

ISSA Proceedings 2006 - Confrontational Manoeuvring By Pointing Out A Pragmatic Inconsistency



1. Introduction

According to some argumentation scholars, such as Brinton (1985, 1986), ad hominem arguments, or *personal attacks*, can be reasonable, and, according to some dialecticians among them, such as Walton (1987, 1998, 1999) or the pragma-dialecticians (Van Eemeren & Houtlosser 2003), they can be dialectically sound. In this paper I will restrict myself to the kind of personal attack where a critic charges an arguer with a so-called pragmatic inconsistency: the arguer, allegedly, didn't practice what he preaches, or he defected from his own policy. The question is: why would an arguer care for the (pragmatic) consistency of his argumentative position?**[i]**

For example, according to the British local council of West Lincolnshire, roadside memorials, put there to remember the victims of traffic accidents, cannot be tolerated because they distract drivers. A critic responds:

It's total hypocrisy. The authorities are happy to put up signs that make big money. But if we campaign to put up signs they treat us as troublemakers, and expect us to keep quiet when our children have been slaughtered. (The Guardian, London, November 3, 2005, Features Pages, p. 8).

I will discuss this kind of personal attack from the pragma-dialectical perspective of strategic manoeuvring between dialectical and rhetorical objectives (Van Eemeren & Houtlosser 1999a, 1999b, 2002, 2003). One problem to be solved is that, dialectically speaking, there is nothing wrong for a protagonist to have an inconsistent position. So any such charge seems to be irrelevant. I will try to solve this problem by using the distinction between the *role of the protagonist* in the model of a critical discussion, and *the person adopting that role* in argumentative practice. This person can be vulnerable to the inconsistency charge in three ways. Correspondingly, I will distinguish three versions of this personal attack. One of these versions is metadiological in nature, and that one will be examined in some

further detail.

2. *Critical discussion*

A model for critical discussion specifies a normative procedure for resolving differences of opinion by critically testing whether a particular standpoint is tenable vis-à-vis a particular antagonist with particular commitments. A critical discussion has four stages (Van Eemeren and Grootendorst 2004, pp. 57-62). The parties develop and formulate their difference of opinion in the confrontation stage. They decide on procedural and material starting points in the opening stage. In the argumentation stage they exchange arguments and criticisms. Finally, in the concluding stage, they determine whether the difference has been resolved, and if so, in whose favour.

Within a critical discussion there is a division of labour to stimulate the parties to consider all relevant pros and cons. The division of labour in the pragma-dialectical notion of a non-mixed discussion resembles the division of labour in the formal dialogues of Barth and Krabbe (1982). The individual task of the protagonist is to show to the antagonist that her critical position is untenable, or, equivalently, that his standpoint is defensible on the basis of the agreed upon starting points. He must do so by offering argumentation that starts from the antagonist's commitments and that leads to his standpoint. However, his primary aim is not to show to the antagonist that the standpoint he defends is true, or acceptable in its own right. The antagonist's aim is to make it clear to the protagonist that her position as a critic is tenable after all, and she does so by challenging and testing the parts of the protagonist's defence.

Shared goals and the individual dialectical tasks can be specified for each of the four stages. Consider the confrontation and the concluding stage. The shared goal of the confrontation stage is to formulate the difference of opinion in a way that furthers its resolution. The parties carry out the mutually opposite tasks of wording their positions and usage declaratives in ways that facilitate their individual defensive or critical tasks in the argumentation stage. In an impeccable confrontation, however, they do not become overly opportunistic. Discussion rules prevent them to nip the resolution process in the bud and impel them to remain within the bounds of reason. So, the parties do not hinder one another when advancing or adapting a standpoint or critical doubt; they formulate their contributions as clearly and univocally as possible; they interpret the formulations of the other party carefully; they accede to requests for usage declaratives; and

the issue of the status or the position of the arguers does not arise (Van Eemeren & Grootendorst 2004, pp. 60, 135-137, 190-191). The main goal of the concluding stage is to determine whether the difference of opinion is resolved, and if so, whether it has been resolved in favour of the protagonist or in favour of the antagonist. So, a discussion has three possible outcomes. The protagonist may give up his attempt to show to the antagonist that her critical position is untenable. In that case the conflict of opinions has been resolved in favour of the antagonist. The antagonist may give up her attempt to challenge the main standpoint, resulting in a resolution in favour of the protagonist. Or the parties may decide that their discussion ends unresolved.

3. *Inconsistency in a critical discussion*

A set of propositions is inconsistent if its propositions cannot possibly all be true in whatever possible situation we may come up with. In models for dialogue logic the asymmetry between the role of the proponent (or: protagonist) and the role of the opponent (or: antagonist) is relevant for assessing the act of committing oneself to inconsistent propositions (Barth and Krabbe 1982). In a formal dialogue along the rules of these dialogue logics, the proponent tries to show to the opponent that the opponent's critical stance towards the thesis is untenable, given that the opponent has made certain initial concessions, while the opponent tries to show that she is able to withstand this attempt. In those dialogue models that correspond to classical or constructive logic, there is a winning strategy for the proponent whenever the opponent has inconsistent propositions among her initial concessions. The proponent, on the contrary, makes no concessions, because the opponent, having nothing to defend, has no need for them. Suppose, the proponent's thesis is inconsistent, for instance by being a conjunction of a proposition and its denial. Then the proponent can be said to defend a *provocative thesis* (Krabbe 1990, p. 38): the proponent does not claim that the thesis is true or acceptable, but rather that the opponent's concessions commit her to this absurdity.

We have seen that in a critical discussion, as understood in the pragma-dialectical approach, the task of the protagonist is to show to the antagonist that her critical position is untenable. If the protagonist exposes a logical inconsistency in the antagonist's position, he is considered to have been successful. Such a commitment to an inconsistency, by the antagonist, can be further understood in dialogical terms, as Barth and Krabbe have shown, as adopting two incompatible stances towards one and the same proposition.

However, the antagonist has not achieved her dialectical aim if she points out an inconsistency in the position of the protagonist. First of all, it is not her aim to show the position of the protagonist to be untenable. The antagonist's raising critical doubts and asking for reasons must be understood as a way to unfold or develop a critical position in a way that is in line with her positive commitments. Second, the existence of two mutually inconsistent commitments of the protagonist does not necessarily make it harder for him to achieve his individual task of showing the antagonist's position untenable. What about a standpoint that is in itself contradictory? Given the dialectical aim of the protagonist, we must understand him as claiming, again, not that the thesis is true or acceptable, but that the opponent's concessions commit her to this absurdity.

I take it as a requirement of an adequate dialectical theory of pragmatic inconsistency that it does justice to the basic insight that an inconsistency does not harm the protagonist's position, at least not in any direct way.

4. *Rhetorical and dialectical aims in argumentative practice*

The expression *argumentative practice* will here refer to the textual or oral activity of exchanging argumentation and criticism. How can speakers or writers within an argumentative practice adhere to the pragma-dialectical discussion rules? Typically, only in an indirect manner, unlike for instance simple traffic rules.

One reason is that the pragma-dialectical model starts from the elementary position where the parties take turns by making singular contributions to the dialogue. Even an explicitly and directly formulated argument is to be reconstructed as an implicit dialogue before evaluating it. Real argumentation is normally complex in the sense that arguers, within one turn, anticipate and respond to several challenges in several ways. So, applying the model to argumentation requires reconstruction (and that does not decrease the argumentation's reasonableness).**[ii]**

If we start from a sense of *rule following* that is overly straightforward, we might say that parties in argumentative discourse do not need to *follow the rules* for critical discussion. We should understand the obligation to obey the rules as the obligation to make contributions *that can be reconstructed***[iii]** as sequences of appropriate singular moves in an ideal critical discussion between the protagonist and the antagonist (see Van Laar 2007 for a formal specification of this higher order obligation). A fallacy must be understood as a contribution that cannot be reasonably reconstructed as a series of legitimate singular moves.

Following van Eemeren and Houtlosser, two goals are to be distinguished in order to reconstruct, evaluate and explain argumentative behaviour. Here it is stressed that these are goals assumed to be operative in argumentative practices. First of all, an *arguer*, understood as a *person* having primarily the part of the protagonist, and a *critic*, someone who first of all takes care of the antagonist, are dialectically bound to achieve the *dialectical objectives*, or to fulfil their *dialectical obligations* (Johnson 2000). The arguer and the critic must make contributions that are construable both as legitimate elements in a critical discussion as well as elements that are instrumental for fulfilling the individual dialectical tasks of the protagonist or the antagonist. Secondly, it is methodologically useful to interpret the argumentative behaviour of arguers and critics in the light of their (presumed) rhetorical objectives. The central rhetorical objective of the arguer is to get the best of the discussion, that is, to persuade the antagonist to retract her critical doubt regarding the standpoint. The central rhetorical objective of the critic amounts to persuading the protagonist to retract his standpoint with respect to the antagonist. These rhetorical objectives can be instrumental for further aims, such as for the purpose of making the arguer look stupid, or for the purpose of a good negotiation result. A party is said to *manoeuvre strategically* when he pretends to be successful in reconciling his rhetorical aims with his dialectical obligations.

Arguers and critics can be strongly motivated to realize their rhetorical objectives. By using only dialectically permissible means of persuasion a party can bring his rhetorical and dialectical goals together. There is, however, a risk that the rhetorical motives are so strong that a party abandons his dialectical goals, or gradually loses sight of his obligations. It can be hard to find dialectically appropriate arguments, or to analyse a position thoroughly so as to find the dialectically weak spots. If parties resort to unsound, but possibly effective means of persuasion, the strategic manoeuvring derails and a fallacy of some kind has been committed.

The kind of personal attack that is at issue in this paper is a kind of confrontational manoeuvring, that is, a form of strategic manoeuvring where at least some of the central objectives have to do with the confrontation stage. The main dialectical aim in confrontational manoeuvring is to express a difference of opinions in a way that furthers its resolution. The central rhetorical aim of a party is to shape the difference of opinions in a way that is opportune for winning over the other party in the later stages. Take the critic in a situation where the arguer

has already advanced a standpoint. For her, the rhetorical objective amounts to getting the arguer to change his standpoint in a manner that is advantageous for her, for instance by being clearer on those parts of his position that are difficult to defend. She may try to get the protagonist to reformulate his standpoint or to revise it in a different respect.

In argumentative practices, a critic may surmise that the other arguer's position is inconsistent, not on the ground of his explicit propositional commitments, but on the ground of his behaviour. By themselves, actions do not lead to propositional commitments, but they do head for them. An action A by a person only *suggests* that he is committed to the propositions that he has done A, as well as that A is permissible. However, it's not impossible that this person may offer an explanation of why he does not regard himself committed thus. So, actions lead to *contextual commitments* only, "commitments that are assumed to be inherent in the discussion situation at hand" but that are "only of real consequence for the discussion if they stand up to an appropriate intersubjective identification procedure" (Van Eemeren and Houtlosser 2003).

I will start from the following definition of *pragmatic inconsistency* that subsumes the three action-related types of inconsistency distinguished by Woods and Walton (1989). The position of a person P is pragmatically inconsistent if and only if

- (1) P has put forward assertion S and, in addition, P has conveyed the message that he considers S acceptable himself;
- (2) P has performed action A;
- (3) having done A, P cannot avoid committing himself to T, if asked to do so;
- (4) S and T are logically inconsistent.

So, charging an arguer with a pragmatic inconsistency is to express the expectation that the arguer's set of commitments will become inconsistent in case the critic requests him to commit himself explicitly to the contextual proposition generated by P's action.

As said, actions do not lead directly to commitments. For example, if P is seen hitting a person, P might be considered committed to the proposition that he has hit this person, unless P can make it clear that he disagrees with this description of his action and commits himself to the alternative reading that he slapped this person on the back, in a friendly manner. Similarly, P can avoid committing himself to the acceptability of hitting a person, by explaining that he lost his

temper and did something he considers impermissible. If the critic's expectation is wrong, the arguer's position was not really pragmatically inconsistent, although it may have looked that way.

Now, why would an arguer, the person taking primary responsibility for the tasks of the protagonist in an argumentative discussion, worry about a potential pragmatic inconsistency?

5. *Three uses of pointing out a pragmatic inconsistency*

There are at least three reasons why the arguer may want a consistent position, and why the critic may want to point out a pragmatic inconsistency.

(1) First, the arguer may want to be perceived as a *credible* arguer in order to persuade the antagonist of some proposition on the basis of his say-so. The arguer's holding the standpoint acceptable himself then functions as an argument from trustworthiness to persuade the antagonist to accept the standpoint: *Smoking is bad. I really think so.* Such an appeal can best be understood as an application of the symptomatic argumentation scheme (cf. van Eemeren and Grootendorst 1992a, p. 163): 'p, because I say so and I am a credible source with respect to this subject.' (Arguers do not always need to be credible in this particular sense. If the protagonist is able to support his standpoint by propositions that have already been conceded by the antagonist, the arguer may argue *ex concessis*, having no need to appeal to his trustworthiness.)

What if the arguer defends a standpoint in this way, while his behaviour is at odds with it? Like trust (Govier 1998), credibility has two dimensions: motivation and competence. So, two possible explanations suggest themselves. The critic may surmise that the arguer is dishonest, disbelieving his own standpoint while talking as if he holds it acceptable, or that he is incompetent by being unaware of what constitutes a plausible position. Both lying about S, as well as holding S and its denial true, diminishes an arguer's worth as a reliable source of the information that S is the case.

(2) Second, the arguer may want to remain consistent, not in his capacity as a protagonist, but in his capacity as an antagonist. Discussions are normally mixed, in the sense that both parties defend contrary standpoints, contributing to two distinct, though closely related, non-mixed critical discussions. So, in a real debate, an arguer may want to reckon both with his aims as a protagonist in the one critical discussion as well as with his aims as an antagonist in the other critical discussion. Moreover, an arguer may want to remain consistent for the

long-time purpose of developing one single position that is his operating base for a number of critical discussions that he wants or needs to engage in, sometimes as a defending protagonist and at other times as an antagonist testing others. To be able to play the part of antagonist in future discussions successfully, the arguer may want to remain consistent in the current discussion.

(3) Third, the arguer may want to remain consistent in order to keep up the image of a sincere and capable arguer. In order to fulfill the tasks of a protagonist adequately, such as formulating a standpoint, offering argumentation, and assessing the merits of counterarguments, one must be intellectually capable of doing so, and well disposed towards accomplishing these tasks. If an arguer is credible with respect to these tasks, he can be said to be *credible as a protagonist*. Arguers can be credible as a protagonist with respect to the one subject matter, while lacking it with respect to a different subject. If, given the standpoint he defends, an arguer lacks credibility as a protagonist, we cannot expect a reasonable discussion to unfold, due to fallacies or blunders on the part of the arguer, and so, a condition for critical discussion is left unfulfilled.

If an arguer lacks credibility as a protagonist, a second-order condition for conflict resolution is left unfulfilled. Following Barth and Krabbe on procedural *rules* of first, second, third and even higher order (1982, p. 75-6), van Eemeren and Grootendorst distinguish three kinds of *conditions* that must be fulfilled in order to enable the resolution of a difference of opinion (1988, 1992a; van Eemeren et al 1993). According to the first order conditions, the participants must follow the discussion rules. According to the second order conditions, particular character traits, intellectual capacities, and attitudes are needed to realize the first order conditions. According to the third order conditions, particular external, social and political, circumstances must apply in order to realize the second-order conditions.

How could an inconsistency of the part of the arguer diminish the arguer's credibility as a protagonist? My answer is tentative, and it applies only to particular circumstances. Often, but not always, an arguer means more than that the critic's position is untenable, regarding the standpoint both justifiable to the antagonist *as well as* acceptable himself. Think of discussions on what we believe to be the case. Suppose, an arguer conveys this additional information, while his behaviour is at odds with it. That makes it, *somewhat plausible*, although no more than that, that either the arguer is insufficiently sincere with respect to his

expressed intention to fulfill the tasks of a protagonist, or that he is intellectually incapable of fulfilling these tasks.

Defecting from policy is probatively relevant for such insincerity to the extent that someone's being insincere about what he believes, indicates an insincerity about his dialectical intentions. Defecting from policy is probatively relevant for such incompetence to the extent that someone's incompetence to detect an inconsistency indicates incompetence to fulfill the protagonist's tasks in a critical discussion. I suppose these warrants carry some plausibility, though, of course, more is needed to build a convincing case for the metastandpoint that, due to the arguer, a second order condition for resolving the difference of opinions is left unfulfilled. And if the arguer does not convey the additional message that he considers the standpoint acceptable himself, defecting from policy is even completely irrelevant for these metastandpoints about the sincerity and the competence of the arguer.

In order to achieve his objectives, a party may contribute to either the ground level dialogue, or to a metadialogue, that is, "a dialogue about a dialogue or about some dialogues" (Krabbe 2003, p. 641). In this paper, the problem, formulated by Krabbe, of demarcating ground level dialogue from metadialogue is dealt with by considering any move that pertains to the fulfilment of a condition for critical discussion as part of a metadialogue. So, a *fallacy criticism*, given the dialectical explications of *fallacy*, starts a metadialogue about a first order condition for critical discussion. Here, however, we are dealing with the charge of pragmatic inconsistency. If used for this third purpose of showing that the arguer lacks credibility as a protagonist, the personal attack starts a metadialogue about a second order condition for critical discussion.

6. *Pointing out a pragmatic inconsistency as a form of strategic manoeuvring.*

Corresponding to these three ways in which an inconsistency may harm the arguer's position, three distinct subcategories of this personal attack can be distinguished. I will restrict attention to the metadialogical version.

This kind of strategic manoeuvring forms itself an argument, having the following form:

P1. You are insufficiently credible as a protagonist of this standpoint, lacking either argumentative competence or sincerity in this issue.

P1.1. Because, your position is pragmatically inconsistent.

P1.1.1. Because, you advanced standpoint S while you performed act A.

By pointing out a pragmatic inconsistency, the critic tries to discredit the arguer as a protagonist. According to the critic, a second order condition for resolving this particular issue is left unfulfilled, therefore, the critic can expect the arguer to commit fallacies and make blunders, and consequently, the arguer is unfit to adopt the role of the protagonist of the standpoint. This meta-argument first of all contributes to the opening stage, where the parties decide on the division of the discussion roles. Indirectly, however, the critic also tries to influence the final results of the confrontation and even the concluding stage in his own favour. By declaring the arguer unfit for the role of protagonist of this particular standpoint, the critic can be seen as pushing the arguer to adapt his standpoint, to give a different formulation of the standpoint, or to get him to withdraw from the discussion altogether.

So, the rhetorical objective served by this version is to get the standpoint revised in a manner that is advantageous for the antagonist, for instance by highlighting those parts of the standpoint that are hard to defend, or to get the protagonist to admit that the issue cannot be resolved in his favour. In this way, pointing out a pragmatic inconsistency is a device for excluding persons from defending particular standpoints or from defending particular formulations of them. Because resolution is served by the fulfilment of the second order conditions, the critic is able to keep up the pretence of dialectical reasonableness.

The example of the roadside memorials is an example of this third version: the arguer, a council in this case, is considered hypocritical and lacking the credibility needed to participate in a serious, resolution oriented discussion on this issue.

7. Conclusions

There are at least three reasons why an arguer would care for the consistency of his position. He may care for his credibility for either the purpose of appealing successfully to his personal trustworthiness, or for the purpose of keeping up the image of a competent and sincere arguer. In addition, he may care for consistency in his capacity as a would-be antagonist. Consequently, there are three different rhetorical grounds for why a critic would attack the consistency of the arguer's position. So, strategic manoeuvring by pointing out a pragmatic inconsistency serves the rhetorical purposes of the critic while keeping up the aspirations at dialectical reasonableness. Still, this kind of strategic manoeuvring may easily derail. A discussion of the specific soundness conditions for this kind of personal attack, and the relation between this form of strategic manoeuvring and the ad

hominem fallacy of *tu quoque* (Van Eemeren & Grootendorst 1992b, Van Eemeren & Houtlosser 2003, Woods 2004) is something for a different occasion.

NOTES

[i] This paper has been made possible by the Rijksuniversiteit Groningen and by a grant of the Netherlands Organisation for Scientific Research (NWO) for a project on strategic manoeuvring in argumentative confrontations, lead by Peter Houtlosser and Frans van Eemeren and carried out at the University of Amsterdam. I thank Peter Houtlosser, Frans van Eemeren, Allard Tamminga and Erik Krabbe for their comments on earlier versions of this paper.

[ii] Another reason is that the rules are formulated on an abstract level. Even if we have developed the criteria and interpretation procedures that refine and specify the rules (van Eemeren and Grootendorst 1992a, pp.104-6), they will exhibit a level of abstractness and need to be applied in actual situations. Some room will still be left for giving shape to dialectical obligations when substantiating them.

[iii] See Van Rees (2001) and van Eemeren et al (1993, chapter 3) for the distinction between (normative) reconstruction, based on a theoretically motivated model, and interpretation, based mainly on linguistic conventions.

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