ISSA Proceedings 2002 – Designing Premises

1. Introduction.

The problem of premise adequacy has vexed argumentation theorists since Hamblin opened the issue in his pioneering work on *Fallacies* (1986/1970). Anyone trying to evaluate an argument that has been made must apply some standard to assess the goodness of the premises. Various informal logicians have proposed one or more of the following: truth (Johnson, 2000), acceptance (or, roughly, belief; Johnson, 2000; Hamblin, in one reading), and acceptability (what is reasonable to believe, with variations; Govier, 1987; Johnson & Blair, 1994; Pinto, 1994).

Premise adequacy is not just a puzzle for evaluators after the fact, however; arguers as they practice also face the problem of securing starting points for their arguing. Each arguer presumably expects the arguments she deploys to do some work for her. To do that work, the arguments will need (among other things) to have adequate premises. Thus she too confronts the problem of figuring out what premises are up to standard, whatever that standard may be. Still, her task is somewhat different than that of the evaluator, due to the constraints of her immediate situation. The arguer is addressing her argument to others; she needs to make sure that her premises not only are adequate, but that the adequacy is conspicuous to them. And in securing such conspicuous adequacy, the arguer faces two difficulties.

First, the situations in which arguments are expected to work are characterized by open and sometimes deep disagreement. Under conditions of disagreement, it may occur that arguers will start with few shared understandings as to what premises count as adequate. And the arguers may have little motive to cooperate with each other to reach new understandings, whether by examining the truth or acceptability of proposed premises, by admitting that they are accepted, or by otherwise establishing them as adequate. They may, for example, refuse to openly express to their "dark-side commitments" (Walton & Krabbe, 1995). The arguer therefore may need to exert some (communicative) force to get her interlocutor to recognize the adequacy of her premises.

Second, the arguer often works to a tight deadline, since in practice not to complete an argument within a reasonable, often quite limited, time is effectively to not argue. Whatever work she needs to do to secure the adequacy of her premises, she needs to do quickly. She doesn't have time for infinite regresses where her premises are secured by further arguments, whose premises in turn need to be argued; she often won't have time even for one or two. To begin her argument, she needs to locate the unargued.

To achieve her purposes through arguing, the arguer must do something to overcome these difficulties – to invent (that is, create or discover) expeditiously the adequate premises she will need to proceed. Premise adequacy, in other words, is not just a problem in evaluation; it is a pragmatic problem as well. Or more specifically, a problem of normative pragmatics (van Eemeren, 1994; Goodwin, forthcoming b; Jacobs, 1999): for as above I will take it for granted that premises must be of a certain quality in order to do their work.

In this paper, I examine a very few of the practical strategies arguers use to establish adequate starting points for their arguing. Following the main line of the rhetorical tradition, I take up case studies of premise design in two contexts: forensic (courtroom) and deliberative (public policy) arguing. In the next section, I turn to the norms and procedures of the Anglo-American jury trial generally, drawing examples from the 1995 criminal trial of O.J. Simpson for the murder of his ex-wife. In the third section, I examine premises in the 1991 U.S. Congressional debate over initiating hostilities in the Gulf War. As I have argued elsewhere, the strategies arguers adopt within such exemplary practices provide good evidence for the normative structure of arguing (Goodwin, 1999). Thus although these two case studies can not lead to a complete theory of premise design, they should expand our understanding of the ways arguers can so act as to create the adequate premises they need for their arguing to proceed.

A secondary purpose of this study is to continue to explore rather experimentally exactly what an account of the normative pragmatics of arguing might look like. In the final section I therefore conclude with some remarks about the difference between the normative-pragmatic and informal-logical approaches to premise adequacy.

2. Premise design in a forensic setting.

The contours of the jury trial are well known – throughout American culture at least – and in the following discussion I do not attempt to point to anything

surprising. Rather, I hope to draw forth how some of these familiar practices serve to solve the pragmatic problem of premise adequacy.

What are adequate premises in a forensic situation? – what premises can advocates rely on when arguing to the jury, the jurors rely on when arguing with each other? The norm imposed on advocates' closing arguments is strict: "any representation of fact" made by an advocate "must be based solely upon the matters of fact of which evidence has already been introduced" (Chadbourn, 1976, §1806). The norm voiced to jurors is similar, and is commonly incorporated as one of the first instructions the judge gives them as they begin their deliberations. This excerpt from the Simpson trial is typical:

1. You have two duties to perform first, you must determine the facts from the evidence received in the trial and not from any other source … You must decide all questions of fact in this case from the evidence received here in court in this trial and not from any other source. You must not make any independent investigation of the facts or the law, or consider or discuss facts as to which there has been no evidence. This means, for example, that you must not on your own visit the scene, conduct experiments or consult reference works or persons for additional information. You must not discuss this case with any other person except a fellow juror, and you must not discuss the case with a fellow juror until the case is submitted to you for your decision, and then only when all 12 jurors are present in the jury room. Evidence consists of the testimony of witnesses, writings, material objects, or anything presented to the senses and offered to prove the existence or non-existence of a fact ('Lectric Law Library, 1995).

At trial, clearly, only "the evidence" are adequate premises. What then is evidence? First and most obviously, to be evidence an item must be something "presented to the senses" of the participants in a trial – it must have been made evident to them. Indeed, the entire evidentiary process may be considered as a ritual for making items present and attended to; in the case of testimonial evidence, for example, a witness is ceremoniously called forth, seated in a conspicuous place, sworn in, and then speaks while everyone else remains silent.

Second, to be evidence, an item must be made present *at the trial* – it must be ostended in the presence of all trial participants simultaneously. As the instructions stress, "evidence" must be "received here in court in this trial and not from any other source." No juror may use sense impressions gained by "any independent investigation, … on your own." All discussion must take place "only

when all 12 jurors are present in the jury room." Similar norms bind the presentation of items during the evidentiary process itself. The process must cease when even one juror is absent. If during their deliberations the jury finds it needs to examine the evidence again, they are not given the transcript (which only one could read at a time); instead, they are brought back into court and the testimony is read to them all simultaneously. Even the physical setting of the trial ordinarily emphasizes the fact that the evidence is being received in common; it is presented in the midst of a circle, with the advocates, judge and jury spread out along the periphery, able to observe both the evidence itself and also the other participants, observing the evidence.

These two conditions – ostension of an item, in the presence of all participants simultaneously – serve to create evidence – adequate premises – of a specific sort. Through ostension, each trial participant can reasonably be expected to learn that the item exists, and something of what it is; the expectation is reasonable because learning through the senses is widely considered a reliable method for finding things out, and one available to all. Thus the participant learns that a knife has *this* appearance, or that a witness says *that*. Through ostension in the presence of all, moreover, each trial participant can reasonably be expected to learn that all other trial participants have so learned.

The evidentiary process thus serves to create not just knowledge but what has been called mutual knowledge, through a strategy dubbed the "physical copresence heuristic" (Clark & Marshall, 1978; note that the terms "knowledge" and "heuristic" may be problematic). Or to speak the language ordinary to arguing, the evidentiary process serves to create assumptions (Kauffeld, 1995). After the evidence is introduced, each participant is licensed to take it for granted; each participant is warranted in believing that no other participant will doubt or challenge the evidence. Thus in arguing a participant may properly assume that a witness said what she said, or that a knife is the size that it is. By introducing evidence, the participants have managed to invent premises adequate for their arguing.

An exception proves the rule. It would probably be impossible to rely only on the evidence in arguing, even after a nine month trial. Therefore the local norms of the jury trial allow a mechanism known as "judicial notice," through which trial participants are licensed (subject to judicial supervision) to use premises beyond the evidence. When is this proper? One leading commentator put it thus: "that a

matter is judicially noticed means merely that it is taken as true without the offering of evidence by the party who should ordinarily have done so. This is because the court assumes that the matter is so notorious that it will not be disputed" (Chadbourn, 1976, § 2567). "Notorious" here suggests that the matter is conspicuously well recognized – not only is it well recognized, but it is well recognized as being such. Through judicial notice, trial participants are thus licensed to assume a premise in their arguing at the trial because they are already licensed to assume it in general.

Let me pause for two asides. First, I want to reply to any skeptical of the second condition for evidence. Is awareness of others' awareness really necessary? I suggest a thought experiment contrasting trial practice with teaching a class. In the latter case, teachers ordinarily ostend certain items – the course readings – to each and every student. But in contrast to the trial, students are expected to learn about the readings individually, outside of each other's presence and the presence of the teacher. The result, we all know: teachers are *not* licensed to take the class readings for granted; we cannot *assume* them in our talk to our students.

Second, it is important to note what precisely the evidence licenses participants to assume as they argue. They can assume that the witness said what she said; they cannot assume that what she said is the case. Similarly, they can assume that the knife looks like this – it has something crusted on it; they cannot assume that it has blood on it. Participants can assume that the evidence is what it is; they cannot assume what the evidence *means*.

This limitation is in part overcome by a variety of other trial mechanism which serve to expand the range of what can be taken for granted, taken as undoubted – assumed – by the participants. One mechanism includes "exclusionary rules" that prohibit whole classes of items from being introduced as evidence in the first place because they are routinely subject to doubt. Most notable here are the rules which eliminate doubts about authenticity and accuracy by allowing only the original of an item to be presented at trial. The "best evidence rule," for example, prohibits copies of documents, recordings, photographs and the like from being introduced as evidence; the "hearsay rule" in parallel fashion bans testimony about what someone said outside of court. (Each of these rules is of course subject to numerous limitations and exceptions; I paint only with the broadest brush strokes here.) Another mechanism for licensing assumptions embraces the practices of adversariality, like cross-examination and opposing argument. These,

by fully exposing possible doubts and objections, also serve to expose what is undoubted and unobjectionable. If the capacity, memory and credibility of a witness are unchallenged, for example, then not only that she said something, but what she said, can be assumed to be the case.

What I want to focus briefly on here, however, is a third mechanism, one built into the speech practices of the evidentiary process itself. Characteristic of testimony at the jury trial is what one legal scholar has called "the language of perception" (Burns, 1999, 53). Consider this commonplace example, taken from the first witness to testify at the Simpson trial. The witness was an emergency dispatcher who had received a call from the Simpson household several years before the trial. In sending the police to the scene, she had told them what she had heard in these, relatively ordinary, terms:

2. Female being beaten at location could be heard over the phone (Walraven, 2001, 1/31/95).

The same incident, by contrast, when presented at trial comes out like this:
3. Q: Okay. Okay. So the call came to you, right?
A: Right. It was an open line.
Q: Okay. Could you hear anything over the open line?
A: No. At the beginning, no.
Q: Okay. Did the line remain open?
A: Yes, it did.
Q: And while the line was opened, at any point in time could you hear anything?
A: Yes, I did.
Q: What did you hear?
A: At first I heard a female screaming and that is when I went back and changed my incident type from an unknown trouble to a screaming woman.
Q: Okay. And did you hear anything else?
A: Yes, I did.
Q: What did you hear?
A: I heard someone being hit.
Q: You heard a noise that you associated with someone being hit?
A: Yes …
Q: And the screams that you heard, you say that those screams were the screams of a woman?
A: It sounded like a female to me.

Q: It didn't sound like a man?
A: No (Walraven, 1991, 1/31/95).

In testimony-speak, a woman is not "beaten" but rather "screams," with "someone being hit;" and not even "hit," but with "a noise associated with someone being hit;" and not even a woman, but something that "sounded like a female." This transformation is in line with a general principle – formerly known as the "opinion rule" – favoring testimony as to sense perceptions over testimony with interpretations of those perceptions that commentators sometimes speak of as "inferential" (Strong, 1999, §11). Because of this principle and the speech practices associated with it (question/answer format, small-scale linkages from one item to the next – "and, anything else") a witness's testimony tends to be made in a form that retains at least some information relevant to the issues at trial while at the same time eliminating a range of expectable doubts. Thus in this case, if the witness is found capable, of sound memory and credible (doubts it is hard to eliminate), trial participants will recognize that no other participant will wonder what "beaten" might mean, or how the witness knew that it was the woman being beaten and not doing the beating. They will be licensed to assume that the witness heard a female screaming and the sound of blows, and then make whatever argumentative use of these premises that they can.

In sum, we may see the evidentiary process of the common law trial as an engine for inventing assumptions. The items that are presented, in the customary form, to the participants in each other's presence, will allow trial participants to assume many things as adequate premises for their arguing.

3. Premise design in a deliberative setting.
We can open consideration of strategies for premise adequacy in deliberative settings by noting the obvious: The participants do not employ the strategy of evidence. The only things presented on the floor of Congress during the Gulf War debate are the speeches of the arguers themselves. Documents are indeed brought forward for inclusion in the *Congressional Record*; but that serves to ostend them to future readers, not present participants – an intriguing, but key, difference. Sources are indeed used, but only in quotation – something that in the trial setting would draw an immediate hearsay objection. And often assertions are advanced with no attribution at all.
But if not evidence, what? Deliberation is a sprawling practice, and in the following I attempt only the smallest inroads into it. I examine just two of the

sources that the arguers actually name; since the two are rather different, we can try to see what they share that secures their adequacy as premises for the debate. The first is one of the many bits of expert testimony deployed as commonplaces. I've selected this particular one following a suggestion by Gerry Philipsen (1992, 133): because it becomes a focus for dispute, the participants have some incentive to be explicit in their talk about it.

When CIA Director William Webster had testified before a Congressional committee in early December, 1990, he had said things plausibly interpreted as indicating that the policy of economic sanctions against Iraq, initiated by the President soon after the invasion of Kuwait, was working. On January 10, 1991, a day before the main Congressional debate was to begin, Webster sent a letter putatively addressed to one Congressman but in fact distributed to all; in that letter, he said things plausibly interpreted as indicating that the policy of economic sanctions against Iraq would not work to force Iraq out of Kuwait, and that military force was required.

One, the other, or both of these utterances is quoted or otherwise referred to in at least 72 speeches during the debate. Examination of this talk reveals that the opposing participants in the debate share a vocabulary for evaluating their worth as premises. Both sides refer to the source as "CIA Director, head, Judge" or "expert." Both sides also use the same range of terms to describe what Webster did: "say; letter; testify, testimony; state, statement; inform, information, detail, details; judgment, assess, assessment, estimate, analysis, conclude, conclusion."

This common vocabulary suggests that all participants in the debate agree in thinking that expert testimony can provide adequate premises for arguing. The participants begin to disagree, however, when considering whether Webster's utterances should qualify as such testimony. Proponents of sanctions are willing openly to challenge the adequacy of Webster's later, pro-force letter. For example:

4. Iraq's industry is crippled. I do not care what CIA Director Webster says now, politicizing his intelligence report as he does. The cardinal rule of intelligence is do not enunciate policy; just give facts. When he testified earlier he gave the facts. Yesterday, in his letter to Congressman Aspin, he gave the policy, politicizing our intelligence. And he ought to be ashamed of it (U.S. Congress, 1991, S329; hereinafter cited by page number only).

Proponents of military force appear to concede the seriousness of this charge by

the vigor of their defense against it. Along these lines are their attempts to defend Webster personally, describing him as a man "whose reputation for honesty and forthrightness is impeccable" (S326), and insisting that it is his "job to evaluate whether sanctions are likely to work" (S324). They further attempt to bolster the soundness of what he said. Thus while both sides shared talk of "judgment, assessment, estimate" and so on, only these arguers go on to stress that in his letter Webster had given his "best judgment, best estimates" and "latest analysis" (S284, S230, S233), in a "very balanced" and "reliable" fashion (H122, H330). Adopting a different line of defense, other proponents of force try to downplay the seriousness of Webster's shift by describing what he had said as merely his "opinion" (H146, H217, S294), "belief" (H306, H479) or "view" (S211) – things more legitimately subject to change.

We might expect this situation to be symmetrical: that is, even as proponents of sanctions challenged the later, pro-force letter, proponents of force would challenge the earlier, pro-sanctions testimony. That expectation is not met. Proponents of military force never directly attack Webster's earlier testimony – they do not, for example, accuse him of at first pandering to Congress, and only later, bravely, speaking the his real expert opinion.

Why this asymmetry? The answer emerges in other asymmetrical aspects of the Congressional talk. Only the proponents of sanctions adopt a language of identification, one that stressed his ties with their opponents in the debate. Several describe Webster as "the President's own" CIA director (H360, S226), highlighting the closeness of the bond between him and the leader of the pro-military-force camp. One notes sardonically that his pro-sanctions testimony would probably get him fired (S106). And others suggest a similar point by including the testimony in a laundry list of Presidential pro-sanctions remarks (e.g., S303). In addition, only the proponents of sanctions adopt a language of responsibility, one which stresses the commitment Webster had made for the truth of his statements to those he had addressed. Some of arguers term his earlier testimony "counsel" and "advice" (H370), implying a higher degree of responsibility than the shared term "say" (see Kauffeld, 2000). Others use "tell" (S246, S281, S303), again suggesting responsibility for a message to an audience (Dirven et al, 1982). And in language that combines both identification and responsibility, one Congressman describes Webster in his pro-sanctions testimony as "argu[ing] to convince" (H242). Given these characterizations, the pro-force

arguers should be unable to challenge Webster's testimony without essentially criticizing themselves. And the fact that these arguers do not make the challenge suggests that they concede this point.

Let me step back and summarize the results of these interchanges between the participants on the subject of Webster's statements. Both sides agree that expert testimony can serve as adequate premises for their arguing. Through the debate, however, it becomes clear that the reliability of Webster's later, pro-force letter is in question. The pro-sanction camp's direct challenge to the letter raises the issue of its adequacy, an issue the pro-force camp attempts to defend. Even if this defense is in the long run successful, the challenge means that the letter cannot stand as an adequate premise for the participants in this debate; it needs to be established by its own argument, relying on further premises (the adequacy of which I will not explore here). By contrast, however, the pro-sanction side's characterization of Webster as having taken responsibility for his earlier testimony on behalf of the pro-force camp seems to be effectively conceded by that camp. The result is that Webster's pro-sanctions testimony is beyond criticism. The proponents of sanctions can't criticize it; they put it forward. The proponents of military force can't, either; they are responsible for it. Standing beyond criticism, Webster's pro-sanctions testimony thus serves as an adequate premise for the participants in this debate.

Turning now to the second source to be considered here, we find the same pattern emerging for a rather different sort of premise. At least as common as references to expert opinion in this Congressional debate are references to the opinions of the arguers' own constituents. Here is a typical instance, where the expert and the ordinary actually abut each other:
5. If sanctions fail to drive Iraq out of Kuwait, as I believe they will, then force will ultimately be needed to dislodge the aggressor from Kuwait … In fact, according to CIA Director William Webster, it has become clear that over the past 5 months, there has been " …. no evidence that sanctions would mandate a change in Saddam Hussein's behavior." … Finally, what impact will prolonged sanctions have on our own troops? In that regard, I would like to read portions of a letter from a constituent of mine from Naperville, IL, a major in the Marine reserves who has recently been called to active duty in Saudi Arabia. " … I am very alarmed at giving sanctions additional time to work" (H213).

It is somewhat difficult to elicit the force of such constituent's statements, since

they are not much discussed by participants themselves. Indeed, have yet to locate a single instance where a constituent's statement becomes disputed, not through the roughly 900 pages of three-columned, small-printed transcript. This itself, however, may be taken as worthy of remark. One hypothesis might be that these statements are too trivial to attack. But then, why do the arguers deploy them so consistently? Assuming they have some force, then, we can guess why they are beyond criticism. The arguer can't criticize her constituent's statement, since it is *her* constituent. Her opponents can't either, given the strong Congressional norm of deference to each other's constituent service – the same norm that allows pork-barrel projects to go through unchallenged. And being beyond criticism, constituent statements serve as adequate premises for the participants in the debate.

It appears then that being beyond criticism is one standard for premise adequacy in at least this deliberative setting. What makes a premise beyond criticism appears to vary, suggesting that there are many norms that can force participants to withhold negative comment. In addition to the norms against self-contradiction and against interfering with other's constituents we saw invoked above, we might for example expect to find premises secured by deference to older or senior colleagues, or by the prohibition on racist, sexist and religiously intolerant talk in public. By inventing (finding or creating) premises that invoke such norms, arguers secure premises that are adequate for their tasks.

Let me close with two final notes. First, to make this strategy work arguers are going to need a ready supply of things beyond criticism. This might require, for example, a method for forcing those their opponents to make assertions that will then be used against them – a procedure that would do some of the same work as the evidentiary hearing at a jury trial. Further study of premise construction in deliberative settings will require attention to such mechanisms.

Second, I'll admit that the strategy of putting forward things beyond criticism does seem odd. I imagine objections: "But you can't really expect a random, unqualified constituent's statement to actually persuade anyone, can you?" Indeed, perhaps not. But instead of taking this as an objection to one of the strategies of premise adequacy native to this Congressional debate, we might take it as prod to reconsider our views about the work we expect arguments to do. These arguments, in a debate widely thought to be excellent, are unpersuasive. Perhaps then the purpose (or as some would say, the function) of these arguments is something other than persuasion (at least in the narrow sense

in which arguing that p is an attempt to persuade that p); an issue I have opened elsewhere (e.g., Goodwin, 1999).

4. Conclusion.

How do these two strategies for inventing adequate premises fit with the various proposals for evaluating adequate premises, mentioned at the beginning of this paper? Not well. Although the forensic strategy of evidence appears to produce premises that are true, accepted and acceptable, all at the same time, the deliberative strategy of inventing things beyond criticism can produce premises that are none of the above. We can imagine a constituent's statement, for example, that is false and not accepted by any participant (being perhaps too strong for some and too weak for others); stretching a bit, we may be able to imagine that it is unacceptable as well. In any case, the fact that such a statement is beyond criticism due to local social norms is unrelated to its truth, acceptance or acceptability.

One possible conclusion would be that the familiar informal-logical standards are therefore without merit and should be replaced by normative-pragmatic strategies such as those discussed above. This, I think, would be a disastrous move. Not only am I convinced that all current theoretical endeavors have something to contribute to an overall theory of argumentation, I also believe that in practice we need epistemic and indeed alethic criteria to act occasionally as counterweights to the social factors that were considered here. To say that something is "beyond criticism," for example, is not to say that criticism is impossible. It is possible to criticize what you yourself have said in the past; it's only that the breach of norms involved will impose significant costs on you for doing so. Still, you should be willing to endure those costs on occasion – in the name of truth, perhaps. There is also the fact that none of the constituent statements actually relied on in the Gulf War debate were egregiously unacceptable; the arguers may have been self-censoring, complying with both some version of the informal-logical standards and with the local social norms.

Rejecting the option of letting one set of standards trump the other, we are left with the task of specifying how the informal-logical and normative-pragmatic sets fit together in one theory of argumentation – a task that Blair and Hansen (2001) have called the integration problem. I want to contribute my mite to the eventual resolution of this problem by making explicit what there is to be integrated, at least for a theory of premise adequacy.

I have taken as my starting point arguing as an activity, and I have insisted even perhaps more than Ralph Johnson (2000) would like on the radically different handling premises require when considered as premises of implications or inferences, versus as premises of arguments. The question of premise adequacy in arguing is not a question about the relationship of a premise to the world, nor even about the relationship of a premise to the minds of the arguers. The question of premise adequacy *in arguing* is the question of how to make adequacy *conspicuous* to the arguers. For arguers first of all must achieve the common focus, "mutual knowledge" or "mutually manifest cognitive environment" (Sperber & Wilson, 1986; we don't have any well-established terminology for this) necessary for arguing, as for any communicative activity, to proceed. In the case of premises, this means getting a premise out there in public for all to observe; since premises must serve as the unargued starting points of arguing, it also means getting it out there in a way that it won't be challenged. That is precisely what both evidence in the forensic setting and matters beyond criticism in the deliberative setting accomplish. So premise adequacy in arguing is a matter of the relationship of a premise not, again, to world or minds, but to the local ethical terrain (a phrase I think I'm borrowing from Fred Kauffeld, personal communication): to contours of the normative environment the arguers inhabit together.

This paper is not the only one moving towards such a conception of the activity of arguing. Our conference hosts, the Amsterdam school, have spoken of the inherent "externalization" and "socialization" of arguing, and have come up with a pragma-dialectical theory to show how this is done (van Eemeren & Grootendorst, 1983). Johnson (2000) has recognized that arguments must not only be good, but be manifestly so, and has come up with a pragmatic theory, although not one (I think) that he applies very thoroughly to the problem of premise adequacy. Tindale (1999) has adapted the idea of "shared cognitive environment" as a rhetorical approach to relevance, although again he doesn't completely carry the idea over to dealing with premises. I think even Hamblin (1970/1986) was struggling with this, in speaking of acceptance as something arguers do, publicly.

In this paper, I have adopted a complex of assumptions, problematics and methods which I believe is common in the Communication discipline, a complex which I have elsewhere named the "design" approach (Goodwin, forthcoming a, forthcoming b). I have started with the assumption that obtaining conspicuously

adequate premises will likely be difficult in circumstances characterized by deep disagreement and limited time; I have taken seriously, perhaps more seriously than most, the troubles arguers face in forcing their premises into notice. Arguers must use craft and care to overcome these difficulties, in the main part by designing the discourse that goes along with and creates the necessary environment for their arguments. I have isolated two of the undoubtedly many practical strategies arguers have developed to accomplish this task, ones native to two of the many contexts in which arguing typically arises. For each, I've sketched what the arguers are doing and why it should work. By doing this I hope I have made more apparent the existence of a problem about the pragmatics of premise adequacy, and possibly further that a design approach can handle it.

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