200, p. 89]) – may also constitute a threshold, not in the sense of a ceiling but also in the sense of a point to be imaginatively stepped beyond. Indeed, we can read the sublime as the name given by Kant to an experience – wholly other and unanticipated – that is the condition of possibility for, though certainly not guarantor of, the improvement of reason by way of the exercise of imagination, understood neither as a faculty for revealed truth nor as the play of unreason but, rather, as the affirmation of, receptivity toward or saying “yes” to “the singular and unverifiable” (Spivak 2004, p. 109).
Now it is precisely by supplementing *The New Rhetoric* with Kant’s discourse on the sublime that can leverage a ‘new’ ethics of rhetoric whose possibility, I now hasten to note, had already been inscribed (written there without or, perhaps, quite despite all intention) in that passage from the treatise I cited only a few pages ago. Allow me to repeat it here: “Instead of believing in a universal audience, analogous to the divine mind which can assent to the ‘truth’, we might,

with greater justification, characterize each speaker by the image he holds of the universal audience that he is trying to win over to his view" (Perelman 1971, p. 33). An ethics of rhetoric as accountability to an image; what, apart from our trained reverence for the internal coherence of text or argument, bars us from hearing in this seemingly incidental use of the seemingly innocuous word "image" an invitation to ethically evaluate any argument or speech on the basis of the audience it figures forth, figuration herein understood as an economy of meaning and value that breaks with and against the closed circuit of representation as reference or correspondence with the real, however contingent and particular?

So, the work of the imagination as disruptive effect. What does that earn us? First, both the theoretical and practical reorientation of the "universal audience" as the necessary but fictional insertion of the particular and contingent into the universal that, by way of an affirmative embrace of or fidelity to, the singular and unverifiable, aims also to addresses a radically other ear, thereby inspiring or at least inviting its audience to rise to the occasion. Is that not what great speakers and speeches have always done? Second, a theory and practice of argument that is hospitable not only to the probable, the possible or the calculable (that which is beyond absolute proof and demonstrative reason), but also wagers a tarrying with the wholly improbable, the impossible, the incalculable. A theory and practice of argument, then, as an interruption in and into the epistemological. In this sense, rhetoric is the possibility, the chance – a chance that entails the greatest risk – of a future that is something other than a future-present. In this time of terror, let that be the act that commits us and for which we hold ourselves – even in times of mourning – responsible.

NOTES

[i] For a thorough discussion of the political and cultural logics of "autoimmunity" see Jacques Derrida's "Autoimmunity: Real and Symbolic Suicides" (2003).

[ii] It should be pointed out here that the authors do reference Kant's Prolegomena to any Future Metaphysics, a summary of the Critique of Pure Reason. I also have space only to note that the reasons for their 'failure' to engage the Critique of Judgement are as overdetermined as the limits of our own reading practices.

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ISSA Proceedings 2006 – Didactics

And Authority: Towards A Pragma-Didactical Approach

Didactical arguments are shown to be a kind of argument raising specific problems. I discuss the way they are related to dialectical arguments and to arguments from authority and suggest a new research orientation in argumentation: pragma-didactics.

1. *Aristotle on didactical arguments*

At the beginning of the *On Sophistical Refutations* (II, 165 a-b), Aristotle gives a four types classification of arguments that can be involved in a discussion:

Of arguments used in discussion there are four kinds, Didactic, Dialectical, Examination-arguments and Contentious arguments. Didactic arguments are those which reason from the principles appropriate to each branch of learning and not from the opinions of the answerer (for he who is learning must take things on trust). Dialectical arguments are those which starting from generally accepted opinions, reason to establish a contradiction.

First, two remarks. Although dialectical arguments are discussed at length in *On Sophistical Refutations* and the *Topica*, Aristotle says hardly anything more about didactical arguments. Thus, scientific arguments are not listed here although they are discussed in some later books, especially the *Analytics.* This last point can be explained by the fact that scientific arguments are not debatable because of the specific nature of their premises. In *Posterior Analytics* (I, 2, 71, b, 20), Aristotle writes that scientific premises must be "true, primary, immediate, better known than, prior to, and causative of the conclusion". Accordingly, neither the premises nor the full scientific argument are open to discussion: this could explain why scientific arguments are missing in *On Sophistical Refutations* list.

So, when asking whether an argument can be both scientific and didactical, the answer would be "no!" since didactical arguments are debatable when scientific arguments are not. This seems confirmed in *Topica* (I, 1, 100, a 30) when Aristotle claims that "Things are true and primary which command belief through themselves and not through anything else; for regarding the first principles of science it is unnecessary to ask any further questions as to ask "why", but each

principle should of itself command belief".
This conclusion about compatibility between didactical and scientic arguments leads to the surprising conclusion that science cannot be a branch of learning.

To avoid this difficulty, a solution is to make a distinction between didactical practice and science acquisition. Note that such a distinction is quite common, at least in folk psychology, when a distinction is made between explanation – an action made by the teacher – and understanding – an action made by the student.
However, as suggested by the previous quotation from the *Topica*, Aristotle seems to admit that a discussion may begin in a scientific context: suffice the student asks "why?" about a principle. But this should not happen since it would be a sign that the student does not understand the principle as a principle. In any case, following Aristotle, since the scientific knowledge of principles must be immediate it cannot rely on trust paid to a master. Moreover, according to *Posterior Analytics* where Aristotle sets out his empirical and inductivist epistemology, the principles of knowledge are said neither demonstrable (otherwise they would not be principles) nor undemonstrable. They are acquired by another way: "there is a definite first principle of knowledge by which we recognize ultimate truths" (I, 3, 72, b, 20).

Now, what about the Aristotelian distinction between didactical and dialectical arguments? It is rooted into the status of premises and, more precisely, into a pragmatical concern. Besides their acceptability, what matters is on what grounds they are taken as providing support to the conclusion. An argument is properly dialectical if its premises are about opinions whose truth is "probable", this word being taken with the ancient meaning of "generally accepted". That is, following Aristotle's celebrated expression, that the premises "commend themselves to all or the majority or to the wise – that is, to all of the wise or to the majority or to the most famous and distinguished of them" (Aristotle, *Topica,* 1, 100, b 20).
On the contrary, with didactical arguments the master has not to strive to find acceptable premises. It is up to the learner to submit himself to the requirements of "the field of knowledge" and to make its principles his own. But how is this possible? In any case, if a strict demarcation must be made between dialectical and didactical premises, we are back to the previous dilemma: either the learner knows the principle – already or immediately – or he relies on the master's word. In the latter case, the argument is from authority of the simplest form "X says p, therefore p".

This shows a strong connection between didactical arguments and epistemic authority. But authority may be involved in other kinds of arguments, for instance in Aristotelian dialectical arguments where premises are said to be based on the sayings of "wise men" or even of a minority of them. Aristotle acknowledges that it may be wise to rely on someone else's advice and that it happens when you give your opinion on a topic you do not know: "on a question of medicine one would think as the doctor thinks and in matters of geometry as the geometrician thinks, and so too with the other arts" (Aristotle, Topica, I, 10, 104, a, 35).
A few lines before, Aristotle writes that to rely on an expert and to grant his proposition is to make it a dialectic proposition for "it is obvious that all opinions of those which accords with the arts are dialectical propositions; for one would accept the opinions of those who have examined the subjects in question". Becoming dialectical, the proposition cannot be scientific since it is neither grasped immediately nor a step in a syllogistic demonstration.
To summarize, between didactical and dialectical arguments Aristotle makes a sharp distinction based on the way premises are used by the people committed in the discussion. Thus no room is left for an appeal to authority in scientific arguments: hence the paradox of an education claiming to be scientific for it makes no sense to introduce dialectically a scientific proposition that would also belongs to "a field of knowledge" as it is the case in didactical arguments.

2. *Didactics and epistemic authority: a new alliance?*
Leaving Aristotle now, in almost every field of contemporary science – since it goes by fields – the rule is that principles are not immediately known. And the idea that those principles could be learned by induction from a common and widely shared experience is certainly an illusion. This situation is not a consequence of a particular human cognitive incapacity but rather of the difficulty to set up the sophisticated experiments relevant to modern fields of knowledge. Most contemporary scientific experiments are not accessible to "all or the majority or to the wise – that is, to all of the wise or to the majority or to the most famous and distinguished of them". Therefore the principles of many disciplines, including experimental sciences, are acquired rather by hearsay than by experience, by authority rather than by immediate knowledge or reasoning. Even basic scientific knowledge may depend more on communication than on direct perception.
Accordingly, the importance of didactical argumentation and of epistemic authority is not only to be reappraised but deserves nowadays a specific attention

that may not be reducible to the one paid to dialectical argumentation.

3. *Authority*

The word “authority” comes from the Latin verb “augere” which means “to increase”. This shade of meaning is not salient in contemporary uses but can be found in the word “author” with its connotation of production or creation, a kind of increase. However, a negative interpretation of the notion is commonly prevalent and darkens the fact that authority can be a source of knowledge.

In a celebrated text about authority, Hannah Arendt recalls the many shades of meaning of this term applied to numerous different human practices (Arendt, 1954). Her main claim however, is that in its major use non coercive authority is political but would have been waning since the beginning of the XXth century. She tries to understand why and makes a genealogical endeavour to explain it. But first, she states that authority and argumentation are incompatible, the former presupposing a hierarchy when the latter would be egalitarian. Unfortunately she says nothing about didactical arguments or appeals to authority in a free debate. But this is not her main concern here: her topic is broadly political and does not get into technical details about the practice and form of argument.

However, she makes an interesting point about the connection between didactical arguments and authority. According to her, the problem of authority would be rooted and decisively shaped into a very particular Greek situation, at the crossing of politics and knowledge. A model can be found into Plato’s *Republic*. In the celebrated episod of the cave, when the philosopher comes back into the cave after the enlightening vision of the sun, he notices that lay people are not constrained by the power of reason. So, a new political way has to be found to allow an enlightened ruling of the city. According to Arendt, it is discovered in the kind of relationship that exists between adults and children or, as Aristotle will have it later, between aged and young people. Although not stated explicitly, a first decisive connection between authority and didactics is clearly made here.

As for the “increase” at the root of the roman “authority”, it would not be an epistemic but rather a political matter. It would qualify any action counting as a reinforcement of the foundating act of the city, of the *patria*. Arendt claims that the bond at the very heart of roman authority will also be at the root of a new religious link. More precisely, she explains that the Christian Church made the connection between the Greek and the Roman approaches to authority, political

and religious and epistemic concerns becoming deeply intertwined within this notion.

Aside from Arendt's historical considerations it may be noted that many authors have acknowledged that authority is actually widely present in human affairs. And the most frequent example is the authority of adults over children, be it epistemic, didactical or ethical. What daddy or mummy says is true because it is daddy or mummy who says it! This argument, absolutely similar to the basic argument from authority seems to have been a model for many forms of non coercive authority. This meets perfectly Arendt's point about the political model chosen by the Greek philosopher yearning for popular recognition.

4. *Authority and fallacy*

It is widely taken for granted, both by classical and contemporary thinkers, that an argument from authority is not structurally fallacious even if it stays far from our contemporary models of rationality. Unless the authority quoted is infallible the argument is taken not to be logically valid. But this is not a reason to call it a sophism, unless you are ready to claim that any inductive argument is a sophism. Only a pragmatical analysis can show why and when some uses of this kind of argument are fallacious.

The triviality of the appeal to authority is often acknowledged as a fact, all the more so as non coercive authority has many faces. A call to authority can even be praised. And if an appeal *ad populum* is looked upon as an appeal to authority, democracy itself is likely to be more an authoritative form of government than a reign of reason. And this is why voluntarist policies of education and dissemination of knowledge are often viewed as absolutely necessary to prevent democracy from being only an authoritarian political system. The French Revolution, for instance, very clearly discussed the question of public instruction in order to secure an alliance between the sovereign People and the throne of Reason.

Locke is said to have introduced the very notion of argument *ad verecundiam* to denounce arguing from authority to intimidate an opponent. But another founding father of the critical analysis of authority, namely Antoine Arnauld, had already set forth that a distinction had to be made between its edifying and illicit uses. The celebrated Logics he wrote with Pierre Nicole warns against the lack of validity of all these "false reasonings […] we fall into […] in deciding hastily ot the truth of something according to an authority that is not sufficient to make it sure" (Arnauld & Nicole, 1662, 1992 p 264). According to Arnauld and Nicole, this kind

of reasoning is the most frequent of fallacious arguments. However, they expect their reader to feel secure learning God wanted the mysteries of religion to be accessible to “the most simple of the faithful” without any learned examination of the details of the doctrine for God “has given as a sure rule of truth the authority of the universal church that proposes them”. Whatever you may think of the border between sophism and “true reasoning”, this latter example confirms that authoritative argumentation is not necessarily bound to an open dialectical context but may occur in a situation where didactical and political decisions are closely connected.

Granted that an appeal to authority is not formally fallacious, contemporary theorists have looked closely to its fallacious uses. But little attention has been paid to its acceptable uses. This may look puzzling if it is true that non fallacious appeals to authority are so common. We suggest that this tendency is a consequence of the supremacy given nowadays to the dialectical and critical conception of argumentation, perhaps inspired by moral or political values. For to call to authority seems to contradict our contemporary standard conception of a fair debate and of the founding values of egalitarian political systems that nevertheless give shelter to authority in wide areas, especially education. The prestige of equality may have belittled the interest of scholars for appeals to authority, didactical or not, and made it somewhat peripherical to contemporary concerns.

A typical feature of the argument from authority is certainly its tendency to create a dissymetry between the arguers, especially from the point of view of their access to truth. When an arguer appeals to authority, she claims for herself or someone else a position that is supposed to be beyond her opponent’s reach who may then adopt – consciously or not – an attitude of respect, doubt or distrust. The principles of equity, reciprocity and permutability, usually taken as necessary conditions for a critical dialog, seem to be broken as soon as authority is called to describe, organize or rule the world.

5. *Contemporary criticisms*

Now, let us have a look at two major tendencies in the critical analysis of the argument from authority to check its status as an argument.

The first one – I oversimplify – is the position usually met in books representative of the North American movement of critical thinking and informal logic. A look at a few textbooks or even at more theoretical works shows some constants in the

critical treatment of the argument from authority. First, it is generally discussed in chapters or paragraphs dedicated to sophisms although it is commonly acknowledged that not all of its uses are fallacious and that it may be fairly rational to subscribe to such an argument.

It is precisely because not all arguments from authority are fallacious that precautions have to be taken. It is in order to sharpen her critical mind that the reader is warned against the risks of an argument of authority even free of any bad intention. The argument being inductive if the authority is not infallible, the problem is then to perform a correct evaluation of the support provided by the premises to the conclusion. Govier, for instance, notes that "accepting a premise on authority is similar to accepting a premise on testimony" (Govier, p 126.) although there is a major difference between the two cases: the authority must have a genuine and recognized knowledge of the field she is talking about. Then, as many other textbooks explain, the critical thinker has to check the acceptability of the "authoritative" premise – explicitly stated or not – claiming that the teller is an authority, and then if the authority's saying does provide some support to the conclusion. The discussion of several cases usually helps to the setting up of a general checklist aiming at testing the reliability of the would-be authority: Is the conclusion relevant to a genuine field of knowledge? Is the authority a well-known expert in this area? Is it sure that she has no reason to deceive? Do the experts of the field agree on the authority's statement? All these questions should get positive answers for the authority's saying to be reliable. In his book devoted to the appeal to authority, Walton sets forward about the same criteria to make sure nothing is fallacious in an argument from authority (Walton, 1997, p 237).

Of course, none of the books we examined distorts the argument by bypassing the authority through a call to a premise that would directly support the conclusion. However nothing general is said about the difficult – but common – cases when checking all the criteria is not practically manageable or when a genuine and truthful authority holds a view definitely new or opposed to the majority of the experts of the field.

A second and very different treatment of the fallacious appeal to authority can be found in the pragma-dialectical approach to argumentation (For instance: Van Eemeren & Grootendorst, 1987, 1995, 1996). To understand it, let us recall that pragma-dialectics subscribes to a critical rationalism wishing to evade from two traps: first the hyper-globality of an abstract or formal view of argumentation

(typical of formal logics), then the hyper-locality of a naïve empiricism limiting its work to case studies because of a theoretical relativism suspicious of theoretical generalizations.

Pragma-dialectics proposes to analyze actual cases of argumentation by comparison with a model of rationality playing then a normative role (Van Eemeren & Grootendorst, 1995, p 131). Unlike a strictly logical approach to argumentation, pragma-dialectics holds a thesis of "functionalization" very important for the point made in this paper. It says that "Argumentation arises in response to, or anticipation of, disagreement and particular lines of justification are fitted to realize this purpose in a particular case" (*Ibid,* p 133). Other texts confirm this view of argumentation arising from a context of disagreement or, at least, of dialectical opposition. For instance,Van Eemeren and Grootendorst write: "Dialecticians consider any argumentation as a component of an implicit or explicit critical discussion" (Van Eemeren & Grootendorst, 1992, French transl. p 12.). This strong statement explains why any argumentation should be related to a single set of constitutive normative rules.

So, from a pragma-dialectical point of view didactical arguments are not a kind of argument but a kind of dialectical argument, even if no dialectic move is made by the people actually arguing. For sure, it is always possible to ask questions to an authority, to a principle (remember Aristotle's disciple asking "why?" to the principles) or to what Bachman and Hintikka call an oracle (Hintikka & Bachman, 1991; Bachman, 1995). Thus a dialectical orientation would actually be given to the argumentation. But my claim is that this mere possibility is not sufficient to systematically apply the pragma-dialectical model to didactical arguments. Moreover, a symmetrical argument can be opposed to the pragma-dialectical import from dialectics to didactics: a "normal" critical debate can be seen as a didactical argumentation with master and student changing places. This should challenge the claim of a universal dialectical background to any argument, and the more so as actual argumentations are likely to follow a mix of several models (See Walton, 1998.).

Pragma-dialectics applies to the epistemic appeal to authority – often closely connected to didactical arguments – the general treatment it applies to fallacies, namely that it is a local breaking of the constitutive rules of dialectical discussion. Therefore, an argument from authority will be fallacious only if it produces an infringement of at least one of these rules, typically by creating a dissymetry between the arguers in strengthening one position with no compensation for the

other one. This will happen, for example, when one of the arguers claims that a premise is acceptable because it is what an authority says or when one arguer claims to be an expert or have any superiority that would spare him the burden of proof.

6. *Towards pragma-didactics*

Pragma-dialectics gives a universal normative role to the critical discussion. However, because of its postulates and the model chosen as a norm it seems incapable of providing a full and satisfactory account of didactical arguments and of very common uses of epistemic authority. The choice open via the pragma-dialectical approach is either to take didactical arguments as no argument at all or at most as hidden dialectical arguments or as a fallacious move. In any case didactical argumentation is looked upon as peripheral. To go back to Aristotle, let us say that his typology of argument is more charitable and more careful – but less bold – since it admits no single model of argumentation.

Didactical arguments and epistemic authority are so widely and differently used that we claim they deserve more than case studies or enumeration. For sure, they occur in a context, a place and a time that are particular; however they show at least one typical feature, namely that one arguer claims to be a spokesperson. And this could be enough to think of a local theoretical unification that would not fall under the global flag of pragma-dialectics.

So, we propose to keep the main positions of pragma-dialectics, especially its pragmatical orientation, but also to broaden this research program by dropping the supremacy of the critical discussion model to leave room to what we will call pragma-didactics. Hopefully the door is already half-open. For pragma-dialectics acknowledges several kinds of difference of opinions, among which the fact that an arguer sometimes neither disagrees nor doubts the proposition made but simply does not know what to think about it. No comeback to Aristotle is required to see that this case is relevant for a pragma-didactical approach that will certainly bring some new flesh to the reflexion about the links between argumentation and explanation.

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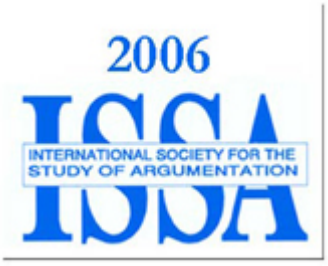
ISSA Proceedings 2006 – Rationality, Reasonableness, And Critical Rationalism: Problems With The Pragma-Dialectical View



A major virtue of the Pragma-Dialectical theory of argumentation**[i]** is its commitment to *reasonableness* and *rationality* as central criteria of argumentative quality. However, the account of these key notions offered by the originators of this theory, Frans van Eemeren and Rob Grootendorst, seems to us problematic in several respects. In what follows we criticize that account and offer an alternative that seems to us to be both independently preferable and more in keeping with the epistemic approach to arguments and argumentation we favor.**[ii]**

1. *The Reasonable Rabbi*

In their most recent systematic discussion of these matters (2004), van Eemeren and Grootendorst define argumentation as "a verbal, social, and rational activity aimed at convincing a reasonable critic of the acceptability of a standpoint by putting forward a constellation of propositions justifying or refuting the proposition expressed in the standpoint." (2004, p. 1) On this view, rationality is an essential aspect of argumentation, and by saying that argumentation is "a *rational* activity," van Eemeren and Grootendorst mean that it is "a complex speech act aimed at convincing a *reasonable critic*," one that is "generally based on intellectual considerations" (2004, p. 2, emphases in original):

When someone advances argumentation, that person makes an implicit appeal to reasonableness: He or she tacitly assumes that the listener or reader will act as a reasonable critic when evaluating the argumentation. Otherwise, there would be no point in advancing argumentation. (ibid.)

As van Eemeren and Grootendorst make clear, the pragma-dialectical view attempts to combine descriptive and normative approaches to the study of argumentation under the heading of 'normative pragmatics.' (2004, pp. 9-11) The normative dimension is captured by their accounts of *acceptability*, which

concerns the appropriateness or acceptability (or otherwise) of argumentative moves or claims, and of *reasonableness,* which concerns the discussion rules in accordance with which judgments of acceptability are ideally made. They invoke the image or model of "an extremely wise man – say, a rabbi," whose position is "that of a rational critic who judges reasonably." (2004, p. 12) The rabbi asks himself: "When should I, as a rational critic who judges reasonably, regard an argumentation as acceptable?" (2004, p. 13) And if he adopts "the *critical-rationalistic* view of reasonableness" (2004, p. 17, emphasis in original) that van Eemeren and Grootendorst favor, he answers that "an argumentation may be regarded as acceptable" just in so far as it "is an effective means of resolving a difference of opinion in accordance with discussion rules acceptable to the parties involved." (2004, p. 16) So, argumentations (argumentative moves, i.e., particular speech acts) are evaluated in terms of acceptability, which is itself a matter of instrumental efficacy: an argumentation is acceptable if it is "an effective means of resolving a difference of opinion in accordance with discussion rules" and conforms to procedures that the parties accept.**[iii]** Such rules are in turn deemed reasonable to the extent that they are adequate for resolving the relevant difference of opinion. Thus it is *argumentations* that are or are not acceptable, and *discussion rules* (and/or the *procedure* in which they play a role) that are or are not reasonable:

The extent to which a particular rule is considered reasonable depends on the adequacy of that rule, as part of a procedure for conducting a critical discussion, for solving the problem at hand. (2004, p. 16)

So, "[o]ur rabbi…asks himself which theoretical instruments are, or can be made, available to him to systematically arrive at a solution of his problem regarding the acceptability of argumentation." (2004, p. 19) To pass judgments about the acceptability of argumentations, the rabbi, if he embraces the pragma-dialectical approach, uses "an ideal model of a critical discussion and a procedure for how speech acts should be presented in order to be constructive moves in such a discussion." (2004, p. 20) Accordingly, the rabbi's judgments concerning the acceptability of argumentations will be based on the reasonableness of the discussion rules that license the argumentations in question. The rules are deemed reasonable just in so far as they conduce to the resolution of the relevant difference of opinion.

We have already noted our worries concerning the instrumental view of

acceptability built into the pragma-dialectical account. In what follows, we want to register our doubts concerning the view of reasonableness that van Eemeren and Grootendorst endorse.

2. *The Pragma-Dialectical View of Reasonableness*

In Biro and Siegel (2006), we suggest that van Eemeren and Grootendorst's account of argumentative normativity is defective in that the 'dialectical' account of reasonableness they offer fails to capture that normativity. We briefly summarize our case for that judgment next.

Van Eemeren and Grootendorst distinguish 'rational' and 'reasonable' as follows: "[W]e shall use the term *rational* for the use of the faculty of reasoning and the term *reasonable* for the sound use of the faculty of reasoning." (2004, p. 124, emphases in original) They articulate their preferred, dialectical view of the 'sound use of the faculty of reasoning,' i.e., reasonableness, in the following way:

> In our view, it is necessary to depart radically from the justificationism of the geometrical and anthropological approaches to reasonableness and to replace these conceptions of reasonableness with a different one. We do so by adopting the view of a critical rationalist who proceeds on the basis of the fundamental fallibility of all human thought. To critical rationalists, the idea of a systematic critical scrutiny of all fields of human thought and activity is the principle that serves as the starting point for the resolution of problems. In this approach, conducting a critical discussion is made the point of departure for the conception of reasonableness – which implies the adoption of a dialectical approach. As we have indicated, argumentation in a dialectical approach is regarded as part of a procedure for resolving a difference of opinion on the acceptability of one or more standpoints by means of a critical discussion… The reasonableness of the procedure is derived from the possibility it creates to resolve differences of opinion (its *problem validity*) in combination with its acceptability to the discussants (its *conventional validity*). In this connection, the rules of discussion and argumentation developed in a dialectical theory of argumentation must be scrutinized in terms of both their problem-solving effectiveness and their intersubjective acceptability. (2004, pp. 131-2)

We applaud and endorse the pragma-dialectical commitment to fallibilism. Nevertheless, there is a major problem with the view of reasonableness expressed here.

According to it, a move in a critical discussion is acceptable if it comports with

the rules governing critical discussions; those rules are reasonable if they are both 'problem-valid,' i.e., tend to produce a resolution of the difference of opinion in question, and 'conventional-valid,' i.e., are embedded in a procedure that is acceptable to the discussants. What of the resolution itself? If the parties resolve their difference of opinion by making acceptable argumentative moves, in accordance with reasonable (i.e., problem- and conventional-valid) rules, and in doing so come to agree, is the new belief on the part of one of them reasonable? Van Eemeren and Grootendorst are committed to an affirmative answer to this question, independently of any consideration of the probative strength of the reasons offered. This is manifestly not the way that 'reasonableness,' and normativity more generally, are understood in either philosophical or every-day discourse. Nor should they be, since it is clear that disputes resolved in accordance with the pragma-dialectical rules can result in new beliefs that are not reasonable in the straightforward sense that the reasons offered in their support establish their truth or enhance their justificatory status. For example, if you and I are white racists and are engaged in a critical discussion about the wisdom of voting for a black candidate – I plan to vote for him because, despite his skin color, he reminds me of my father, say – your reminding me of my general attitude concerning the abilities of blacks, in moves that comport perfectly well with the pragma-dialectical rules, might well resolve our difference of opinion in accordance with rules we both accept, but my new belief that I should not vote for this candidate is still not justified by my racist prejudices, despite our agreement on the matter and the appropriateness of the procedure by which I arrived at it.**[iv]** Thus 'dialectical reasonableness' as articulated by van Eemeren and Grootendorst fails to establish particular resolutions of differences of opinion as reasonable in any serious sense, since a 'dialectically reasonable' resolution may nevertheless be completely unreasonable insofar as there is no good reason for either discussant to accept or believe it.**[v]**

Van Eemeren and Grootendorst will not be troubled by this criticism, however, since they argue that any non-dialectical view of reasonableness – such as the one we just invoked, according to which reasonableness is a function of the epistemic or probative force of reasons – founders on the famous 'Münchhausen trilemma.' Let us consider their case for this claim next.

3. *Critical Rationalism, 'Justificationism' and The Münchhausen Trilemma*

Van Eemeren and Grootendorst suggest that any non-dialectical conception of

reasonableness will inevitably founder on the 'justificationism' that Karl Popper, Hans Albert and their fellow critical rationalists famously argued leads inevitably to this allegedly irresolvable trilemma (henceforth MT):

A crucial objection that applies to both the geometrical and the anthropological norm of reasonableness is that they are both based on "justificationism": Both approaches assume that reasonableness is concerned exclusively with legitimizing standpoints definitively. Justificationism of any kind, however, can never escape the so-called Münchhausen Trilemma, because in the last resort the justification has to choose from the following three alternatives:

(1) ending up in an infinite regress of new justifications (*regressus in infinitum*);

(2) going round in a circle of mutually supporting arguments;

(3) breaking off the justificatory process at an arbitrary point. None of these three alternatives is really satisfactory. (2004, p. 131)

We wish to make two points concerning this argument.

i) *Justificationism*. 'Justificationism' is understood in this passage as a matter of "legitimizing standpoints definitively." What does 'definitively' mean here? If it means 'proving,' 'justifying with certainty,' 'establishing once and for all, with no possibility of reconsideration,' and the like, we agree that it should be rejected. But if it means, rather, justifying by adequate reasons and evidence, then we do not agree.**[vi]**

It is significant that Popper himself, though he frequently uses 'justificationism' in the first way, understands it in this latter way when he famously rejects induction and confirmation. He claims that theories can be refuted but not justified or supported by evidence; in his hands the rejection of 'justificationism' is tantamount to the rejection of the very possibility of supporting evidence and justification.

It is easy to find passages in which Popper, in rejecting justification, seems to be rejecting it in the first, certainty-involving sense:

The Greeks' discovery of the critical method gave rise at first to the mistaken hope that it would lead to the solution of all the great old problems; that it would establish certainty; that it would help to prove our theories, to justify them. But this hope was a residue of the dogmatic way of thinking; in fact nothing can be *justified* or proved (outside of mathematics and logic). (Popper 1963, p. 51, emphases in original)

Here Popper clearly regards justification as requiring proof, or certainty. We

agree with Popper that scientific (and other) theories cannot be proved in the logician's sense of the term, or established with certainty, and so cannot be justified in this sense. But this is not a controversial point. Nor does it adequately capture Popper's philosophical program, since his philosophical opponents, e.g., the Logical Positivists, did not claim that scientific theories could be proved or established with certainty. Rather, they argued that theories could be justified, confirmed, and inductively supported by reasons and evidence, and they endeavored (among other things) to render such confirmatory relationships between theories and the evidence for/against them, or more precisely the propositions that express these, probabilistically precise. We do not wish to defend Reichenbach's, Carnap's, or anyone else's version of inductive logic here. Rather, we are content to point out that the philosophical power of Popper's falsificationist program depends upon understanding it as involving the second sense of 'justificationism' articulated above, i.e., as rejecting not just certainty, but the very possibility of positive evidential, confirmatory, justificatory support. Passages supporting this understanding of Popper's rejection of 'justificationism' can also be readily found:

[Our conjectures] may survive these tests; but they can never be positively justified: they can neither be established as certainly true nor even as 'probable' (in the sense of the probability calculus).… None of [our theories] can be positively justified. (Popper 1963, p. vii)

… we do not *establish* anything by this procedure: we do not wish to 'justify' the 'acceptance' of anything, we only test our theories critically, in order to see whether or not we can bring a case against them. (Popper 1963, p. 388, emphasis in original)

We cannot justify our theories, but we can rationally criticize them…A scientific result cannot be justified. It can only be criticized, and tested. (Popper 1972, p. 265)

… there are no such things as good positive reasons; nor do we need such things. (Popper 1974, p. 1043, emphasis in original)**[vii]**

Notice first that these passages straightforwardly and uncontroversially speak not just of the rejection of certainty, but also of the rejection of the very possibility of reasons and evidence that yield support/warrant/justification. Notice, next, that it is only under the latter interpretation that Popper's famous rejection of

confirmation and induction makes sense, for confirmation and induction are not normally thought to yield either certainty or proof. Finally, notice that this is exactly how Popper and critical rationalism are usually interpreted, by both their defenders and their critics:

> What matters to a critical rationalist is whether the conjectures under debate are right, not whether there are reasons to suppose that they are… Arguments, according to critical rationalism, are always negative; they are always critical arguments, used only and needed only to unseat conjectures that have been earlier surmised. (Miller 1985, p. 10)

> Naïvely one might think that one could at least have good reasons on occasion for thinking that one hypothesis or observation report is more likely to be true than false. Not so, says Popper… [This] amounts to the rejection of all inductive argumentation. That is, Popper denies the legitimacy of any argument in which the premises purport to support the conclusion without entailing it. (Newton-Smith 1981, p. 44)

> [T]here are no such things as good reasons; that is, sufficient or even partly sufficient favourable (or positive) reasons for accepting a hypothesis rather than rejecting it, or for rejecting it rather than accepting it, or for implementing a policy, or for not doing so. (Miller 1994, p. 52)

> [G]ood reasons do not exist; it is impossible to furnish a good reason in favour of any thesis or action whatever. (Miller 1994, p. 55)

Such citations could be multiplied indefinitely; it is uncontroversial among Popper scholars, and especially defenders of critical rationalism, that in rejecting 'justificationism' Popper was rejecting not just certainty, but the possibility of positive support. With respect to this latter understanding of 'justificationism,' it is important to note that (a) Popper's rejection of it did not survive critical scrutiny – even Popper himself famously admitted that his view required a "whiff of inductivism"**[viii]** – and (b) van Eemeren and Grootendorst cannot comfortably join in rejecting the possibility of supporting evidence, insofar as they offer and rely upon reasons and evidence in support of their own claims. We briefly develop these points in turn.

(a) *Can critical rationalists do without positive justification?* Many scholars have thought that they cannot. Putnam argues that both the practice of science and the

application of scientific theories and laws require induction and positive justification, and that without these, "science would be a wholly unimportant activity. It would be practically unimportant, because scientists would never tell us that any law or theory is safe to rely upon for practical purposes; and it would be unimportant for the purpose of understanding, since on Popper's view, scientists never tell us that any law or theory is true or even probable." (Putnam 1974, p. 222-3; see also pp. 224, 237) Lakatos' lengthy and incisive discussion (Lakatos 1974, pp. 256-63) equally insists on the need for a substantive inductive principle, because "the 'logic of the growth of knowledge' *must* include – in addition to Popper's *logico-metaphysical* theory of verisimilitude – *some* speculative *genuinely epistemological* theory connecting scientific standards with verisimilitude." (Lakatos 1974, p. 261, emphases in original) Levison puts the difficulty this way:

Popper's difficulty is that he cannot consistently hold that successfully surviving a wide range of experiments makes it likely that a theory will continue to survive such tests. Thus, to be consistent, he must deny that the claim that a test can be successfully repeated can be justified by argument. But, if so, he cannot claim consistently that he has solved the logical problem of induction, even as he defines it. Hume's problem is not so much solved by Popper as it is transformed from the problem of justifying generalizations based on past observations to the problem of determining the comparative acceptability of explanatory theories and other scientific statements on the basis of experimental testing. The question that we are left with is why the fact that an empirical theory has survived a wide range of experimental tests, when other comparable theories have not survived those tests, gives us good reason for supposing that a predictive consequence of the former or corroborated theory is worthy of the confidence of reasonable men, while those of the latter are not worthy. (Levison 1974, p. 330)

Essentially the same point is made by Newton-Smith (1981, pp. 44-76), O'Hear (1980, pp. 36-67, see esp. p. 46), and others too numerous to mention. The problem, as all these authors suggest, is straightforward: if corroboration does not provide such 'good reason,' it is hard to see in what sense corroborated theories are preferable to non-corroborated or less-well-corroborated ones – why is corroboration an epistemic good, and a corroborated theory epistemically preferable to a non-corroborated one, or otherwise "worthy of the confidence of reasonable men"? But if corroboration does provide such good reason, it can do so only via induction and positive support. Or, to put the point slightly differently: Popper needs a connection between corroboration and verisimilitude for his

theory to succeed, but the only sort of connection available is an inductive one. As Salmon pithily puts it: "Modus tollens without corroboration is empty; *modus tollens* with corroboration is induction." (Salmon 1966, p. 26, emphases in original) Popper and his fellow critical rationalists simply cannot do without positive justification. In this sense, critical rationalism's rejection of 'justificationism' fails, which renders problematic van Eemeren and Grootendorst's embrace of that doctrine. Critical rationalism denies the possibility of good reasons and justificatory support yet itself requires it.**[ix]**

(b) *Can van Eemeren and Grootendorst do without positive justification?* Here we can be brief. Van Eemeren and Grootendorst have made a major contribution to argumentation theory in developing their pragma-dialectical view, and they have done so by offering arguments intended to secure their central claims, such as those concerning the aims of argumentation, the legitimacy of their dialectical rules, and many others. To reject 'justificationism' in the sense of positive justification would be devastating to their project in at least two ways: it would undercut the possibility of *any* argument(ation) succeeding in the sense of providing interlocutors with good reasons to accept or reject any given standpoint at issue; and it would undercut their own many impressive efforts to defend the pragma-dialectical view they champion. Without the possibility of positive justification, there can be no possibility of their arguments establishing the epistemic worthiness of their own view.

If all this is right, van Eemeren and Grootendorst seem not to be able to do without 'justificationism' in the sense of positive support. They need it – but can they have it? Here we need to confront the critical rationalist's case against it: the dreaded Münchhausen Trilemma.

ii) *The Münchhausen Trilemma and the Structure of Justification.* MT reflects the fundamental problem of the structure of epistemological justification that has exercised epistemologists for centuries; we do not pretend to resolve this hoary difficulty here.**[x]** Nevertheless, as articulated by van Eemeren and Grootendorst, we think MT can be readily overcome, in the following way: standpoints or claims can be 'legitimated' or justified by reasons or evidence. For example,

p: Cheney approved of and encouraged the torture of suspected 'terrorists' by U.S. agencies and personnel

is justified by (or receives strong evidential support from)

q: Cheney lobbied Senators to defeat the McCain amendment prohibiting torture by all US agencies and personnel

The first option in *MT*, infinite regress, is avoided by noting that sometimes evidence is sufficient for justification. In this example, *q*, if itself well justified, affords strong justification for *p*: that is, if we have good reason to believe that *q*, we have good reason to believe that *p* as well. Of course, questions concerning the belief-worthiness or justificatory status of *q* can always be raised, and such questioning pushes the justificatory chain back one step. If *q* is challenged, it can in turn be justified by some further evidence, e.g.,

r: Cheney called a news conference during which he admitted his lobbying efforts and resigned

In this case, *r* strongly supports *q*, which, in turn, strongly supports p. Of course, r *could* itself be challenged; in that case the discussion, and the chain of justificatory reasons and evidence, might be extended further back to some further consideration s. Absent some such further challenge, however, *p* is justified, and we are well within our epistemic rights to so take it, on the basis of evidence supplied by *q* (and, if needed, *r*). No regress is necessary in order that a given standpoint or claim be justified, and thus the first possibility in *MT* is avoided. The second, circularity, is also avoided, as the example makes clear. So, too, is the third, arbitrariness: absent a good reason to query *q*, it is not arbitrary to stop the justificatory chain there; and if there is such reason, but there is no good reason to query *r*, then it is not arbitrary to stop the justificatory chain at the latter. Cheney's admission at the news conference, were such an event to take place, would be a non-arbitrary stopping point: it would give us very good reason (though not certainty or anything beyond further critical scrutiny) to believe that he had approved of and encouraged torture by U.S. agencies and personnel. The key point here is that while arbitrariness in selecting stopping points is possible, it is not unavoidable; the example is meant to illustrate the possibility of a non-arbitrary, non-circular stopping point. There are often, as in this example, good reasons for stopping the chain of justification at a given point, in which case arbitrariness is avoided. If these reasons are thought to be unpersuasive, or if other, new reasons for extending the chain are advanced, it is always possible not to stop at that point but to push on and extend the justificatory chain further

back. Doing so does not betoken or necessarily involve an infinite regress but rather an unwillingness to regard arbitrary stopping points as justificatory. Once the possibility of positive justification is acknowledged, the possibility of avoiding arbitrariness is, as well.**[xi]**

This resolution of *MT* depends on thinking of justification in the second, evidential sense discussed above. We do not claim that standpoints can be justified or 'legitimated' definitively if that is understood to require certainty; we agree with critical rationalism that fallibilism should be embraced. But we think that critical rationalists (and everyone else) have good reasons for embracing it – otherwise it would not be rational to do so. Taking this point seriously requires van Eemeren and Grootendorst and their fellow critical rationalists to acknowledge that there is good reason to embrace fallibilism – if not, their embrace of it is by their own admission arbitrary, and so unjustified – and so, to accept the possibility that standpoints can be 'legitimated,' i.e., justified, by reasons and evidence. Our resolution of the difficulty raised by *MT* is not offered as a resolution of the old problem of the 'structure of justification,' for we are not offering any such 'structure.' We are arguing only that *MT can be avoided*, since *a belief* can be justified without involving an infinite regress, a vicious circle, or an arbitrary stopping point.**[xii]**

In this way, we suggest, MT can be overcome, so that van Eemeren and Grootendorst are incorrect when they suggest that justificationists require "a premise … that is immune to criticism." (2004, p. 131)**[xiii]** Justificationists (in the second, evidential sense) can and should be fallibilists, too; fallibilism is not the sole property of either critical rationalists or 'dialectical-ists.' For this reason, van Eemeren and Grootendorst err when they suggest that a 'dialectical' view of reasonableness is the only one that avoids TM:

> In our view, it is necessary to depart radically from the justificationism of the geometrical and anthropological approaches to reasonableness and to replace these conceptions of reasonableness with a different one. We do so by adopting the view of a critical rationalist who proceeds on the basis of the fundamental fallibility of all human thought … In this approach, conducting a critical discussion is made the point of departure for the conception of reasonableness – which implies the adoption of a dialectical approach. (2004, pp. 131-2)

As we have seen, justificationism, if understood evidentially, resolves the difficulty. And, as we have argued elsewhere, there are independent reasons for

embracing an epistemic approach, both to reasonableness, in particular, and to argumentation, in general.

4. *Conclusion: Toward Epistemic Accounts of Rationality, Reasonableness, and Argumentation*

We have argued that van Eemeren and Grootendorst's accounts of rationality, reasonableness and argumentation are inadequate, and their embrace of 'critical rationalism' problematic. The Popperian critique of 'justificationism' they endorse as a guide to the normative dimension of argumentation fails: it is right to reject a conception of justification that requires certainty or proof, but wrong to reject the possibility of justification or positive support altogether. Doing the latter makes it impossible to capture that normative dimension. A more adequate account of these matters, we maintain, is provided by the epistemic view we have defended elsewhere.

NOTES

[i] The most recent systematic statement of the view is van Eemeren and Grootendorst (2004), on which this discussion is based. All references in the text to these authors are to that book.

[ii] We articulate and defend the epistemic view in Biro and Siegel (1992), (2006) and (2006a), and Siegel and Biro (1997).

[iii] Argumentation is on this view "instrumental," aimed at "achieving a certain goal": namely, that of "justify[ing] or refut[ing] a proposition…defend[ing] a standpoint in such a way that the other party is convinced of its acceptability." (2004, p. 3; cf. p. 12: argumentation "aims to convince a reasonable critic of a certain standpoint.") Since this is the goal of the activity, argumentative quality on the pragma-dialectical view is a matter of a given bit of argumentation's achieving this goal. This seems to us a mistaken way of conceiving of argumentative quality. First, a party, even a reasonable one, can be erroneously convinced of the acceptability or otherwise of a standpoint. Second, and more importantly, an argument's quality, i.e., its ability to 'justify or refute a proposition,' is independent of the reaction (becoming convinced or otherwise) of those who hear or read it. Having argued for these points in the papers cited in the previous footnote, we will not pursue the matter of this 'instrumentality' further here.

[iv] Further examples which demonstrate how the relevant sort of normativity, i.e., epistemic normativity, fails to track the pragma-dialectical rules and

'dialectical reasonableness' are given in Biro and Siegel (1992), pp. 89-91.

[v] The previous two paragraphs are taken, with changes, from Biro and Siegel (2006), pp. 6-7.

[vi] By 'adequate' we mean sufficient to yield knowledge or justified belief, where what is sufficient depends, of course, on subject matter, purpose, and circumstance. For reasons of both space and expertise, we limit our discussion to the Popperian version of critical rationalism.

[vii]. It is perhaps worth pointing out that this understanding of 'justificationism' as rejecting positive support altogether is not only endorsed by Popper consistently throughout his many writings, it grows increasingly radical as time goes on, as the final citation makes clear.

[viii] The charge that Popper's position has a 'whiff of inductivism' about it was made by Lakatos. (Lakatos 1974, pp. 256-63) Popper grudgingly acknowledges the point in his reply to Ayer: "In spite of this, there may be a 'whiff' of inductivism here. It enters with the vague realist assumption that reality, though unknown, is in some respects similar to what science tells us or, in other words, with the assumption that science can progress towards greater verisimilitude." (Popper 1974:, p. 1193, note 165b) Newton-Smith remarks on this passage that "it is just false to say that there is a whiff of inductivism here – there is a full-blown storm." (Newton-Smith 1981, p. 68; cf. pp. 66-70) O'Hear says of it that "It is not surprising that some commentators have seen this passage as an enormous concession by Popper to his critics." (O'Hear 1980, p. 67) Putnam similarly "detect[s] an inductivist quaver" in Popper's writings. (Putnam 1974, p. 224)

[ix] We strongly endorse Oddie's (1996) positive case for the existence and epistemic significance of objectively good reasons, and his devastating critique of (Miller's version of) critical rationalism.

[x] There are actually three trilemmas in play here that should be distinguished. In his classic The Logic of Scientific Discovery (1959), Popper discusses 'Freis' Trilemma' (FT), according to which the requirement of positive justification ends either in dogmatism, infinite regress, or psychologism, by which Popper means justification by immediate sense experience (1959, pp. 93-105). Popper rejects the latter as being of a piece with induction, which, of course, he also rejects; he 'resolves' FT by rejecting the possibility of positive justification and urging that our preference for corroborated theories be seen in terms of decision rather than justification. (1959, pp. 106-111) But this resolution fails for the reasons given above. Another trilemma is that of Agrippa. Agrippa's Trilemma (AT) has it that justification ends either in infinite regress, circularity, or dogmatic assumption.

(Williams 1999, pp. 38-41) AT is very nearly equivalent to MT: the former's third possibility is dogmatic assumption; the latter's is arbitrariness. (They are equivalent if a dogmatic assumption is always an arbitrary stopping point. Williams articulates AT in both ways: in terms of dogmatic assumption in Williams 1999, p. 39; and in terms of arbitrariness in Williams 2005, p. 205.) Our example in the text below (Cheney's news conference) is meant to avoid both arbitrariness and dogmatic assumption. But as we try to make clear in the text, we do not offer it as a resolution of the ancient problem of the structure (or regress) of justification. Addressing that problem is beyond the scope of this paper. (See Siegel 1997, ch. 5, for a resolution that rests on 'self-reflexive' justification or 'self-justification.') Thanks to Liz Giles for helpful discussion of AT.

[xi] For further discussion of this resolution see Siegel 1997, ch. 8.

[xii] It is worth noting that our proposed resolution bears a striking resemblance to Popper's own solution to 'Freis's Trilemma' concerning the status of 'basic statements.' Cf. Popper 1959, p. 105.

[xiii] It may be thought that our argument commits us to just such a premise: namely, that reasons can afford justification and that we therefore ought to reason in accordance with them. A justification of this premise, in the form of an answer to the question 'Why be rational?,' is offered in Siegel 1997, ch. 5.

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