

# ISSA Proceedings 2010 - ‘If That Were True, I Would Never Have ...’: The Counterfactual Presentation of Arguments that Appeal to Human Behaviour



## 1. Introduction

In 2008, the Dutch Parliament held a debate on embryo selection. In this debate, the Christian political parties adopted a negative stance towards embryo selection. The newspaper *NRC Handelsblad* reported the debate citing a few reactions from a 23-year old girl who had watched it from the gallery. The girl countered the claim, made by the Christian Union, that more attention should be paid to the medical treatment of cancer, by saying:

(1) *“If my disease were treatable, I would not have had my breasts amputated.”*  
(*NRC Handelsblad*, 5/6/08)

The standpoint in this argument is that the hereditary form of aggressive breast cancer from which this girl is suffering is not treatable. This standpoint is supported by assuming that the opposite standpoint is hypothetically true for the moment, and then deducing an implication from it that is falsified by reality. The implication is that the girl would not have had her breasts amputated. This implication is falsified in the implicit argument - that states the implicature of the counterfactual statement - that the girl has had her breasts amputated.**[i]** In a schematic reconstruction of this argument based on the pragma-dialectical method, the standpoint has number 1, the explicit argumentation 1.1 and the element that remains implicit 1.1’:

(1. My disease is not treatable)

1.1	1.1'I have had my breasts amputated	
&If my disease were treatable, I would not have had my breasts amputated		

The reason this girl gives as a support for her standpoint is remarkable for several reasons, but I'm interested in the fact that it is formulated with a counterfactual *If...then*-sentence. I have been studying this way of formulating an argument - or, in other words, this *presentation mode* of an argument - for some time. Over the years I have gathered a wide collection of arguments presented in the counterfactual mode, examples that I have found in newspapers and sometimes heard on radio or television and examples that my students have found for me. A large part of my collection consists of examples in which an appeal is made to human behaviour, as in the above argument displaying the girl's opinion about whether breast cancer is a treatable disease.

In this paper I will discuss some reasons why it is strategic to present an argument with a counterfactual *If...then*-sentence. It has often struck me that arguments in which an appeal to behaviour is made, are frequently presented in this way. From the perspective of the theory of strategic manoeuvring (van Eemeren 2010; van Eemeren & Houtlosser 2002) this presentation mode of an argument can be considered to be a strategic choice for formulating an argument. This would mean that this presentation mode was chosen for these arguments for good reason, namely to make it easier for them to be accepted in the evaluation procedure. To answer my question I will first give a more precise description of the arguments in which an appeal to behaviour is made and discuss their evaluation criteria. Then I will address the issue of their presentation mode.

## 2. Arguments that appeal to human behaviour

In my collection of arguments in which an appeal to human behaviour is made, an appeal such as this is made to argue the truth or falsity of a descriptive standpoint.<sup>[ii]</sup> I have divided the examples in my collection into two categories based on the criterion of whose behaviour is being referred to.

In the first category the protagonist him/herself refers to his/her own behaviour. An example of this is the girl's argument about the medical treatment for cancer,

in which the proposition of the standpoint describes a current state of affairs. Besides this more general type of standpoint, the proposition can also contain a more particular description of a state of affairs. An appeal to behaviour is often used to argue that the person or group that has displayed the behaviour has certain intentions or emotions. An example of an argument with a standpoint such as this can be seen in an interview which was conducted with an organizer of music parties called 'Technootjes':

(2) "I don't do this for commercial reasons. You can see this from my bookings, because *otherwise [if I did this for commercial reasons] I would have booked bigger names.*" (<http://3voor12.vpro.nl/artikelen/artikel//40769443>)

The second category of arguments in which an appeal to behaviour is made deals with the behaviour of a person other than the arguer. This other person is often the antagonist, but (s)he may also be someone who is the topic of discussion. In this category the same distinction can be made between standpoints in which the proposition expresses the existence or absence of a general state of affairs, and standpoints in which the proposition is about the intentions or emotions of the person whose behaviour is referred to. An example of the first was put forward by Thomas Dekker, a former member of the Rabo cyclist team, who was accused of using dope. Although Dekker is currently suspended for using dope, when he put forward the argument, in an interview in 2005, only an uncorroborated accusation had been made. Dekker denied the accusation in the following way:

(3) "If there really was a problem, Rabo would not have put me [in the Sachsen Tour], but would have fired me immediately." (*NRC Handelsblad*, 23/9/08)

An example of such an argumentation supporting the standpoint how likely or unlikely someone's intentions or emotions are was put forward by someone who responded to a complaint made by the so-called Party for Freedom - the political party of Geert Wilders. The complaint was that the other political parties in the Dutch city Almere had debarred them from forming a coalition. The arguer questions whether the PVV really intended taking a leading role in the city council of Almere, saying:

(4) "*If you really had wanted this, you would have made an effort to negotiate a lot more (...).* If everyone were to keep the position they held in the campaign, a council will never be formed." (*Het Parool*, 19/03/10)

In this argument, the arguer questions the veracity of the intentions or emotions

that the one whose behaviour is referred to claims to have. The argument put forward by Robert Dekker shows that an arguer can also attribute intentions or emotions to the person whose behaviour is referred to.

### 3. *The counterfactual presentation mode*

The arguments that I have discussed so far were presented with a counterfactual *If...then*-sentence. They could also have been presented without one. Formulated without a counterfactual *If...then*-sentence, the above arguments would then read:

- (5) My disease is not treatable, because I have amputated my breasts.
- (6) I don't have commercial aims, because I don't book big names.
- (7) There is no problem [I am not guilty of using dope], because Rabo put me on the team.
- (8) The PVV doesn't really want to take a leading role in the city council of Almere, because they have not made an effort to negotiate more.

In a pragma-dialectical reconstruction, their implicit inference licenses read something like this:

- (9) If a person has her breasts amputated as a precaution against a certain disease, this indicates that the disease is not treatable.
- (10) If organizers of events have commercial aims, they will book big names.
- (11) If the management of a cyclist team gives a team member a place on a tour, this indicates that this cyclist has not been using dope.
- (12) If political parties do not make an effort to negotiate more, this indicates that they are not really interested in taking part in the city council.

These arguments all have the schematic structure of *X*, because *Y*, with an implicit inference license that connects the argumentation with the standpoint, reading *If Y, then X*. See, for example, the pragma-dialectical reconstruction of the PVV-argument:

1. The PVV does not really want to take a leading role in the city council of Almere (-X)
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<p>1.1 _____ They have not made an effort to negotiate more(-Y)</p>	<p>1.1' If political parties do not make an effort to negotiate more, they do not really want to take a leading role in the city council(<i>If -Y, then -X</i>)</p>
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If we compare this with the presentation mode using a counterfactual *If...then*-sentence, then the latter obviously has a different structure:

<p>1. The PVV does not really want to take a leading role in the city council of Almere (-X)</p>	
<p>1.1 _____ If they had really wanted this, they would have made an effort to negotiate a lot more(<i>If X, then Y</i>)</p>	<p>&amp; 1.1' They have not made an effort to negotiate more (-Y)</p>

The elements that both arguments consist of are more or less the same, although there is a difference with regard to the issue as to whether the *If...then*-sentence - the inference license - contains negations. The argument with the counterfactual *If...then*-sentence has an inference license that reads *If* [not standpoint], *then* [not argumentation]. Or, in other words, in the *if*-part of the inference license the standpoint is denied and in the *then*-part the implicit element is denied. In the inference license of the presentation mode without a counterfactual *If...then*-sentence, the antecedent of the inference license repeats what is stated in the argumentation and the consequent repeats what is stated in the standpoint. **[iii]**

In Jansen (2007b; 2007c; 2008; 2009a; 2009b) and Jansen, Dingemanse & Persoon (2009), for each of the three pragma-dialectical types of argument (symptomatic, causal and analogical) it is hypothesized whether the presentation mode with a counterfactual *If...then*-sentence is a more advantageous way of

formulating an argument than a presentation mode without one. Using the theory of strategic manoeuvring as my theoretical framework, I propose that, along with all the other reasons that determine which of these two presentation modes is chosen, rhetorical motives have a role to play. That is: arguers will presumably choose to formulate their arguments in the most convincing way. I start with the assumption that the arguments that I have discussed so far were formulated with a counterfactual *If...then*-sentence to easily pass through the evaluation procedure. The question then is: what would put this presentation mode before the other one? To answer this question, I first want to examine what arguments that appeal to human behaviour actually try to argue and how we should evaluate them. I will then turn to the issue of their presentation mode from the perspective of the evaluation criteria and address the question as to whether the counterfactual presentation mode hinders the critical testing of such arguments.

### *3.1. Evaluation criteria for arguments that appeal to human behaviour*

Arguments in which an appeal to human behaviour is made, seem to fit descriptions of the antique argument from plausibility, known in classical rhetoric as the *eikos* argument. These arguments allude to generally held views on how people act under certain circumstances or as a result of their state of mind (Aristotle, a.o. 1357a35-157b; *Rhetorica ad Alexandrum*, 1428 a 25 ff.). And because of these shared views on what is likely behaviour, we can argue about the (un)likelihood of someone's state of mind (intentions or emotions) or of a certain (general) state of affairs. In the examples that were discussed above, an appeal is made to three ideas: that women will usually try anything to avoid having their breasts amputated, that if you really want something, you do your best to get there (the party organizer; the PVV), and that no cyclist team management would like bad publicity because of dope users in their team (Rabo cyclist team). As it is acknowledged by the authors of the classical handbooks, there are, of course, exceptions to these general principles about how people usually behave, but the arguments that are based on them appeal to the most likely patterns of behaviour exhibited under normal circumstances.[\[iv\]](#)

Braet (2004; 2007, p. 73) and Walton (2002, a.o. pp. 107; 119; 326) have characterized the classical argument from plausibility as a plausible causal or symptomatic generalization about human behaviour. This means that an evaluation of such argumentation would either depend on the issue of whether it is likely or not that certain behaviour is a sign of a certain state of affairs or a

certain state of mind. Or it depends on whether or not it is likely that a certain state of affairs or state of mind could have caused certain behaviour. But if we are going to examine these arguments critically, it becomes clear that the evaluation of arguments in which an appeal to behaviour is made, should involve more. For one thing, rather than the generalized principle about human behaviour itself, it is the applicability of this principle to the person whose behaviour is referred to, that plays a role in the evaluation. After all, a critic can always say that the character traits of this person or the circumstances that this person is in, make it unlikely that (s)he has acted in the way that people generally do. The PVV may be a political party which behaves differently from other parties because they are rather inexperienced. And the organizer of the music parties called Technootjes may behave differently because he lacks the skills necessary to persuade big names to come to his party. So, arguments in which the standpoint expresses the intentions or emotions of the person whose behaviour is referred to, should be evaluated by taking this person's character into account. Rather than querying the likelihood of how people in general would behave in a certain situation, the question must be asked as to whether this particular person would be likely to behave in this way in such a situation.

Another factor also plays a role in the evaluation of arguments in which an appeal to behaviour is made. This factor is especially applicable to arguments that have a standpoint in which a state of affairs is expressed and concerns the fact that this state of affairs is always an *estimation* of the state of affairs by the one whose behaviour is referred to. The argument used by the Rabo cyclist Thomas Dekker claims that because Rabo did not fire Dekker, this indicates that Dekker had not been using dope. The appeal to behaviour consists of the assumption that if a cyclist team management knows about dope usage, they would fire the cyclist in question. But this assumption would never support the standpoint. After all, if Rabo thinks that Dekker has not been using dope, this is certainly no guarantee that he has indeed not been doing so. This conclusion seems to reveal the weak spot of all the arguments that have a standpoint in which a state of affairs is expressed. After all, the state of affairs expressed in a standpoint is always an *estimation* of the state of affairs by the one whose behaviour is referred to.

What this means is that in order to evaluate arguments in which the standpoint expresses a general state of affairs, the relevant question is whether the person whose behaviour is referred to can be considered to be a competent or

knowledgeable source. We have to consider whether this person has the capacity to make a sound judgment of the state of affairs expressed in the standpoint. The argument of the girl who had her breasts amputated shows that such an evaluation does not have to result in a negative judgement per se. The state of affairs expressed in the standpoint of the girl's argument - that there is no medical treatment for hereditary aggressive breast cancer - is actually the estimation of this state of affairs by this individual girl. So why should we believe her? Well, we have pretty strong reasons to believe her. In fact, we would probably believe any person who had had her breasts amputated. It is very unlikely that women would misjudge whether an amputation was necessary, because they would do all they could to get the relevant information. And we also know that doctors will only amputate if there is no other way possible. We can therefore conclude that it is quite likely that the girl is a knowledgeable source.

### *3.2. Presentation mode and critical examination*

Having dealt with the evaluation criteria for arguments in which an appeal to behaviour is made, it is time to discuss the issue of their presentation mode. Many factors may influence the choice of the counterfactual presentation mode (see Jansen 2007b; 2007c; 2008; 2009a; 2009b), but for now I will only address the reasons that seem particularly applicable to arguments in which an appeal to behaviour is made. These reasons are related to the evaluation criteria, according to which the arguer's character or competence have to be judged. They will become clear by discussing two examples of arguments in which an appeal to the arguer's *own* behaviour is made. The first example is an argument from the website Marktplaats (the Dutch eBay):

(13) "These clothes are in good condition; otherwise [if they were not in good condition] I would not be selling them."

The other is put forward by a minister who had sexually abused his daughter. His argument was:

(14) "God approves of what I do. Otherwise [if he did not approve of it] I would not do it." (*Algemeen Dagblad*, 13/03/10)

These arguments, pretty bizarre already, are even more bizarre when they are formulated without a counterfactual *If...then*-sentence:

(15) "These clothes are in good condition, because I am selling them."

(16) "God approves of what I do, because I am doing it."



Now the question is: What makes these arguments more bizarre in the presentation mode without the counterfactual *If...then*-sentence? It seems to me that the latter presentation mode shows very clearly that these are cases of non-argumentation, because they rely completely on an appeal to ethos. The inference license of the first argument is: 'If I am selling these clothes, they are in a good condition'. This statement raises all kinds of questions. First, we don't know anything about this person's character: we don't now what this person's general judgement of the condition of clothes is and we don't know whether we can trust him/her about these specific clothes. Second, the reason that is put forward looks circular because the fact that this person is selling these clothes on the internet specifically raises the question as to whether they are in good condition or not. After all, this is precisely what a potential buyer would wonder about. These problems mean that this argument cannot be evaluated. In contrast, the counterfactual argument brings the appeal to ethos and its circularity less to the fore. Its inference license camouflages the circularity because it suggests new information by calling up a new situation, namely the hypothetical situation in which the clothes are *not* sold. Therefore the argument distracts attention from three facts: these clothes are indeed actually being sold, this situation is being put forward as a reason for their good condition, and this reason cannot be evaluated because, to do so, we have to rely on the ethos of a person whom we do not know. Although the counterfactual argument is a gratuitous argument as well, it conveys the impression that a reason is actually put forward.

The same holds for argument (16), with the inference license 'If I am doing it, God approves of it'. In this non-counterfactual presentation mode, it is very clear that the argument is based on the assumption that this minister knows exactly which actions are approved of by God and which are not. That the minister is a knowledgeable source about God's intentions is supposed to be apparent from the circular reasoning in which an appeal is made to behaviour which both father and daughter know is not right. It seems to be the case that, in the presentation mode with a counterfactual *If...then*-sentence, this dubious assumption is less obvious. In this mode a hypothetical situation is created in which the dubious behaviour is transformed into hypothetical behaviour that the minister would *not* do. As a result, the counterfactual presentation may blur the fact that the minister's argument is also completely based on ethos.

#### 4. Conclusion

Many arguments in which an appeal to behaviour is made are presented in the counterfactual presentation mode. My question was to ask why this mode was used for these arguments. In order to answer this question, I have provided a description of these kinds of arguments and addressed the question as to how they should be evaluated. An evaluation of such arguments cannot consist in judging the plausibility of a generalization about human behaviour alone, but has to take into account the character of the person whose behaviour is appealed to or his/her capacity to make a sound judgment about the topic under discussion. These evaluation criteria may have provided one of the reasons that explain the choice of the counterfactual presentation mode. Arguments that appeal to the arguer's own behaviour may derail in such a way that they completely rely on the arguer's ethos. It is my impression that this derailment comes less to the fore in the counterfactual presentation mode.

## NOTES

**[i]** How this implicature can be derived from a counterfactual statement is analysed by Ducrot (1973, p. 255-256). His analysis starts with the presupposition of the falsity of the antecedent. He combines this with the idea that what is stated in the antecedent is a necessary condition for what is stated the consequent (on the basis of the Gricean Economy Maxim). This combination results in the implicature of the denial of what is stated in the consequent.

**[ii]** As we will see from the examples, the appeal to human behaviour can only provide evidence for the likelihood or unlikelihood of the state of affairs described in the standpoint. Nevertheless, most arguers who put forward such an argument formulate their standpoints in a much stronger way than their argumentation can account for.

**[iii]** That both reconstructions still contain the same elements is because they are based on structures that are each other's logical counterpart. The structure of the argument without the counterfactual *If...then*-sentence is comparable to the structure of a *modus ponens* argument. The structure of the presentation mode with the counterfactual *If...then*-sentence is comparable to the structure of a *modus tollens* argument (for more see Jansen 2007a).

**[iv]** See Aristotle (1975, 1357a35-157b): 'For that which is probable is that which generally happens, not however unreservedly.'

## REFERENCES

Aristotle (1975). *The Art of Rhetoric*. With an English translation by John Henry

- Freese. The Loeb Classical Library 193. Cambridge (Mass.): Harvard University Press.
- Braet, A. (2004). The oldest typology of argumentation schemes. *Argumentation* 18, 127-148.
- Braet, A. (2007). *De redelijkheid van de klassieke retorica. De bijdrage van klassieke retorici aan de argumentatietheorie*. [The Reasonableness of Classical Rhetoric and the Classical Rhetoricians' Contribution to Argumentation Theory.] Leiden: Leiden University Press.
- Eemeren, F.H. van (2010). *Strategic Maneuvering in Argumentative Discourse*. Amsterdam/Philadelphia: John Benjamins Company.
- Eemeren, F.H. van, & R. Grootendorst (1992). *Argumentation, Communication and Fallacies. A Pragma-Dialectical Perspective*. Hillsdale etc.: Lawrence Erlbaum.
- Eemeren, F.H. van, & P. Houtlosser (2002). Strategic maneuvering in argumentative discourse: A delicate balance. In F.H. van Eemeren & P. Houtlosser (Eds.), *Dialectic and Rhetoric: the Warp and Woof of Argumentation Analysis* (pp. 131-159). Dordrecht etc.: Kluwer Academic Publishers.
- Ducrot, O. (1973). Präsuppositionen und Mitverständnisse. [Presupposition and misunderstanding] In J.S. Petöfi & D. Franck (Eds.), *Präsuppositionen in Philosophie und Linguistik* [Presupposition in Philosophy and Linguistics] (pp. 241-260). Frankfurt/M: Athenäum.
- Jansen, H. (2007a). Refuting a standpoint by appealing to its outcomes: *Reductio ad absurdum* vs. argument from consequences. *Informal Logic* 27(3), 249-266.  
[http://ojs.uwindsor.ca/ojs/leddy/index.php/informal\\_logic/issue/view/74](http://ojs.uwindsor.ca/ojs/leddy/index.php/informal_logic/issue/view/74)
- Jansen, H. (2007b). Strategic use of *reductio ad absurdum*. In F.H. van Eemeren, J.A. Blair, Ch.A. Willard & B. Garssen (Eds.): *Proceedings of the Sixth Conference of the International Society for the Study of Argumentation* (pp. 701-704). Amsterdam: Sic Sat.
- Jansen, H. (2007c). Common ground, argument form and analogical *reductio ad absurdum*. In H.V. Hansen, Ch.W. Tindale, J.A. Blair, R.H. Johnson & D.M. Godden (Eds.), *Dissensus and the Search for Common Ground*. [CD-Rom] Windsor, ON: OSSA 2007.
- Jansen, H. (2008). Argument form and rhetorical effectiveness: The presentation of refutational analogy. In F.H. van Eemeren, D. Cratis Williams & I.Z. Zagar (Eds.), *Understanding Argumentation. Work in Progress* (pp. 47-54). Amsterdam: Sic Sat - Rozenberg.
- Jansen, H. (2009a). Legal arguments about plausible facts and their strategic

presentation. In J. Ritola (Ed.), *Argument Cultures. Proceedings of the 8<sup>th</sup> OSSA Conference, University of Windsor, 2009*. [CD-rom] Windsor, ON: University of Windsor.

Jansen, H. (2009b). Arguing about plausible facts. Why a *reductio ad absurdum* resentation may be more convincing. In E.T. Feteris, H. Kloosterhuis & H.J. Plug, *Argumentation and the Application of Legal rules* (pp. 145-164). Amsterdam: Sic Sat.

Jansen, H. & M. Dingemanse & I. Persoon (2009). Limits and effects of *reductio ad absurdum* argumentation. In T. van Haaften, H. Jansen, J.C. de Jong & A.W.M. Koetsenruijter (Eds.), *Rhetoric in Society. Papers Second Conference*. [CD-rom] Leiden: Rhetoric in Society.

*Rhetorica ad Alexandrum* (1937). With an English transl. by H. Rackham. The Loeb Classical Library 317. Cambridge (Mass.): Harvard University Press.

Walton, D.N. (2002). *Legal Argumentation and Evidence*. University Park: Pennsylvania State University Press.