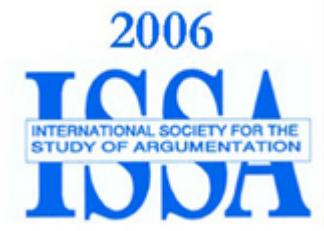


# ISSA Proceedings 2006 - Perelman's Vision: Argumentation Schemes As Examples Of Generic Conceptualization In Everyday Reasoning Practices



*"My client in this law suit would be the first to outrage if the allegations brought up against him concerning child molestation turned out to be true." (defence attorney)*

## 1. *Background considerations*

In *The New Rhetoric* (Perelman and Olbrechts-Tyteca 1969), argumentation schemes are observed as effective techniques of persuasion by seeking and establishing agreement among interlocutors regarding the acceptability of the argumentative process. Such agreement-seeking is in accord with the speaker's orientation at prospective perlocutionary effects to be achieved in the hearer. This very orientation lies in the heart of the psychological faculty of mental-state-attribution too, whose manifestation is the intentional nature of mental events and the intentional relations constituting human communication (cf. Dennett 1987, Komlósi 1996). Argument schemes are considered to be complex mental entities whose validity domains are enlarged by a set of potential adjoining propositions often inducing implicational consequences for sound reasoning. The paper attempts to show that the interplay of these observed faculties inherently contributes to the achievement of agreement among the audience in matters of soundness and acceptability of arguments. It is claimed in my approach to everyday reasoning practices that the intentional orientation inherent in the argumentative schemes ought to be treated as a meta-discursive parameter.

The paper provides fundamental support from contemporary studies of the types of mental operations in dynamic meaning construction in ordinary language use and sets out to apply those mechanisms to argumentation and reasoning practices

(see earlier research in Komlósi 2002, 2003, 2006b, Komlósi & Knipf 2005). A central claim of the paper concerns the occurrence of these dynamic mental processes at very different levels and varying complexity of meaning construction: at the levels of lexical construction, conceptual construction, conversation and argument construction alike. The argumentation techniques in the *New Rhetoric* rest on two principles: association and dissociation. *Association* consists in unifying elements into a single whole by bringing together elements which previously were regarded as separate. *Dissociation* consists in letting existing wholes disintegrate by separating elements previously regarded as units.

After an initial analysis of the nature of premises (both explicit and intended ones), the paper distinguishes presumptions (that show audience agreement) and assumptions (that show lack of audience agreement and are in need of further negotiation and confirmation) in order to provide for a case study of presumptive arguments. The main objective of the analysis, however, is to render underlying mental operations widely studied in cognitive disciplines (such as categorization, mapping, selective projection, detachment, association, compression, substitution, counterfactual reasoning, conceptual blending and conceptual integration) to reasoning practices and propose appropriate applications of these mental operations to the study of argumentation, especially argumentation schemes. Observing and acknowledging the mechanisms of integrating various mental spaces (or alternatively conceptual domains) in our everyday mental activities, the paper provides further confirmative evidence for Perelman's original classification of argumentation schemes (one type producing argumentation based on the structure of reality, another type producing argumentation establishing the structure of reality) with the help of the conceptual apparatus of fit between mental models and reality. Association and dissociation constituting argumentation schemes are regarded as complementary mechanisms (with integrative - disintegrative - reintegrative moves) allowing for flexible and dynamic argument evaluation.

## 2. Argumentation schemes in reasoning

My interest in studying argumentation schemes increased beyond expectation when I started to realize what a potential the concept of argument scheme revealing the internal relationships within an argument may have for everyday reasoning practices and rational argumentative discourse. It was held for at least a quarter of a century that what *The New Rhetoric* by Perelman and Olbrechts-Tyteca (1958, 1969) proposed was that argumentation schemes should be

observed as effective techniques of persuasion by seeking and establishing agreement among interlocutors regarding the acceptability of the argumentative process. It also offered the taxonomy of argumentation schemes by introducing a level of abstraction to provide for a guideline in understanding the logical ways responsible for the internal combinatorial arrangements of premises inside a single argument, as opposed to argumentation structure that describes the external organization of the various arguments, i.e. the composition of the argument as a whole. However, it is important to see that the situation is more delicate and the phenomenon of argumentation schemes is much more complex: argumentation schemes ought to be conceived of as having a much more challenging nature and a much more complex function than just the taxonomic one (cf. Komlósi 2006a). The revised view on the status of argument schemes appeared in the formulation of (van Eemeren, Grootendorst, Snoeck Henkemans et alii, 1996, p. 19.) as follows:

"Argumentation schemes relate to the kind of relation established in a single argument between its premises and the standpoint the argument aims to justify or refute. Just as logical argument forms, argumentation schemes are abstract frameworks which can have an infinite number of substitution instances. All substitution instances can, of course, be logically analyzed as involving an argument form of the *modus ponens*-type, but this argument form does not reveal the distinctive features of the various argumentation schemes. (...) An analysis of the argumentation schemes used in a discourse should produce information as to the principles, standards, criteria, or assumptions involved in a particular attempt at justification or refutation."

If argumentation schemes are used by protagonists as effective techniques of persuasion by seeking and establishing agreement among the interlocutors regarding the acceptability of the argumentative process, then an accurate argument evaluation procedure should be able to spell out the particular principles, criteria or assumptions which are being applied as *the distinctive features of argumentation schemes*.

I find contemporary ideas in the theory of argumentation and rhetoric, - such as e.g. the fine-grained analysis of argument schemes and strategic maneuvering, - extremely crucial for exploiting the challenging opportunity for a wider understanding of both the way we think and the way we use natural language in our everyday practices of reasoning, arguing and conducting social interaction. In

short, it is timely to study the ways we negotiate and construct social reality in a discursive framework (cf. Komlósi 1989, Komlósi & Knipf 1987, Komlósi 2004). A branch of this inquiry is the investigation of the practical, everyday routine of our argumentative practices. I find it appropriate to reconstruct the possible ways arguers interpret *implicit arguments* with the help of making bridges between implicit premises and inferred conclusions. I want to indicate, specifically, how and by what mechanisms arguers rely on the *force of presumptive arguments* for generating certainty in their audience in order to positively influence the acceptance of the standpoints by the audience. I claim that a certain subset of presumptive arguments shows characteristics of entrenchment for which I attempt to point out that such types of implicit arguments make it possible for everyday argumentative practices to exploit the effect of conventionalized persuasive power inherent in argumentation. This is another motivation for me to use of the *revised concept of argument schemes*.

In looking for ways of generating certainty and predictability as a desirable result of discursive behavior, I take the opportunity to look at how we are bound to apply different types of reasoning in certain types of disciplines. I adopt the claims of Nicholas Rescher's rationality thesis (Rescher 1988) with his notion of the *dichotomy in the nature of human inquiry* according to which we practice *deductively formal reasoning* in certain discipline-bound inquiries, however we also pursue *dialectically informal types of reasoning* secured by the *prismatic complexity of reasoning* in other types of inquiries.

It is a triviality to observe that scientific activity, much like scholarly activity itself, takes place in a *social setting*, and is *negotiated and validated within the community*. Systematic analyses have pointed out that the cultural and conceptual components of scientific inquiries are constituted in social interaction. Social interaction ought to be rational, adaptive, context-sensitive and consensus-oriented. Our *social behavior* is – to a great extent – *symbolic verbal behavior*. It is in the context of social interaction that we come to appreciate the *dialogical, discursive faculties* constitutive of language use. If we acknowledge that the establishment of social reality is intricately related to successful mastering of rational argumentative discourse, we can also be content in accepting that reasoning and argumentative practices in all walks of life are bound to be validated as reliable and coherent.

For such argumentative reliability and coherence, however, we must possess epistemic certainties as premises for our reasoning and argumentation. How

certain can we be of these premises? We often challenge other people's standpoints, we try to persuade them of our views, and sometimes we yield to their views and arguments as well. This is basically the scene for the *social construction of meaning*. We negotiate, confirm, reject and accept views so that we should feel comfortable holding certain views. We do not like epistemic or cognitive dissonance in the long run, just as we dislike emotional dissonance.

The questions arise: How formal and how rational is our thinking or reasoning? What are the principles that help us select relevant information for constructing meaning? Is our reasoning and argumentation determined by a consistent set of internal norms and axioms? Or else, is our thinking likely to be influenced by context-specific factors, situations, competing alternative solutions, tensions, undecidedness, therefore by varying degrees of acceptability? The answer has to be sought in our *reasoning culture*. Nicholas Rescher (1988) claims that - depending on the task and the situation - we *entertain different attitudes towards acceptability and consistency*. For some inquiries we need to possess certainties, for others it is perfectly agreeable to have *provisional credibility*. Rescher argues that *in natural sciences we reason in a deductively valid way from assured premises*: thus we apply *linearly inferential reasoning*. In many walks of the social sciences and the humanities, however, we often apply dialectically cyclic reasoning: we repeatedly reconsider old issues from newly attained points of view. In dialectical reasoning we make assertions that are negated, corrected or rectified by subsequent counter assertions. We can easily see that the *notion of proof and refutation/falsification* are very different in the natural sciences and in the social sciences. Rescher acknowledges that the human sciences are bound to tackle the *prismatic complexity of human thought* that is inherently complex and many-sided, that is a matter of inner tension of competing pushes and pulls in varying directions.

Argument schemes reflect the internal organization of individual single arguments by specifying the principles on which the constituent arguments rely for defending the standpoint. Constituent arguments in an argumentation scheme are often implicit, the interpretation of which involves *different degrees of inferential mechanisms*. Constituent arguments are taken to be propositions that may induce implicational consequences, depending on the intrinsic nature of the propositions: they may entail, presuppose or implicate adjoining propositions.

As mentioned above, argument schemes are considered to be complex mental

entities whose validity domains are enlarged by a set of potential adjoining propositions. It is due to these implicational and inferential mechanisms that argument assessment strategies are bound to take into consideration both *formal validity* between premises and conclusions and *plausible inferences* and the transmission of acceptance from premises to conclusions.

When we permit plausible inferences and the pragmatic influencing of transmission of acceptance from premises to conclusions, the question arises: Can we still speak of a controlled system of critical discussion? How far does this permissiveness take us away from reasoned argument and critical argument assessment? In light of these questions I want to formulate my aim: I am convinced that with current research in argumentation theory we are in the position to understand *the compatibility of the requirements of formal validity and inferential reasonableness in reasoned argument and critical discussion*. I advocate that we need both a logical analysis and a pragmatic analysis to be able to define underlying implicit arguments more truthfully.

Eemeren (2001: 18-19) advocates the *pragmatic attitude* in argumentation studies which helps to determine the commitments of an arguer by claiming: "The analyst must not only carry out a logical analysis, based on a formal validity criterion, but also a pragmatic analysis, based on standards for reasoned discourse. In the logical analysis, an attempt is made to reconstruct the argument as one that has a valid argument form; in the pragmatic analysis, the unexpressed premise is then more precisely defined on the basis of contextual information and background knowledge."

My quest for a *non-underdetermined notion of pragmatic and contextual information* crucial for argument evaluation finds strong support from the pragma-dialectic analysis of unexpressed premises and argument schemes (cf. Gerritsen 2001, Garssen 2001). Gerritsen (2001: 68) for example notes that "When the context is not taken into consideration in a given case, it seems virtually impossible to identify the unexpressed premises. Many theorists have stressed that contextual information is often decisive in making analytical decisions and that the context should therefore be included in our analyses." This requirement seems to parallel the growing interest in the notion of argument schemes in which the emphasis is not on studying the formal structure of the argument, but rather the study of its generalized content. Some arguments are based on causal relations, others rely on resemblance or analogy, as the case may be for the generalized content to be manifested in the arguments.

## *2. A brief survey of the classification of argumentation schemes*

There is obviously little need, let alone room in this paper to survey the different classifications of argumentation schemes proposed by different scholars (cf. Perelman and Olbrechts-Tyteca 1969, van Eemeren and Grootendorst 1984, Kienpointner 1992, Garssen 2001, 2002, etc.) in detail. My brief recapitulation of the major tenets and the characteristic features the known classifications tend to focus on is meant to throw some light on the *complexity of the internal inferential structure* represented by argument schemes.

*The New Rhetoric* (Perelman and Olbrechts-Tyteca 1969) distinguishes argumentation techniques (i) that are based on the principle of dissociation (renouncement of an opinion by introducing a division/differentiation into a concept or elements of an argument regarded as a single entity, though challenging unity by figuring as a source of incompatibilities) and (ii) those based on the principle of association (elicitation of an opinion by introducing a link between elements of an argument that were previously separate, thus promising unity).

*Dissociation* is a creative technique to show that something (a concept or an argument) is not what it is believed to be, while *association* is a creative technique to show that something is what it ought to be in virtue of the manner elements are suggested to be related and linked together. The two techniques are not in opposition but rather complementary to each other which actually occur simultaneously in order to be exploited as rhetorical means in argumentation. Argument schemes based on *association* are general schemes of putting elements of arguments into *particular argumentative relation*:

- (i) quasi-logical relations,
- (ii) relations based on the structure of reality and
- (iii) relations establishing the structure of reality.

*The Pragma-Dialectic Typology* of van Eemeren and Grootendorst (1984) looks for argument assessment criteria in terms of rule-compliance and rule-violation by establishing the possible types of link between premises and conclusions. Rule violation can occur when the protagonist is relying on an inappropriate argumentation scheme or is using an appropriate argumentation scheme incorrectly. Van Eemeren and Grootendorst distinguish three main categories of argumentation schemes:

- (i) symptomatic argumentation ("token type" with a relation of concomitance between the premises and the conclusion),
- (ii) comparison argumentation ("similarity type" with a relation of resemblance)

and

- (iii) instrumental argumentation (“consequence type” with a causal relation).
- Alltagslogik* in (Kienpointner 1987, 1992) proposes a relational typology as well in which the possible types of link figure between a warrant and the conclusion in an argumentation scheme. In his typology, Kienpointner distinguishes
- (i) warrant-using argumentation schemes (linking already acceptable warrants to conclusions),
  - (ii) warrant-establishing argumentation schemes (in which inductive argumentation takes place by acknowledging the warrant itself as the conclusion) and
  - (iii) no-warrant argumentation schemes (in which the conclusion is derived from functions of illustration, analogy or authority).

*The Argumentative Practice Approach* is taken in (Garssen 2001, 2002) where argument schemes are examined from the point of view of understanding and processing. Garssen reexamines both the pre-theoretical notion and the existing practical notion of the particular relation between premises and standpoints as entertained by the arguers themselves.

### *3. The case of presumptive arguments*

It seems highly relevant to discuss in the analysis of implicational and inferential reasoning practices manifested in argumentation schemes the role of *presumptions and presumptive arguments*. Presumptive arguments, together with presumptions as particular types of implicitly intended propositions in general, possess a particular force enabling them to function in the argumentation process with a special status. In effect, they represent a unique type of an inference based *only in part* on evidence related to the truth of the conclusion. It must be seen that the *other part* of the evidence in the case of a presumptive argument within a given argumentation process is suggested and expected to be derived from the context of the presumption and the pragmatic attitude associated with it.

Presumptive arguments deserve a special attention in our analysis as being arguments inherently sensitive to contextual and pragmatic information for their success as inferences. In argumentative discourse a decisive pragmatic aim of an arguer is to enhance the acceptability of the proposed standpoint. In such a view, a protagonist in an argumentation process who puts forward an argument can be taken to attempt to favorably affect the transfer of acceptance from the premise to the standpoint. The act itself in a holistic perspective is that of convincing the opponent, the outcome of which should be the acceptance of the standpoint by

the opponent.

Walton (1996) observes the significance of presumptive reasoning in argumentation and analyzes presuming as a virtual speech act contributing in specific ways to certain kinds of argument schemes. In my analysis I adopt the speech-act-view of Walton's approach to presumptive inferencing.

According to the Amsterdam School of Argumentation, argumentation is a particular kind of speech event which presupposes an expressed (anticipated or presumed) *disagreement*. In Anthony Blair's conception (Blair 2002: 125) "disagreement denotes a lack of complete identity of commitment to some position or standpoint". This formulation suggests that it is a rather delicate communicative act to get intended or preferred arguments based on suppressed or presumed standpoints across so that they should function as a rival standpoint or position.

With the help of the pragmatic attitude, bridges are made between implicit premises and inferred conclusions. I want to point out how and by what mechanisms arguers rely on the force of presumptive arguments for gaining certainty towards the acceptance of standpoints. I claim that a certain subset of presumptive arguments shows characteristics of entrenchment, thus exploiting an effect of conventionalized persuasive power in argumentation. As Anthony Blair himself claims, his "corrupt use of *logic*" has the virtue of allowing for the possibility that reasoning might seem to be logical in a sense that it is rational to use it or to accept it, even if its premises do not entail its conclusion.

Rhetorical reasoning, drawing on the rules of informal logic, allows for argument assessment beyond entailment relations (i.e. strict logical implications), thus including different types of implication relations that support the inference making faculties applied in argumentative discourse. It becomes obvious from the literature on argumentative discourse that argument schemes are among the concepts studied intensively by argumentation theorists. Analyzing the potential of argument schemes for argument assessment is a challenge to create a complementary alternative to the formal logical models and their validity norms. The study of argumentation schemes supports the claim that the architecture of our inferential mechanisms is fairly flexible. This flexibility can be traced in the way *The New Rhetoric* opts for an extremely relativistic audience-dependence in argumentative discourse. I want to draw some parallel between the philosophy and techniques of *The New Rhetoric* and recent developments in research on mental operations in terms of conceptual integration.

As we have discussed above, *The New Rhetoric* envisages two principles in argumentation techniques: association and dissociation. Association means the unification of separate elements into a single whole (bringing elements together), while dissociation disintegrates and separates elements that formed a unit before (disintegrating units in which a concept is differentiated from a host concept it was part of before).

It is easy to see that both association and dissociation are types of re-categorization. Re-categorization requires the rearrangement of constituent elements in a designated unit. In association, one makes a new category by changing the constituents of a category with the help of the notion *addition*. In dissociation, one makes a new category by changing the constituents of a category with the help of the notion *subtraction*. In addition to these types of constituent-rearrangement, there can yet be other ways of bringing about new categories. One can, for example, take certain constituents away, but add some new ones to the category at the same time. The constituency of the category would thus be substantially altered. It would, however, still carry some properties of the original category. In fact, there are well-known combinatorial procedures for the rearrangement of constituent elements. In this way, one can talk about categorization, mapping, selective projection, detachment, association, compression, substitution, counterfactual reasoning, conceptual blending and integration. These mental operations are used in concept structuring and in argument structuring alike.

*Conceptual integration* as a cover term for a variety of mental operations responsible for tangible constructs used in verbal interaction has become widely used in the conceptual and methodological framework of mental space operations (cf. Fauconnier & Turner 2002). In the tradition of mental space operations and conceptual integration, many concepts are seen to have a flexible and even temporary nature since the way an entity is to be categorized on any specific occasion is very much a function of the concerns of the speaker, the purpose of the communication, and the conceptual model constructed and established by negotiation in prior linguistic acts. If some concepts may have flexible and temporary interpretations that depend on the pragmatic parameters of use, linguistic forms representing these concepts should also be interpreted in flexible ways. Flexible interpretations closely link up with the concept of dynamic meaning construction. Linguistic creativity and our capacity for language greatly depend on our ability to use a relatively limited inventory of grammatical and

lexical forms to prompt for virtually unlimited ranges of cognitive representations. While lexical listing of meaning properties makes use of entrenched storage of idiosyncratic meaning properties in long-term memory, conceptual integration makes use of the combinatorial potentials of lexical items prompting selective projections of mental contents into novel conceptual structures, such as mental spaces or cognitive schemes, argument schemes included. Conceptual integration believes in the creative character of human thinking and linguistic meaning and shows the highly plastic nature of cognition and the various powers of the mind to shape new meanings. Blended mental spaces, for example, are locally constructed scenarios which lack generality, abstractness and stability. These mental spaces are not concrete domains of experience: a generic space is skeletal but emergent construct that is abstracted from phenomenal experience selectively. The most surprising aspect of the conceptual blending program is the study of how conceptual blending systematically compresses vital relations (change, cause-effect, temporal order, counterfactual reasoning, identity) into each other. An over-arching goal of compression through blending is the achievement of human scale in the blended space of the full conceptual integration network.

I want to claim here that there is a highly similar motivation at work, namely a pragmatic attitude behind both (i) the argumentation schemes as reasoning constructs and (ii) figurative, idiomatic, often metaphorical discourse as cognitive constructs. Both are designed to facilitate credibility for the acceptance of standpoints (or proposed meanings) with the help of explicit or implicit premises. Argument schemes, just like blended mental spaces, are emergent, unstable and ephemeral mental constructs whose success as effective means of persuasion greatly depends on contextual factors.

#### *4. A proposed analysis of counter-factual argumentation*

In the last part of the paper I make an attempt to illustrate how the mechanism of conceptual integration is exploited by reasoning strategies, especially in counter-factual argumentation. Let us examine the following example in (1):

- (1) In France, a sexual affair would not have harmed Clinton.

It should be obvious that the proposition in (1) is assigned a sentence meaning (a linguistic meaning) and several utterance interpretations (an argument, a counter-argument, a criticism of the US presidential law, a criticism of the presidential system in France, a justification, etc.).

The conditional clause calls for a counter-factual interpretation of some possible

world WP – in addition to the existing real world WR – whose mental contents could be represented by the following (non-exhaustive) sets:

WP = Clinton is president of France; Clinton has a sexual affair in France; the sexual affair is revealed to the public in France; no harm is caused to the president of France; etc.

WR = Clinton is president of the US; Clinton has a sexual affair in the US; a sexual affair is a private matter in France; a sexual affair is not a private matter in the US; the sexual affair is revealed to the public in the US; harm is caused to Clinton as president in the US; etc.

However, some elements of these mental contents are not merely propositions (i.e. descriptions of states of affairs), they are mental spaces. These mental spaces do interact with each other. Some properties are retained in the original mental space, some other properties are projected into other mental spaces. For example, almost all of Clinton's personal properties keep being attributed to him, except for the fact that he is the president of France instead of being the president of the US. The fact that he should be speaking French as president of France remains unspecified. Also, both the French and the US presidential systems are retained in the respective worlds. What should be surprising here is that no one can be claimed to entertain clear and separate pictures of WP and WR! Instead, everybody will entertain a smooth operative picture called *a blend* of the possible and the real worlds. It is very likely that the blended space in this situation would contain generic properties of the French president in the French administration and actual properties of Clinton as an individual with his own morals and behavior, beside containing a lot of arbitrary and contingent properties highly underspecified for the purposes of the blend.

The next example can directly be related to argumentation schemes under discussion.

After allegations against Michael Jackson for child molestation were made, Michael Jackson's defence attorney claimed:

(2) "Michael would be the first to outrage if the allegations turned out to be true!"

The lawyer's argument is fallacious due to informal logical flaws in the argument and epistemic and moral contradictions between the possible worlds created by the counterfactual argument which results in the defendant being represented as possessing incompatible properties. Thus, incompatibility ensues between the

possible worlds too.

(2a) "Michael would be the first to outrage if ..."

This conditional proposition is ambiguous since it permits the interpretation of two different mental states on the part of the defendant. He might be outraged because he, as a law abiding citizen, condemns the act of child molestation as a criminal act (whoever should commit such a crime- in an extreme interpretation even if he did!), or because he knows that the allegations cannot be true as he had not committed the act of child molestation. On the one hand the lawyer's argument appeals to a "general moral standards" and a "generally shared sense of moral values" which he attributes first and foremost to his client, Michael Jackson. Thus, the lawyer's claim emphasizes M. J.'s correct moral judgement on the basis of which M. J. finds - beyond any doubt - an act of child molestation reprehensible. On the other hand, there is an interpretation according to which M. J. insists that he knows he has not committed the act he is being accused of, thus he is outraged over a case of injustice against him.

So far there is no interpretational contradiction except for the following ambiguity. There is a presumption that many other people too ought to be attributed the same generally shared sense of moral values according to which child molestation is immoral, therefore it is found reprehensible and is considered a crime generally. The lawyer exploits the conditional proposition (1a) as a rhetorical device to persuade the public that his defendant is "a moral being" with a right sense of moral values, who would condemn the commitment of the criminal act of child molestation even if he himself had committed it. However, in the "real world", (i.e. in the non-counter-factual world) neither M. J., nor the other people with the shared sense of moral values are outraged as long as the allegations have not been proven.

Thus, the conditional proposition in (2a) brings about several possible worlds in one of which the alleged child molestation indeed had taken place, however the good moral sense of M. J. would make him feel outraged over an immoral criminal deed which he is claimed to condemn. There seems to be no logical contradiction between these possible worlds, however, a contradiction of an epistemic nature does ensue due to the consequences of the full counter-factual argument (2), made complete by (2b):

(1b) "...if the allegations turned out to be true!"

The counter-factual conditional brings about another possible world as well – in which the child molestation indeed had taken place and the public are informed about the evidence only to prove the truth of the matter according to which Michael Jackson did commit crime in the form of child molestation. In technical terms, in this possible world the people possess access to the knowledge of the truth of the matter according to which M. J. did actually commit the crime.

Now there is a conflict and a contradiction between the possible worlds due to the different constituting elements for each world. In one case, M. J. is one of the many people who are attributed a shared sense of moral standards according to which child molestation is a crime. In another case, however, M. J. but not the other people, has – necessarily and intrinsically – a privileged access to the truth of the matter all the way through, regardless of the fact whether or not the truth of the matter has been constituted and confirmed by evidence against M. J. by an appropriate body of authority.

The contradiction triggers a feedback to the “real world”: M. J. not only has privileged access to the truth of the matter in the “counter-factual” world, but he also has privileged access to that knowledge in the “real world” as well. Consequently, the choice whether M. J. is outraged or not has nothing to do – logically – with the “counter-factual” world! If his lawyer’s presumption is true according to which M.J. is claimed to be “a moral being”, M.J. should be outraged if the child molestation did indeed take place, since he, M. J. has exclusive access to the knowledge whether or not the criminal act has been committed.

The dilemma that is brought about by the interplay of possible worlds constituted by different parameters is an epistemic and a moral nature, not so much of a logical nature. It is not illogical to assume that someone commits a crime while knowing that this act is to be condemned on general moral standards. It is, however, counter to normal social practice to assume that someone commits a crime while condemning such an act and, at the same time, getting outraged over the commitment of such an act.

For M.J. not being outraged in the “real world” may have different reasons:

- (i) the allegations have not been proven,
- (ii) he knows that the child molestation he is being accused of has not happened, or
- (iii) he knows that the child molestation he is being accused of has happened but he does not consider it an immoral deed, he does not condemn such an act,

therefore, he does not find it a criminal act.

Possible worlds are almost identical with an exception of a slight difference, but not much of a difference. - Other things being as close to equal as possible - certain decisive parameters will be different in the comparison (or cross-identification) of possible worlds. The example above of a rhetorical device exploited by a defence attorney is a revealing one for argumentation theorists. Counter-factual argumentation allows for the activation of possible worlds that are almost identical with slight differences that may bring about logical, epistemic or moral conflicts or contradictions. In the present example a fallacious argument seems to have been effective in creating a rhetorical effect with a persuasive power.

### 5. Conclusion

In my view, Perelman made an innovative move by identifying argumentation schemes on the basis of the combinatorial variation of the arrangements or constellations of premises of a full argumentation. The relativized rhetoric he proposed in *The New Rhetoric* is highly rhetor-bound, i.e. the argument schemes chosen by the protagonist for argumentation are adaptations of the protagonist to the cognitive and effective states of the partner.

The protagonist and his audience are embraced in a binding by a constructed mental space brought about under the circumstances of dynamic argumentative interaction. This effort is not arbitrary: this is how participants are engaged in creating social reality around themselves. It is a social reality which is consensus-based, interactively controlled and ultimately negotiable. I have attempted to show that *persuasion through argumentation and discursive reasoning* receives a new status and importance under the presented view: persuasion is a specific interactive skill that is aimed at controlling the social environment and shaping of social reality by the choice of appropriate argument schemes.

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