

# A Systematic Theory of Argumentation

*The pragma-dialectical approach*

Frans H. van Eemeren  
Rob Grootendorst



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### *The pragma-dialectical approach*

In *A Systematic Theory of Argumentation*, two of the leading figures in argumentation theory, Frans H. van Eemeren and Rob Grootendorst, present a view of argumentation as a means of resolving differences of opinion by testing the acceptability of the disputed positions. Their model of a “critical discussion” serves as a theoretical tool for analyzing, evaluating, and producing argumentative discourse. In this approach, pragmatic and dialectical insights are combined by conceiving a critical discussion as a methodological exchange of speech acts between two parties.

Van Eemeren and Grootendorst develop a method for the reconstruction of argumentative discourse that takes into account all aspects that are relevant to a critical assessment. They explicate a set of rules for the conduct of a critical discussion and propose a practical code of behavior for discussants who want to resolve their differences in a reasonable way.

*A Systematic Theory of Argumentation* is a major contribution to the study of argumentation and will be of particular value to professionals and graduate students in speech communication, informal logic, rhetoric, critical thinking, linguistics, and philosophy.

Frans H. van Eemeren is Professor of Speech Communication, Argumentation Theory, and Rhetoric at the University of Amsterdam.

Until his death in 2000, Rob Grootendorst was Professor of Dutch Speech Communication at the University of Amsterdam.

*To Jet Greebe*

# A Systematic Theory of Argumentation

*The pragma-dialectical approach*

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## Preface

*A Systematic Theory of Argumentation* gives an overview of the pragma-dialectical approach to argumentative discourse that Rob Grootendorst and I [Frans H. van Eemeren] jointly developed over the past thirty years. It provides a sketch of our contribution to the study of argumentation by describing our approach to a number of issues that are crucial to the development of a comprehensive theory of argumentation. In the process, insights that we have achieved are explained. This book – our latest and last one – serves as a final report of our work together. Rob's early death in 2000 put an untimely end to our great collaboration.

Rob and I co-authored a variety of studies, textbooks, and more-popular books about argumentation in Dutch. Most of our theoretical work was also published in English, but our scholarly contributions are scattered over a great number of articles and other publications. That is why we thought it useful to give a general overview of our ideas. *A Systematic Theory of Argumentation* is aimed at making the main thrust of our views about argumentation more easily accessible to our fellow students of argumentation. The book, which is dedicated to Jet Greebe, Rob's widow, is meant to be a modest monument to Rob. I hope that it will help us all to commemorate Rob as the inspired argumentation scholar he always was.

I am grateful to the great many friends in the international community of argumentation scholars who have given me their support in completing the manuscript for this book. In particular, I would like

to thank Hans V. Hansen, Michael Leff, J. Anthony Blair, Alec Fisher, Joseph Wenzel, Douglas N. Walton, John Woods, Sally Jackson, Charles A. Willard, and Scott Jacobs for their encouragement and invaluable support. Tony Blair's help in correcting the manuscript has been of great significance to me.

As Rob and I had expected when we decided that I should finish the work that would otherwise have been left uncompleted, our dear colleagues in the department of Speech Communication, Argumentation Theory and Rhetoric of the University of Amsterdam have given me all their help in getting the book ready for publication.

I thank them wholeheartedly for their critical assistance. I am particularly grateful to Erik C.W. Krabbe (Rijksuniversiteit Groningen), who is technically not a member but a friend of our department, Peter Houtlosser, A. Francisca Snoeck Henkemans, and Leah E. Polcar. Without Erik's useful comments, Peter's constructive contributions to the writing process, Francisca's critical readings of my drafts, and Leah's corrections, I would not have been able to complete *A Systematic Theory of Argumentation* satisfactorily.

Cambridge University Press, too, deserves my thanks. The enthusiastic endorsements of its reviewers, together with these reviewers' detailed criticisms, have been a great stimulus to me to keep working on improving the text. I would like to thank Terence Moore, Publishing Director, Humanities, and Ronald Cohen for their kind support and constructive suggestions.

## Introduction

**Argumentation** is a verbal, social, and rational activity aimed at convincing a reasonable critic of the acceptability of a standpoint by putting forward a constellation of propositions justifying or refuting the proposition expressed in the standpoint.

This general definition of the term *argumentation* differs – because of the use of some technical jargon – from the way in which the meaning of the word “argumentation” would be described in everyday language.<sup>1</sup> Although the definition is certainly in line with the way in which the word argumentation is used in ordinary usage, the meaning of the technical term *argumentation* is more precise, based on a conceptual analysis of the theoretical notion of argumentation. The definition that is given is stipulative in the sense that it introduces a specific, and to some extent new, convention of language use contrived to enable students of argumentation to deal with this concept in an adequate way. In this technical definition, the “process-product” ambiguity of the word “argumentation” is maintained: The term *argumentation* refers at the same time to the process of arguing (“I am about to complete my argumentation”) and to its product (“This argumentation is not sound”).

A number of theoretically important aspects of the notion of argumentation are explicitly mentioned in the definition: In principle,

<sup>1</sup> For an elucidation of this definition, See van Eemeren et al. (1996: 1–5).

argumentation is a *verbal* activity, which takes place by means of language use,<sup>2</sup> a *social* activity, which is as a rule directed at other people,<sup>3</sup> and a *rational* activity, which is generally based on intellectual considerations.<sup>4</sup> Another important characteristic of argumentation is that it always pertains to a specific point of view, or *standpoint*, with regard to a certain issue. The speaker or writer defends this standpoint, by means of the argumentation, to a listener or reader who doubts its acceptability or has a different standpoint. The argumentation is aimed at *convincing the listener or reader of the acceptability of the standpoint*.

An argumentation consists of one or more expressions in which a *constellation of propositions* is expressed.<sup>5</sup> In the case of a positive standpoint ("It is the case that..."), the argumentation is used to *justify* the proposition expressed in the standpoint; in the case of a negative standpoint ("It is not the case that..."), the argumentation is used to *refute* it. The expressions that are part of the argumentation jointly constitute a complex speech act aimed at convincing a *reasonable critic*. When someone advances argumentation, that person makes an implicit appeal to reasonableness: He or she tacitly assumes that the listener or reader will act as a reasonable critic when evaluating the argumentation. Otherwise, there would be no point in advancing argumentation.<sup>6</sup>

Argumentation theorists are interested in the oral and written production of argumentation and the analysis and the evaluation of argumentative discourse. The problems they are primarily concerned with can be indicated by distinguishing some central problem areas

<sup>2</sup> This part of the definition agrees with most ordinary manifestations of argumentation. In practice, argumentation can also be partly, or even wholly, non-verbal (see, e.g., Groarke 2002). As will be clear from its meta-theoretical principles explained in Chapter 3 of this volume, this is not adverse to our pragma-dialectical approach as long as the (constellation of propositions constituting the) argumentation is externalizable.

<sup>3</sup> Even seemingly "monological" argumentation as used in self-deliberation can be considered social because it is part of a "dialogue intérieur."

<sup>4</sup> Of course, this does not mean that emotions have no role to play in argumentation. Not only can they be the *causa* of arguments, but they can also be used as arguments, rightly or wrongly.

<sup>5</sup> See Searle (1969: 29–33) for the distinction between the *proposition* ("propositional content") involved in a speech act and its *communicative* ("illocutionary") *force*.

<sup>6</sup> The assumption of some form of "reasonable critic" is inherent in the idea that there is a second party who needs to be convinced and that it makes sense to make the effort to convince this party by way of argumentation. Cf. Gilbert (1997).

in the study of argumentation: “unexpressed elements in argumentative discourse,” “argumentation structures,” “argument schemes,” and “fallacies.”

It is important to realize right away that verbal expressions are not “by nature” standpoints, arguments, or other kinds of units of language use that are interesting to argumentation theorists. They only become so when they occur in a context where they fulfill a specific function in the communication process. Then these utterances are, in a specific way, instrumental in achieving a certain goal. For instance, an oral or written expression is a standpoint if it expresses a certain positive or negative position with respect to a proposition, thereby making it plain what the speaker or writer stands for. And a series of utterances constitutes an argumentation only if these expressions are jointly used in an attempt to justify or refute a proposition, meaning that they can be seen as a concerted effort to defend a standpoint in such a way that the other party is convinced of its acceptability.

In some cases, an argumentation centers on elements that are only implicitly represented in the text and can thus be regarded as “unexpressed.” This applies in particular to *unexpressed premises*.<sup>7</sup> In ordinary argumentation, there is usually a premise of the reasoning underlying the argumentation that is left implicit. Most of the time, it can easily be detected. In some cases, however, it is much more difficult to determine exactly which unexpressed premise the arguer is committed to. A logical analysis that is exclusively based on the formal validity criterion is then not decisive. It does not make clear in actual practice which obligations the speaker or writer, as a rational agent, is committed to in certain cases. This also requires a pragmatic analysis that makes use of contextual information and background knowledge.<sup>8</sup>

<sup>7</sup> Terms that are usually virtually synonymous with *unexpressed premise* are *implicit*, *hidden*, *tacit*, and *suppressed premise* (or *assumption*).

<sup>8</sup> Taken literally, an argument in which a premise has been left unexpressed is invalid. The premise that is logically required to remedy the invalidity normally goes against the norms for rational language use because of its lack of informative content. When the unexpressed premise is made explicit, it should therefore be checked to see whether there is pragmatic information available that makes it possible to complete the argument in a more sensible way. Instead of leaving it at stating the “logical minimum” required to make the argument valid, a pragma-dialectical analysis of unexpressed premises is aimed at establishing the “pragmatic optimum.”

Argumentation for or against a standpoint can be simple, as in “single argumentation,” which consists of only one explicit reason for or against the standpoint. But the argumentation can also have a more complex *argumentation structure*, depending on the way in which the defense of the standpoint has been organized in view of (anticipated) doubts or criticism. In an argumentation with a more complex structure, several reasons are put forward for or against the same standpoint. These reasons can be alternative defenses of the standpoint that are unrelated, as in “multiple argumentation,” but they can also be interdependent, so that there is a “parallel chain” of mutually reinforcing reasons, as in “coordinative argumentation,” or a “serial chain” of reasons that support each other, as in “subordinative argumentation.”<sup>9</sup> A problem in the analysis of complex argumentation is that the literal presentation often makes insufficiently clear whether the argumentation is multiple, coordinatively compound, subordinatively compound, or some combination of these possibilities. In these cases, too, all kinds of contextual and other pragmatic factors need to be taken into account in the analysis.

Argumentation theorists are also interested in the “internal organization” of each individual single argumentation. To analyze the defense mechanism employed in single argumentation, they refer to justificatory principles that are covered by the concept of an *argument scheme*.<sup>10</sup> Argument schemes pertain to the kind of relationship between the explicit premise and the standpoint that is established in the argumentation in order to promote a transfer of acceptability from the explicit premise to the standpoint. Argument schemes are more or less conventionalized ways of achieving this transfer. We distinguish between three main categories of argument schemes: “causal argumentation,” “symptomatic argumentation” (or “sign argumentation”), and “argumentation based on a comparison.”<sup>11</sup> In most cases, some interpretative effort is required to identify the argument scheme

<sup>9</sup> Other terms used to distinguish between the various argumentation structures include *convergent* (for *independent* or *multiple*) argumentation, *linked* (for *dependent* or *coordinative*) argumentation, and *serial* (for *subordinative*) argumentation.

<sup>10</sup> Argument schemes are, just like logical argument forms such as *modus ponens*, abstract frames that allow for an infinite number of substitution instances.

<sup>11</sup> See van Eemeren and Grootendorst (1992: 94–102). For an inventory of a great variety of different kinds of argument schemes, see Kienpointner (1992).

that is being employed and to discover the *topos* on which the argumentation rests. Then, again, pragmatic knowledge must be brought to bear.

Another problem area argumentation theorists are especially interested in is that of the *fallacies*. One of the main objections to the logico-centric approach to the fallacies that was dominant until recently is that fallacies were merely viewed as invalid arguments that seemed valid, so that a great many familiar imperfections in argumentative discourse fell outside the scope of the definition.<sup>12</sup> When the old definition is dropped and the notion of a fallacy is taken in a much broader sense – for example, as a wrong discussion move – the communicative and interactional context in which the fallacies occur needs to be taken into account in the analysis. This means that beside logical insight, pragmatic insight should be used.

The current state of the art in the study of argumentation is characterized by the co-existence of a variety of approaches. These approaches differ considerably in conceptualization, scope, and degree of theoretical refinement.<sup>13</sup> So far, none of these approaches has resulted in a generally accepted theory that deals satisfactorily with the four problem areas mentioned earlier.<sup>14</sup> In this book, we shall make clear what *our* approach to argumentation amounts to, and show that it creates a theoretical basis for solving the problems. We shall do so by putting the various problem areas within the integrating perspective of *critical discussion*.

In Chapter 2, we present a coherent overview of the various components of our research program. In Chapter 3, we sketch the model of a critical discussion aimed at resolving a difference of opinion that is the conceptual focal point of our theorizing. In Chapter 4, we discuss the important problem of determining the relevance of the different parts of an argumentative text or discussion – a problem arising in

<sup>12</sup> This state of affairs in the study of the fallacies, which is characteristic of the “standard approach” to the fallacies in the 1950s and 1960s, was earlier fundamentally criticized by Hamblin (1970).

<sup>13</sup> For a survey of the most prominent theoretical approaches in the study of argumentation, see van Eemeren et al. (1996).

<sup>14</sup> For an overview of the state of the art in the theorizing in these and other crucial problem areas in the study of argumentation, see van Eemeren (ed. 2001).

every pragmatic approach to argumentative discourse. In Chapter 5, we explain how the analysis of argumentative discourse can be viewed as a methodical reconstruction of the text or discussion concerned. This reconstruction is motivated theoretically by the ideal model of a critical discussion and supported empirically by knowledge of argumentative reality. In Chapter 6, we describe the pragma-dialectical discussion procedure consisting of rules for the conduct of a critical discussion. Starting from these rules, we treat the fallacies in Chapter 7 as discussion moves that obstruct or hamper the resolution of a difference of opinion. Finally, in Chapter 8, we translate the main insights contained in the pragma-dialectical discussion procedure into ten basic requirements that together form a code of conduct for reasonable discussants.

Chapter 2, “The Realm of Argumentation Studies,” charts the various estates of the study of argumentation. We explain that in our opinion, argumentation theory is part of “normative pragmatics” – that is, that argumentative discourse as a phenomenon of ordinary language use is viewed from a critical perspective. This vision can be implemented in the study of argumentation by making a clear distinction between philosophical, theoretical, analytical, empirical, and practical research. We indicate what the consequences of making these distinctions are for our research program. As an illustration, we contrast our pragma-dialectical approach in each of the five components of the program with a different approach.

Chapter 3, “A Model of a Critical Discussion,” begins by disclosing the classical roots of the study of argumentation. This is followed by the observation that the historical development has gradually led to the present ideological division within argumentation theory into two approaches, which can be characterized as “new rhetorics” and “new dialectics.” After an exposition of the meta-theoretical points of departure of the pragma-dialectical approach, we describe the dialectical stages that can be distinguished in the process of resolving a difference of opinion and the types of pragmatic moves that need to be made in the resolution process.

Chapter 4, “Relevance,” begins with a characterization of the main approaches to relevance favored in research concerning the interpretation and analysis of oral and written discourse. Next, we explain the pragma-dialectical notion of relevance. This notion serves as the point



of departure for explaining how the step can be made from the interpretation of argumentative texts and discussions to their analysis. In this endeavor, we make use of an integration of Searlean insight regarding language use as the performance of different kinds of speech acts and Gricean insight regarding the rational principles underlying a regular conduct of verbal discourse. After putting pragmatic notions such as “adjacency pair” and “argumentative repair” within an analytic perspective, we return to the problems of determining relevance.

Chapter 5, “Analysis as Reconstruction,” mentions a number of complications that we are bound to encounter when dealing with argumentative reality in analyzing a text or discussion. Four transformations that are carried out in analytic reconstruction are discussed. We explain how such a reconstruction can be justified, and conclude with a discussion about drawing up analytic an overview in which all aspects of an argumentative text or discussion that are relevant to a critical evaluation are dealt with.

Chapter 6, “Rules for a Critical Discussion,” opens with a discussion of the notion of reasonableness. This is followed by a treatment of the concepts of reasonableness that, due to the works of Toulmin and Perelman and Olbrechts-Tyteca, have become predominant in the study of argumentation. We explain our choice of a dialectical conception of reasonableness and give an overview of the pragma-dialectical discussion procedure. In explaining this procedure, we discuss the right to challenge, the obligation to defend, the allocation of the burden of proof, the division of the discussion roles, agreements concerning the rules of discussion and the point of departure, the attacking and defending of standpoints, the “intersubjective identification procedure,” the “intersubjective testing procedure,” the “intersubjective explicitization procedure,” the “intersubjective inference procedure,” the conclusive attack and defense of standpoints, the optimal use of the right to attack, the optimal use of the right to defend, the orderly conduct of the discussion, and the rights and obligations with respect to the performance of what we call “language use declaratives.”

Chapter 7, “Fallacies,” starts with a brief survey of the various theories about fallacies that have been proposed over the years. Then, fallacies are connected with the ideal model of a critical discussion, and the relationship between the pragma-dialectical discussion procedure and the analysis of fallacies is indicated. Following on from

this, we discuss violations of the rules for the “confrontation stage,” the “opening stage,” the “argumentation stage,” and the “concluding stage” of a critical discussion. To illustrate our position, we give an analysis of two prominent and well-known fallacies: *begging the question* (“circular reasoning” or *petitio principii*) and the *argumentum ad hominem*. After we have pointed out that there is an important connection between fallacies and implicit language use, we discuss the problems involved in the identification of fallacies.

Chapter 8, “A Code of Conduct for Reasonable Discussants,” provides ten basic requirements, or “commandments,” for conducting a critical discussion. Each of them is briefly explained. Finally, an outline is given of the characteristics of a reasonable discussion attitude. It is explained that the reasonableness of an argumentative text or discussion depends not only on the degree to which the procedural rules for a critical discussion are observed, but also on the satisfaction of certain preconditions regarding the participants’ states of mind and the political, social, and cultural reality in which their discussion takes place.

## The Realm of Argumentation Studies

### Argumentation theory as normative pragmatics

In order to get a clear idea of the different components of our approach to argumentative discourse, it is useful to start by having a closer look at the realm of the study of argumentation and offering a bird's-eye view of its various estates. In depicting these estates, and explaining their mutual relations, we not only do justice to the ecological diversity of the realm, but we also provide a systematic characterization of the crucial sub-divisions of the study of argumentation (van Eemeren 1987a).

We think that a fully fledged argumentation theory should combine insights acquired through rather different kinds of research. It is, in our view, the task of argumentation theorists to establish a well-considered link between, on the one hand, insights as they are expressed in normative models such as those of formal logic, and, on the other hand, insights derived from empirical descriptions as provided by discourse analysts that are primarily socially or linguistically oriented. The accomplishment of this task may run up against opposition on both sides. Perhaps out of fear of metaphysics or of "psychologizing," present-day logicians tend to concentrate exclusively on formalized arguments that lack any direct relation with how argumentation is conducted in practice.<sup>1</sup> Among social scientists and linguists,

<sup>1</sup> Of course, there are exceptions, but then the question immediately arises as to whether we are dealing with "modern" logic. The "natural logic" of Grize (1996) and his

however, the view is still widely held that observations on argumentation (or other phenomena) are only of interest to science if they are based on empirical research – some social scientists are in practice even opposed to any theoretical reflection prior to the collection of data.

The desired combination of insights derived from normative idealizations with insights emerging from empirical descriptions can best be achieved by regarding the study of argumentation as a branch of – what we call – *normative pragmatics*. In *Speech Acts in Argumentative Discussions*, we tried to make clear what this means by giving a theoretical definition of argumentation, fully in line with the definition we presented at the beginning of Chapter 1, in which argumentation is viewed as a “complex speech act” aimed at justifying or refuting a proposition and getting a reasonable critic to accept the standpoint involved as a result (1984: 18).<sup>2</sup> The descriptive aspect of this definition lies in the concept of argumentation as a speech act that has similar pragmatic properties as other speech acts. The normative aspect is represented in the reference to a reasonable critic, which adds a critical dimension to the definition. This combination should enable us to transcend the limitations of a purely normative or a purely descriptive approach to argumentation.<sup>3</sup>

A fully fledged theory of argumentation integrates these two approaches, which, although they start out from different premises, are in fact complementary. In the descriptive approach, which starts out from argumentative practice, the epistemic, moral, and practical challenges provided by “real life” are often motivating occasions to get theorizing about argumentation off the ground. The normative approach sets out from considerations regarding the norms of reasonableness that good argumentation must satisfy. However, normative rules and procedures, devised in a reflective Valhalla, where the peculiarities of

associates, drawing their inspiration from Piaget, should probably rather be classified as belonging to psychology. It should be noted that Peirce, Dewey, and Quine are among the philosophers who much earlier raised interesting heterodox ideas about logic.

<sup>2</sup> See our definition of argumentation in van Eemeren and Grootendorst (1984: 18) based on an earlier Dutch publication. The definition of argumentation given in Chapter 1 of this volume is more general than this theoretical definition.

<sup>3</sup> The general problem facing us here is that in (the philosophy of) science, unjustified dilemmas are constantly created, such as the dichotomy between empiricism and rationalism and that between realism and idealism.

argumentative practice can be discounted, can only have practical relevance if they do justice to the characteristics and properties inherent in discursive reality. This means that the normative and descriptive approaches to argumentation should be fine-tuned to one another. Such a systematic integration calls for a research program that promotes an interdisciplinary cooperation uniting the two approaches. A research program that promotes the development of argumentation theory must give both observation and standardization their due. It must ensure that there is, where necessary, a systematic interaction between the different kinds of research, which makes it possible, right from the start, to link the approach that starts out from “real,” “objective,” “material” reality with the approach that sets out from “ideal,” “transcendent,” “abstract” models.

In order to achieve a systematic interaction between insight in argumentative reality and insight based on an ideal of sound argumentation, argumentation theory has to establish methodical links between the research results achieved in various disciplines. The findings based on experience that have been made by linguistics in the study of interpretative processes, for instance, should be integrated as fully as possible with propositions made in logic for constructing a rational system of rules for a critical exchange of ideas.<sup>4</sup> By thus promoting the creation of a well-motivated theoretical framework for argumentative discourse, we comply constructively with the demands of those philosophers of science who assign argumentation a decisive role in scientific practice.<sup>5</sup> Against this background, we now attempt to sketch the “topography” of argumentation studies. Visiting the main estates of the realm, we distinguish between five different constituents of the study of argumentation, each of which forms a necessary component of a complete research program.

### The philosophical estate

A simple case of argumentation leads us into the estate of philosophy, which functions as a *Chambre de Réflexion* for argumentation

<sup>4</sup> Prominent studies of the first kind are Jackson (1992), Jackson and Jacobs (1982), Jacobs (1987, 1989), and Jacobs and Jackson (1982, 1983); an important study of the second kind is Barth and Krabbe (1982).

<sup>5</sup> See, e.g., de Groot (1984).

theorists. Imagine a man, Mr. Argumentation, who is called to order by an extremely wise man – say, a rabbi – for always disagreeing with his wife. “Why do you never agree with your wife?” the rabbi asks. “How could I?” Mr. Argumentation replies: “She is never right.”

Instead of concerning themselves with the question of who is right or wrong, or what exactly is true or untrue, argumentation theorists concern themselves with the way in which acceptability claims, such as claims to being right or truth claims, are (or should be) supported or attacked. For example, Mr. Argumentation’s standpoint, encapsulated in a rhetorical question that he cannot agree with his wife, is such a claim to acceptability. Argumentation theorists study defenses of a claim or “standpoint.”<sup>6</sup> The “She is never right” example shows that there is nothing unusual about *arguments for* or *arguments against* a certain proposition, as the parts of a justification or refutation are commonly called. Where there is a will, there is usually an argument. As Woody Allen observed, some people can see a pretext for argumentation in everything.

Our definition of argumentation already indicates that argumentation is about producing effects: The performance of the complex speech act of argumentation aims to convince a reasonable critic of a certain standpoint. It is the task of argumentation theorists to investigate the force of conviction of argumentation that is adduced in the verbal interaction between language users. By the way, that this is not the only interesting aspect of argumentation can be learned from a comment by the writer E.M. Forster: “Arguments to me are only fascinating when they are of the nature of gestures, and illustrate the people who produce them.”<sup>7</sup>

In order to emphasize that research on argumentation concentrates on the ways in which argumentation is deployed to produce the effect of acceptance on the part of a reasonable critic, it may be worthwhile to clarify our definition of argumentation by defining the position of our rabbi more precisely as that of a rational critic who judges reasonably. This gives us a general starting point that can also be used to explain the different perspectives that are adopted by argumentation theorists. They all want to indicate what it means when the rabbi

<sup>6</sup> For a pragma-dialectical definition of a standpoint, see Houtlosser (2002: 171).

<sup>7</sup> See Furbank (1977: 77).

“acts reasonably,” but there can be considerable differences between the positions they adopt right from the start, depending on the philosophical angle from which they approach this problem.<sup>8</sup>

Perhaps the philosophical estate can best be described as a partly impenetrable wilderness. Still, it would be shortsighted to abandon the necessary philosophical contemplation purely for fear of not finding a solution. “Fundamental” philosophical reflection is essential because the crucial issues of the discipline are at stake. No consistent scientific practices are possible without well-conceived philosophical principles. Those principles directly affect the nature of theory-formation. They are expressed not only in the selection of the themes that are in need of theorizing, but also in the way in which the research is undertaken and how the research findings are used in practice. This is why it is important that argumentation theory be practiced from a perspective that is philosophically justifiable.<sup>9</sup>

The “She is never right” example can show us how the adoption of different philosophical positions regarding rationality and reasonableness influences the way in which the acceptability of argumentation is evaluated. The rabbi asks himself: “When should I, as a rational critic who judges reasonably, regard an argumentation as acceptable?” In raising this question, the rabbi uses a concept that is crucial for argumentation theory: “acceptability.” We shall indicate that the choice of a particular philosophical view of reasonableness can have important consequences for how the concept of acceptability is understood.<sup>10</sup>

Following Toulmin’s *Knowing and Acting* (1976), three views of reasonableness can be distinguished: a “geometrical,” an “anthropological,” and a “critical” perspective. If our rabbi were to choose a geometrical perspective, he would wonder whether the argument, “I cannot agree with her. [After all], she is never right,” is a substitution instance

<sup>8</sup> Compare, e.g., Willard (1983), Wenzel (1987), and Govier (1987, 1999).

<sup>9</sup> The philosophical reflection ranges over diverse questions, and divergent positions can be taken, which may vary from strict positivism to a much less strict hermeneutic position.

<sup>10</sup> The choice of a particular perspective on reasonableness is often accompanied by the selection of a series of premises of an epistemological, ideological, didactic, or sometimes purely practical nature. As Barth (1974) makes clear, the negative consequences of the eclectic insertion of preconceived ideas should not be underestimated.

of a valid “argument form” and whether the premise, “She is never right,” should be regarded as an incontrovertible starting point. If the rabbi adopts an anthropological perspective, he asks himself whether the claim that Mr. Argumentation’s wife is never right is acceptable to him, as being the one-person audience for whom the argumentation is intended, and whether he is indeed convinced by the argumentation adduced. And if the rabbi opts for a critical perspective, he will determine in the first place which “argument scheme” is used in the argumentation and whether the critical questions associated with this scheme can be answered satisfactorily.<sup>11</sup>

There is a crucial distinction between the geometrical philosophers who want *to demonstrate how something is* and the anthropological and critical philosophers who prefer *to discuss matters*. Philosophers of the former type try to prove their claims by showing step by step that these claims ultimately derive from something that is an incontrovertible certainty.<sup>12</sup> Philosophers of the latter type attempt to convince others of their point of view by argumentation. They take into account that it is necessary to distinguish between two different positions vis-à-vis the standpoint defended by the argumentation: the position of the person who wants to convince and the position of the person who is to be convinced. The geometrical view of reasonableness is an integral part of the demonstrative tradition, which is in fact anti-argumentative, although this fact is usually obscured by the veiled way in which this dogmatic view is presented.

Our non-dogmatic rabbi still has the choice between two other views of reasonableness: the anthropological and the critical perspective. Suppose he opts for the anthropological perspective. In that case, the question of when, philosophically speaking, he should regard an argumentation as acceptable can be answered as follows: “If the argumentation complies with the standards that apply to the people in whose cultural community the argumentation takes place.” The principle of the anthropological perspective is that views of rationality and reasonableness are culture-bound and thus relative. From this perspective,

<sup>11</sup> For the notion of an argument scheme, and the critical questions connected with the different kinds of schemes, see van Eemeren and Grootendorst (1992) and Garssen (2001). Cf. Kienpointner (1992) and Walton (1996).

<sup>12</sup> For geometrical philosophers who are also absolutists, such an incontrovertible certainty would be the Absolute.



“rationality” and “reasonableness” are not universal and objective concepts, but culture-bound and (inter)subjective ones. Moreover, they are not static but dynamic, which means that they are subject to change. Within this philosophical perspective, what is considered reasonable is a function of the group and the time concerned – that is, it is specific to particular people in a particular historical situation.<sup>13</sup> This is why we call this view of reasonableness an *anthropologico-relativistic* perspective.

A good example of taking the *anthropological* view of reasonableness to its extremes is offered by Paul Levy in his biography, *G.E. Moore and the Cambridge Apostles*: “What I am claiming is that what Moore’s followers had in common was admiration – even adoration – of his personal qualities; but as their hero was a philosopher, the appropriate way of expressing solidarity with him was to say that they believed in his propositions and accepted the arguments for these propositions” (1981: 9). It cannot be denied that Levy gives a recognizable description of the role argumentation sometimes performs. However, arguments can only have this “symptom function” because, by definition, the primary function of argumentation is to be a rational instrument for convincing other people. The symptom function is derived from this primary function, or – in Searlean terms – is “parasitic” on it. As a rule, advocates of the anthropological perspective will not go so far as to consider the mere fact that an argumentation is presented to the audience as sufficient; they will rather emphasize that there has to be a connection between the arguments adduced and the audience’s frame of reference. They then explain the fact that certain arguments have the force to persuade an audience as due to the beliefs that specific audience has – in other words, by referring to the general *epistemic background* in its widest sense that the target audience is considered to share with the arguer.<sup>14</sup>

<sup>13</sup> Such relativistic tendencies are prominent in Wittgensteinian ideas that “language games” can be characterized by a specific way of arguing. If the variations in the ways of arguing were really typical of particular language games, Toulmin’s views on fields of argumentation would fit in well. The convincing evidence, however, still has to be supplied.

<sup>14</sup> The (systems of) beliefs that constitute an audience’s general epistemic background are taken here to include its knowledge as well as its values and preferences. In order to describe the epistemic background – for example, by indicating what the audience’s preferred argument schemes are – knowledge is required that is difficult for the researcher to obtain introspectively. In theory, the required information could

The starting point of the *critical* perspective on reasonableness is, philosophically speaking, that we cannot be certain of anything. We should therefore be skeptical with regard to any claim to acceptability, whoever makes it and to whatever it refers. This critical perspective focuses pre-eminently on discussion; it encourages the systematic submission of the one party's standpoints to the other party's critical doubts. In this way, an explicit argumentation is elicited. This, in turn, can be called into question until the difference of opinion is resolved in a manner that is acceptable to the parties involved. In this perspective, all argumentation is regarded as a part of a critical discussion between parties that are prepared to abide by an agreed discussion procedure. If the rabbi opts for a critical perspective, he can answer the question of when, philosophically speaking, an argumentation may be regarded as acceptable in the following manner: "The argumentation is an effective means of resolving a difference of opinion in accordance with discussion rules acceptable to the parties involved."

The critical perspective of reasonableness combines certain insights from the geometrical and anthropological perspectives with insights advanced by critical-rationalists such as Karl Popper (1971, 1972, 1974) and Hans Albert (1967/1975). By proposing a discussion procedure in the form of an orderly arrangement of independent rules for rational discussants who want to act reasonably, the aim of formalization is reminiscent of the geometrical approach to reasonableness. This formal procedure in the critical sense, however, is aimed at facilitating a discussion intended to resolve a difference of opinion. The proposed procedural rules are valid as far as they really enable the discussants to resolve their differences of opinion. There is no need to assume the existence of an absolute and definitive form of reasonableness. Within the critical perspective, reasonableness is viewed as a gradual concept. The extent to which a particular rule is considered reasonable depends on the adequacy of that rule, as part of a procedure for conducting a critical discussion, for solving the problem at hand.

also be obtained through empirical research by giving an exact description of the entire argumentative reality, but this is not feasible. In Perelman's *New Rhetoric*, which adopts an anthropologico-relativistic view of reasonableness, there is a murky mixture of introspection with an empirical approach. No matter how, there seems to be no way of avoiding epistemological relativism. Cf. Goldman (1999).

Apart from the criterion of “problem validity” for the problem at hand, the other criterion applied when using the norm of reasonableness characterizing the critical perspective is the criterion of “intersubjective validity.” The latter resembles the norm of reasonableness that is the exclusive norm in the anthropological perspective. As is already suggested by the fact that different discussion procedures may show gradual differences in reasonableness, the criterion of intersubjective validity satisfies the premise that reasonableness need not necessarily be universal. In this respect, unlike geometrical reasonableness, critical reasonableness is dependent on human judgment: It is related to a specific group of people at a particular place and time.<sup>15</sup>

A major advantage of adding the criterion of intersubjective validity to the criterion of problem validity as applied in logic is that the requirement of acceptability for the audience forms a link with ordinary – who knows, even “natural” – thinking. There is a fair chance that a great many familiar logical rules are based on general, perhaps even universal, acceptability. On the other hand, in some cases, where this has not yet taken place, it will be necessary to issue proposals for standardization to language users who genuinely want to solve their differences of opinion through argumentation. In order to have a suitable medium for discussion, or at least a suitable frame of reference (or “ideal model”) for discussing the quality of argumentation, we must detach ourselves from various problematic peculiarities of ordinary language use and introduce new conventions.<sup>16</sup> In our terminology, this is called the *critical-rationalistic* view of reasonableness, which is in fact an extended version of the Popperian critical perspective.

As we explained, the question of when a rational critic who judges reasonably should accept an argumentation can be answered in

<sup>15</sup> If a specific group of people is assigned an exceptional status that gives the group authority to confer conventional validity on what it considers intersubjectively valid, we are faced with a special form of cultural relativism. Some philosophers of science attribute such an authority to the “forum of science”; Perelman and Olbrechts-Tyteca have their “universal audience”; and certain modern variants of conventionalism, such as the consensus theory, have a similar function. It is neither clear precisely who is entitled to count as a member of the elite group nor why. Sometimes the argument even threatens to become circular, and the group itself is defined by the way in which argumentation or discussion is carried out in that group.

<sup>16</sup> This is true, for instance, of the use of generic expressions. See Barth (1974).

different ways, but only two kinds of answers, each representing a different philosophical perspective, are interesting for argumentation studies. The first interesting answer is the anthropologico-relativists'. They think that argumentation must be in agreement with the standards applying in the socio-cultural community where the argumentation takes place. The second interesting answer is that of the critical-rationalists. In their judgment, argumentation must correspond to rules of discussion that are conducive to the solution of a difference of opinion and acceptable to the parties involved. What exactly argumentation theory stands to gain from this philosophical wisdom depends on how it is put to good use in the theoretical estate.

### The theoretical estate

The theoretical estate is characterized by a plurality of major and minor currents, some of them running more or less parallel, some of them forking off from a different current at a certain point, and others converging or diverging. Fortunately, not every current is equally important, because it would be difficult to navigate them all at the same time. We can distinguish a few major currents.

In the theoretical estate, the various notions of reasonableness acquire a specific theoretical shape. Here, a model is developed of what it means for a rational critic to judge reasonably. In this ideal model, an overview of relevant moves is provided, and a particular, well-defined content is given to concepts that occupy a crucial place in argumentation theory. The latter applies, for instance, to the psycho-pragmatic conceptual pairs of "acceptable/unacceptable" and "justification/refutation." In principle, any difference in the philosophical perspective that is chosen as the point of departure leads to different theoretical definitions and approaches, and eventually results in different theoretical models.<sup>17</sup>

<sup>17</sup> Van Eemeren et al. (1996) offer a survey of the main theoretical approaches to the study of argumentation, in which the modern classics of Crawshaw-Williams (1957), Naess (1966), Toulmin (1958), and Perelman and Olbrechts-Tyteca (1958) play a prominent role. More recent theoretical approaches are formal dialectics, pragmat-dialectics, informal logic, radical argumentativism, natural logic, the formal approach to fallacies, and various contributions from communication research. For recent publications by prominent informal logicians, see Johnson (2000) and Pinto (2001).

What does it mean to give a specific theoretical shape to a particular philosophical perspective? To use a well-known metaphor, a theoretical model offers researchers a pair of spectacles through which they can view reality from their preferred philosophical perspective. Some theorists think that their spectacles offer a view of “reality as it really is,” or try to construct the viewing aid in such a way that this ideal is approximated as closely as possible. Others use their model spectacles as a means of obtaining a specific view of important aspects of reality. Still others are inclined to prefer the opposite vision and use their spectacles to define reality as what they see through their spectacles. It stands to reason that there may be considerable differences from one pair of spectacles to another: The lenses can be polished and tinted in all kinds of ways, depending on the predilections of the researchers. Some spectacles clarify by distortion: They operate like a magnifying glass or perhaps even like a distorting mirror. Except perhaps as a facade, there is not much point in using plain glass in the spectacles.

In the study of argumentation, several theoretical models are developed. Some models are designed for descriptive purposes, while other models serve a normative purpose. A certain degree of idealization is always inherent in designing a model, otherwise the modeling would be pointless. If all proceeds as it should, the idealization that is adopted is an extension of the researcher’s philosophical view of what it means for a rational critic to judge reasonably. Argumentation theorists need an ideal model in order to get a hold on the problems of argumentative reality and to tackle these problems in a systematic fashion. The ideal model plays an instrumental role in linking abstract philosophy with actual reality. If the model is designed adequately, it will be fine-tuned to the chosen philosophical view of reasonableness. It can then fulfill a heuristic, analytic, and critical function in the preferred kind of analysis and evaluation of argumentative language use.<sup>18</sup>

Our rabbi knows that the theoretical estate is the scholarly domain where a certain philosophical view of reasonableness is given a specific form. In entering this domain, he asks himself which theoretical instruments are, or can be made, available to him to systematically arrive at a solution of his problem regarding the acceptability of argumentation.

<sup>18</sup> See van Eemeren and Grootendorst (1992).

Which conceptual tools can he use to pass a reasonable judgment on the acceptability of the argumentation “She is never right,” which Mr. Argumentation advances to justify his standpoint, “I cannot agree with her”? On what kind of ideal model of reasonableness can he base his judgment?

Irrespective of whether he is an anthropologico-relativist or a critical-rationalist, the rabbi will have to arrive at an assessment of the quality of Mr. Argumentation’s argumentation for his standpoint that he cannot agree with his wife. In the light of the fact that the rabbi has given considerable thought to where he can best emerge from the wilderness of the philosophical estate, he immediately sees that there are two main currents in the murky delta of the theoretical estate – and with them two different responses to the question that he has to answer. One of these main currents derives from the anthropologico-relativistic area of the philosophical wilderness and leads him to an answer such as “I can use a certain amount of knowledge about the way in which the beliefs of different audiences are systematically organized and how they can be deployed in argumentation.” This theoretical position can be characterized as *epistemo-rhetorical*. The other main current has a critical-rationalist origin and leads to an answer such as “I can use an ideal model of a critical discussion and a procedure for how speech acts should be presented in order to be constructive moves in such a discussion.” In the latter case, the rabbi’s theoretical position is *pragma-dialectical*.

If the rabbi goes with the epistemo-rhetorical current, and is a genuine rhetorician with an anthropologico-relativistic philosophy of reasonableness, he will have to find out whether the argumentation is successful in persuading the audience for which it is intended, and he also has to discover why this is so. In our example, this would amount to a simple self-investigation. In other cases, however, the rabbi would have to investigate exactly what the reactions of the target group are to the statements in question. The New Rhetoric developed by Perelman and Olbrechts-Tyteca provides an extensive catalogue of points of departure and argument schemes that can play an effective role in argumentative persuasion techniques. When, however, are the uses of these points of departure and argument schemes really persuasive? In which combination exactly? And for whom and in which circumstances?

To conduct this kind of research, it would be extremely useful if the rabbi could benefit from the results of anthropological studies comparing the ideas about reasonableness and corresponding argumentation rules from different cultural environments. Since the observation of empirical facts is supposed to depend to a great extent on theoretical paradigms, and theoretical paradigms in turn depend on world-views and the cultural premises on which they are based, it would be of fundamental importance to have reliable knowledge about them. There is, for instance, talk of differences between Anglo-Saxon and Teutonic styles of thinking. Our rabbi, however, must realize that a good deal of implicit (and not always so harmless) metaphysics seems to play a role in distinctions of this kind.<sup>19</sup>

The second main theoretical current has its source in the critical-rationalist philosophy of reasonableness. Our pragma-dialectical approach to argumentation, for one, leads the rabbi to investigate the quality of the argumentative devices used by Mr. Argumentation in the light of criteria for the problem validity and intersubjective validity of the discussion rules that are operative. As a dialectician, our rabbi must then discover the exact role the argumentation fulfills in the process of resolving a difference of opinion. He must subsequently investigate which critical questions correspond to the argument schemes that are used in the argumentation, and how these questions should be answered in this particular case. In conducting research of this kind, the rabbi could benefit from theoretical insights developed in the pragma-dialectical theory of argumentation.

The pragma-dialectical theory of argumentation regards each argumentation as part of an explicit or implicit discussion between parties who try to resolve a difference of opinion (that may be implicit) by testing the acceptability of the standpoints concerned. To resolve the difference of opinion, the discussion has to go through several stages. These stages are specified analytically in the pragma-dialectical ideal

<sup>19</sup> There are certainly striking external differences between styles of argumentation in Western and Oriental cultures. In Japan, for example, the risk of loss of face seems to make it often inadmissible to express a difference of opinion explicitly and directly. Within Western cultures, there are clear differences in the style of argumentation, at least at the level of presentation, between the predominantly Anglo-Saxon oriented cultures and the Continental ones. It would be interesting to investigate to what extent a difference in philosophical traditions also plays a role.

model of a “critical discussion.” The theoretical model of a critical discussion is dialectical because it is premised on two parties who try to resolve a difference of opinion by means of a methodical exchange of discussion moves. The model is pragmatic because these discussion moves are described as speech acts that are performed in a specific situation and context.

The pragma-dialectical ideal model also indicates which rules apply to the distribution of speech acts in the different stages of a critical discussion. Each rule is necessary because every violation of any of the rules is a potential threat to the resolution of the difference of opinion, even though there may be considerable differences from one case to another in the degree of seriousness of the violation. All violations of the rules in a critical discussion are incorrect discussion moves that roughly correspond to the argumentative flaws traditionally known as “fallacies.” The code of behavior for conducting a reasonable discussion based on these rules derives its problem validity precisely from the fact that it does not allow any fallacies. The claim that the code of behavior is also valid by intersubjective criteria – and is thus potentially conventionally valid – can, in principle, be made plausible by pointing to the pragmatic and ethical advantages that are connected with observing the code.

Whether a theoretical model that focuses on winning support or a theoretical model that focuses on the resolution of differences of opinion is favored, a methodical interpretation of the argumentative reality has to be carried out before it is clear what practical significance the insights provided by the use of a model may have. This methodical interpretation takes place in the analytical estate.

### The analytical estate

The analytical estate is like a polder region in which the land we need for cultivation is recovered from the water and marsh.<sup>20</sup> The situation we encounter in practice is usually not immediately ready for use. Then we have to lend nature a helping hand and carry out some cultivation first. In some cases, the required modifications involve no more than digging or filling in a ditch, but in other cases, it may be necessary

<sup>20</sup> A polder is a piece of low-lying land reclaimed from the sea or a river.



to carry out a complex delta works project. What exactly we decide to undertake, and how we do it depends to a large extent on our theoretical “master plan.” In the case of argumentation studies, our ideal model of a critical discussion fulfills this function. In using this theoretical model in order to reconstruct argumentation, we do not submit the model to an empirical test, but try to use it in a sensible way to reshape argumentative reality – in our case, an argumentative discourse or text – in a way that reveals the extent to which this specimen of argumentative reality, on closer inspection, corresponds with the ideal model.

However risky it may appear, if argumentation theory aims to be of practical importance, it needs to incorporate both normative and descriptive insights. Hence the aim of the analytic reconstruction of argumentative language use in oral and written discourse is to combine both kinds of insights in a well-considered manner. The reconstruction must reflect the characteristic properties of argumentative reality as well as those of the ideal model that constitutes the framework of analysis. After all, the importance of such an analytical reconstruction is that the philosophical “ideal” and the practical “real” are brought together in a meaningful way. This bringing together takes place through the systematic integration of the sphere of the norms and that of the descriptions to produce a theoretically motivated combination. It is the need for this combination that gives the analytical estate its crucial importance for the study of argumentation.

In order to be able to make constructive comments on any form of language use, we first have to know to what extent the corresponding verbal utterances are adequate in light of the purpose they are supposed to serve. In language use, it is often the case that there is more than one purpose at the same time, and if language is used argumentatively, the argumentative function need not always be the most important. This means that an analytical reconstruction is always provisional in character: It is only in place to the extent that the (part of the) speech event concerned can genuinely be regarded as argumentative. Since one specimen of language use is closer to the theoretical model than another, the reconstruction may in the one case be much more comprehensive than in the other. As long as these complications are borne in mind, the reconstruction can provide useful insight and give a clearer picture of the argumentation, especially in the case of

more complex texts. A reconstruction carried out with the help of an ideal model that is in line with well-considered philosophical premises brings greater clarity to the matters in which argumentation theorists are interested.

Whatever our philosophical premises may be, and whatever form our analysis takes, an analytical reconstruction is a process with many facets. The reconstruction consists of several types of transformational operations, varying from selecting, supplementing, and rearranging to reformulating relevant elements of the original discourse. If the reconstruction is to be adequate, the transformations that are carried out must also be fully justifiable. This means that it must be possible to explain by referring to the model of a critical discussion and the text when a transformation is necessary, and what this transformation entails. Such an explanation of when and why a particular reconstruction is called for has to be provided not only in the case of argumentation, but also in the case of standpoints and other relevant speech acts in an argumentative text.<sup>21</sup>

When our rabbi enters the analytical estate, he asks himself how he can present the clearest possible picture of what is relevant for him amid what goes on in the whirlpool of argumentative reality. In answering this question, he examines argumentative reality as it manifests itself in the light of the special interest he has. Depending on the theoretical position he adopts, he will answer the question in a different way. If the rabbi is in favor of the epistemo-rhetorical approach, he will try to achieve an *audience-oriented reconstruction*. In this case, he wants to know primarily how he can determine which elements in the speech event play a role in the persuasion process. His answer will then be something like this: "I have to expose the rhetorical patterns displayed in the discourse and reconstruct the text as an attempt to persuade the audience." This means that he has to reconstruct the text as intended in order to persuade and try to discover which rhetorical devices are used in this endeavor.

In an audience-oriented reconstruction of an oral or written discourse or text, "rhetorical transformations" that are motivated by the epistemo-rhetorical ideal are carried out. Carrying out these

<sup>21</sup> See van Eemeren (1986, 1987b) and van Eemeren, Grootendorst, Jackson, and Jacobs (1993). Our approach has certain affinities with that of Jackson and Jacobs (1982).

transformations is usually referred to as providing a *rhetorical analysis*. Many exemplary fragments of such an analysis can be found in the works of Perelman and other adherents of the “New Rhetoric” (see Chapter 3). Most of the time, however, the analyses leave the impression of being rather ad hoc, because they seem to lean strongly on introspection and individual intuition. Despite the long tradition of this form of analysis, there is still no consistent method of conducting a rhetorical analysis that gives the necessary instructions for the implementation of the required transformations. There is not even a general recognition of the need for such a method. Moreover, the importance of having a normative dimension in the analysis is often ignored.<sup>22</sup> Take the “She is never right” example. Is it not relevant to conducting a proper rhetorical analysis that this argumentation is quasi-logical and actually no more than a wisecrack?

In some respects, a great many cases of rhetorical analysis remind us of the approach to “conversation analysis” that, as a matter of principle, describes whatever goes on in the discourse exclusively from the viewpoint of the participants themselves, and lets the data “speak for themselves.” Data, however, do not speak for themselves. Without the existence of some kind of theoretical frame of reference, however implicit it may be, they cannot even be characterized as “data.” Because they lack a clearly articulated theoretical starting point, such approaches to argumentative discourse do not have any real explanatory force.

If the rabbi follows a different line of thought and opts for a pragmatodialectical approach, he will try to bring about a *resolution-oriented reconstruction*. In this case, his first task is to find out how he can determine which speech acts performed in the discourse play a role in resolving a difference of opinion. His answer to the central question in the analytical estate will be something like, “I have to carry out the analytical transformations that reconstruct the text as an attempt to resolve a difference of opinion.” This means that the rabbi has to make an attempt to expose what he is interested in by disclosing in the discourse the stages that are relevant for the resolution of the difference of opinion and reconstructing what goes on in the different stages in terms of a critical discussion.<sup>23</sup>

<sup>22</sup> There are important exceptions, most notably Leff (2002).

<sup>23</sup> Cf., for a more rhetorically oriented analysis, Tindale (1999).

Generally speaking, in dealing with ordinary fragments of argumentative discourse, such as the “She is never right” example, the first task of the pragma-dialectical analyst is to determine to which stage of the resolution process each fragment belongs. The next task is to carry out dialectical transformations that make it clear exactly what role the utterances concerned fulfill in that particular stage of the resolution process. For instance, by performing such a transformation, the question “How could I?” can be reconstructed as the standpoint “I cannot agree with my wife.” And Mr. Argumentation’s statement, “She is never right,” can, with the help of a dialectical transformation, be reconstructed as argumentation. The implicit premise of this argumentation too can be added by carrying out a transformation that is motivated by the pragma-dialectical model of a critical discussion. Thus, this model serves as a heuristic tool for the systematic conduct of a resolution-oriented reconstruction of the various discussion stages and the speech acts involved, and for achieving a *dialectical analysis* of the discourse.<sup>24</sup>

Whether the analysis is aimed at revealing persuasive techniques, or stages in the resolution process, the transformations that are carried out in the analytical reconstruction of a discourse can only be justified by insightful descriptions of the clues offered by argumentative reality. The theory chosen as the starting point may motivate the performance of a specific transformation in a certain context, but before one can decide whether the transformation is justified or not, it is necessary to answer the question of whether all the conditions have been satisfied that apply to the performance of this transformation. To determine whether this is indeed the case, we have to get to know how the listeners or readers interpret the elements in the text relevant to this decision, and whether these interpretations lend support to the reconstruction. This requires meticulous qualitative and quantitative empirical research of argumentative reality that makes use of observation as well as experiments. This brings us to the empirical estate.

<sup>24</sup> In uncertain cases, the speaker or writer should be given the benefit of the doubt. For this reason, a dialectical analysis may mean that the “strategy of maximally reasonable reconstruction” has to be followed. Together with other similar analytical strategies, this strategy ensures that every component of the discourse that can play a part in the resolution of the difference of opinion is taken into account. See Chapter 5 of this volume and van Eemeren and Grootendorst (1992).

### The empirical estate

The empirical estate is a very large one and to a great extent uncultivated. In order to explore this estate in a sensible way, we need a well-considered plan of action: There are so many different possibilities that otherwise we will easily lose track of them. Our knowledge of the surrounding wilderness, the various currents that run through it, and the polder projects that are going on enables us to choose selectively certain areas within the empirical domain and to chart the areas we concentrate on very carefully. We are primarily interested in describing those parts of empirical reality that are directly relevant to our reconstruction activities, that fall within our theoretical scope, and that correspond to our philosophy of reasonableness.

In the empirical domain, we try to give justified descriptions of argumentative reality. Despite what "objectivistic" empiricists would like us to believe, such descriptions are not a direct reflection of reality: They inevitably entail some scientific "reductionism." It is important to be aware of this reductionism from the start and to ask ourselves what kind of reductionism we are exactly aiming for and whether we can afford it. In our view, empirical descriptions of argumentative reality should in the first place concentrate on what is relevant for the analytical reconstruction of argumentative discourse and texts in the light of our philosophically motivated theory. We would be inclined to add immediately, however, that they should also be motivated by what seems to cause problems in practice. The reductionism in the descriptions is, in our view, to be determined not only by the theoretically relevant clues provided in the discourse and texts on which our reconstruction can be based, but also by the question of at which points argumentative practice is in need of improvement.

When conducting analytical reconstructions, it soon becomes clear what kind of empirical research is relevant and therefore has priority. Neither an audience-oriented rhetorical reconstruction nor a dialectical reconstruction oriented toward the resolution of a difference of opinion offers us watertight analytical methods that automatically produce the right results. In both cases, decisions have to be taken at each stage of the analytical activity, and ideally these decisions should be well-motivated ones. A more detailed exploration

of the empirical domain will provide useful starting points for making and justifying such decisions. To rhetoricians, empirical research should make it clear when, for instance, a part of the discourse is in practice to be understood as a part of the “peroration.” Dialecticians should be able to learn from empirical research when, for instance, the “concluding stage” begins in practice. This kind of research can also make it clear when precisely a listener or reader takes an utterance to be a standpoint, an argument, or some other relevant speech act. To dialecticians, the primary question is: Which factors influence the identification of speech acts that may play a role in a critical discussion?

Sometimes a reconstruction may proceed more or less automatically, but usually the reconstruction can only be carried out properly by falling back on clues provided by the textual and non-textual context in a narrow or even in a wider sense. The extent to which a certain reconstruction may be regarded as justified depends on various factors that are connected with the conduct of the actual speech event. In developing hypotheses that are to be tested by empirical research, concepts from conversation analysis, such as “adjacency pair” and “argumentative repair,” can play a useful role, provided they are adequately embedded theoretically.<sup>25</sup>

To answer the question of where argumentative practice is in need of improvement – a question to which we shall return when discussing the following estate – we first have to determine empirically whether or not we are dealing with a problem that is a real problem in practice. This calls for research on the actual on-line processes of the production, identification, and evaluation of argumentative discourse and on the ways in which these processes take place among different groups of speakers, writers, listeners, and readers. In carrying out this research, we have to bear in mind that “measuring” something always boils down to imposing an artificial standard – and that deviations may arise that call for an explanation. As a rule, before measurements can be carried out with some precision, certain qualities first have to be translated into quantitative terms. Recognizing argumentation, for instance, is sometimes “operationalized” by defining “recognition” as the correct

<sup>25</sup> For the conversation analysis approach and the main concepts that play a role in it see, e.g., van Rees (1992a).

filling in of a certain pencil and paper test, or by equating "recognition" with certain latency time scores in computer tests.<sup>26</sup>

When our rabbi enters the empirical domain, he asks himself what specific knowledge about argumentative reality may be useful to him. He can use empirical knowledge, for example, to decide whether it is indeed "realistic" to give a particular fragment of argumentative discourse the "standard translation" that is appropriate according to the rhetorical or the dialectical theory. In the "She is never right" example, this kind of knowledge may provide information that can be used in answering the question of whether "She is never right" is really intended as an argument or is just a wisecrack.

Among the approaches that have acquired a clear profile in the empirical estate, we find once again the empirical counterparts of the epistemo-rhetorical and the pragma-dialectical theoretical approaches. If the rabbi aims for an audience-oriented reconstruction, assuming anthropologico-relativistic premises, and using epistemo-rhetorical analytical instruments, his empirical descriptions will concentrate on the *process of persuasion*. In this case, his main interest lies in how the audience is urged toward, or away from, a particular direction. His answer to the question of what is at stake in the empirical estate might be something like this: "I have to discover which rhetorical patterns have persuasive force for what kinds of audiences."

In this case, it would be useful for the rabbi to know which factors make people change their minds. All kinds of experiments have been carried out to find out more about this. Because for persuasion-oriented rhetoricians the result of the argumentative process counts above all, they tend to be more interested in the "material" factors affecting the result than in the psychological processes in which these factors operate. Persuasion is, in principle, connected with immediate reactions: The audience carries out a certain verbal or non-verbal act, or decides not to carry it out. This may explain why many of the

<sup>26</sup> Van Eemeren, Grootendorst, and Meuffels (1989) report on a series of experimental tests concerning the recognition of argumentation in which these two "operationalizations" play a role. For other reports on empirical research that are interesting in this connection, see Benoit and Benoit (1987) and Trapp, Yingling, and Wanner (1987). See also O'Keefe (1997, 1998).

descriptions concentrating on the persuasion process stem from behavioral research.<sup>27</sup>

In order to find out what appeals to an audience, one has to have a clear picture of what is important for those people and what makes an impression on them. In this respect, there is a certain affinity with the so-called "reception theory" as practiced in literary, dramatic, and other arts disciplines. Persuasion research concentrates in particular on the extent to which argumentation is successful in practice, and pays attention to questions such as: Do the rhetorical categories that are distinguished on theoretical grounds really have the effect that is ascribed to them? What kind of starting points and what kind of argument schemes work best on a particular type of audience?

If the rabbi wants to carry out a reconstruction oriented toward the resolution of a difference of opinion, proceeding on the basis of critical-rationalist premises and making use of pragma-dialectical theoretical insights, his empirical descriptions will be concentrated on the *process of convincing*. In this case, he is primarily interested in how arguers resolve a difference of opinion by removing all doubt from the standpoint that is defended. The rabbi's answer to the central empirical question could then be: "I have to discover which factors and processes are important for the force of conviction of argumentative discourse aimed at resolving a difference of opinion."

The cognitive activities that play a role in convincing an audience are probably more complex than the cognitive activities involved in persuading them.<sup>28</sup> While persuasion implies the immediate effect that the audience reacts to the argumentation in the desired way, conviction can only be reached after some further reflection on the part of the person who is to become convinced. Before proceeding to consider exactly how convincing the argumentation is, that person has to understand that argumentation has been advanced and exactly what it involves. Rhetorical devices often owe their success precisely to the fact that they are not recognized as such.

<sup>27</sup> See O'Keefe (1990).

<sup>28</sup> In the approach centering round the resolution of a difference of opinion, the effect of convincing manifests itself in the externalization of the acceptance of a standpoint. The cognitive analogue to this is for the person who accepts the standpoint to be convinced. There is a crucial cognitive difference between being *convinced* and being *persuaded*.



An adequate description of the process of convincing requires a prolonged series of research projects that guarantee continuity (for example, in view of the need for replications) and systematic procedures (for example, in view of the need to investigate the various identification problems in a motivated order). The nature of the research of identification problems can vary from describing the factors that influence the recognition of simple, indirect, or more complex argumentation to describing the on-line processes in which the identification takes place.

An empirical research program that is interesting for dialecticians could, for example, initiate research on the question of to what extent ordinary language users in everyday contexts really tend to resolve their differences of opinion by means of the kind of discussion favored by dialecticians – as well as on the question of when and why they do not. It would also be useful to dialecticians to know what kinds of clues argumentative reality provides to determine that a confrontation is taking place, or any other exchange that can be treated as a specific stage in a critical discussion has started. Do the argument schemes and argumentation structures distinguished in the pragma-dialectical argumentation theory indeed play some kind of steering role in everyday argumentative practice? And are there indications that ordinary arguers, when interpreting one another's argumentation, are indeed carrying out transformations that are in some way similar to those used by the dialecticians? These kinds of questions are tackled by empirical researchers concerned with producing descriptions of argumentative discourse concentrated on the process of convincing.

Although argumentation researchers engaged in empirical projects usually also have practical aims in mind, it would not be wise to assume *a priori* that empirical research is only carried out to resolve practical problems. Nevertheless, there is no doubt that the relevance of empirical research is easiest to demonstrate if this research is directly connected with practical problems. This brings us to the practical estate.

### The practical estate

The practical estate of the study of argumentation covers all the institutionalized and non-institutionalized settings that serve as formal or informal meeting places where the inhabitants of the realm can

have their exchanges – from official deliberations in law courts and political gatherings to unofficial get-togethers and encounters in offices, pubs, at home, or at the proverbial village pump. The ecology of this domain is thus extremely varied. All kinds of argumentative capacities and skills that play a part in the oral and written production of argumentative discourse and texts, as well as in their interpretation and evaluation, are important. The argumentative competence required for dealing properly with all these argumentative situations and using all the necessary skills differs from other competencies in a variety of ways. Argumentative competence is a complex competence that consists of various kinds of different competencies. Because people's competence in producing argumentation may, for instance, be at variance with their competence in analyzing argumentation or in evaluating argumentation, a differentiation is in this respect required. At any rate, the term *argumentative competence*, however ill-defined (and even ill-conceived) it still may be, refers in all its components to dispositions that are gradual and also relative. They are relative, at least in the sense that a person may be very competent in dealing with certain argumentative situations in an appropriate way, but less competent in dealing with other argumentative situations – or with some aspects of certain situations and not with other aspects.

The relative character of argumentative competence implies that a person's competence should, in principle, be measured in terms of standards that are pertinent to the specific type of context in which this competence should be applied. In order to improve argumentative practice in a purposeful way, argumentation must therefore be studied in different – more conventionalized or less conventionalized – institutionalized and non-institutionalized contexts, varying from legal and administrative contexts, where the argumentation takes place in a more or less well-defined procedural setting, to the contexts of personal conversations and private correspondence, where the setting is informal and the argumentation is addressed to a friend or acquaintance. The discussion rules will usually be more clearly laid down in the former than in the latter case, which has consequences for the demands that are made on someone's argumentative competence.

We can attempt to improve argumentative practice in a general, or in a more specific, area by teaching those people who take part in

this practice, or will do so in the future. The quality of argumentative practice can also be enhanced, however, by proposing improvements to the argumentative procedures that are followed. These proposals should take account of the institutional objectives that a specific argumentative practice is supposed to serve. In any case, when developing methods or proposals for achieving practical improvements, optimal use will have to be made of the insights in the production, analysis, and evaluation of argumentative discourse that have been acquired in research carried out in the philosophical, theoretical, analytical, and empirical estates. These insights must be carefully translated into recommendations that satisfy the divergent criteria that apply to argumentative discourse in the various fields of application. Whether they are derived from an anthropologico-relativistic source of inspiration, and focus on winning approval, or stem from a critical-rationalistic source of inspiration, and concentrate on resolving differences of opinion, the proposals for improvement that are made must be methodical and lead to the desired results or to speeding up the achievement of the targets that a particular form of oral or written discourse is expected to serve.

Among the conditions that have to be met if others, in particular teachers, are to make good use of the methods developed by argumentation theorists is the preliminary condition that the institution in which they have to operate indeed provides them with the opportunity to do so. In the case of teachers, this means that there has to be enough room in the curriculum for their efforts. Even if this is the case, it will undoubtedly be some time before the course concerned can be optimally realized. Actually, there is a preceding stage during which the instructors themselves have to become familiar with the state of the art in the study of argumentation and the most recent developments, otherwise they cannot teach argumentation theory properly. In many countries, one problem is the lack of appropriate teaching material in which suitable methods are used. A survey in which the theory of argumentation is elaborated down to the tiniest detail is obviously not the right solution: There would still be a need for textbooks in which (part of) the material concerned is presented in a pedagogically and didactically justified way.<sup>29</sup> A requirement that every argumentation course

<sup>29</sup> See van Eemeren, Grootendorst, and Snoeck Henkemans (2002).

should meet is that it be organized in such a way that it proceeds step-by-step toward the fulfillment of the teaching goals, taking due account of the interests, ages, and capacities of the pupils.

As our rabbi enters the practical domain, he will wonder how he can be of help in improving argumentative practice. What can he do to improve the chances that Mr. Argumentation and his wife, and others like them, will end their differences of opinion in a justified manner? In answering this question, it makes a great difference which philosophical, theoretical, analytical, and empirical approach to argumentation he has come to prefer. Of course, the question he confronts himself with can be answered in different ways, and the nature of the answers depends also on the choices he has made in the other research components. Two of the possible answers match most closely the basic distinction that we have drawn when discussing the other estates of the realm of argumentation studies.<sup>30</sup>

An epistemo-rhetorical theoretical approach to argumentation is usually accompanied by a *success-driven* attitude toward practical applications. The anthropologico-relativistic philosophical premise of this approach generally leads to the idea that the primary purpose of argumentation is to obtain the approval of the audience, and that in order to achieve this objective, all knowledge that is available with regard to the “persuadability” of the target group must be deployed as effectively as possible. In this case, the rabbi’s reply to the main question in the practical estate is: “I would like to develop means to instruct people in such a way that they learn how to win a case by the use of argumentation and can avoid being defeated by the argumentation of others.”

It is probably also to boost sales that publications with practical instructions on argumentation often have titles designed to appeal to minds bent on success, such as *How to Win an Argument*.<sup>31</sup> In a similar vein, the rabbi could perhaps choose a title like *How to Persuade Your Wife* or *Eleven Ways of Getting Things Your Own Way*. Apart from

<sup>30</sup> For other responses, see, e.g., Scriven (1976), Paul (1987), Weddle (1987), and Johnson and Blair (1993).

<sup>31</sup> See Gilbert (1979) and its reprints.

superficial manuals aimed at instructing the readers in the easiest ways of winning an argument, similar success-driven ideas about the art of persuasion are also marketed in more-serious publications about public speaking and in composition courses.

A pragma-dialectical theoretical approach to argumentation leads, in principle, to an attitude toward the practical applications of insights derived from argumentation theory that is *furthering reflection* about argumentation. The emphasis in this case is on the possibilities of using argumentation to resolve differences of opinion and on how to stimulate people to engage in a critical dialogue if they want to convince another person. A practical approach of this kind attempts to provide those interested in the resolution of differences of opinion with methods that will enable them – as speakers, listeners, writers, and readers – to deal adequately with argumentative discourse in various kinds of argumentative situations. The methods that are aimed for concentrate on stimulating systematic reflection on the argumentation one produces or is confronted with.<sup>32</sup> This means that the question put to him in the practical estate will be answered by the rabbi by saying that he will make a methodical attempt to bring about a critical discussion and to encourage reflection on argumentation by explaining systematically how the different types of argumentative discourse and texts can best be produced, analyzed, and evaluated.

The discussion rules that combine to form the pragma-dialectical procedure for conducting a critical discussion facilitate systematic reflection on what reasonableness in argumentation means (see Chapter 6). It is not sufficient, however, to learn these rules by heart in order to be able to apply them successfully in practice. Nor do they offer would-be arguers any handy tricks. The critical-rationalistic philosophy of reasonableness also applies to the rules themselves and their epistemological status. These rules are not algorithmic, but heuristic; they are not rules that automatically lead to a specific series of instructions that always guarantee the desired result. Argumentation is, in the pragma-dialectical view, not a mechanical process but a social activity aimed at convincing others of the acceptability of a standpoint by removing the other people's doubts. According to this approach,

<sup>32</sup> See van Eemeren, Grootendorst, and Snoeck Henkemans (2002).

the quality of the production, analysis, and evaluation of argumentative discourse can be raised only by improving the quality of the communication and interaction between the participants. This improvement may in some cases mean that the argumentative procedures that are used are at certain points modified – for example, by including insertions directed at rendering explicit and unequivocal steps that were implicit or ambiguous. The improvement can also mean that a systematic and purposeful attempt is made to enhance the participants' individual skills in speaking and writing argumentatively and in listening to argumentation and reading argumentation. Here it should be emphasized that the reflection-furthering practical application of insights from argumentation theory always assumes that people who want to learn something about argumentation are never completely ignorant (*tabula rasa*). They are supposed to be already familiar with certain verbal practices and to possess various skills already up to a certain level. Moreover, these people are not supposed to undergo the learning processes in a completely passive way, but they are potential discussion partners who can react critically to what is offered. This means that the teaching material must match what the pupil already knows and promote further reflection that leads to deeper insight.<sup>33</sup>

It is likely that the (“first-order”) discussion rules that constitute the pragma-dialectical procedure for the resolution of differences of opinion will, at least to some extent, overlap with norms that ordinary arguers in practice already have, whether they are “naturally” there or have been internalized in the nurturing process. Sometimes there are factors beyond the control of the arguers that hinder the adoption of the reasonable attitude toward discussion assumed in the code of behavior. The “internal” mental states that are a precondition to a reasonable discussion attitude can be regarded as “second-order” conditions for a critical discussion, while the presupposed “external” circumstances in which the argumentation takes place apply

<sup>33</sup> For those who are prepared to adopt the required attitude to discussion and thus grant the pragma-dialectical rules conventional validity, intellectual doubt is an intrinsic component of their approach, and criticism is a means of solving problems by trial and error. Argumentative discussions can expose weak spots in knowledge, values, and objectives. Protecting certain standpoints and immunizing them against criticism are thus out of the question.

as “third-order” conditions.<sup>34</sup> For instance, in order to act in accordance with the first-order rule that stipulates that the parties may not prevent each other from advancing standpoints or expressing doubts with regard to standpoints, Mr. and Mrs. Argumentation must satisfy the second-order condition that they are prepared to give their opinion and to listen to the opinion of the other. Further, the circumstances in which husband and wife operate – to put it bluntly, their marriage – must be such that the third-order condition that both Mr. Argumentation and Mrs. Argumentation are entitled to put forward every standpoint they would like to advance is satisfied. The fulfillment of the second-order conditions can be promoted by good training that encourages reflection on the aims and merits of argumentation. The third-order conditions remind us of certain political requirements: For conducting a critical discussion, the circumstances must be such that individual freedom, the right to a free exchange of information and to voice criticism, non-violence, and intellectual pluralism are guaranteed. If attention is paid to these conditions as well, then the notion of “reasonableness” acquires, apart from an intellectual meaning, a social meaning as well.<sup>35</sup>

### A program for the study of argumentation

We have now outlined the five estates that, in our view, constitute the realm of argumentation studies. Each of these estates has been characterized in terms of a question to the rabbi that we presented as a rational critic who judges reasonably. Following the responses to these questions, we can provide a general characterization of two alternative versions of what we regard as a comprehensive research program.<sup>36</sup>

<sup>34</sup> The distinction between first-order and higher-order conditions (or rules) stems from Barth and Krabbe (1982).

<sup>35</sup> Studies have to be carried out to analyze the rationalizations that are given, often in veiled terms, for anti-argumentative attitudes that impede or hinder a critical discussion.

<sup>36</sup> To make our point, we present in this Chapter the dialectical version of a research program sharply contrasted with a rhetorical version, but in practice certain elements of both programs may be combined. See, for instance, van Eemeren and Houtlosser (2002a, 2002b) and Leff (2002).

In entering Estate X, the rabbi asks himself Y. P is the response that is rhetorically colored and Q the one that is dialectically colored.

**X I      The philosophical estate**

**Y I**      When should I, as a rational critic who judges reasonably, regard argumentation as acceptable?

**P I**      When the argumentation corresponds to the standards adhered to in the cultural community where it takes place.

**Q I**      When the argumentation resolves a difference of opinion in accordance with "problem valid" discussion rules (solving the problem at issue) that are also acceptable to the parties.

**X II      The theoretical estate**

**Y II**      Which instruments are available to me for treating problems concerning the acceptability of argumentation systematically?

**P II**      I can make use of a certain amount of information about the views of different audiences and the ways in which such information can be used in argumentation.

**Q II**      I can make use of an ideal model of a critical discussion aimed at resolving a difference of opinion and a series of rules for the performance of speech acts that are relevant in such a discussion.

**X III      The analytical estate**

**Y III**      How can I obtain a clearer picture of everything that is relevant for my evaluation of an argumentative discourse or text?

**P III**      By reconstructing the discourse or text as an attempt to persuade the audience and exposing the rhetorical patterns that are operative.

**Q III**      By reconstructing the discourse or text as an attempt to resolve a difference of opinion by conducting the required dialectical transformations.



- |          |           |   |
|----------|-----------|---|
| <b>X</b> | <b>IV</b> | <b>The empirical estate</b>   |
| <b>Y</b> | <b>IV</b> | Which knowledge about argumentative reality that may be of special use to me can I acquire?   |
| <b>P</b> | <b>IV</b> | I can investigate what kinds of audiences have to be distinguished and which rhetorical devices work persuasively on the different audiences.   |
| <b>Q</b> | <b>IV</b> | I can investigate which factors and processes are important in argumentative discourse to convince someone who is in doubt of the acceptability of a standpoint.  |
|          |           |   |
| <b>X</b> | <b>V</b>  | <b>The practical estate</b>   |
| <b>Y</b> | <b>V</b>  | How can I contribute to the improvement of argumentative practice?  |
| <b>P</b> | <b>V</b>  | I can teach people to approach their audiences in such a way that they are, in different circumstances, able to win an argumentative confrontation, and I can teach them the easiest ways to counter the argumentation of others. |
| <b>Q</b> | <b>V</b>  | I can promote reflection on the procedures that are used in different argumentative practices and the skills that are required for an adequate production, analysis, and evaluation of argumentative discourse.                   |

Each of the estates refers to a specific domain that should be represented in a research program that is to lead to a fully fledged argumentation theory. Of course, each component of the research program can be a legitimate and useful specialization by itself; all the components are relatively autonomous and have their own standards and intellectual backgrounds. Within each particular component, all kinds of useful and worthwhile inter-related projects can be carried out, but it should always remain clear how the research fits in with the other components of the more comprehensive research program. If a research project is not part of a research program that consists of a series of systematically related projects, it is, however interesting it may be, *ad hoc*.

There is a mutual dependence among the five components of the research program. A comprehensive research program must therefore

cover all the five domains. A comparison with the constituent elements of a state may perhaps help to clarify matters somewhat further. To function satisfactorily, a state has to have a constitution, whether written or unwritten (the philosophical estate). The state requires specific laws and other rules and regulations in order to know how the intricacies of daily life should be properly dealt with (the theoretical estate). The state also needs some form of administration for the correct implementation of the laws, rules, and regulations (the analytical estate). The administration has to ensure that justice is done to the extent that this is possible and required in the social reality at hand (the empirical estate). The administration should promote the development of appropriate solutions for problems that occur in actual practice (the practical estate). In a state where the government does not know what is going on in the country, and does not try to alleviate social distress, strange things may happen. This is naturally also the case if the government pays no heed to the laws, rules, and regulations that are in force. Just as governing is impossible without laws, rules, and regulations, a theory is needed to be able to improve argumentative practice in a sensible way. Just as laws, rules, and regulations must be in accordance with the constitution, so must a theory be in accordance with the basic philosophy on which it is founded. And just as adequate laws, rules, or regulations cannot be made without sound knowledge of social reality, an analytical reconstruction of argumentative language use is impossible without sound knowledge of the relevant aspects of argumentative reality. Just as the possibility of running a state well depends on a justified harmonization between the regulations and the behavior of civil society, so is the possibility of providing an adequate analytical reconstruction dependent on a justified connection between the theory and argumentative reality.

The bridging function that the analytical reconstruction plays in the study of argumentation confirms the crucial importance for argumentation theory of the combination of philosophical and theoretical research with empirical and applied research. Of course, a research program in which all these components are represented can only be carried out in multidisciplinary, and preferably even interdisciplinary, cooperation. After all, not only the expertise of analytically minded philosophers and logicians has to play an important role in the study of argumentation, but also the expertise of empirically minded linguists

and social scientists, especially those engaged in discourse analysis and communication studies.

Like other disciplines, argumentation theory can benefit greatly from mutual rivalry between different schools, each of them having its own research program. In this way, different types of research and eventually different paradigms are developed. They can be characterized with the help of the general framework we have just presented. On the basis of the characteristics of most of the different kinds of research that have been carried out to date in the various components of the study of argumentation, this research can relatively easily be clustered in larger wholes, or ensembles, so that it becomes clear what kind of research program is implicitly represented.<sup>37</sup> Doing so makes it easier to get an overall picture of the state of the art in the discipline, to distinguish the different approaches from each other, and to indicate where there are genuine opportunities for mutual cooperation.

We have developed our dialectical variant of a research program of this kind by systematically combining a critical-rationalist philosophical position with a pragma-dialectical theoretical position, an analytical position that centers around the resolution of differences of opinion, an empirical position oriented toward the process of convincing, and a practical position directed at stimulating reflection. For the sake of clarity, we have shown that a different research program, of a rhetorical kind, can also be developed, and can also result in a comprehensive study of argumentation. It goes without saying that there are still more possibilities, that all kinds of variants can be envisioned, and that it may sometimes be fruitful to make use of certain insights achieved in one program in carrying out another program.

<sup>37</sup> Van Eemeren et al. (1996) show how the different approaches to argumentation can be distinguished in this way.

## A Model of a Critical Discussion

### Classical roots of argumentation studies

Like research in many other disciplines, the study of argumentation goes back to classical antiquity. Unlike in most other disciplines, however, knowledge of the ancient literature remains in argumentation theory a necessary condition for a proper exercise of the profession. Certain theoretical insights formulated by classical authors, such as Aristotle and Cicero, still belong to the core of argumentation theory. They are an integral part of the foundations of the hermeneutic and critical tools that are currently available for the analysis and evaluation of argumentative discourse and texts.<sup>1</sup>

After the Sophists had for a long time taught all kinds of argumentative skills, the theoretical interest in argumentation crystallized in Greek antiquity in syllogistic logic (which was then called *analytica*), dialectic (*dialectica*), and rhetoric (*rhethorica*). For Aristotle, logic was concerned with analytical arguments in which the truth of the premises is evident. Dialectic represented the art of regulated debate, and was treated in the *Topica* (*Topics*) and *De sophisticis elenchis* (*On Sophistical Refutations*).<sup>2</sup> Rhetoric, the art of persuading an audience, is discussed by Aristotle in the *Rhetorica* (*On Rhetoric*).<sup>3</sup>

<sup>1</sup> See Van Eemeren and Houtlosser (1999, 2000, 2002a, b), but also Schiappa (2002), Goodwin (2002), Kauffeld (2002), and Jacobs (2002).

<sup>2</sup> See Aristotle (1928c) and (1928d). See also Krabbe (2002).

<sup>3</sup> See Aristotle (1928a, b, c, d, 1991). See also Hohmann (2002).

In his logic, Aristotle distinguishes between two kinds of arguments: deductive syllogisms and inductive syllogisms.<sup>4</sup> Both kinds of syllogisms are also used in dialectical arguments, but the premises of the argument are in dialectic always statements that are not evidently true but are generally accepted – as Aristotle says, statements that are acceptable to “the wise or at least the majority of them.” In rhetorical arguments, the premises need only be plausible for the audience that is to be convinced. Deductive and inductive syllogisms are among the means one can use to confer the plausibility of the premises on the conclusion that is to be drawn.

For Aristotle, dialectics is about conducting a critical discussion that is dialectical because a systematic interaction takes place between moves for and against a particular thesis.<sup>5</sup> In the *Topics*, he offers a survey of possible attacks, accompanied by warnings to the defender. In particular, Aristotle provides tips on how to elicit the right concessions from the other party. These concessions play a crucial role in the dialectical system: The attacker uses them to lead the defender to make a statement that contradicts what he has said earlier. If this happens, the attacker has won the discussion, just as when he manages to elicit an untruth or a paradox from the defender, or when the defender commits grammatical blunders or keeps on repeating himself. By making use of certain – sometimes extremely refined – argumentative techniques, the attacker may attempt to disguise what he is aiming at.

Rhetoric is about the most suitable means to convince a specific audience. As Leff (2002: 55) observes, “Rhetoric is the faculty of observing in any given case the available means of persuasion.” Aristotle distinguishes between “extrinsic” persuasive devices, which draw on existing material such as laws or documents, and “intrinsic” persuasive devices, which depend on the inventive skills of the speaker. The three intrinsic rhetorical devices are *logos*, *ethos*, and *pathos*.<sup>6</sup> The speaker

<sup>4</sup> Classical logic deals primarily with deductive syllogisms with categorical propositions. In an inductive syllogism, a general conclusion is drawn from specific cases.

<sup>5</sup> The term *dialectical* originally referred to the use of a specific technique of argumentation in a debate: Start from the opponent’s thesis and derive a contradiction from it, so that the thesis can be refuted. This technique, which exists in different variants, is nowadays usually called *reductio ad absurdum* or indirect proof.

<sup>6</sup> Argumentation theoreticians concentrate on *logos*. For *ethos* and *pathos*, see, for example, Wisse (1989).

who appeals to *logos* may use a deductive rhetorical syllogism, which in principle has the form of an enthymeme, or an inductive rhetorical syllogism that consists of examples designed to make a generalization plausible.<sup>7</sup> The premises of a rhetorical syllogism must be plausible to the audience. Aristotle groups the various kinds of rhetorical points of departure for an argumentation by the degree to which the premises are acceptable to the audience that is to be won over; this acceptability can vary from absolute certainty to plausibility or premises whose acceptability is just fortuitous.

Greek rhetoric was the basis for the development of the more elaborate Roman rhetorical system as it finds its expression in the first century B.C. in the *Rhetorica ad Herennium* ([Cicero], 1954), in Cicero's *De inventione* (1949) and *De oratore* (1942), and much later in Quintilian's *Institutio oratoria* (Quintilianus 1920).<sup>8</sup> In Roman rhetoric, the distinction between intrinsic and extrinsic persuasive devices was maintained, as was the distinction between *logos*, *ethos*, and *pathos*.<sup>9</sup> The enthymeme and the use of examples still counted as the rational persuasive devices. In the *epicheireme*, several new elements were added in Roman rhetoric to the enthymeme: Besides the minor premise (*assumptio*) – adduced as an accepted point of departure – the major premise (*propositio*) – functioning as the justificatory principle – and the conclusion (*complexio*), the *epicheireme* includes the *approbatio assumptionis*, which supports the accepted point of departure, and the *approbatio propositionis*, which supports the justificatory principle.<sup>10</sup>

### New rhetorics and new dialectics

Without going in more detail into the history of the rise and fall of dialectic and rhetoric, and their continuing competition, we note that

<sup>7</sup> An enthymeme is, according to most definitions, a syllogism in which the premises are plausible starting points for the audience and one premise is usually implicit. Cf. Kraus (2002).

<sup>8</sup> See *Rhetorica ad Herennium* ([Cicero], 1954), Cicero (1942, 1949) and Quintilianus (1920). A fundamental difference between Greek and Roman rhetoric is that Aristotle's general moves can be applied to any subject at all. In Roman rhetoric, the moves are primarily subject-bound.

<sup>9</sup> The Romans seem to have had a greater predilection for *ethos* and *pathos* than Aristotle displayed.

<sup>10</sup> By means of the system of *loci* or (special) rhetorical moves, the theory of *inventio* is an aid in choosing the premises that are to "fill out" the *epicheireme*.

for a very long time there was little interest in the theoretical study of argumentation in ordinary language. At the beginning of the nineteenth century, especially in the United States, there was a clear revival in the interest in rhetoric, accompanied by a reappraisal. That reappraisal of rhetoric connected primarily with the demand for practical applications.<sup>11</sup> Since the second half of the nineteenth century, North American schools and universities have taught courses on writing and public speaking inspired by classical rhetoric.<sup>12</sup> By now, there are many books of the “classical rhetoric for the modern student” type, and there are whole series of manuals with instructions for debating, discussing, and holding meetings based on rhetorical insights.<sup>13</sup> The revival of the practical interest in argumentation is also clear in manuals on logic and “critical thinking,” which bear traces of the influence of classical logic and dialectic. Almost every modern manual of logic has a section on informal logic that focuses on the practical application of logical insights.<sup>14</sup>

Argumentation theory did not receive any new theoretical impulses until the 1950s, thanks to the publications of philosophers such as Arne Naess, Stephen Toulmin, Chaïm Perelman, and the less well-known Rupert Crawshay-Williams.<sup>15</sup> By far the greatest influence – after they had at first been criticized or ignored – was exerted by two books that were published in 1958: Toulmin’s *The Uses of Argument* and *La nouvelle rhétorique: traité de l’argumentation* by Perelman and Lucie Olbrechts-Tyteca.<sup>16</sup> The model of the argumentation process

<sup>11</sup> The classical rhetorical doctrine of *status* exerted a great influence on the development of the academic debate, by which argumentative skills are practiced in North American universities.

<sup>12</sup> Nowadays these courses are usually provided by departments of (speech) communication that have specialized in communication and rhetoric. See Kinneavy (1971).

<sup>13</sup> A very well-known example of the first category is Corbett (1966). See further the bibliographies by Cleary and Haberman (eds., 1964) and Kruger (1975).

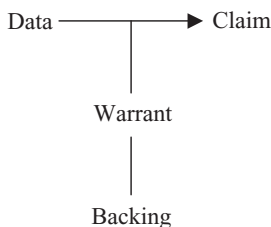
<sup>14</sup> See, for example, Copi (1972), Kahane (1973), and Rescher (1975). Generally speaking, the content of the “informal” parts is completely separate from the treatment of modern formal logic in the rest of the book. The “application” of logical insights is usually confined to the “translation” of argumentation from ordinary language to a logical standard form.

<sup>15</sup> For a survey of the main insights they have advanced, see van Eemeren et al. (1996: Chapters 3, 4, 5).

<sup>16</sup> Johnstone, who was the first to provide a survey of the state of the art in modern argumentation theory (1968), was right in pointing out that the reappraisal of the study of argumentation among philosophers is primarily due to the work of these scholars.

presented in *The Uses of Argument* has (sometimes in an amended form) a prominent position as an analytical instrument in the study of argumentation in various practical domains, such as law, politics, policy, and ethics. *La nouvelle rhétorique* initially played a role mainly in philosophical discussions of rationality and reasonableness, but after the appearance of an English translation in 1969, also in practical fields such as law and communication. In spite of the new élan that these two studies undoubtedly gave to argumentation studies, neither the theoretical approach of Toulmin nor that of Perelman and Olbrechts-Tyteca marks a real break with the classical tradition in argumentation theory. Both approaches also display dialectical traits, but they can both, despite all of the differences between them, be placed in the rhetorical tradition without much difficulty.

The construction of Toulmin's model is based on what Toulmin sees as the rationality of legal procedures. In his view, argumentative discussions in other areas proceed in an analogous fashion. Toulmin's model comes down to a schematic diagram of the procedural form of argumentation, which is in his view the same in all areas (or "fields") of argumentation. In the model, several fixed elements play a role. Facts (*data*) are adduced in support of a standpoint (*claim*). The data are linked with the claim by means of a, usually implicit, justification (*warrant*). In principle, the warrant is a general rule that serves to justify the step from the data to the claim.<sup>17</sup> If necessary, the warrant can in turn be backed up by an additional statement (*backing*). Toulmin's basic model is as follows:



<sup>17</sup> In practice, it is often difficult (if not impossible) to determine whether a certain part of the argumentation belongs to the data or whether it should be regarded as warrant. This problem is partly due to the fact that Toulmin's definition of a warrant combines two different properties – having a rule-like character and being implicit – that need not go together. In ordinary communication, it is usually the part of the argumentation that is regarded as already familiar that is left implicit, irrespective of whether it is factual or rule-like.



The soundness (or argumentative validity) of an argumentation is determined, according to Toulmin, by the degree to which the warrant is made acceptable by a backing. The kind of backing that is required depends on the kind of topic that is the subject of the argument. That is why the criteria for evaluating the argumentation are, in Toulmin's view, "field-dependent."<sup>18</sup> If this means that an argumentation has to be evaluated by experts in the field concerned, the consequence is that different kinds of (reasonable) critics are needed to evaluate the soundness of argumentation in different fields. By following this approach, Toulmin turns his back on the universal notion of "formal validity" from modern logic. In his view, formal validity is a validity criterion that is only applicable to analytical arguments, which are rare in practice.

At first sight, Toulmin seems to set argumentation in the dialectical context of a critical discussion between a speaker and a listener, but on closer inspection, his approach turns out to be rhetorical. By comparison with a rhetorical source such as Cicero's *De inventione* immediately reveals (1949: I, xxxiv, 58–59), Toulmin's model actually boils down to a rhetorical expansion of the syllogism similar to the classical *epicheireme*. Although the reactions of others are anticipated, the model is primarily directed at representing the argumentation for the standpoint of the speaker or writer who advances the argumentation. The other party remains in fact passive: The acceptability of the claim is not made dependent on a systematic weighing up of arguments for and against the claim.

The "New Rhetoric" of Perelman and Olbrechts-Tyteca is an attempt to describe argumentation techniques that people use in practice to win the approval of others for their standpoints. The norm of reasonableness that has to be applied in evaluating argumentation lies with the audience: Argumentation is considered sound (or argumentatively valid) if it is successful in influencing the audience for which it is intended. The new rhetoric offers a description of different kinds of audiences. Perelman and Olbrechts-Tyteca distinguish between a "specific" audience that consists of actual people whom the speaker or writer addresses in a particular case, and a "universal" audience that is the representation of reasonableness. The premises on which an

<sup>18</sup> Contrary to what is suggested by Johnstone (1968), Toulmin's model does not provide any usable criteria for a critical evaluation of argumentation.

argumentation is based are also further categorized. On top of that, the two authors list the (types of) argument schemes that they consider appropriate to convince an audience. In this connection, it is important to note that argumentation that is successful with a specific audience need not necessarily be convincing for the universal audience.<sup>19</sup> Whether or not this is the case also depends on how exactly the universal audience is conceived.

Perelman and Olbrechts-Tyteca claim that by constituting an argumentation theory that complements formal logic, their *New Rhetoric* creates a framework for “non-analytical thought.” By formal logic, however, they do not refer to modern logic, but to the classical apodictic ideal of knowledge in which statements are taken to represent “true knowledge” only if their truth is evident or if they can be logically derived from statements that are evidently true. Although Perelman and Olbrechts-Tyteca claim to be building on classical dialectic, they prefer to call their theory the “*New Rhetoric*” to avoid confusion – in particular with the Marxist use of the term “dialectical.” In fact, the communicative form of the dialogue that is essential for Aristotelian dialectic does not play any role at all in Perelman and Olbrechts-Tyteca’s *New Rhetoric*.<sup>20</sup> We think that the label *New Rhetoric* is also more appropriate because Perelman and Olbrechts-Tyteca give dialectic (if one views their theory in this light) an extremely strong rhetorical turn, to say the least, by concentrating entirely on how people change other people’s minds. Their objective comes closest to the Aristotelian notion of rhetoric.

There are indeed striking parallels between the “New” rhetoric as proposed by Perelman and Olbrechts-Tyteca and the “Old,” classical

<sup>19</sup> The concept of a universal audience is problematic. See, for example, Ray (1978), Scult (1985, 1989), Golden (1986), Crosswhite (1989), and Ede (1989). As every speaker or writer can have his or her own conception of the universal audience, in theory there may be as many universal audiences as there are speakers or writers. Cf. Wintgens (1993).

<sup>20</sup> The dialectical criterion that a standpoint is acceptable as long as it withstands the systematic criticism of a critical opponent is simply ignored in the *New Rhetoric*. Apparently, Perelman and Olbrechts-Tyteca did not realize that dialectical chains of reasoning do have to be logically valid, and that this requirement has nothing to do with the epistemological status of the premises (which distinguishes classical logic from dialectics). There can be exactly the same logical relations between accepted or acceptable statements as between true statements.

theories of rhetoric. Perelman and Olbrechts-Tyteca's classification of the premises, for example, is the same as Aristotle's. The classification is in both cases directly linked to the degree to which the premises are acceptable for the audience.<sup>21</sup> Another parallel can be found in the argument schemes that, according to the New Rhetoric, characterize the link between the premises and the standpoint that is defended:

Argumentation by association

- Quasi-logical argumentation
- Argumentation based on the structure of reality
- Argumentation that grounds the structure of reality

Argumentation by dissociation

Most of the argument schemes that are "based on the structure of reality" can already be found in Book III of Aristotle's *Topics*, and the argument schemes that "ground the structure of reality" offer the same opportunities for generalization as classical rhetorical induction does. The distinction between the argument schemes based on the structure of reality and the argument schemes that ground the structure of reality runs, in principle, parallel with Aristotle's distinction between rhetorical syllogisms (enthymemes) and rhetorical induction (examples).<sup>22</sup>

Although Toulmin's model of argumentation and Perelman and Olbrechts-Tyteca's New Rhetoric have been developed independently of one another, in our view a clear connection can be discerned between the two theoretical approaches. This connection is somewhat obscured by the different ways in which the authors present their proposals. Toulmin emphasizes that his model of analysis was developed primarily to make it clear that the evaluation of argumentation is in the last instance field-dependent and must be left to participants in the field, while Perelman and Olbrechts-Tyteca opt for a descriptive approach in which the success of the chosen starting points and argument schemes with the audience occupies pride of place. However,

<sup>21</sup> In a rhetorical syllogism, the argument is based on *topoi* or *loci* with regard to accepted relations in reality ("what goes for the causes goes for the effects": like father, like son).

<sup>22</sup> The type of warrant that the Toulminians Ehninger and Brockriede (1963) call a causal relation, for instance, would in the New Rhetoric be viewed as a relation of succession based on the structure of reality.

if Toulmin's model is given a rhetorical interpretation, it is not very difficult to treat Perelman and Olbrechts-Tyteca's argument schemes (perhaps with the exception of quasi-logical argumentation) as descriptions of different kinds of warrants.<sup>23</sup>

The insights provided by Toulmin's model and by the descriptions given in Perelman and Olbrechts-Tyteca's *New Rhetoric* are not a sufficient basis for giving a justified evaluation of the way in which the various argument schemes are used as a warrant. This is not even the case if these insights were more elaborated, better systematized, and more thoroughly tested than they now are. What this set of theoretical instruments lacks is a normative dimension that does justice to dialectical considerations. A difference of opinion can only be resolved in accordance with a critical philosophy of reasonableness, in the way we explained, if a systematic discussion takes place between two parties who reasonably weigh up the arguments for and against the standpoints at issue. This means that the set of theoretical instruments that we need has to contain rules and procedures that indicate which moves are admissible in a critical discussion.

The philosophers Arne Naess (1953, 1966) and Rupert Crawshay-Williams (1957) published their contributions to the study of argumentation in the same period as, or in fact even earlier than, Toulmin and Perelman and Olbrechts-Tyteca. Their works are important steps toward the development of a modern argumentation theory that is more strongly related with the dialectical tradition. The semantic analysis of discussions by Naess and the analysis of differences of opinion by Crawshay-Williams have been of great influence to the development of argumentation theory. The insights developed by these two authors are part of the philosophical basis of the dialectical approach to argumentation known as "formal dialectics" as proposed by Else Barth and Erik Krabbe in *From Axiom to Dialogue* (1982).

The theoretical foundations of Barth and Krabbe's formal dialectics – the name stems from Hamblin (1970) – were laid in the dialogue logic of the Erlangen School of Lorenzen and his associates.<sup>24</sup> In *From*

<sup>23</sup> Cf. Ehninger and Brockriede (1963).

<sup>24</sup> For an introduction into dialogue logic, see Lorenzen and Lorenz (1978) and van Eemeren et al. (1996: 253–263).

*Axiom to Dialogue*, Barth and Krabbe develop formal procedures by which it can be dialogically determined whether or not a thesis is logically defensible. In these procedures, the reasoning that takes place is conceived as a dialogue between a proponent and an opponent of a thesis, who join to examine whether the thesis can be successfully defended against critical attack. In defending the thesis, the proponent may make use of the opponent's concessions: statements for which the opponent is prepared to assume responsibility. The proponent has to counter every attack on one of his own statements. He can do so by means of a direct attempt at defense or by means of a counterattack on one of the opponent's concessions. The opponent is obliged to defend every concession that the proponent has attacked. The proponent tries to use the opponent's concessions in such a way that the latter ends up in a position in which the only possibility is to admit to a statement that he had attacked earlier in the discussion. If the proponent succeeds in achieving this, he has won the discussion. In this case, he has managed to defend his thesis *ex concessis* – that is, on the basis of the concessions made.<sup>25</sup>

The formal dialectical theory of Barth and Krabbe, together with critical rationalism as propagated by Popper (1972, 1974) and Albert (1975), the theory of speech acts of Austin (1962) and Searle (1969, 1979), and Grice's theory of rational verbal exchanges (1975, 1989) have been the major sources of inspiration for developing our pragma-dialectical argumentation theory. We have expounded the principles of this theory in *Speech Acts in Argumentative Discussions* (1984), in which we presented an ideal model of a critical discussion. In *Argumentation, Communication, and Fallacies* (1992), we further elaborated our theory, in particular with regard to the fallacies. *Reconstructing Argumentative Discourse* (1993), co-authored by Sally Jackson and Scott Jacobs, explains how argumentative discourse and texts can be analyzed with the help of the pragma-dialectical method and some insight in the basic principles and conventions of verbal communication. In this volume, we continue our efforts.

Ever since classical antiquity, the dialectical approach to argumentation has concentrated on the way in which standpoints can be

<sup>25</sup> For a succinct explanation of formal dialectics, see van Eemeren et al. (1996: 263–273).

critically evaluated in an argumentative discussion. The purpose of the discussion is to examine whether a difference of opinion about the acceptability of a standpoint can be resolved by means of a regulated exchange of ideas. In the pragma-dialectical approach to argumentation we have developed so far, the notion of a critical discussion plays a crucial role. A critical discussion can be described as an exchange of views in which the parties involved in a difference of opinion systematically try to determine whether the standpoint or standpoints at issue are defensible in the light of critical doubt or objections. Unlike, for instance, formal dialectics, our approach to argumentation is not only dialectical, but also pragmatic. The pragmatic dimension of our approach manifests itself primarily in the fact that the moves that can be made in a discussion aimed at resolving a difference of opinion are conceived as verbal activities ("speech acts"), carried out within the framework of a specific form of oral or written language use ("speech event"), in a context of interaction that takes place against a specific cultural-historical background. This means that our dialectical approach to argumentation is part of the study of verbal communication also known as "discourse analysis." In accordance with the tradition that has developed in linguistics to refer to the study of language use in its broadest sense by means of the label of "pragmatics," we have expressed our theoretical position in naming our approach to argumentation *pragma-dialectics*.

### Meta-theoretical principles of pragma-dialectics

The pragma-dialectical investigations start from four meta-theoretical principles, which have certain methodological consequences.<sup>26</sup> Using these meta-theoretical principles as our point of departure, we have laid the foundation for integrating the normative and the descriptive dimensions of the study of argumentation. We did so by "functionalizing," "externalizing," "socializing," and "dialectifying" in our investigations the various components of argumentative discourse and texts that constitute the subject-matter of the study of argumentation. Functionalization means that we treat every language activity as a

<sup>26</sup> For a justification of these meta-theoretical principles, see van Eemeren, Grootendorst, Jackson, and Jacobs (1993: 13–15) and van Eemeren et al. (1996: ch. 10).

purposive act. Externalization means that we target the public commitments entailed by the performance of certain language activities. Socialization means that we relate these commitments to the interaction that takes place with other people through the language activities in question. Finally, dialectification means that we regard the language activities as part of an attempt to resolve a difference of opinion in accordance with critical norms of reasonableness. In our view, only if these principles are taken as methodological guidelines can an argumentation theory be developed that provides a suitable framework for the analysis and evaluation of argumentative discourse and texts.<sup>27</sup>

Let us begin our explanatory comments on these methodological guidelines by re-emphasizing the pragma-dialectical view that argumentation is an attempt to overcome doubt regarding the acceptability of a standpoint or criticism of a standpoint. The structural characterizations that are given in various formal and informal approaches of argumentation can certainly be enlightening, but they are inadequate as a point of departure because they are not motivated by the functional *raison d'être* of argumentative language use. Argumentation is adduced in reaction to, or in anticipation of, a difference of opinion, and serves a role in the regulation of disagreement. Not only the need for argumentation, but also its internal and external structure and the criteria that it must meet, are directly related to the doubt or criticism that the argumentation is intended to remove. In principle, the argumentation is attuned to handling the difference of opinion in a specific way – that is, a way that results in the acceptance of the arguer's standpoint by the addressee. This is why argumentative language use in the pragma-dialectical approach is viewed as a purposive activity that is, theoretically speaking, just as its structural design, determined by its function in the regulation of disagreement.<sup>28</sup>

<sup>27</sup> For a more elaborate exposition of the meta-theoretical principles on which the pragma-dialectical theory of argumentation is based, see van Eemeren and Grootendorst (1984: 4–18).

<sup>28</sup> Unlike in both formal and informal logical approaches to argumentation, the focus in pragma-dialectics is on the way in which language is used, or should be used, in argumentative practice to achieve communicational and interactional goals. For the descriptive dimension, see also Anscombe and Ducrot (1983).

Functionalization of the research object in pragma-dialectics is achieved by regarding the verbal expressions used in argumentative discourse and texts as *speech acts* and specifying the conditions for identity and correctness that apply to the performance of these speech acts. An analysis of the speech acts that are performed in the discourse or text makes it possible to determine exactly what is at stake at a particular juncture. The specification of the conditions for identity and correctness that apply to the speech acts that have been performed makes it clear what “disagreement space” there is in a certain case and how the arguer responds to the disagreement in the performance of the (complex) speech act argumentation.<sup>29</sup> In the case of utterances whose function is unclear, with the help of the speech act conditions, an analysis can be given that makes it possible to determine which communicative and interactional purposes these utterances are supposed to serve in resolving the difference of opinion.

Of course, a person may have all kinds of motives for adopting, questioning, rejecting, defending, or attacking a particular standpoint in a particular manner, but the only thing that person can really be held to is what he or she has, whether directly or indirectly, said or written.<sup>30</sup> That is why it is not the internal reasoning processes and inner convictions of those involved in resolving a difference of opinion that are of primary importance to argumentation theory, but the positions these people express or project in their speech acts. Instead of concentrating on the psychological dispositions of the language users involved in the resolution process, we concentrate primarily on their *commitments*, as they are externalized in, or can be externalized from, the discourse or text.

Externalization of commitments is in pragma-dialectics achieved by investigating exactly which obligations are created by (explicitly or implicitly) performing certain speech acts in a specific context of an argumentative discourse or text. In this way, terms such as “accept” and “disagree” take on a “material” sense: They do not primarily stand for being in a certain state of mind, but for undertaking public

<sup>29</sup> The term *disagreement space* was introduced by Jackson (1992: 261).

<sup>30</sup> In our view, this principle holds for all speech acts. It may of course be important for certain purposes to have psychological insight into the difference between what is expressed in the speaker's or writer's use of language and his unrevealed motives, but that is another matter.



commitments that are assumed in a context of disagreement and can be externalized from the discourse or text. "Acceptance," for example, can be externalized as the expression of a positive commitment to a proposition that is under discussion.<sup>31</sup> And "disagreement" can be externalized from the discourse or text as the expression by two different parties of commitments to speech acts that are opposed to one another and seem irreconcilable. On the basis of these externalizations, the state of "being convinced" can be externalized as the expression of acceptance of a positive commitment to a speech act by a person who was initially opposed to that speech act.<sup>32</sup>

Argumentation is not just the expression of an individual assessment, but a contribution to a communication process between persons or groups who exchange ideas with one another in order to resolve a difference of opinion. Some approaches to argumentative discourse and texts abstract from the way in which the communication process is conducted, and certain components of the argumentative discourse or text are just distinguished as, for instance, "major premises" and "minor premises," irrespective of the communication process they are part of.<sup>33</sup> In pragma-dialectics, argumentative discourse and texts are conceived as basically social activities, and the way in which the argumentation is analyzed depends on the kind of verbal interaction that takes place between the participants in this communication process. The ways in which the parties involved react to one another's (genuine or assumed) standpoints, doubt, criticism, argumentation, and objections are regarded as a vital part of a joint process of conflict regulation.<sup>34</sup>

<sup>31</sup> Pragma-dialectics does not speculate on the effectiveness of argumentation on the basis of supposed psychological dispositions, but psychological research may provide interesting explanations.

<sup>32</sup> For a description of the perlocutionary act of convincing and its relation to the illocutionary act of advancing argumentation, see van Eemeren and Grootendorst (1984: 47–74) and Jacobs (1987: 231–233).

<sup>33</sup> Cf. Wenzel (1980), who distinguishes between approaches to argumentation according to whether the argumentation is viewed as a process, a product, or a procedure. The logical approaches concentrate traditionally on the product, and in particular the validity of the deductions of conclusions from premises.

<sup>34</sup> Toulmin seems inclined to view argumentation as a social process, because in his model every part of the argumentation is seen as a reaction to a possible challenge or query. The questions that Toulmin associates with the different parts ("What do you have to go on?" and so on) do indeed serve to explain the structure of the

Socialization of the research object is in pragma-dialectics achieved by distinguishing between the different roles played in the interaction by the people involved in the argumentative exchange of views, and by regarding the speech acts performed in this exchange as parts of an argumentative dialogue between these two parties. The roles that are played in this dialogue are linked to the positions that the parties have adopted with regard to the difference of opinion. In the communication process, the participants involved in the dialogue can be held to their speech acts, and have a certain justificatory obligation toward these speech acts. The commitments that are created by the adoption of a particular position are activated by the interactional context. It is the stage in the resolution process in which a speech act is performed and the interactional function that it can fulfill in this context that determine to a large extent the meaning that is to be attributed to the speech act. Therefore, the interactional context plays an important role in identifying the various contributions that are made to the resolution of a difference of opinion in an argumentative exchange of views.

Of course, argumentation is only the appropriate way to resolve a difference of opinion if it is in principle possible to overcome the doubts or criticisms of a person who reacts in a way that can be expected of a critical antagonist. This means that the approach to argumentative discourse and texts that is chosen must do justice to the norms and criteria that, in view of the resolution of a difference of opinion, have to be imposed on language use, and cannot be restricted to a description of argumentative practice. In order to determine to what extent an argumentative exchange is really conducive to the resolution of a difference of opinion, certain standards are required by which the quality of the argumentative language use can be measured. In order to establish these standards, and to determine whether they have been met, pragma-dialectics starts out from a model of a critical discussion attuned to the resolution of a difference of opinion.<sup>35</sup>

argument, but they do not result in a dialogical perspective. Neither does Perelman and Olbrechts-Tyteca's notion of a universal audience introduce a real socialization: There is no need for a genuine exchange of views between two parties in a difference of opinion.

<sup>35</sup> In Barth and Krabbe's terms (1982: 21–22), a model (or part of a model) that is ideally suited for the resolution of a difference of opinion may be said to have optimal

Dialectification of the research object is achieved in pragma-dialectics by regarding the speech acts performed in an argumentative exchange as speech acts that should be performed in accordance with the rules that are to be observed in a critical discussion aimed at resolving a difference of opinion.<sup>36</sup> These rules imply a methodical regulation of argumentative discourse and texts. Together, the rules combine to constitute a dialectical discussion procedure. This discussion procedure systematically indicates the structure of the process of resolving a difference of opinion, and it specifies the speech acts that play a role in the various stages of the resolution process.

### Dialectical stages in the process of resolving a difference

We have drawn up a model of a *critical discussion* to make clear what is implied by the pragma-dialectical approach to argumentative language use as a means of resolving a difference of opinion.<sup>37</sup> This model provides a specification of the different stages that must be distinguished in the process of the resolution of a difference of opinion and the different types of verbal moves that have a constructive function in the different stages of the resolution process. The model is based on the premise that a difference of opinion is only resolved when the parties involved in the difference have reached agreement on the question of whether the standpoints at issue are acceptable or

problem-solving validity. If the model (or part of the model) is acceptable to the parties to the difference of opinion, the model is also "intersubjectively valid" or (when the parties have explicitly accepted it) "conventionally valid" or (when the parties have implicitly accepted it) "semi-conventionally valid." We shall not differentiate between conventionality and semi-conventionality because in practice explicit agreements will be rare, and it is ordinary usage to call implicit agreements "conventions."

<sup>36</sup> According to Wenzel, argumentation in the dialectical approach is regarded as the "systematic management of discourse for the purpose of achieving critical decisions" (1979: 84). The purpose of the dialectical approach is to determine how discussions that are aimed at scrutinizing the acceptability of standpoints should be conducted. The standards provided by the model of a critical discussion make it possible to investigate systematically in what respects argumentative practice differs from the critical ideal.

<sup>37</sup> A critical discussion reflects the Socratic ideal of subjecting everything one believes in to a dialectical scrutiny: not only statements of a factual kind, but also value judgments and normative standpoints (see Albert 1975). Assuming, in a Popperean vein, the fallibility of all human thought and action, the principle of a critical scrutiny is the guiding methodological principle.

not.<sup>38</sup> This means that one party has to be convinced by the argumentation of the other party of the admissibility of that party's standpoint, or that the other party retracts his standpoint because he realizes that his argument cannot stand up to the criticism. The resolution of a difference of opinion is not the same as the settlement of a dispute. A dispute is settled when, by mutual consent, the difference of opinion has in one way or another been ended – for example, by taking a vote or by the intervention of an outside party who acts as a judge or arbitrator. Of course, reaching a settlement does not mean that the difference of opinion has really been resolved. A difference of opinion is only resolved if a joint conclusion is reached on the acceptability of the standpoints at issue on the basis of a regulated and unimpaired exchange of arguments and criticism.

In a critical discussion, the parties involved in a difference of opinion attempt to resolve this difference of opinion by achieving agreement on the acceptability or unacceptability of the standpoint(s) involved through the conduct of a regulated exchange of views. By following a dialectical procedure, the protagonist of a standpoint and the antagonist attempt to achieve clarity as to whether the protagonist's standpoint can be defended in light of the antagonist's critical reactions. Unlike most logical approaches, the dialectical procedure for conducting critical discussion is not concerned only with the formal relations between the premises and the conclusions of the arguments that are used in the argumentation, but with every speech act in the discourse or text that plays a role in investigating the acceptability of standpoints.

The model of a critical discussion performs both a heuristic and a critical function in the analysis and evaluation of argumentative

<sup>38</sup> Dialectical approaches to argumentation place a lot of emphasis on the need for *consistency*. In accordance with Popper's critical rationalism, the scrutiny of statements is generally equivalent to the tracing of contradictions, because if two contradictory statements are maintained, at least one of them has to be retracted (Albert 1967/1975: 44). For an illustration of this principle, see Barth and Krabbe's (1982) formal dialectics. Barth and Krabbe propose a dialectical method to determine whether a thesis is tenable by investigating whether upholding of the thesis leads to contradictions. The discussion procedure proposed in pragma-dialectics corresponds to this principle, albeit that the emphasis is on "pragmatic" inconsistencies rather than on logical contradictions (van Eemeren and Grootendorst 1984: 169). See, further, Chapter 6 of this volume.

discourse and texts. The heuristic function is that of being a guideline for the analysis: The model serves as a guide in the detection and theoretical interpretation of every element in, and aspect of, the discourse or text that is relevant to a critical evaluation.<sup>39</sup> The critical function is that of serving as a standard in the evaluation: The model provides a series of norms by which it can be determined in what respects an argumentative exchange of ideas diverges from the procedure that is the most conducive to the resolution of a difference of opinion.

The pragma-dialectical argumentation theory assumes that, in principle, argumentative language use is always part of an exchange of views between two parties that do not hold the same opinion, even when the exchange of views takes place by way of a monologue. The monologue is then taken to be a specific kind of critical discussion where the protagonist is speaking (or writing) and the role of the antagonist remains implicit. Even if the role of the antagonist is not actively and explicitly performed, the discourse of the protagonist can still be analyzed as a contribution to a critical discussion: The protagonist makes an attempt to counter (potential) doubt or criticism of a specific or non-specific audience or readership.

Analytically, four stages can be distinguished in the process of resolving a difference of opinion that the participants in an argumentative exchange of views have to pass through to arrive at a resolution of a difference of opinion. These stages – which we call the *discussion stages* of a critical discussion – are the “confrontation” stage, the “opening” stage, the “argumentation” stage, and the “concluding” stage.<sup>40</sup> In

<sup>39</sup> In the case of more or less institutionalized linguistic activities, such as legal procedures, scientific treatises, policy documents, and political debates, the guidance offered by the model of a critical discussion is supplemented by specific and well-motivated expectations regarding the structure of the discourse or text and the relevant speech acts it contains. Those expectations are derived from knowledge of the text genre and the formal and informal conventions that are in force. See, for an overview of the study of legal argumentation, Feteris (1999). More-detailed insight into conventions of language use, and into the role of the verbal and non-verbal context and the role of general and specific background knowledge, are also important. See also Chapter 5 of this volume.

<sup>40</sup> The discussion stages distinguished in a dialectical approach overlap to some extent with the various stages that are generally distinguished in a rhetorical approach (*exordium*, *narratio*, *argumentatio*, *peroratio*), but the rationale of the distinctions is

argumentative practice, the four stages need not always be explicitly passed through, let alone in one time in full and in the most appropriate order, but a difference of opinion can only be resolved in a reasonable way if each stage of the resolution process is properly dealt with, whether explicitly or implicitly.

In the *confrontation stage* of a critical discussion, it becomes clear that there is a standpoint that is not accepted because it runs up against doubt or contradiction, thereby establishing a (“non-mixed” or “mixed”) difference of opinion. The difference of opinion can also pertain to more than one standpoint (and is then to be characterized as “multiple”). The difference of opinion can be expressed explicitly, but in practice it may well remain implicit. In the latter case, it is either assumed in the argumentative exchange of views that a difference of opinion exists or the possibility of a difference of opinion is anticipated. Without such a real or presumed confrontation, there is no need for a critical discussion.

In the *opening stage*, the parties to the difference of opinion try to find out how much relevant common ground they share (as to the discussion format, background knowledge, values, and so on) in order to be able to determine whether their procedural and substantive “zone of agreement” is sufficiently broad to conduct a fruitful discussion. There is no point in venturing to resolve a difference of opinion through an argumentative exchange of views if there is no mutual commitment to a common starting point, which may include procedural commitments as well as substantive agreement. One or more participants must at this stage be prepared to act as the party that assumes the role of the protagonist and defends the standpoint at issue, while one or more others must be prepared to act as the party that assumes the role of the antagonist and reacts critically to the standpoint and its defense.<sup>41</sup> In a great many cases, the

different. The rhetorical stages are considered to be instrumental in securing the agreement of the target audience, the dialectical stages, in resolving a difference of opinion.

<sup>41</sup> The role of antagonist of a standpoint may coincide with that of protagonist of a different (opposite) standpoint, but this is not necessarily the case: Entertaining doubt with regard to a standpoint does not automatically imply adopting a standpoint of one’s own. As soon as the discussion partner adopts the opposite standpoint, the difference of opinion becomes mixed.

opening stage of an argumentative exchange of views will remain largely implicit, because it is generally tacitly assumed that the required common ground exists. In practice, the opening stage corresponds to those parts of the discourse in which the interlocutors manifest themselves as parties and determine whether there is a basis for a meaningful exchange.

In the *argumentation stage*, protagonists advance their arguments for their standpoints that are intended to systematically overcome the antagonist's doubts or to refute the critical reactions given by the antagonist. The antagonists investigate whether they consider the argumentation that is advanced acceptable. If they consider the argumentation, or parts of it, not completely convincing, they provide further reactions, which are followed by further argumentation by the protagonist, and so on. In this way, the structure of the argumentation a protagonist puts forward in the discourse can become very complicated: This structure may, in fact, vary from extremely simple to extremely complex.<sup>42</sup> Although in practice, as a rule, parts of the argumentation stage remain implicit, there is only an argumentative discourse if it is clear that argumentation is, in some way or other, advanced. It is crucial for the resolution of a difference of opinion that argumentation is not only advanced, but also critically evaluated. Without both these activities taking place, there can be no question of a critical discussion.

The *concluding stage* of an argumentative exchange corresponds to the stage of a critical discussion in which the parties establish what the result is of an attempt to resolve a difference of opinion. The difference of opinion can only be considered to be resolved if the parties are, concerning each component of the difference of opinion, in agreement that the protagonist's standpoint is acceptable and the antagonist's doubt must be retracted, or that the standpoint of the protagonist must be retracted. In the former case, the difference has been resolved in favor of the protagonist; in the latter case, in favor

<sup>42</sup> Because argumentation can be complex in different ways, different types of argumentation structures must be distinguished, ranging from "multiple" argumentation to "coordinatively compound" argumentation and "subordinatively compound" argumentation (see van Eemeren and Grootendorst 1992: 73–89 and Snoeck Henkemans 1992).

of the antagonist. In practice, it is usually only one of the parties that puts the conclusion into words, but if the other party does not accept this conclusion, no resolution has been achieved.

When the concluding stage has been brought to an end, the argumentative exchange of views is over, but this naturally does not mean that the same discussion partners cannot initiate a new discussion. The parties may engage in a completely different difference of opinion, or they may start a discussion about a more or less modified version of the old difference, possibly with different premises in the opening stage. The discussion roles of the participants may then have to change too. In each of these cases, again, the same discussion stages – from confrontation stage to concluding stage – have to be passed through in order to arrive at a resolution of the (newly framed) difference of opinion.

### Pragmatic moves in the resolution process

The theory of speech acts is ideally suited to provide the theoretical tools for dealing with verbal communication that is aimed at resolving a difference of opinion in accordance with the pragma-dialectical principles. The various moves that are made in the different stages of a critical discussion in order to arrive at a resolution of a difference of opinion can be pragmatically characterized as speech acts. This makes it possible to make clear which criteria the various pragmatic moves must satisfy. Following the typology of speech acts that is still dominant in the theory of speech acts, we shall indicate which types of speech acts can contribute to the resolution of a difference of opinion in the various stages of a critical discussion.<sup>43</sup> The typology developed by Searle (1979) distinguishes between five types of speech acts, some of which are directly relevant to a critical discussion, while others are not.<sup>44</sup>

<sup>43</sup> Among the complications arising in practice are that many speech acts are only performed implicitly and that, besides assertives, other types of speech acts can function indirectly as a standpoint or argument. In such cases, a careful analytical reconstruction has to be carried out. See Chapters 4 and 5 of this volume.

<sup>44</sup> For a more detailed presentation of this classification of speech acts, see Searle (1979).



The first type of speech act that is to be distinguished consists of the assertive speech acts, known for short as *assertives*. These are the speech acts by which the speaker or writer “asserts” a proposition. In performing a speech act of this kind, a person commits himself more strongly or less strongly to the acceptability of a particular proposition. The prototype of an assertive is an assertion in which the speaker or writer, in effect, guarantees the truth of the proposition: “I assert that Chamberlain and Roosevelt never met.” Many other assertives, however, do not pronounce the truth of a proposition, but express a judgment on its acceptability in a wider sense. In such assertives, for example, the opinion of the speaker or writer is given on the event or state of affairs that is expressed in the proposition: “In my opinion, no exceptions are possible to the freedom to express one’s opinion,” “I think that Baudelaire is the best French poet.”

In principle, all assertives can occur in a critical discussion. They may not only serve to express the standpoint that is under discussion, but may also form a part of the argumentation that is advanced to defend that standpoint, or can be used to establish the result of the discussion.<sup>45</sup> In drawing the conclusion, it can emerge that the standpoint can be upheld. In that case, the standpoint may be repeated (“I uphold my standpoint”). It can also happen that the standpoint is to be retracted. Standpoints or arguments can be advanced by assertions but also by other assertives such as statements, claims,

<sup>45</sup> As we have explained in van Eemeren and Grootendorst (1984), argumentation can be described as a complex of communicative (“illocutionary”) speech acts at the sentence level that combine at a higher textual level in the complex speech act of argumentation. It is characteristic of argumentation that it is, at this higher textual level, connected with a speech act that expresses a point of view, or “standpoint.” The communicative force of a (complex) speech act does not depend exclusively on the formal properties of the verbal forms of expression that are used, but on their function in the context and situation concerned. This is why speech acts only form an argumentation if they are put forward in the context of a discussion of an issue that causes disagreement. In a different context, the same speech acts could function as an explanation or simply as a piece of information. For the felicity conditions of the (complex) speech act of argumentation, see van Eemeren and Grootendorst (1984); for the felicity conditions of advancing a standpoint, see Houtlosser (1994). For the distinction between “identity conditions” and “correctness conditions,” see van Eemeren and Grootendorst (1992: 30–33).

assurances, suppositions, and denials. The belief in a proposition and the degree of commitment to the proposition expressed in a standpoint or argument can vary from exceptionally strong, as in the case of a firm assertion, to considerably weaker, as in the case of a supposition.

The second type of speech act consists of the *directives*. These are speech acts by which the speaker or writer tries to get the listener or reader to do something or to refrain from doing something, such as the speech acts of requesting and prohibiting. The prototype of a directive is an order, which requires a special position of the speaker or writer vis-à-vis the listener or reader: "Come to my room" can only be an order if the speaker is in a position of authority over the listener; otherwise it is a request or an invitation. A question is a directive that is actually a special form of request: It is a request to perform a verbal act – namely, to reply. Other examples of directives are forbidding, recommending, begging, and challenging.

Not all directives play a constructive role in resolving a difference of opinion. In a critical discussion, directives may serve to challenge the party that has advanced a standpoint to defend that standpoint, to request this party to provide argumentation in support of the standpoint, or to request a party to provide a definition, an explanation, or some other usage declarative (see the discussion of the fifth type of speech act). Directives such as orders and prohibitions, if they are intended literally, are taboo in a critical discussion. Neither can the party that has advanced a standpoint be challenged to do anything else other than provide argumentation for that standpoint – a challenge to a fight, for example, is not allowed in a critical discussion.

The third type of speech act consists of the *commissives*. These are speech acts in which the speaker or writer undertakes vis-à-vis the listener or reader to do something or to refrain from doing something. Unlike in the case of a directive, in performing a commissive speech act it is the speaker or writer, not the listener or reader, who is supposed to act. The prototype of a commissive is a promise, in which the speaker or writer explicitly undertakes to do something or to refrain from doing something: "I promise I won't tell your father." Accepting and agreeing are also commissives. Of course, the speaker or writer

can also undertake a commitment about which the listener or reader will be less enthusiastic: "I assure you that I shall show that your ideas are not worthy of consideration."

Commissives can play different roles in a critical discussion: (1) accepting or not accepting a standpoint,<sup>46</sup> (2) accepting the challenge to defend a standpoint, (3) deciding to start a discussion, (4) agreeing to assume the role of protagonist or antagonist, (5) agreeing to the discussion rules, (6) accepting or not accepting argumentation, and – when relevant – (7) deciding to start a new discussion. Some commissives, such as agreeing to discussion rules, can only be performed in collaboration with the other party.

The fourth type of speech act consists of the *expressives*. In speech acts of this type, the speaker or writer expresses his feelings by congratulating or thanking someone, regretting something, and so on: "My sincere congratulations on your appointment," "Thank you for your assistance," "What a pity it didn't go better." There is no single prototypical expressive. An expressive of joy might be "I'm glad to see you've recovered," hope is echoed in "I wish I could find such a nice girl friend," and irritation in "I'm fed up with your hanging around here all day."

Expressives do not play a direct role in a critical discussion (but see Chapter 5) because the mere expressing of emotions does not create any commitments for the speaker or writer that are directly relevant in the sense of being immediately instrumental in the resolution of a difference of opinion. Of course, this does not mean that expressives cannot have any positive or negative effect on the course of the resolution process. A person, for instance, who sighs that the discussion will not get us anywhere or that she is unhappy with the discussion, expresses an emotion that, contrary to contributing directly to the resolution of the difference of opinion, threatens to draw the attention away from the resolution process, and this may in practice strongly affect the further course of events.

<sup>46</sup> As we explained in van Eemeren and Grootendorst (1984: 101, 152), the negative variants of the commissives are themselves strictly speaking to be regarded as assertives rather than commissives. For the sake of simplicity, we refrain in this volume from dealing in such a precise way with such "illocutionary negations."

The fifth type of speech act consists of the *declaratives* (or *declarations*). These are speech acts by means of which a particular state of affairs is called into being by the speaker or writer, such as when the chairperson says, "I open the meeting." The very performance of a declarative, provided that it takes place in the right circumstances, creates a certain reality. When an employer addresses one of his employees with the words "You are fired," he is not just describing a particular state of affairs, but his very words bring this state of affairs into being. Declaratives are generally linked to institutionalized contexts, such as official meetings and religious ceremonies, in which there is no doubt as to who is authorized to perform the speech act in question. An important exception is formed by the sub-type we call *usage declaratives*; these speech acts refer to linguistic usage and are not tied to a specific institutional context (see van Eemeren and Grootendorst 1984: 109–112). The purpose of usage declaratives, such as definitions, specifications, amplifications, and explanations, is to enlarge or facilitate the listener's or reader's understanding of other speech acts. The speaker or writer performs them in a critical discussion to make clear how a particular speech act is to be interpreted.

With the exception of the usage declaratives, declaratives do not play any immediate role in a critical discussion because they depend on the authority of the speaker or writer in a particular institutional context and do not directly contribute to the resolution of a difference of opinion. At best, the performance of a declarative may lead to a *settlement* of a difference of opinion. Usage declaratives, however, can perform a very useful function in a critical discussion. They enhance the understanding of other relevant speech acts, and no special institutional relation is required for using them. Usage declaratives may occur at any stage of the discussion, and in every stage of the discussion each of the parties involved may be requested to perform a usage declarative. In the confrontation stage, for example, a usage declarative may serve to unmask a spurious difference of opinion; in the opening stage, a usage declarative may clarify a discussion rule or some vague part of a premise; in the argumentation stage, a usage declarative may work against premature acceptance or non-acceptance of an argument or a standpoint; and in the concluding stage, a usage declarative may prevent arriving at a specious resolution. Usage declaratives can thus be

a helpful tool against the occurrence of a great variety of unnecessary or unjustified discussion moves.

After this brief overview of which types of speech acts from the various categories of speech acts can play a constructive role in a critical discussion, we can list them as follows:

<b>Stage</b>	<b>Type of speech act and its role in the resolution</b>
<b>ASSERTIVES</b>	
<b>I</b>	Expressing a standpoint
<b>III</b>	Advancing argumentation
<b>IV</b>	Upholding or retracting a standpoint
<b>IV</b>	Establishing the result
<b>COMMISSIVES</b>	
<b>I</b>	Acceptance or non-acceptance, upholding non-acceptance of a standpoint
<b>II</b>	Acceptance of the challenge to defend a standpoint
<b>II</b>	Decision to start a discussion; agreement on premises and discussion rules
<b>III</b>	Acceptance or non-acceptance of argumentation
<b>IV</b>	Acceptance or non-acceptance of a standpoint
<b>DIRECTIVES</b>	
<b>II</b>	Challenging to defend a standpoint
<b>III</b>	Requesting argumentation
<b>I-IV</b>	Requesting a usage declarative
<b>USAGE DECLARATIVES</b>	
<b>I-IV</b>	definition, specification, amplification, and so on.

The distribution of the different types of speech acts over the different stages of the resolution process is described in the model of a critical discussion. In the model, it is indicated, for each stage of the discussion, which representative of a particular type of speech act plays a specific

constructive role in that stage of the discussion. This distribution is summarized in the following table:

TABLE 3.1 *Distribution of speech acts in a critical discussion*

<b>I</b>	<b>Confrontation</b>
<b>Assertive</b>	Expressing a standpoint
<b>Commissive</b>	Acceptance or non-acceptance of a standpoint, upholding non-acceptance of a standpoint
<b>[Directive</b>	Requesting a usage declarative]
<b>[Usage declarative]</b>	Definition, specification, amplification, etc.]
<b>II</b>	<b>Opening</b>
<b>Directive</b>	Challenging to defend a standpoint
<b>Commissive</b>	Acceptance of the challenge to defend a standpoint Agreement on premises and discussion rules Decision to start a discussion
<b>[Directive</b>	Requesting a usage declarative]
<b>[Usage declarative]</b>	Definition, specification, amplification, etc.]
<b>III</b>	<b>Argumentation</b>
<b>Directive</b>	Requesting argumentation
<b>Assertive</b>	Advancing argumentation
<b>Commissive</b>	Acceptance or non-acceptance of argumentation
<b>[Directive</b>	Requesting a usage declarative]
<b>[Usage declarative]</b>	Definition, specification, amplification, etc.]
<b>IV</b>	<b>Concluding</b>
<b>Commissive</b>	Acceptance or non-acceptance of a standpoint
<b>Assertive</b>	Upholding or retracting a standpoint Establishing the result of the discussion
<b>[Directive</b>	Requesting a usage declarative]
<b>[Usage declarative]</b>	Definition, specification, amplification, etc.]

## Relevance

### Different approaches to relevance

Scholars from various disciplinary backgrounds have devoted attention to the complex problem of determining the relevance of speech acts that are part of an argumentative discourse or text. In “On getting the point,” the pragma-linguist Karen Tracy quotes the following short dialogue in this connection:

- A:** I don’t know what to major in.  
**B:** Uhm.  
**A:** I’m really torn between the practical and the interesting. I’d probably be able to get a good job if I majored in accounting [ . . . ]. But, I really like anthropology. It’s fun learning about all those exotic cultures. But look at Jim; he majored in anthropology in college. Now Jim’s working in an office earning nothing.  
**B:** Yeah, I ran into him the other day and we decided to play racquetball (1982:281–282).

Empirical research conducted by Tracy shows that people who interpret this conversation generally regard B’s last comment on playing tennis as completely irrelevant.

The informal logicians Ralph Johnson and Anthony Blair discuss relevance in their textbook *Logical Self-Defense*. They quote the reaction

of a woman to a report of a commission looking into accusations that the oil corporations illegally conspire to fix petroleum prices:

Bertrand and the commissioners must be out to lunch. In no possible way could he have one lousy shred of evidence to support their allegations. I can say this because my husband has been working for the oil company for 30 years and the company has always been good to him. To say that the industry my husband works for has been ripping off the public for years really irks me (1993: 202).

According to Johnson and Blair, the woman's choice of position arises from her self-interest: Her husband is an employee of an oil corporation, he has always been loyal to this corporation, and she is loyal to him. As to the question of fixing petroleum prices, however, it does not matter at all whether his employer has always treated the husband well. Johnson and Blair, who want to make judgments on relevance, therefore find the woman's argumentation irrelevant.

These two examples – which could easily be supplemented by others – suffice to make it clear that scholars with different disciplinary backgrounds approach relevance from different angles and that their approaches result in different perspectives on relevance (and irrelevance). In Tracy's case, the irrelevance seems to boil down to a lack of coherence in the conversation observed by the interpreters. In the case dealt with by Johnson and Blair, the text is understood as coherent, but viewed from a critical perspective, this coherence is to be evaluated negatively as lacking. Because these and other discussions of relevance relate relevance, in one way or another, to discourse coherence or textual coherence, we view *coherence* as the overarching perspective that links the various approaches to relevance with one another.

Let us now first mention some other general characteristics that are connected with relevance as having to do with discourse or textual coherence. First, relevance, just as lack of relevance or irrelevance, always concerns certain specific elements or parts of a discourse or text, which may be smaller or larger components. Second, relevance and irrelevance always relate to a certain stage or phase in the discourse or text: It is only when viewed within the context of that particular domain that the question of (ir)relevancy is pertinent. Third, relevance or irrelevance always pertains to a certain kind of relation between elements or parts of a discourse or text that is judged (dys)functional



to achieving a particular goal or purpose. This relation can be explicit or implicit.

When exactly can we say that certain parts of a discourse or text are functionally connected with other parts of the discourse or text? This question can be answered in different ways, depending on the particular goal or purpose of the analyst and the way in which functionality is conceived in view of this goal or purpose. Two general goals or purposes that can be distinguished in the literature have resulted in two different kinds of approaches. Because each of these approaches takes its own view of relevance to be the only one, the concept of relevance is in both cases monopolized, and the possibility of a link between the different approaches of relevance is never raised.

First, there are analysts, often with an orientation toward linguistics and the social sciences, who opt for a descriptive approach and have an *interpretive* view of relevance.<sup>1</sup> They are concerned with questions such as “When is speech act A seen as a relevant reaction or sequel to speech act B?” and “How do the participants in a conversation determine what is a relevant sequel to what was said earlier – and what are the relevance criteria?” Tracy’s racquetball example is a case in point: It clearly illustrates the interpretive view of relevance.

Second, there are those analysts, generally with an orientation toward formal and informal logic, who adopt a normative approach and opt for an *evaluative* view of relevance.<sup>2</sup> They are concerned with questions such as “When should a personal attack, an appeal to authority, an appeal to sympathy, threatening with sanctions, or pointing at the undesirable consequences of accepting a standpoint be rejected as irrelevant?” and “What are the criteria for determining whether or not certain (complexes of) speech acts are to be judged as relevant?” The example of fixing petroleum prices provided by Johnson and Blair is a clear example of this evaluative view of relevance.

In ordinary language use, we seldom encounter isolated speech acts that succeed one another haphazardly or have really nothing to do

<sup>1</sup> See, for early representatives, Dascal (1977), Sanders (1980), Werth (1981), Tracy (1982), Jacobs and Jackson (1983), and Sperber and Wilson (1986).

<sup>2</sup> See, for early representatives, Govier (1985), Iseminger (1986), Schlesinger (1986), Johnson and Blair (1993), and the protagonists of the so-called standard approach to the fallacies.

with each other. As a rule, a speaker or writer who addresses listeners or readers performs speech acts that are in principle connected with each other or with the other party's speech acts, and with the further context. By means of these interconnected speech acts, he or she attempts to produce certain communicative and interactional effects on the listeners or readers. If the relevance of speech acts is unclear, the listeners or readers will, as a matter of course, try to find an interpretation that connects the one speech act with the other in such a way that the connection is functional for a specific goal or purpose. Usually, he or she will manage to do so readily, though the connection that is made need not necessarily correspond to what the speaker or writer intended.<sup>3</sup>

In verbal communication and interaction, the use of language is aimed not only at bringing about understanding, but also at obtaining acceptance. A person who makes a request does not just want it to be understood that he has made a request: He wants that request to be granted as well. Someone, for instance, who explains something wants his explanation to be accepted as well as understood. The interpretation of individual speech acts and larger units of text anticipates that a judgment follows, and, vice versa, every evaluation presupposes an interpretation. This implies that it is very important to make clear how the descriptive and normative approaches to argumentative discourse and texts can be connected in such a way that the interpretive view of relevance and the evaluative view of relevance can be related.

In order to do full justice to the properties of argumentative language use, not only argumentation but also other speech acts that are in some way connected with standpoints need to be included in the study of argumentation. It is necessary to make a specific analysis of the discourse or text that connects the interpretation and the evaluation in a meaningful way. After all, in the evaluation, questions that are crucial to a sound evaluation must be raised systematically. The interpretation must be "deepened" in the analysis in such a way that this becomes possible.

In an analysis, the discourse or text is, as it were, viewed through special spectacles that focus on those aspects that are of special importance to the evaluation. From an angle that is determined by the

<sup>3</sup> See also van Rees (1992b).

goal or purpose of the analyst, the analysis concentrates on certain elements, so that – roughly as in an X-ray – some elements come more clearly into view, while others grow blurred or disappear entirely. Depending on the goal or purpose for which the analysis is conducted, different kinds of analyses may be necessary – and different kinds of spectacles. An analysis that aims to expose emotional tensions, for example, may call for psychoanalytical spectacles that are modeled on the Freudian doctrine of the personality; an analysis that aims to identify the means of persuasion requires rhetorical spectacles attuned to the most appropriate model of persuasion, and so on. Of course, there first has to be a theoretically appropriate model that can serve as a basis for developing the required analytical instruments – otherwise an analysis is not only pointless, but also difficult to carry out. To expose the points that are relevant to a critical evaluation of an argumentative discourse or text, we shall make use of the pragma-dialectical model of a critical discussion. Operating as a point of orientation, the model will enable us to distinguish between elements of the discourse or text that are relevant and elements that are not relevant to the resolution of a difference of opinion. In this chapter, we shall explain how, in a pragma-dialectical approach, an analytic notion of relevance can be developed that takes account not only of the interpretive view of relevance but also of the evaluative view.

### From interpretation to analysis

There is no reason to assume a priori that the interpretation of argumentative discourse always raises problems. It is nevertheless plausible that the interpretation of ordinary language users will not always be optimally adequate as the point of departure of an evaluation because it is unlikely that all the points that are relevant from the perspective of argumentation theory will have been taken into account. Starting from such an interpretation, a more specific kind of analysis that is closely associated with these theoretical interests is therefore required. To clarify the distinction between interpretation and analysis, we first briefly discuss the different views that can be distinguished in the literature, and then define our own position.

Following Pike (1967), we use the term *emic* to refer to approaches that aim to describe from an internal perspective the interpretive

procedures that the language users actually apply in practice. Following the same kind of terminological convention, we use the term *etic* to refer to approaches that analyze discourse systematically from an external perspective.<sup>4</sup> In etic approaches, the analyst tries to make decisions on how the discourse or text should be understood that are systematically motivated. Emic approaches to argumentative discourse and texts are interpretive by nature; etic approaches are analytical.<sup>5</sup> Our pragma-dialectical approach is an etic approach that is aimed at identifying as adequately as possible every aspect of an argumentative discourse or text that is relevant to the resolution of a difference of opinion. It is therefore an analytical approach, but it is also an approach that aims to incorporate as many interpretive insights as possible. There is no need to have detailed knowledge of all the cognitive processes that play a role in the interpretation of a discourse of text in order to be able to carry out an analysis based on externalized textual characteristics, but some insight into these processes can, of course, deepen the analysis.

Apart from the distinction between emic and etic approaches, another relevant distinction can be found in the literature – that is, that between “a posteriori” approaches and “a priori” approaches. The premise of an a posteriori approach to a discourse or text is that theoretical insights can only be gained inductively by means of empirical observation. In an a priori approach, certain theoretical presuppositions or postulates are viewed as the premises for developing systematic insight into how language is used.<sup>6</sup> In principle, a posteriori approaches are interpretive (certainly if they are emic), while a priori approaches are analytical (certainly if they are etic).

<sup>4</sup> See also Taylor and Cameron (1987) for the distinction between *emic* and *etic* and for the different approaches we describe.

<sup>5</sup> Researchers adopting an emic approach include Clarke (1983) and Kreckel (1981), who want to construct a typology of speech acts that is based on the perceptions of language users. Among the protagonists of an analytical approach are the social psychologists Duncan and Fiske (1977), who are interested in the “objective” external characteristics of language use, and Edmondson (1981), who developed a classification of speech acts (“illocutions”) that is independent of the perceptions of the language users.

<sup>6</sup> In language-use research, the distinction between a posteriori and a priori approaches often boils down to a distinction between inductive and hypothetico-deductive theorization, without any of the Kantian philosophical connotations associated with this terminology playing a part.

Obvious protagonists of an interpretive a posteriori approach are the ethnographers who describe the typical characteristics and conventions of the different kinds of language use activities they encounter in the communities they study. An interpretive a posteriori approach is also followed by the ethno-methodologists, who, following Harold Garfinkel, attempt to determine empirically how in everyday situations discussion partners try to achieve an interpretation that is shared by all – or by as many as possible. A non-interpretive a posteriori approach is to be found in Duncan and Fiske (1977). Without proceeding from any preconceived theoretical ideal, they analyze statistical correlations between the frequencies with which different types of speech acts occur to expose the characteristics of language use.

Although David Clarke initially followed an approach that was inductive and a posteriori (1977), after his experiments to yield a satisfactory taxonomy of speech acts failed, he began to make use of an a priori taxonomy in his interpretive approach (1983). A preponderantly analytical a priori approach is also followed by the members of the so-called Birmingham School, who investigate the structure of verbal exchanges; by the speech act researchers who draw their inspiration from the works of Austin and Searle; and by the followers of Grice, who are interested in general principles of language use in interaction.<sup>7</sup> We too shall follow an analytical a priori approach. As will become clear, this approach comes closest to the approaches developed by Searle and Grice.

### Integration of Searlean and Gricean insights

According to Searlean, the communicative function that speech acts and complex constellations of speech acts have in a discourse or text is in the first place determined by a combination of the intentions of the speaker or writer and conventions for language use such as the “felicity conditions” for the performance of speech acts. Verbal expressions can perform the specific functions speakers or writers would like them to perform because they are recognizable instances of

<sup>7</sup> Edmondson (1981) goes very far in this analytic a priori approach. He does not want to follow a taxonomy that is in any way derived from ordinary language use, and proposes a taxonomy that is entirely based on theoretical considerations.

particular speech acts and the members of a language community have a shared knowledge of the conventions applying to the performance of speech acts.<sup>8</sup> While Searleans focus on the communicative aspects of language use, Griceans tend to concentrate on its interactional aspects. Grice (1975) argues that various rationality principles of a general nature apply to ordinary discourse. In his view, these are not rules that language users just appear to follow in their verbal exchanges, but rules that are indeed reasonable to follow in interaction with others.<sup>9</sup> According to Grice, the verbal behavior of language users is guided by a Cooperation Principle and a list of corresponding maxims.

Because the communicative and interactional aspects are closely intertwined in argumentative discourse, an integration of Searlean communicative insight and Gricean interactional insight offers, in our view, the best starting-point for approaching argumentative discourse and texts. As a result of such an integration, a series of pragmatic principles of language use can be formulated that provide a theoretical basis for the analytical approach to argumentative language use we aim for in pragma-dialectics. In order to integrate the Searlean and Gricean approaches, it is necessary to redefine the Gricean Cooperation Principle as a broader Communication Principle that covers the general principles that language users in principle observe and expect others to observe in verbal communication and interaction: the principles of *clarity*, *honesty*, *efficiency* and *relevance*. Of course, in practice it is very common that one or more of these principles are ignored or violated, but this does not automatically mean that the Communication Principle should then be completely abandoned.<sup>10</sup> Starting from the Communication Principle, five more specific rules of language

<sup>8</sup> According to empiricists like Duncan and Fiske (1977), verbal interaction displays certain regularities because the language users adhere to patterns they have successfully used in the past. According to conventionalists like the Searleans, these regularities occur because the language users observe some kind of contractual obligation. Rationalists like the Griceans think that these regularities exist because it is sensible to communicate in such a way.

<sup>9</sup> Griceans such as Brown and Levinson (1978), Leech (1983), and Sperber and Wilson (1986) have adopted a similar rationalistic starting-point.

<sup>10</sup> If the Communication Principle is abandoned altogether, the person who abandons it places himself for the time being outside the communicative community. This may happen, for instance, when he is completely drunk.

use that serve as speech act alternatives to the Gricean maxims can be formulated:

1. You must not perform any speech acts that are incomprehensible.
2. You must not perform any speech acts that are insincere (or for which you cannot accept responsibility).
3. You must not perform any speech acts that are redundant.
4. You must not perform any speech acts that are meaningless.
5. You must not perform any speech acts that are not in an appropriate way connected with previous speech acts (by the same speaker or writer or by the interlocutor) or the communicative situation.

The first rule of language use is an implementation of the principle of clarity and corresponds with the “propositional content condition” and the “essential condition” that, in our view, combine to form the “identity conditions” that apply to the performance of speech acts.<sup>11</sup> In order to be clear, speakers or writers must phrase the speech acts that they want to perform in such a way that the listeners or readers are able to recognize both their communicative purport and the propositions expressed in them. Naturally, this does not mean that a speaker or writer has to be completely explicit, but that the listeners or readers may not be hindered or even prevented from arriving at a correct interpretation.

The second rule of language use is an implementation of the principle of honesty and corresponds to the “sincerity conditions” that are part of the “correctness conditions,” or – as we prefer to call them – “responsibility conditions,” for the performance of speech acts.<sup>12</sup> The honesty principle implies that everyone may be held responsible for assuming the obligations linked to the speech act that he or she has performed. If a mother performs a directive (“Shut the window”), she may be supposed to want the son she is addressing to perform the act to which the directive refers; if she performs

<sup>11</sup> See, for the distinction between “identity conditions” and “correctness conditions” of speech acts, van Eemeren and Grootendorst (1992: 30–33).

<sup>12</sup> In line with his own thinking, we have redefined Searle’s “sincerity” conditions as “responsibility” conditions to achieve the externalization that we are aiming for and to make it clear that obligations are at stake that are assumed by the very performance of a certain speech act, irrespective of the speaker’s or writer’s mental state.

an assertive ("It is raining"), she may be supposed to believe that the proposition expressed in the assertive is true or at least acceptable, and so on.

The third and fourth rules of language use are implementations of the principle of efficiency and correspond to the "preparatory conditions" for the performance of speech acts; they also belong to the correctness conditions, and resemble the responsibility condition. The efficiency principle implies that a correct performance of a speech act may not be redundant, unnecessary, or meaningless. For instance, adducing an argumentation would be redundant if the speaker or writer supposes that the listener or reader is already convinced of the acceptability of the standpoint defended (the first preparatory condition). The performance of this speech act is meaningless if the speaker or writer assumes *a priori* that the argumentation will under no conditions lead the listener or reader to accept the standpoint (the second and third preparatory conditions).

The fifth rule of language use is an implementation of the principle of relevance. This rule neither corresponds with a speech act condition nor refers to the performance of an individual speech act. The rule bears on the relationship between different speech acts of the same, or different, speakers or writers and the communicative situation. The question here is whether the performance of a specific speech act in the verbal and non-verbal context concerned is a relevant addition to the speech acts that have been performed before and the situation at hand. The principle that one must stick to the point is connected with the succession of speech acts and the function a speech act fulfills in the larger context of a particular kind of speech event. To satisfy the principle of relevance, a sequel to the earlier speech acts of the speaker or writer or to a speech act of another person has to be appropriate in the communicative situation. It is difficult to give a general definition of what exactly constitutes an appropriate reaction or sequel, but it is possible to explain what it boils down to in practice. Every speech act is at least aimed at achieving the communicative effect that the listener or reader understands the speech act and the interactional effect that the listener or reader accepts what is aimed for in the speech act. As a rule, the performance of a speech act that expresses the idea that another speech act is understood or accepted will thus be a relevant reaction. The same goes, of course, for expressing



incomprehension or non-acceptance. A relevant reaction may, for instance, also consist in providing arguments why something is acceptable or not acceptable.<sup>13</sup>

If the speech act that follows is a speech act of the same speaker or the same writer, it is more difficult to say whether the sequel is appropriate. To determine appropriateness requires information about the verbal and non-verbal context and other aspects of the communicative situation. For some types of situations, the patterns of language usage are relatively fixed, and it is fairly clear what the options are. Conversation analysts have shown that giving reasons for a standpoint, for example, is regarded as a completely normal “repair” to a (real or alleged) breach of the “preference for agreement” that rules ordinary communication. As far as argumentative discourse and texts are concerned, the model of a critical discussion can serve as a useful starting point for determining what is an appropriate sequel in a certain case and what is not.

These five rules of language use correspond closely to the Gricean maxims, but are now formulated as rules for the performance of speech acts. With the exception of the fifth rule, all of the rules correspond to some of Searle’s felicity conditions. What are the advantages of this integration of the Gricean maxims and the Searlean speech act conditions? As a result of their connection with the Searlean felicity conditions, the formulated rules for language use are, compared with the Gricean maxims, more specific and precise. Because they are not limited to assertions, the rules for language use are also more general and encompassing than the maxims. The most important result of the integration, however, is that it becomes clear that the felicity conditions applying to the various kinds of speech acts are in fact specifications of more-general principles of language use.

The synthesis of Searlean and Gricean insights also makes it clear how heterogeneous the original speech act conditions really are. In our view, it is important to maintain the basic distinction we introduced earlier between the identity conditions, on the one hand, and the correctness conditions, on the other. The need for this distinction

<sup>13</sup> Of course, a relevant reaction need not necessarily be “appropriate” in the sense that it agrees with the wishes of the speaker or writer. The rejection of a request can be just as relevant a reaction as its acceptance.

becomes clear when, for instance, the different kinds of consequences that arise from non-compliance with any of the two kinds of conditions are taken into consideration. If one of the identity conditions – the propositional content condition or the essential condition – has not been met, no recognizable speech act is performed. If one of the correctness conditions – the preparatory condition or the sincerity or responsibility condition – has not been met, a recognizable (and thus identifiable) speech act has been performed, but its performance is not entirely successful – in Austin's terms, it is in some respect infelicitous or "unhappy." It becomes even clearer that this is an important difference when one realizes that there is a correspondence between the propositional content condition and the essential conditions, on the one hand, and Grice's maxim of manner ("Be clear") and our first rule of language use ("You must not perform any incomprehensible speech acts"), on the other. An infringement of the propositional content condition or the essential condition makes the speech act unrecognizable, so that it cannot play a constructive role in the exchange. However, an infringement of one of the preparatory conditions or the responsibility conditions only results in making the performance of the speech act not flawless. Unlike in the former case, the speaker or writer in the latter case can still be held responsible for performing the speech act concerned, and is bound to give an account if requested to do so by the listener or reader.

### A pragma-dialectical notion of relevance

In a pragma-dialectical analysis of argumentative discourse and texts, special attention is paid to all verbal elements that play a part in advancing argumentation because this complex speech act is crucial to the conduct of a critical discussion. Through its essential felicity condition, argumentation is conventionally associated with bringing about the interactional effect that the other party accepts a particular standpoint. In the context in which it is performed, the complex speech act of argumentation is interactionally always linked with other speech acts – that is, those of expressing a standpoint and voicing doubt.<sup>14</sup> In

<sup>14</sup> The way in which argumentation and the speech acts to which it is related are expressed in argumentative discourse or texts is influenced by various kinds of social

argumentative discourse or texts, the interactional links are also determined by the general and local objectives of the speech event concerned and the kind of distribution of speech acts that is characteristic of a specific type of speech event. In the case of more or less institutionalized language activities, such as legal procedures and scholarly papers, these objectives are supposed to be attained in a more or less conventionalized way. Knowledge of the speech event in question is then very useful for making a reasoned guess about the interactional effect that is aimed for at a particular stage of the activity. In turn, knowledge of the interactional objective can be used to determine which speech acts have been performed in the speech event.

Some speech acts are ideally suited to achieve a specific interactional purpose or goal, or are even, through the essential conditions, immediately related to that objective. In this way, argumentation is related to the objectives of convincing and persuading. In the terminology for structural textual organization used in discourse analysis, certain speech acts can also be said to combine into “adjacency pairs.” Advocating and accepting a standpoint is an example, as is advocating and rejecting a standpoint. The speech act that is performed in the second pair part in reaction to the speech act in the first pair part implies the expression of an interactional effect. In the case of an acceptance, the interactional effect is a preferred reaction; in the case of a rejection, it is a non-preferred reaction. If a non-preferred second part of a pair is advanced (or likely to be advanced), there is a need for “repair” of the first pair part. In the case of the rejection of a standpoint, this repair consists in advancing (further) argumentation to defend the standpoint. Without any clear signs to the contrary, it must always be assumed in the analysis of an argumentative discourse or text that the participants in the speech event in question act in a meaningful way: They are expected to say things that are relevant – that is, functional in view of the stage of the speech event in which they are engaged.

According to the model of a critical discussion, all speech acts are not equally functional at every stage of the resolution process. Their

factors, such as the principle of preference for agreement and the politeness principle. Such factors explain why a pragma-dialectical analysis of argumentative discourse in terms of a critical discussion often requires a substantial reconstruction. See Chapter 5 of this volume.

relevance is tied to a specific stage of the discussion and the specific objective aimed for at that particular stage. This means that we have to specify each time when we assign a certain function to a speech act in an argumentative discourse or text precisely in which contextual *domain* this speech act is relevant (or lacks relevance) if the discourse or text is reconstructed as a critical discussion (confrontation stage, opening stage, argumentation stage, concluding stage).<sup>15</sup> In addition, functionality of a (simple or complex) speech act generally concerns a specific element, or component of the speech act, rather than the speech act as a whole. This means that it is also necessary to specify precisely to which *component* of verbal acting the question of relevance pertains (constituent communicative act, communicative force, propositional content, linguistic phrasing). Finally, a speech act can in several ways be a functional anticipation, reaction, or sequel to another (simple or complex) speech act or the communicative situation. This is why it is necessary to specify precisely in what relational *respect* a certain connection between a (simple or complex) speech act and some other (simple or complex) speech acts or the communicative situation at hand is in fact (ir)relevant (repair, clarification, specification).<sup>16</sup>

Starting from these three dimensions of relevance, we introduce a specific differentiation within the general concept of relevance. In the dimension of the contextual domain, the key question is in which stage of the resolution process the question of relevance is raised. There may in a certain case, for example, be a question of relevance for the opening stage ("It must be clear whether we are agreed on this, otherwise it is pointless to continue") or of relevance for the concluding stage ("Of course what you say now does not matter, because we have just concluded the discussion"). In the dimension of the component of verbal acting, the key question is precisely to which component of a speech act or constellation of speech acts the question of relevance applies. An observation concerning relevance, for example, may have a bearing on a proposition that is expressed in a particular speech act

<sup>15</sup> For the pragma-dialectical method of reconstruction, see Chapter 5 of this volume.

<sup>16</sup> In our view, the three dimensions that we have distinguished play a role in determining relevance in every type of verbal communication. It depends on the speech event, however, as to how they are (or should be) filled out.

(“That really is pertinent to what we are discussing at the moment”) or on the performance of a speech act with a certain communicative force (“If this is only a question, it is out of order now, but if you are claiming that I am wrong, then of course it is not”). With regard to the third dimension, which concerns the kind of relevance relation that is at stake, the key question is which function of relevance is at issue. An observation of relevance might, for instance, pertain to a reaction to a standpoint (“Do you want me to clarify my standpoint or do you just not accept it?”), to a supporting sequel to an argument (“There is no need for any further justification; I accept your argument”), or to the anticipation of doubt with regard to the acceptability of a standpoint (“You are not convinced that this is really so?”).

The different combinations of “domain relevance,” “component relevance,” and “relational relevance” can be represented in a “relevance cube.” In this cube (Figure 4.1), each of the three dimensions of relevance is represented on a separate coordinate surface.

By means of the differentiation of the general concept of relevance represented in the relevance cube, the problems of relevance occurring in argumentative discourse or texts can be analyzed and characterized in a clear, systematic, and consistent manner. The three-fold classification makes it possible to distinguish between different types of relevance problems, and to deal with each of them in the most appropriate way.

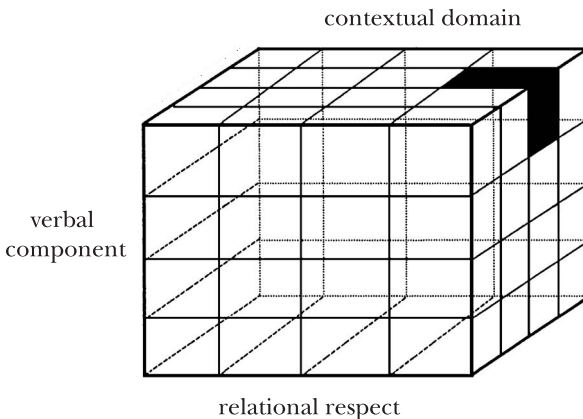


FIGURE 4.1 Specification of the three dimensions of relevance

### The identification of a relevance problem

Let us illustrate by means of a fragment from an argumentative exchange how a relevance problem can be identified with the help of the pragma-dialectical approach. We shall characterize the relevance problem by means of the three dimensions coordinating the relevance cube and point to one block from the cube to indicate what our relevance problem entails.

A says to B: "Does that piano have to go any further? Or do you want to leave it here?" At first sight, this is an unproblematic text: Two questions are raised concerning the intentions of the addressee. The second question refers to an alternative in case the answer to the possibility suggested in the first question is negative. But imagine the questions as asked by a piano mover to his assistant when they both know that the piano has to be taken to the second floor, though they are only on the first. Further, imagine that the assistant has just said: "We'll never get that piano up to the second floor. God knows why that woman wants it there. Time for a break."

What exactly is the relevance of the piano mover's questions? Because it is clear that the piano has to be taken to the second floor and the movers are only on the first floor, the question "Does that piano have to go any further?" cannot be a real question. The question "Or do you want to leave it here?" cannot refer to a genuine alternative either. After the assistant's complaint that it is an impossible task, we have good reason to suppose that the mover's question "Does that piano have to go any further?" initiates a confrontation with his assistant and suggests that the assistant wants to give up. Starting from the model of a critical discussion, which can fulfill a heuristic function here, we now consider whether the mover's first question can perhaps also be analyzed as the expression of a standpoint. In that case, we are dealing with a part of the confrontation stage of a critical discussion. If so, it would also be worthwhile to consider whether the mover's second question, "Or do you want to leave it here?" might belong to the argumentation stage, because a confrontation can be expected to lead to an argumentative repair.<sup>17</sup> According to this analysis, the first question must be a rhetorical question that in the confrontation stage

<sup>17</sup> See Jacobs and Jackson (1982) and van Eemeren (1987b).

functions indirectly as a standpoint: "In my view, that piano has to go further." And the second question would be a rhetorical question that functions indirectly as an argument in the argumentation stage: "(After all) you can't leave it here." Following this analysis, apparent irrelevancies in both cases concerning the communicative force of these speech acts would be undone by reconstructing, quite appropriately in relation to the assistant's complaints, the two questions as assertives that have the communicative force of a standpoint in the domain of the confrontation stage and that of an argument in the domain of the argumentation stage, respectively.

But these reconstructions are only justified if it is indeed legitimate to analyze this fragment of a discussion in such a way that the apparently irrelevant questions can be replaced by a standpoint and an argument, and the lack of appropriateness in the communicative situation at hand is thereby removed. The simple fact that our model of a critical discussion suggests that something might be the case is of course not enough reason to conclude that this is really the case. Otherwise, every speech act could be regarded as relevant in some way or another. The analysis has to be valid. For brevity's sake, let us direct our attention to the second question and see how such an analysis might be justified.

If we analyze the question "Or do you want to leave it here?" as an argument, the insight that language users, on the basis of the Communication Principle, may not be attributed futile, redundant, insincere, incomprehensible, or inappropriate speech acts unless there is good reason to do so plays an important role. If his speech act is taken literally, with "Or do you want to leave it here?" the assistant is posing a redundant question. He knows, after all, that there is no question of the piano being left on the first floor. In terms of felicity conditions of speech acts, he violates the preparatory condition for asking a question – that the person posing the question does not yet know its answer. All the same, there is no reason to suppose that he does not want to abide by the Communication Principle. That is why we have to examine whether in this case it may be the speaker's primary intention to perform a speech act with a different communicative function.

A violation of the redundancy rule is committed if the mover is asking for information he already has. This violation can be undone by

taking the question as an assertion. In that case, the mover has posed a rhetorical question, thereby making an assertion, so he respects the Communication Principle after all. The assertion is not redundant, because his colleague is apparently not sufficiently aware of the fact that the piano has to go further – or at least he complains about it. The Communication Principle, however, also entails the notion that there must be an appropriate link between successive speech acts. It is therefore necessary to examine whether this might, after all, also be the case here. Once again we appeal to the correctness conditions for the performance of speech acts. The mover who puts forward the question has previously expressed a standpoint that is supposedly called into doubt by the other party. This means that, at that stage, a condition for the acceptance of this standpoint is not fulfilled. Through his question “Or do you want to leave it here?” the mover (ironically) tries to make it clear that the correctness conditions that apply to his standpoint that the piano has to move further are in fact fulfilled. In a correct performance of the standpoint speech act that something has to be moved, the preparatory condition is that there has to be a good reason to move it. By means of his assertion – to be analyzed as an argument in the form of a rhetorical question – the mover indicates that this condition is satisfied, and tries to remove doubt on this score. In this way, the second question is thus analyzed as an argumentative repair intended to resolve an imminent difference of opinion about carrying the piano further or to prevent moving the piano any further from becoming a real issue.

In a similar way, it can be shown that also the mover’s first question, “Does that piano have to go any further?” involves a relevance problem that can be solved by analyzing the question as an assertion that functions as a standpoint. The speech acts performed by the two rhetorical questions belong to different discussion stages, but in both cases the apparent irrelevancy results from a lack of clarity of the communicative force of the speech act concerned. As soon as the required clarification is provided, there is no irrelevancy left. As we just said, the relevance problems involved in the first and second rhetorical questions, which can easily be located in the relevance cube, consist in the lack of appropriateness in the communicative situation at hand of the communicative force of the speech acts in the argumentation stage and the confrontation stage, respectively. The example



of the movers illustrates, at least for two types, how we can “determine” relevance problems that may occur in argumentative discourse or texts. Similar “precizations” can be given of other types of relevance problems.

### Conditional relevance

In written texts, the indirect presentation of standpoints and arguments that we have just discussed in the context of an oral exchange is also very common. Take the following letters to the editor, dating from 1986 and published in *Time* (April 2), on the controversial approach of the United States to the then hated Libyan leader Colonel Gaddafi.

Alexander Panagopoulos writes from Athens:

1. *Do you stop driving your car if you hear about a couple of accidents that have taken place somewhere on the motorway?* Please don't let the terrorists think they have been successful.

Christine Barrero in New York asks:

2. When Ronald Reagan agreed to the marine exercises in the Gulf of Sidra, did he consider that he might be passing a death sentence on American tourists and diplomats? *Didn't he know that Gaddafi would reply with even more terrorism?*

Mr. Crane from France completes the three:

3. As an American living in Europe, I congratulate the US navy on its successful but surprising maneuvers. *The attacks on the radar base and patrol boats were justified and well carried out.*

The parts of the texts printed in italics seem clearly relevant parts of a critical discussion. But how can this observation be justified? In answering this question, we take Panagopoulos's rhetorical question as prototypical. To provide a satisfactory justification of the relevance of his question,<sup>18</sup> we again make use of the pragma-dialectical model of

<sup>18</sup> Before we answer the question of whether the italicized part of 1 can really be considered as part of a critical discussion, it is worthwhile to recall the definition of argumentation in Chapter 1 of this volume.

a critical discussion because it offers an analytical framework in which to situate the evaluation.<sup>19</sup>

Certain parts of argumentative discourse and texts are in practice often partly implicit, though the presentation might all the same be eminently suitable for conveying the argumentative purport. In indirect argumentation, such as in Panagopoulos's question, this is certainly the case. As we have seen in the example of the movers, in indirect argumentation – and in implicit argumentation in general – contextual information can contribute considerably to a justifiable characterization of its communicative force.

Leaving artificial situations such as those created in scientific research aside, argumentation normally takes place in a context that is more or less defined. Our hypothesis is that the degree to which the context is defined is generally inversely proportional to the degree of “conventionalization” of the verbal presentation that is required for an adequate interpretation of indirect speech acts. Serious relevance problems of analysis generally arise in a context that is insufficiently defined and in which the verbal presentation of the argumentation provides no further clues. Empirical research confirms that the communicative force of directly presented argumentation is significantly easier to identify than that of indirect argumentation, because in the latter case, extra information is needed in order to know that something is intended besides what is “literally” expressed and to know what this “something” is. Empirical research shows convincingly that a well-defined context provides this information.<sup>20</sup> To justify the identification of the argumentation in Panagopoulos's rhetorical question, it is therefore advisable to take a closer look at the context.

<sup>19</sup> In order to declare a move in an argumentative discourse or text evaluatively irrelevant – for instance, because it is an *argumentum ad populum* in the argumentation stage – it must first be established that this move is analytically relevant in that stage. Only if this is the case can the speaker or writer be regarded as committed to having presented the move as an argument (or some other relevant speech act). To achieve this analysis, by the way, rhetorical insight is to be used in the way proposed by van Eemeren and Houtlosser (2002c) in the potentially persuasive force of *pathos*. Otherwise, no account can, for instance, be given for attributing the commitments going with the argument that thinking of your children is a reason for denying asylum seekers access to your town to someone who says “We should not admit any asylum seekers to our town. Think of our children. . . .”

<sup>20</sup> See van Eemeren, Grootendorst, and Meuffels (1989).

As a communicative act, the complex speech act of argumentation is at the interactional level conventionally connected with convincing in the sense of gaining acceptance of the defended standpoint.<sup>21</sup> In a less direct manner, the argumentation is also connected with other speech acts that are part of the same speech event. In the case of Panagopoulos, the speech event is a letter to the editor, but it could just as well have been a parliamentary debate, an academic lecture, or a piece of journalism. It is only in the socio-cultural context of a specific speech event that the abstract speech act concepts acquire a specific meaning.<sup>22</sup> In such a speech event, the interactional goal with which they are associated places the speech acts that are performed in such speech events in a characteristic organizational connection. In the speech event, all kinds of interactional strategies and tactics are also of influence on its structural organization. Knowledge of a specific speech event can therefore be a good basis for making an educated guess about the interactional objective that is aimed for, and in turn, knowledge of the interactional objective can lead to a well-motivated analysis of the speech acts performed. In a speech event – more obviously so in a dialogue than in a monologue – speech acts are often conducted in accordance with their interactional goal or purpose linked with certain speech acts on the part of the addressee.

In a speech event such as a letter to the editor, it is usually clear from the start that a standpoint will be defended against opposition or skepticism. This means that in the context of a clash of opinions, argumentation has “conditional relevance.” In his letter to *Time*, Panagopoulos states his standpoint regarding an issue that was then a matter of heated controversy: the United States’ line on Gaddafi. Assuming that a prior analysis of the confrontation has made it clear that “We must not give the terrorists the opportunity to think that they have been successful” is the standpoint that Panagopoulos defends, it is now necessary to explain why the question “Do you stop driving your car if you hear about

<sup>21</sup> See van Eemeren and Grootendorst (1984: 47–74).

<sup>22</sup> Every community has more or less institutionalized speech events that form the language games (in Wittgenstein’s terminology) in which the members of the community in question articulate their forms of life. The general and local interactional objectives pursued in a communicative community determine which speech events are to be distinguished – and thus, which speech acts can be expected to be performed at a given stage.

a couple of accidents that have taken place somewhere on the motorway?" must be regarded as a rhetorical question that can be analyzed as the following argumentation: "A couple of accidents on the motorway would not stop you from driving" (or a similar formulation of the same argumentation). How can we show on the basis of conditional relevance that – unlike Barrero's question and Crane's congratulations, which function as standpoints – Panagopoulos's question can be regarded as argumentation?

When there are no clear indications to the contrary, we must assume, once again, that Panagopoulos is performing speech acts that are meaningful in the speech event in which he is taking part. We also have to assume that what Panagopoulos says is relevant to the stage of the speech event in which he says it; and we should assume that the communicative acts that Panagopoulos performs are, at the interactional level, in some way adequately related to each other and to the local general and local interactional objectives of the speech event concerned. From the fact that it is *a priori* clear that the answer to Panagopoulos's question must be "No," we already know that the interrogative sentence is not to be taken as a question. The preparatory conditions and responsibility conditions for a correct performance of the speech act of questioning have not been met. The interactional objective that is primarily associated with asking a question – to obtain a correct reply – will certainly not be achieved. By itself, this is already a good reason to consider it unlikely that Panagopoulos intended to perform just the communicative act of asking a question. It is indeed a rhetorical question.

If Panagopoulos's rhetorical question is, on some interpretation, to be relevant within the framework of a letter to the editor in which the author defends a particular standpoint, a relevance gap needs to be bridged between the question and the standpoint. The most obvious way in which this can be achieved is by analyzing the question as a "repair," consisting of argumentation aimed at justifying his standpoint for the readers. On this analysis, Panagopoulos's two speech acts are interconnected at the interactional level of the speech event. The one functions as a standpoint that has been called into question, the other as argumentation to overcome the doubt and to achieve acceptability for the standpoint. In order to grasp the connection between the two speech acts even more precisely, it is instructive to take a closer look

at the speech act of putting forward a standpoint and the felicity conditions that apply to this communicative act. We confine ourselves to the essential condition:

Putting forward of a constellation of one or more speech acts that together constitute a standpoint counts as assuming responsibility for the adoption of a positive or negative position with regard to the acceptability of the propositions contained in these speech acts, i.e., as assuming the obligation to defend that position if asked to.

This essential condition (based on van Eemeren, 1987b: 207) expresses the conventional relationship between putting forward a standpoint as a complex speech act at a higher textual level, and a context of disagreement. If the interactional context is such that a standpoint is, or may be regarded to be, in doubt, whether this doubt is expressed explicitly or left implicit, argumentation is required to get the standpoint accepted. In the case of a letter to the editor, everyone assumes such a context of disagreement where doubt is immanent, so argumentation in defense of the standpoint can be expected. This certainly applies to Panagopoulos's standpoint that we must not allow terrorists to think that they have been successful, so it seems justified to regard his rhetorical question as argumentation for this standpoint. In giving this analysis, in fact, the essential condition and propositional content condition as well as the preparatory condition and responsibility condition are met. Without going any further into the details of this particular case, we can claim that the analysis we have provided solves a problem of relevance because it makes Panagopoulos's speech act understandable.

Generally, the relevance resulting from analyzing speech acts such as Panagopoulos's rhetorical question as argumentation can best be demonstrated by showing that the preparatory conditions or other correctness conditions applying to the speech act of putting forward a standpoint that were left unfulfilled are fulfilled by adding the argumentative repair. Thus the relationship between argumentation and standpoint is also more precisely characterized using the distinction between the sentence level and a higher textual level: At the sentence level, the correctness conditions of communicative acts, such as assertions or statements, can be completely fulfilled without there being any need to explain an interactional connection, while at a higher

textual level, the very same communicative acts constitute a standpoint whose unfulfilled correctness conditions are fulfilled by the (indirect) speech act of argumentation.

Given that there are different types of correctness conditions, we can distinguish different points where the connections between standpoints and argumentation are in question. In each case, different forms of doubt must be overcome. This has consequences for the reconstruction of would-be argumentation. If the doubt relates to a preparatory condition, the relevant conditions for putting forward a standpoint indicate – in a general sense – the direction where the argumentation should be sought. If the responsibility condition is at stake, the personal obligations created by putting forward a standpoint are at issue. And if the fulfillment of the propositional content condition for argumentation runs up against doubt, the argumentation can be taken as a defense of the tenability of the propositions in question.

Indirectness of both standpoints and argumentation can take various forms. Standpoints can be presented as assertives, but when the presentation is indirect, also as directives, commissives, expressives, or declaratives. If the right conditions are satisfied, a speech act from any of these categories can function as a standpoint. The same applies, *mutatis mutandis*, to argumentation. Of course, all kinds of combinations of direct standpoints and indirect argumentation, and of indirect standpoints and direct argumentation, can occur:

1. **S1:** Can you take this book with you? (*directive as indirect standpoint*)  
**S2:** ? (expression of doubt)  
**S1:** You live right on the corner (*assertive as direct argumentation*)
2. **S1:** ?  
**S2:** You live right on the corner (*assertive as direct argumentation*) Can't you take the book with you? (*directive as indirect standpoint*)
3. **S1:** Can you take this book with you? (*directive as indirect standpoint*)

**S<sub>2</sub>:** ?

**S<sub>1</sub>:** I'll do it for you next time (*commissive as indirect argumentation*)

There are also combinations of indirect standpoints and indirect argumentation:

4. **S<sub>1</sub>:** Go home now (*directive as indirect standpoint*)

**S<sub>2</sub>:** ?

**S<sub>1</sub>:** Do you want to oversleep again tomorrow? (*directive as indirect argumentation*)

5. **S<sub>1</sub>:** ?

**S<sub>2</sub>:** I'll be there (*commissive as indirect argumentation*) (So) you can count on me (*commissive as indirect standpoint*)

6. **S<sub>1</sub>:** ?

**S<sub>2</sub>:** How ugly it is! (*expressive as indirect argumentation*) (Therefore) What a pity! (*expressive as indirect standpoint*)

7. **S<sub>1</sub>:** (Hereby) I withdraw my doubt about your assertion (*declarative as indirect standpoint*)

**S<sub>2</sub>:** ?

**S<sub>1</sub>:** From now on, I distinguish between two kinds of complexes (*declarative as indirect argumentation*)

On the basis of the correctness conditions of the complex speech act of advancing a standpoint, it can be made plausible what the connection is between the argumentation and the standpoint in these cases. In 4, for instance, the argumentation "You don't want to oversleep again tomorrow" is an unfulfilled preparatory condition for the standpoint "You must go home now." After all, in order to put forward a standpoint, as a consequence of the essential condition pertaining to standpoints, you need to have a justification for advancing this specific standpoint if you are challenged to do so. If, in the context of a speech event, it is obvious exactly what the justification is, an argumentation that provides this justification supplies the missing link adequately. In all the examples given here, the gap between

standpoints and argumentation can simply be bridged by referring to one or more of the correctness conditions that apply to the advancement of standpoints.

We have indicated, if we partly understand an argumentative discourse or text, how we can make use of what we already know to back up our analysis. This kind of approach is a special form of what I. A. Richards baptized “feed-forward.”<sup>23</sup> If it is clear what the standpoint under discussion is, as is usually the case with a letter to the editor, this is a fairly natural approach. In Panagopoulos’s letter, it is evident that the standpoint is “We must not give the terrorists the idea that they have been successful.” The assertive that is indirectly conveyed in Panagopoulos’s rhetorical question “A couple of accidents on the motorway would not stop you from driving” satisfies an unfulfilled preparatory condition of this standpoint. In the absence of any clues to the contrary, it may therefore be regarded as the best way of fleshing out the argumentation that was conditionally relevant to this standpoint.

<sup>23</sup> See Richards (1976).



## Analysis as Reconstruction

### Complications in argumentative reality

The aim of a pragma-dialectical analysis is to reconstruct the process of resolving a difference of opinion occurring in an argumentative discourse or text. This means that argumentative reality is systematically analyzed from the perspective of a critical discussion. All components of the discourse or text that are in any way relevant to the resolution are in the reconstruction taken into account; all components that are irrelevant to this concern are left out. In this manner, an analytic reconstruction is given of the argumentative “deep structure” of the discourse or text.

What exactly does such an analytic reconstruction of an argumentative discourse or text entail? As we have explained, this kind of analysis derives its *pragmatic* character from the fact that the discourse or text is viewed as a coherent whole of speech acts; its *dialectical* character lies in the premise that these speech acts are part of a systematic attempt to resolve a difference of opinion by means of a critical discussion. In the reconstruction, the speech acts performed in the discourse or text are, where this is possible with the help of the ideal model of a critical discussion, analyzed as argumentative moves that are aimed at bringing about a resolution of a difference of opinion.<sup>1</sup>

<sup>1</sup> For a fuller exposition of this method, see van Eemeren, Grootendorst, Jackson, and Jacobs (1993).

In a pragma-dialectical reconstruction, the desired analytic determination of the discourse or text is achieved by interpreting each of its components from the perspective of the resolution of a difference of opinion, and then examining whether it is relevant in this connection. On this view, the relevance of every speech act is related to the specific and subsidiary purpose of the stage of the resolution process in which it is performed. Each of the four stages of a critical discussion represents a separate phase in the resolution procedure, and has its own function in promoting the dialectical progression that is sought for. The ideal model indicates for each stage what kinds of speech acts can contribute at a particular stage to the resolution process, and a reconstruction based on this model therefore results in a resolution-oriented analysis.<sup>2</sup>

The ideal model of a critical discussion is the point of reference in the analysis: It indicates which kinds of speech acts may be involved in the reconstruction in the different stages. The reconstruction is to reveal as clearly as possible, without paying attention to any sidetracks or detours, which route is followed in attempting to resolve the difference of opinion.<sup>3</sup> Speech acts that are not relevant to this purpose are left out of consideration, implicit elements that are relevant are made explicit, speech acts that serve the same goal (or sub-goal) but are scattered over the discourse or text are put together, and the precise role of indirect speech acts that play a specific part in the resolution process is indicated. Using the model as a guide, the reconstruction aims to produce an *analytic overview* of all components of a discourse or text that are pertinent to the resolution of a difference of opinion. Pursuing this aim involves examining exactly which points are at issue, which procedural and material points of departure are chosen, which explicit, implicit, indirect, and unexpressed arguments are advanced, which argument schemes are used in each single argumentation, and how the argumentation that is formed by combining single argumentations is structured. By extracting in the analysis all the explicit and

<sup>2</sup> Whether it is, in specific cases of argumentative discourse or texts, indeed worthwhile to carry out a resolution-oriented reconstruction depends, among other things, on whether certain "higher order" conditions for having a critical discussion are satisfied. See Chapter 8 of this volume.

<sup>3</sup> In recent work on "strategic maneuvering" by van Eemeren and Houtlosser (1999, 2000, 2002a, b), precisely such phenomena as these sidetracks and detours are the focus of attention in trying to strengthen the pragma-dialectical analysis by incorporating a rhetorical dimension.

implicit parts from the argumentative discourse or text that play a role in the resolution process, everything is utilized that can be relevant to a considered evaluation.<sup>4</sup>

To be able to reconstruct discourse and texts, or parts of them, in terms of a critical discussion, it is necessary first to determine to what extent the discourse or text in question is aimed at bringing about the resolution of a difference of opinion. The question is when is a discourse or text argumentative. Sometimes there is an explicit indication that (part of) an oral or written exchange has an argumentative character, and sometimes there is no explicit indication even though the argumentative character may still be clear. Which is the criterion for regarding a discourse or text as argumentative that is not explicitly presented as such? There is no easy answer. The most natural criterion is whether argumentation is advanced or not. If argumentation is advanced, the exchange is, or at least partly, aimed at removing genuine or supposed doubt regarding a standpoint.<sup>5</sup> A discourse or text can only be regarded as indubitably argumentative – at least in part – if the speech act of argumentation is carried out.<sup>6</sup> The problem, however, is that a discourse or text may also be argumentative because it contains implicit or indirect argumentation that is not always immediately and unambiguously recognizable as argumentation.

Argumentative discourse and texts generally contain not only parts whose function is not immediately obvious, but also parts that are clearly irrelevant or not directly relevant to the resolution of a difference of opinion. More importantly, parts that are essential to a critical discussion are often missing. Like the rules that are observed in the process of argumentation, the starting points of an argumentation are seldom fully and explicitly stated.<sup>7</sup> Other essential parts of the process

<sup>4</sup> See van Eemeren, Grootendorst, Jackson, and Jacobs (1993).

<sup>5</sup> The doubt anticipated in argumentation may be purely imaginary – for example, if somebody imagines how a skeptic will receive his standpoint.

<sup>6</sup> For the pragma-dialectical definition of argumentation as a complex speech act, see van Eemeren and Grootendorst (1984: 39–46, 1992: 30–33).

<sup>7</sup> The fact that in argumentative practice, some stages of a critical discussion are often absent, or are only present in a distorted form, and that often all kinds of irrelevant digressions can be found, does of course neither necessarily mean that there is something wrong with the model of a critical discussion nor that ordinary language use is in such cases always deficient. See van Eemeren and Grootendorst (1984: chapter 4; 1987; 1992: chapter 5) and van Eemeren, Grootendorst, Jackson, and Jacobs (1993: chapter 3).

of resolution are sometimes also left unstated, such as the precise content of the difference of opinion, the distribution of the discussion roles, the way in which the arguments are supposed to support the standpoint, and the relationships between the various arguments. This may be the case because they are obvious, or deemed obvious, but there can also be less respectable reasons – for instance, that they are disputable. Parts of the discussion are sometimes just presupposed, or they are in some form or other disguised in the discourse or text, just as certain arguments are in rhetorical questions. Then the reconstruction has to bring them to the surface.

Let us give as examples two cases in which, for a variety of reasons, argumentative reality does not correspond with the ideal model of conducting a critical discussion. According to the model, in the confrontation stage the antagonist must clearly and unambiguously express doubt regarding a standpoint. In practice, however, this can entail the risk of loss of face for the protagonist (or for the antagonist), and may then be avoided.<sup>8</sup> The raising of doubt is also contrary to the preference for agreement that predominates in ordinary exchanges.<sup>9</sup> This is why it is interesting to carry out empirical research to examine how differences of opinion are handled in practice. How are these differences expressed, how do the participants attempt to prevent, resolve, or settle them, and which strategies do they use to regulate them?<sup>10</sup>

In general, much more remains implicit in ordinary discourse. For example, speakers and writers will generally not explicitly indicate what the communicative and interactional purposes of their speech acts are. Neither is the start of a new stage in the discussion often announced explicitly. The fact that an essential stage of the resolution of the difference of opinion has been skipped therefore often goes unnoticed. A discussion stage that is almost never fully represented, certainly not in a clearly marked form at a particular place in the discourse or text, is the opening stage. The fact, for example, that the rules that apply to the resolution process are often not explicitly stated is without doubt

<sup>8</sup> On maneuvers that entail the risk of loss of face, see Benoit (1985); for mechanisms to save face in language use, see Brown and Levinson (1978, 1987).

<sup>9</sup> For the presumption of the principle of preference for agreement, see Schegloff, Jefferson, and Sacks (1977) and Pomerantz (1984).

<sup>10</sup> See also Jacobs (1989).

to some extent due to the fact that they are deemed obvious, but their suppression may also be a ploy to create the impression that the parties are in agreement on the rules while that is not actually the case. Previous agreements have sometimes been made concerning the starting points and discussion rules, so that the opening stage can to a large extent be left out of the discourse or text. A consensus that goes more or less unnoticed may have been reached in the distant past: Certain rules, for instance, may have become familiar to the discussion partners at school or during their further socialization. In a similar way, agreement may have been reached on other speech acts that belong to the opening stage. Someone, for instance, who immediately after stating a standpoint gives arguments to defend this standpoint does not need to state explicitly that he accepts the challenge to defend the standpoint.

A much different complication in argumentative reality that has to be taken into account in the reconstruction is that it is often not clear who exactly has to be convinced of the acceptability of the protagonist's standpoint. This is, for example, the case if the protagonist addresses others over the head of the antagonist who has invited him to defend a standpoint. In a political debate, for instance, the argumentation may be addressed *pro forma* to the fellow politician involved in the discussion, whereas the real target group consists of listeners or television viewers whose votes are sought by the politician. A letter to the editor may well, of course, be aimed at other readers of the newspaper than solely at the author of the article that is at issue. In such cases there are, in fact, two antagonists: the official antagonist and the listeners or readers who are the real target group.

A similar complication that may arise stems from the fact that in many oral and written discourses and texts, the words of the person who defends a particular position are not quoted directly, but a report of the defense is given instead. In this case, the reporter is not making an attempt to resolve a difference of opinion by convincing someone of something. Most newspapers contain reports in which certain parts of a discourse just provide information to the readers. Especially if no explicit standpoints are formulated and no explicit conclusions are drawn, it is most likely that it concerns just a report, but sometimes it can be difficult to distinguish between a report and an argumentative discourse or text.

In spite of the complications caused by implicitness and other factors, it is usually still possible to detect a clear-cut line in many argumentative discourses and texts even when they are at first sight far removed from the conduct of a critical discussion. After the necessary reconstructions have been carried out, they can generally be analyzed in terms of a critical discussion between protagonists and antagonists of particular standpoints. As long as we do not get confused by the various complications that can occur, the ideal model can serve very well as a useful guide to identify the parts of oral and written argumentative discourse and texts that are relevant to the resolution of a difference of opinion.

### Transformations in an analytical reconstruction

Before an argumentative discourse or text can be analyzed and evaluated systematically, it is first necessary to reconstruct (the relevant parts of) the speech event analytically as (parts of) a critical discussion.<sup>11</sup> On the basis of an everyday conversation containing some argumentation here and there, we shall explain what a pragma-dialectical reconstruction entails.

- |    |                 |   |
|----|-----------------|---|
|    | <b>Harry:</b>   | Now that we have a quiet moment: Have you thought any more about your birthday? Are you going to celebrate it or not?   |
| 5  | <b>John:</b>    | I thought about having a party. That seems a good idea, I think. Don't you? Let's get down to how I should do the invitations right away. I mean, do you think I ought to invite Miriam or not? |
|    | <b>Harry:</b>   | Miriam? Definitely ask her. By all means!   |
| 10 | <b>John:</b>    | I don't think so myself.<br><i>Michael comes in and joins John and Harry.</i>   |
|    | <b>Michael:</b> | OK guys, what's new?  |
|    | <b>John:</b>    | What do you mean, what's new? Have a coffee.  |
|    | <b>Harry:</b>   | Hello, Michael. You've come at a good moment.   |

<sup>11</sup> For the premises of a pragma-dialectical reconstruction, see van Eemeren (1986).

- 15     **Michael:**        That coffee's too strong. What were you talking about?
- John:**            Whether I should invite Miriam to my birthday party.
- Michael:**        Of course; no doubt about it.
- 20     **Harry:**            Michael, you just keep out of it. Let John and me sort this out together by ourselves. Now I'd like you to tell me, John, exactly what you've got against the idea of inviting Miriam to come.
- Michael:**        I want her to come!
- 25     **Harry:**            But I'm talking with John now. What's wrong with her coming? It's your birthday, so it's up to you.
- John:**            But you're the one who's so keen to have her. I think it's up to you first to say why you think it's so necessary to invite her at all.
- 30     **Harry:**            To repeat, it's your birthday, so it's up to you to say why she isn't welcome.
- John:**            I have the impression that you have a view on it too. So you have to tell me why.
- 35     **Michael:**        Have the two of you sorted it out? Just let her come. Stop making such a fuss all the time. By the way, has either of you seen Peter?
- John:**            No, Peter's out – the creep.
- Harry:**            Do you want it to be another boring affair?
- 40     **John:**            Miriam's the liveliest woman I've met for ages.
- John:**            Do you want me to stay away from my own party? We mustn't invite Miriam, or Peter will come too!
- Harry:**            OK, exit Miriam.
- 45     **Michael:**        Have you agreed?
- Harry:**            Just give me a beer.
- John:**            So what are we going to do? Invite her?
- Harry:**            No, I've given in, haven't I? Have it your own way. Don't invite her.

This example is an ordinary conversation, but what we want to illustrate also applies to more formal discussions, polemics, editorial comments,

policy documents, essays, and so on. It applies, in fact, to all oral or written discourses and texts in which in some way or other an attempt is made to resolve a difference of opinion through argumentation.

In this conversation, there is a difference of opinion between Harry and Michael, on the one hand, and John, on the other, as to whether Miriam should be invited to John's birthday party or not (lines 9, 10, 24). If the conversation is reconstructed as a critical discussion, it is viewed as an exchange that is aimed at resolving the difference of opinion about whether or not to invite Miriam. In this case, it is fairly obvious that such a reconstruction is pertinent, but this is not always the case. Resolving a difference of opinion is only one of the various purposes language use can serve; there may be several different purposes at the same time, and resolving a difference of opinion need not be the most important one. Moreover, the way in which a difference of opinion is verbally presented may in one case come closer to the conduct of a critical discussion than in another, so that the scale of the reconstruction that is required may vary considerably.

A pragma-dialectical reconstruction does not require every form of language use and any discourse or text to be automatically considered as (part of) a critical discussion. It is necessary to examine first to what extent a reconstruction as a critical discussion is in order, useful, and feasible. If this seems indeed the case, we examine the discourse or text from the angle that, with a view to a critical evaluation, offers the most illuminating perspective on the contribution that the speech acts concerned offer to the resolution of a difference of opinion.<sup>12</sup> Of course, the same discourse or text can also be examined from other perspectives, which provide a view that highlights different aspects each time. The birthday party conversation, for example, could be subjected to a psychological analysis, which might yield useful results for someone who is interested in the psychological state of the participants.<sup>13</sup> In this chapter, we shall use the conversation about the birthday party to show what kinds of reconstructions have to be carried out if a

<sup>12</sup> Thus we abstract deliberately from various other aspects of the discourse that may be relevant to other types of analysis – and could later be integrated in the analysis if this seems useful for some purpose.

<sup>13</sup> The same discourse or text can always be analyzed from different perspectives, and the different angles of analysis may well be complementary. The appropriate choice of analysis depends on the purpose it is to serve. See van Rees (1998).



discourse or text is analyzed from the perspective of a critical discussion. We distinguish four different reconstruction transformations.

The first transformation involves the *deletion* of all those parts of the discourse or text that are not relevant to the resolution of the difference of opinion at issue. In reconstructing the text on the birthday party, we shall, for example, leave out of account the passage in which a greeting takes place and something is said about coffee (lines 13–15). The passage in which Harry asks for a beer (line 46) is not relevant to the process of resolution either.

The second transformation entails the addition of relevant parts that are only implicit in the discourse or text. This transformation is aptly called *addition*. Among the most common instances are making explicit the communicative force of standpoints and arguments in cases where it is left implicit. “Unexpressed premises” are also made explicit by means of this reconstruction transformation, and critical doubt regarding a standpoint is attributed to someone who raises the opposite point of view. “Miriam? Definitely ask her. By all means!” (line 9) is an example of an implicit standpoint in the conversation about the birthday party, while “or Peter will come too!” (lines 42–43) is an example of an implicit argument. Michael’s “Of course, no doubt about it” (line 19) expresses an implicit standpoint, and Harry’s “Do you want it to be another boring affair? Miriam’s the liveliest woman I’ve met for ages” (lines 39–40) is an implicit argumentation. As the indicator “I don’t think so” shows, John’s “I don’t think so myself” (line 10) puts forward a standpoint. Since this standpoint is opposed to Harry’s (line 9), the addition transformation also involves the attribution of doubt to John regarding Harry’s standpoint. In Harry’s argumentation to support his standpoint that they ought to invite Miriam (lines 39–40), an addition transformation makes explicit the implication that a lively woman is capable of preventing a party from growing dull, and at the same time that parties are not supposed to be boring, as the last party or parties were.

The third transformation, *substitution*, entails the replacement of formulations that are confusingly ambiguous or unnecessarily vague by clear ones, so that every part of the discourse or text that is relevant to the resolution of the difference of opinion is included in the analysis in an unequivocal way. Different phrasings of the same standpoint or the same argument that have the same meaning are, for instance,

represented by a single standard formulation.<sup>14</sup> In the conversation about the birthday party, Harry and Michael adopt the same positive standpoint with regard to the proposition that Miriam should be invited, but the ways in which they express this standpoint vary from “Definitely ask her. By all means!” (line 9) and “Of course, no doubt about it” (line 19) to “I want her to come!” (line 24). In each of these cases, this standpoint can be replaced by the standard formulation: “My standpoint is that Miriam should be invited to John’s party.” Harry presents his argumentation in favor of this standpoint indirectly in the form of a rhetorical question: “Do you want it to be another boring affair?” (line 39). John’s counter-argumentation also has the indirect form of a rhetorical question: “Do you want me to stay away from my own party?” (line 40). For the sake of clarity, in the analysis a substitution transformation is required to substitute a direct standard formulation for the argumentation in these cases.

The fourth transformation, *permutation*, requires parts of the discourse or text to be rearranged where necessary in the way that best brings out their relevance to the resolution process. The order in which the different parts occur in the discourse or text may be different from the sequence indicated in the model of a critical discussion. Following the ideal model of a critical discussion, the reconstruction opts for the analytical arrangement that is most adequate to make the process of resolution visible. The permutation transformation makes it possible to arrange the different contributions to the resolution process in accordance with the discussion stages that are distinguished in a critical discussion. We shall explain in some more detail what this can mean for our reconstruction of the conversation about the birthday party.

In the discussion between Harry, John, and Michael, there are various points at which parts corresponding to the confrontation stage occur, beginning with lines 9–10:

**Harry:**       Miriam? Definitely ask her. By all means!  
**John:**         I don’t think so myself.

<sup>14</sup> Exactly which kind of notational system is to be preferred, and what degree of formalization, depends on the purpose of the analysis and the theoretical framework that is taken as the point of departure.

Both Harry and John put forward a standpoint: Harry's is a positive standpoint, Michael's a negative one. By putting forward an opposite standpoint, John makes it clear that he calls Harry's standpoint into question, while Harry may be expected to have his doubts regarding John's standpoint.

The second confrontation occurs in lines 19–23:

- Michael:** Of course, no doubt about it.  
**Harry:** Michael, you just keep out of it. Let John and me sort this out together by ourselves. Now I'd like you to tell me, John, exactly what you've got against the idea of inviting Miriam to come.

Here, Michael is apparently adopting the same (positive) standpoint as Harry, while John disagrees. Harry invites John to put forward arguments for his (negative) standpoint and once again makes it clear that he does not accept this standpoint, and still calls it into question.

The third confrontation occurs in lines 25–26:

- Harry:** [...] What's wrong with her coming?

By asking for arguments to back up his standpoint, Harry once again tries to draw John out. He thus still calls into question the acceptability of John's (negative) standpoint with regard to inviting Miriam.

One of the things revealed in the opening stage of a critical discussion is to what extent the parties assume the role of discussant that is appropriate to the position they have adopted in the difference of opinion. A person who has advanced a standpoint must in principle be prepared to defend that standpoint against doubt or criticism and thus to fulfill the role of protagonist of the standpoint. If he refuses to do so, the discussion gets stuck in the opening stage.

Elements of the opening stage are expressed in the text under discussion at various points. The clearest is in lines 28–30:

- Harry:** [...] It's your birthday, so it's up to you.  
**John:** [...] I think it's up to you first to say why you think it's so necessary to invite her at all.

Harry explicitly draws John's attention to the responsibility that he has as protagonist of the standpoint that Miriam should not be invited. So he considers that John must take his role as protagonist seriously. John, for his part, draws Harry's attention to his obligations as protagonist of the opposite standpoint. Besides, he considers that Harry must be the first to fulfill his role as protagonist by coming up with arguments.

The second opening passage is at lines 31–32:

**Harry:** To repeat, it's your birthday, so it's up to you to say why she isn't welcome.

This is merely a repetition of the remark that Harry has already made in lines 25–27. The third opening passage is at lines 33–34:

**John:** I have the impression that you have a view on it too. So you have to tell me why.

John draws Harry's attention to his responsibility as protagonist of the (positive) standpoint that Miriam ought to be invited. Small skirmishes take place at each of these three points, in that the parties negotiate the division of roles and the sequence to be followed. All three of the passages under discussion belong to the opening stage of the discussion.

The argumentation stage is represented in lines 39–43:

**Harry:** Do you want it to be another boring affair? Miriam's the liveliest woman I've met for ages.

**John:** Do you want me to stay away from my own party? We mustn't invite Miriam, or Peter will come too!

Harry is here adducing an indirect argument for his positive standpoint that Miriam should be invited: Inviting her will prevent the party from being a boring failure. John's argumentation for his negative standpoint that Miriam should not be invited is also indirect: If she is invited, Peter will come too, and that is apparently not what he wants. Although the argumentation of the two protagonists is not explicitly

presented as such, and an indirect form of argumentation is used, including several unexpressed arguments, it is still not very difficult to recognize the argumentation stage of the discussion in the passages quoted here.

The concluding stage is present in lines 44 and 48–49:

**Harry:** OK, exit Miriam.

**Harry:** No, I've given in, haven't I? Have it your own way. Don't invite her.

In these passages, Harry makes it unequivocally clear that he gives up his own (positive) standpoint and accepts the (negative) standpoint of John that Miriam should not be invited. So the difference of opinion is resolved in favor of John.

By showing that different parts of the conversation about the birthday party correspond to one and the same discussion stage in the ideal model, and that other parts correspond to other discussion stages, we have illustrated that we are indeed dealing here with analytical distinctions. The concluding stage does come at the end of the conversation, it is true, and it is immediately preceded by the argumentation stage, but the confrontation and opening stages overlap to a certain extent. That is why in reconstructing this conversation, the permutation transformation has to be applied in several cases – and in the reconstruction of other discourses and texts, often still more frequently. The repetitions that occur in some stages, even though the formulations are not the same, show that it is sometimes also necessary to apply the deletion transformation, sometimes after having applied the substitution transformation first – and the substitution transformation may also have to be applied for its own sake. The addition transformation is especially useful in cases of implicitness and indirectness, especially when it concerns arguments that are unexpressed in the argumentation stage.

Various kinds of analytical operations are thus carried out in the reconstruction of argumentative discourse that is instrumental in a pragma-dialectical analysis. The reconstruction is a helpful way of identifying those parts of the discourse or text that play a role in the process of resolving a difference of opinion. The four kinds of

transformations – deletion, addition, substitution, and permutation – constitute analytical instruments to satisfy the requirement that all parts of the discourse or text that are relevant to a critical evaluation are to be included in the analysis. Each kind of transformation makes it possible to reconstruct part of an argumentative discourse or text in a specific manner in terms of a critical discussion.<sup>15</sup> In a cyclical process of analysis, which may entail several rounds of reconstruction,<sup>16</sup> the parts that are relevant for the resolution of a difference of opinion are thereby separated from those parts that are not relevant to this goal, and further differentiated in accordance with the analytical stages of the resolution process.

The performance of the analytical transformations does not necessarily lead to a reconstruction of argumentative language use that corresponds in every respect with the intentions of the speaker or writer. After all, the transformations carried out from the selective perspective of an idealized critical discussion are solely and exclusively aimed at externalizing the commitments the speaker or writer has made in the discourse or text that are relevant to evaluating what contributions have been made to the resolution of the difference of opinion. The terms that are used to name the different kinds of transformations point directly to the differences that exist between the reconstruction and the language use that is to be found in the literal discourse or text or in a precise transcription of it. Let us characterize the kind of differences.

In the case of the deletion transformation, information that is *redundant* or *unimportant* vis-à-vis the purpose of the analysis is left out of account. Every part of the discourse or text is deleted that is irrelevant to the process of resolving the difference of opinion concerned: digressions, asides, interruptions that have to do with other matters, and so on. All repetitions of exactly the same message in a different formulation, though noticed and examined carefully, are also ignored.

<sup>15</sup> On the pragma-dialectical reconstruction transformations, see also van Eemeren (1986), Blair (1986), van Eemeren and Grootendorst (1990), and van Eemeren, Grootendorst, Jackson, and Jacobs (1993: chapter 4).

<sup>16</sup> The process of analysis is cyclical because the result that is gained from the reconstruction carried out in one round of the process of analysis may trigger a new round, which can yield even more clarity. See van Eemeren (1986).

In the case of the addition transformation, all of the information that remains *implicit* in the discourse or text but is relevant to the purpose of the analysis is added in the reconstruction. To ensure that all parts of the discourse or text that are relevant to the resolution of the difference of opinion are represented in the analysis, unexpressed premises, unexpressed conclusions, anticipated doubt, and so on, that are hidden in indirectness, presuppositions, or elliptical and other sorts of implicit formulations, are added in the reconstruction.

In the case of the permutation transformation, the information in the discourse or text that is relevant to the resolution of a difference of opinion, but is *not presented in an appropriate order*, is rearranged in such a way that an optimal picture is given of the resolution process. Starting from the different stages to be distinguished in a critical discussion, discussion stages that overlap in the discourse or text are separated, and parts of the discourse or text that pick up on earlier discussion stages or anticipate later discussion stages are rearranged. If parts of the argumentation are presented already at the confrontation, they are in the reconstruction included in – that is, situated in – the argumentation stage; if parts of the confrontation are not expressed until going through the opening stage, they are in the reconstruction included in – that is, situated in – the confrontation stage; and so on. The different parts of the discourse or text are thereby arranged in such a way that those parts that are relevant to the resolution of the difference of opinion are assembled in a manner that is optimally helpful to the evaluation. It stands to reason that the arrangement, unlike in a purely descriptive account, is not always exactly the same as how it is manifested in practice.

Finally, in the case of the substitution transformation, formulations in the discourse or text of parts that fulfill a specific function in the resolution process but whose presentation is unnecessarily varied or disturbingly imprecise are converted into unequivocal standard formulations with a clearly circumscribed meaning. All those parts of the discourse or text that are relevant to the resolution of the difference of opinion are thus presented as clearly as possible in terms of speech acts in a critical discussion, with parts that fulfill the same function being represented in exactly the same way. Wherever this is feasible, confusingly ambiguous phrasings of standpoints or arguments are thereby replaced by formulations that can be interpreted in only one way,

synonymous phrasings are replaced by a single formulation, vague indications of the communicative force of a speech act are replaced by explicit ones, and so on.

### The justification of a reconstruction

Fundamental to a pragma-dialectical analysis is that it is based on a *mariage de raison* between normative insights and descriptive insights in the argumentative use of language. This becomes particularly clear in the justification of an analytical reconstruction with the help of a combination of theoretical insights expressed in the ideal model of a critical discussion and empirical insights derived from qualitative and quantitative research of argumentative reality. The resolution-oriented model determines what is relevant to the reconstruction: The model provides a specific kind of selection criteria.<sup>17</sup> But empirical evidence is to be called upon to justify what is included in the reconstruction: The transformations that are carried out must be accounted for by referring to explicit or implicit clues in argumentative reality.<sup>18</sup>

It is crucial for legitimizing an analytical reconstruction of an argumentative discourse or text that all the transformations that are carried out can indeed be justified. It must be possible to show that they are in agreement with commitments that on the basis of their contributions may be attributed to the speaker or writer. The Communication Principle and the rules of language use associated with this principle can play an important role in this endeavor. Wherever there is occasion to do so, the conventions that apply to a specific speech event must also be taken into account in the justification. Needless to say, the leads provided by special characteristics of the verbal (and non-verbal) presentation must be optimally exploited in the justification.

To rise above the level of a naive justification, our justification of a reconstruction must take account of relevant insights about the course of oral and written communication provided by empirical research on language use. Within the framework of the pragma-dialectical

<sup>17</sup> For the normative dimension of the reconstruction, see, for example, van Eemeren (1987b) and van Eemeren and Grootendorst (1990).

<sup>18</sup> For the connection between the normative and the descriptive dimensions of the reconstruction, see also van Eemeren, Grootendorst, Jackson, and Jacobs (1993).



research program, both qualitative and quantitative empirical research has been carried out that has a bearing on the analysis of argumentative discourse in informal situations as well as more or less institutionalized contexts. Generally, this research aims at describing and explaining how in practice argumentative language use is produced, interpreted, and evaluated.<sup>19</sup>

In *Reconstructing Argumentative Discourse* (1993), a report on research we conducted jointly with Sally Jackson and Scott Jacobs, we show that empirically founded claims can be made concerning the function, structure, and content of argumentative exchanges. These claims are supported by pragmatic knowledge of certain standard patterns in language use, particularly of conventional structures and strategies, and by ethnographic evidence. A confrontation, for example, turns out to be able to run its course and be continued by a particular standard pattern: The party that joins in the confrontation opposes a specific assertion by another party and then puts questions to this party in such a way that the latter is led to put forward arguments that are incompatible with his original assertion. If the inconsistency that is drawn out in this way can be emphasized by an appropriate rhetorical question or some other well-aimed retort, the other party is forced to abandon the original assertion (1993: 39–44). In an oral dialogue, indications as to how the participants themselves view their statements form an important empirical support for more general statements about the course of the communication. In certain situations, for instance, pauses in the conversation, the use of interjections such as “uh” and “well,” and interrupting or cutting short the conversation partner are all indications of non-preferred turns to the conversation.<sup>20</sup>

It is important to realize that in these matters, no single source of justification can stand all by itself. All the indications can only function as such in the light of an adequate knowledge of the nature and

<sup>19</sup> In experimental research on the extent to which test subjects are able to recognize argumentation, and which factors play a role in this, it has, for example, been concluded that, in particular when contextual clues are lacking, implicit and indirect argumentation are harder to recognize, and that the ease with which argumentation is recognized is affected significantly by the presence of verbal indicators of argumentation and standpoints. See van Eemeren, Grootendorst, and Meuffels (1989).

<sup>20</sup> See Heritage (1984: 265–280), Levinson (1983: 332–336), and van Eemeren, Grootendorst, Jackson and Jacobs (1993: chapter 3).

cultural significance of the speech event in which they occur. Another important consideration is that the value of a reconstruction in the end never depends entirely on how it can be empirically justified in this particular case, but also on the degree to which the reconstruction offers a coherent analysis that provides an explanation for the specific characteristics of the discourse or text and agrees with what else is known about the matter at issue, about (combinations of) other speech acts of the same type, and about the course of verbal communication in general.

In connection with the empirical justification of an analytical reconstruction, two kinds of complications may arise. First, a reconstruction is sometimes theoretically required, while the discourse or text does not contain any indications that justify the reconstruction. Vice versa, it can happen that no reconstruction is theoretically required while the discourse or text does in fact contain certain indications that might support a certain reconstruction that is different from the analysis that is given.<sup>21</sup> When argumentative discourse takes place in a more or less institutionalized context, in which the discussion pattern is to a certain extent determined by formal or informal procedures, specific expectations might be in order about the way in which the discourse or text is organized. In the case of argumentative discourse that takes place in a legal context, for example, it is often very obvious which expectations are in order. Of course, there are many more institutional contexts in which certain conventions exist that legitimize certain expectations in a similar way. Knowledge of the conventions applying to policy documents, scholarly publications, political debates, and so on can have not only a heuristic value, but may also play a significant role in the justification of a reconstruction.

Argumentative language use, however, by no means always takes place in an institutionalized context with fixed procedures. Often it is therefore not so clear exactly which expectations are legitimate. As a rule, familiarity with a specific type of discourse may nevertheless

<sup>21</sup> In certain cases, a specific property of the discourse or text is, by itself, not a decisive indication that a certain reconstruction is required because this reconstruction is not in line with the preceding or succeeding context or with the gist of the text as a whole.

give us some idea of the types of speech acts we may or may not expect and the way in which they will be arranged, so that we can draw up a hypothesis concerning the function of a particular part of the discourse or text. Sometimes, indicators in the verbal and non-verbal context throw some extra light on which expectations are legitimate. These indicators may vary from words and expressions such as “on the other hand,” “nevertheless,” and “granted that,” to manifestations of a certain authority relation.<sup>22</sup> Some expectations may be defended by an appeal to general or specific background knowledge that helps to envisage a particular context. Together with the ideal model of a critical discussion, all these kinds of expectations can combine to form a more or less extensive frame of reference that can be used in justifying the reconstruction of an exchange of views that takes place in an argumentative discourse or text and of the speech acts that are performed.

Although an argumentative discourse or text may be complex, usually it is still possible to arrive at an adequate reconstruction. Take the newspaper article on the death of Greta Garbo that contained the following remark: “I find it astonishing that, although she was regarded as a great beauty, Greta Garbo never married.” This is not an explicit argument, but the flood of letters that this remark provoked made it clear enough that many readers had no difficulty in reconstructing this statement as argumentation, nor in criticizing the implicit underlying presuppositions.<sup>23</sup> Other examples are provided by a series of advertisements that were used in an AIDS prevention poster campaign in the Netherlands. The effectiveness of the argumentation used in this campaign depended, first, on the public’s ability to reconstruct the unexpressed arguments, so that they could recognize their absurdity. In one of these advertisements, for example, we see a photograph of a young man who is introduced as follows: “This is Peter. He doesn’t need condoms because he only makes love to decent girls. Sweet dreams, Peter... Wake up. Take precautions.” Another text runs: “This is Annie. She doesn’t need to take precautions; this time she’s really in love. Sweet dreams, Annie...” Another advertisement runs: “Here are Frank and Peter. They don’t need condoms

<sup>22</sup> See van Eemeren, Grootendorst, and Snoeck Henkemans (2002).

<sup>23</sup> See van Eemeren and Grootendorst (1991a).

because they've already known each other for three weeks. Sweet dreams, Frank and Peter..." And finally: "This is Rob. He doesn't need to take precautions because he never goes to Amsterdam. Sweet dreams, Rob..." Besides knowledge of the "language of advertising," and the context, all other kinds of knowledge are needed here to be able to reconstruct the crucial unexpressed arguments: background knowledge about the intentions of the AIDS campaign, a realistic appreciation of the relation between the risk of AIDS and decency, between the risk of AIDS and true love, between the risk of AIDS and knowing each other, and between the risk of AIDS and Amsterdam. Apparently, the advertiser just assumes (and probably rightly so) that the target group is perfectly able to reconstruct the implicit argumentation that one needs to understand in order to grasp the message conveyed by these advertisements.

In cases where the literal meaning of an utterance does not lead to a meaningful interpretation, it is necessary to examine first whether it is possible to reconstruct the communicative act in question as an implicit or indirect speech act, adhering to the Communication Principle and the rules of language use that apply in the argumentative practice concerned.<sup>24</sup> If the argumentative reality offers insufficient indications for a reconstruction, as is sometimes the case in practice, the critical-rationalistic philosophy that is the basis for our model of a critical discussion may be of help to provide a justification for carrying out a transformation in the interest of reasonableness.<sup>25</sup> A certain part of a discourse or text is to be reconstructed as a contribution to a critical discussion if it can have a meaningful function in this way and if its function would otherwise remain unclear. The communicative function that may then be attributed to the problematic utterance(s) should be one that is, according to the model, most conducive to resolving a difference of opinion.<sup>26</sup> Taking such a decision based on the

<sup>24</sup> Even arguments and standpoints that are presented indirectly create commitments to assertives, and because they must be evaluated as such, they also should be reconstructed as assertives.

<sup>25</sup> For an exposition of the pragma-dialectical conception of reasonableness, see the beginning of Chapter 6 of this volume.

<sup>26</sup> For speech acts in the argumentation stage, this approach may, for example, imply that, if the communicative purpose of certain utterances is not fully clear, it is attempted to arrive at an argumentative analysis of these speech acts. In such a case, it is of course necessary to distinguish these speech acts not only clearly from

normative background of a pragma-dialectical analysis is in our view legitimate only if it is entirely clear that the rules of language use that are connected with the Communication Principle and the felicity conditions for speech acts do not support any other reconstruction, and the context of the speech event does not offer any clues either. Only then does the dialectical premise provide a rationale for carrying out a transformation that converts what is empirically possible into what is normatively desirable for the sake of reasonableness.<sup>27</sup>

The premise in applying the strategy of *maximally reasonable reconstruction* is that the discourse or text is aimed at resolving a difference of opinion and that the speech acts that are performed must be seen as potential contributions to the attainment of this goal.<sup>28</sup> This strategy implies that a discourse or text can be viewed as either a critical discussion or not. The consequence of applying the strategy is that maximal credit is given to the speaker or writer by reconstructing, where this is appropriate, utterances whose communicative purpose is unclear as speech acts that make a contribution to the resolution of a difference of opinion. Application of the strategy of maximally reasonable reconstruction is a way of analyzing those parts of a discourse or text whose argumentative status is not clear, taking the distribution of speech acts in the ideal model of a critical discussion as the theoretical starting point.<sup>29</sup>

communicative acts such as putting forward and accepting or rejecting a standpoint, but also from speech act complexes that can also be performed in the argumentation stage of a critical discussion but create other commitments, and are aimed at bringing about other interactional effects, such as the usage declaratives of defining, specifying, amplifying, and explaining. In the case of a specification, the specification should limit the number of possible interpretations.

<sup>27</sup> Although the rationale is a different one, dialectical reasonableness leads to the same results of applying the ethical rule that others, rightly or wrongly, refer to as the Principle of Charity. Cf. Govier (1987: 133–158). To use a legal metaphor, one might say that in a dialectical view of reasonableness, where established relevant facts are lacking, in the absence of direct evidence, in the justification of a reconstruction all background information, including mitigating or aggravating circumstances, must be taken into consideration. See van Eemeren (1987b).

<sup>28</sup> Of course, it is only permitted to adopt a maximally reasonable reconstruction in genuine cases of doubt.

<sup>29</sup> This is, by the way, exactly how the remaining problems should be resolved in determining the communicative purpose of implicit and indirect speech acts such as those in the letters to the editor of *Time* quoted in Chapter 4 of this volume.

Theoretically, it follows from the application of the strategy of maximally reasonable reconstruction to a discourse or text or to specific parts of it that this dialectical strategy operates on the level of the speech acts in the various stages of a critical discussion. This dialectical strategy implies, for instance, that in case of irresolvable doubt about the communicative function of speech acts in the argumentation stage, unless there is a clear indication that this is incorrect, the communicative force of “argumentation” is attributed to those speech acts that could have this communicative force.<sup>30</sup> This strategy of *maximally argumentative interpretation* does not only apply to speech acts belonging to the category of the assertives, but also to implicit speech acts that in the first instance seem to be commissives, directives, expressives, or declaratives, but only fulfill a constructive role in a critical discussion after they have been reconstructed as (part of an) argumentation. This is, for example, the case with the rhetorical question of Alexander Panagopoulos that is italicized in Chapter 4. In accordance with the same strategy, Panagopoulos’s directives are in a dialectical analysis by means of a substitution transformation reconstructed as a standpoint and an argumentation:

We must not give the terrorists the opportunity to think that they have been successful, because you do not stop driving your car if you hear about an accident on the motorway. (See Chapter 4, Conditional Relevance, Letter No. 1.)

Now that we have demonstrated how the dialectical ideal of reasonableness can lead to a maximally argumentative interpretation in the case of speech acts whose communicative function has not been determined, we can also show how this ideal can be implemented in yet another way in the analytical reconstruction. So far, we have confined our analysis of the argumentation stage to single argumentation, but argumentation in practice is often much more complex, as in Mr. Crane’s letter to *Time*. A reconstruction problem then arises if it is unclear whether the argumentation is multiple or coordinative.<sup>31</sup> In such a

<sup>30</sup> Snoeck Henkemans (2001) shows how linguistic clues at both the propositional level and the illocutionary level can be used to make a well-founded decision as to whether a complex speech act is best analyzed as an argumentation or as an explanation. See also Houtlosser (2002).

<sup>31</sup> See Chapter 1 of this volume for a short introduction of this terminology.

case, it is impossible to determine whether each of the individual arguments must be separately considered as an adequate justification of a standpoint or whether they only constitute an adequate justification if they are taken together. In a dialectical analysis, in the first instance, it is assumed that the argumentation is multiple, because in this way there is at least a guarantee that each single argumentation is indeed examined for its justificatory force. Because in this way each single argumentation is accorded a maximum of argumentative force, we call this approach the strategy of *maximally argumentative analysis*. Both the strategy of maximally argumentative interpretation and the strategy of maximally argumentative analysis are in agreement with the more general strategy of maximally reasonable reconstruction. It goes without saying that neither of these strategies must be applied if in a particular case such an application would not be in the interest of reasonableness.<sup>32</sup>

The analytical reconstruction of argumentative discourse that is achieved by following the general strategy of maximally reasonable reconstruction involves a genuine dialectification. Every pragma-dialectical analysis, however, maintains an open character to a certain extent: In principle, there is always the possibility that in the course of the reconstruction process, other, and better, options, come into view that are more plausible, and have to be taken into account. The certainty that, according to some, can be offered by a logical analysis, can not be guaranteed in a pragma-dialectical analysis. Even when logical insights play a role in the analysis, as they do in the reconstruction of unexpressed premises, because of the context that motivates the pragmatic completion of the reconstruction, no absolute certainty can be reached. Using the pragma-dialectical method, the first step in the latter case is to determine what the "logical minimum" is that makes the reasoning in the argumentation logically valid. Taking "If premise, then conclusion" as the starting point, the next step is to determine the "pragmatic optimum" that may be regarded as the unexpressed premise. The pragmatic optimum is determined by finding out if and how, given the context, specific and general background knowledge,

<sup>32</sup> If, for example, in certain circumstances more credit is given to the speaker or writer by analyzing the structure of his argumentation as coordinatively compound rather than multiple, this is to be preferred.

and common sense, the “if-then” statement can be made more informative and appropriate in the case at hand.<sup>33</sup> Instead of logical insights, pragmatic insights are essential for the reconstruction of unexpressed premises and the determination of which communicative and interactional function a particular discussion move fulfills. In our view, only a well-considered combination of logical insights with pragmatic insights makes it possible to develop the instruments for reconstruction that are required for an adequate analysis that does full justice to the functionality of argumentative language use.

### Making an analytic overview

After the discourse or text has been reconstructed as far as possible in terms of a critical discussion, an *analytic overview* is made that states exactly which points are at dispute, which parties are involved in the difference of opinion, what their procedural and material premises are, which argumentation is put forward by each of the parties, how their discourses are organized, and how each individual argument is connected with the standpoint that it is supposed to justify or refute.<sup>34</sup> In this way, the analytic overview brings together systematically everything that is relevant to the resolution of a difference of opinion, and must therefore be taken into account in a critical evaluation:

1. The standpoints that are adopted in the difference of opinion.
2. The discussion roles that have been assumed by the parties to the difference.
3. The point of departure from which the different parties start out.
4. The arguments that the parties explicitly or implicitly put forward in support of their standpoints.
5. The structure of the argumentation that is put forward by each of the parties.
6. The argument schemes that are used in the various individual arguments.

<sup>33</sup> For the reconstruction of unexpressed arguments, see van Eemeren and Grootendorst (1992) and van Eemeren, Grootendorst, and Snoeck Henkemans (2002). See also Govier (1997).

<sup>34</sup> For the tasks that must be carried out in making an analytic overview and the concepts that play a role, see van Eemeren and Grootendorst (1992) and van Eemeren, Grootendorst, and Snoeck Henkemans (2002).



An analytic overview in which these points are identified and characterized offers a clear picture of the nature of the difference of opinion (single non-mixed, multiple non-mixed, single mixed, multiple mixed), the distribution of roles between the parties (protagonist, antagonist), the choice of the point of departure (premises, discussion rules), the means by which the standpoints adopted by the parties are defended (explicit reasons, implicit reasons, unexpressed premises), the way in which the argumentation of each of the parties is structured (single, multiple, subordinatively compound, coordinatively compound), and the argument schemes by which the different reasons are in each particular case connected with the standpoints defended (symptomatic argumentation, argumentation based on a comparison, causal argumentation).<sup>35</sup>

All information included in the analytic overview is directly relevant to the evaluation of an argumentative discourse or text. If it is not clear exactly which point is in dispute or how the discussion roles are distributed, it is impossible to determine whether, or to what extent, the difference of opinion is resolved and in favor of whom. If the premises, the discussion rules, or other parts of the point of departure remain unclear, it is not clear on which premises the evaluation must be based. If implicit reasons or unexpressed premises are left out of account, part of the argumentation is ignored and the evaluation is bound to be incomplete. If the structure of an argumentation is not disclosed, it is impossible to determine whether the arguments that are supposed to form the defense of a standpoint form a coherent whole. And if the argument schemes that are used are not identified, it is impossible to determine whether each individual part of the argumentation can stand up to criticism.

In order to determine which points are at issue, it is necessary, on the basis of the reconstruction, to identify precisely the propositions with regard to which standpoints are assumed and questioned. If there is disagreement about a single proposition, the difference of opinion is single; if there is disagreement about more than one proposition, the difference of opinion is multiple. If only one (positive or negative) standpoint is adopted with regard to a proposition, the difference of

<sup>35</sup> See Chapter 1 of this volume, and for a more elaborate explanation, van Eemeren, Grootendorst, and Snoeck Henkemans (2002).

opinion is non-mixed; if both a positive and a negative standpoint are adopted with regard to the same proposition, the difference of opinion is mixed. The basic form of a difference of opinion is a non-mixed single difference of opinion. Other sorts of difference of opinion consist of a combination of differences of opinion of the basic type.

In order to determine which discussion roles have been assumed by the parties, it is necessary, on the basis of the reconstruction, to identify precisely which of the parties assumes the role of protagonist and which the role of antagonist with regard to the various standpoints at issue. The protagonist defends a standpoint; the antagonist calls its acceptability into question. The role of antagonist of the other party's standpoint can readily be combined with that of protagonist of one's own (opposite) standpoint, but this is not necessary: The party that calls a standpoint into question need not necessarily assume the opposite standpoint. It is even possible for one person to assume the role of both protagonist and antagonist of one and the same standpoint (and to conduct a *dialogue intérieur* by way of self-deliberation), and it is also possible for each of the discussion roles to be fulfilled by a group of people or a representative of such a group.

In listing the arguments that are put forward on behalf of a standpoint, the starting point should be the arguments traced in the analysis (both the explicit reasons and the reasons that are made explicit in the reconstruction). Reasons that are put forward in the form of a rhetorical question and other forms of indirect argumentation will thus be taken into account in the evaluation as well, and so are the reasons that are left unexpressed in the argumentation. In particular when the discourse or text is further partly based on these unexpressed premises, it is necessary to include them in the analytic overview.

The analysis of the argumentation structure sets out to examine ways in which combinations of arguments that, according to the reconstruction, are put forward to justify a standpoint, either separately or when taken together, support the standpoint concerned. The argumentation structure is the simplest if a standpoint is defended by one single argumentation (with an unexpressed premise). Often, the speaker or writer considers more arguments to be necessary to defend a standpoint, and then the structure of the argumentation becomes more complex: Either individual arguments (or individual combinations of arguments) are defenses of the standpoint that are in principle

independent of each other and each of them constitutes an independent defense (multiple argumentation); or two or more arguments together constitute a defense only in combination with one another (coordinatively compound argumentation); or one argument (or combination of arguments) supports the other argument (subordinatively compound argumentation).

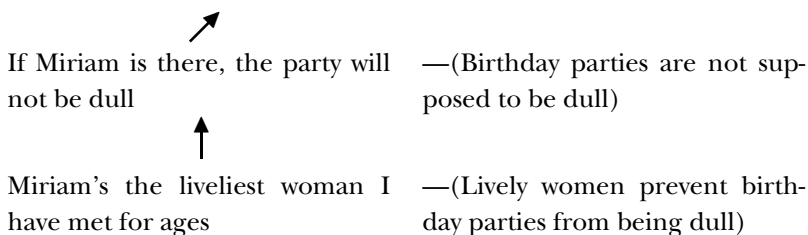
The unexpressed premises that are rendered explicit in the reconstruction can serve as a basis for the identification of the argument schemes that connect the different arguments advanced to justify a standpoint in a specific manner with that standpoint. By means of the reconstructed premise that has been left unexpressed in a single argumentation, it is, as a rule, easy to determine which of the three argument schemes that are distinguished in the pragma-dialectical argumentation theory (symptomatic argumentation, argumentation based on a comparison, causal argumentation) is used in a particular case.<sup>36</sup> In the conversation about the birthday party, for instance, Harry's argumentation creates a causal link between inviting Miriam and avoiding the failure of the birthday party: The presence of a lively woman like Miriam – it is tacitly assumed – automatically has the consequence that the party will not be dull.

An analytic overview of the birthday party conversation that was reconstructed earlier in this chapter would contain the following (and some more) information. There is a single mixed difference of opinion regarding the proposition that Miriam should be invited to John's birthday party. Harry and Michael both adopt a positive standpoint, while John adopts a negative standpoint. Harry and Michael fulfill the role of protagonist of their own standpoint and that of antagonist of John's standpoint; John is protagonist of his own standpoint and antagonist of the standpoint adopted by Harry and Michael. The general point of departure includes the assumption that birthday parties are to be fun (John is tacitly supported in this) and that the matter should be settled calmly on the basis of arguments. The argumentation for both standpoints is implicit and indirect, and in both cases one or more premises are unexpressed. The structure of Harry's

<sup>36</sup> For our dialectical conception of argument schemes as being characterized by the suitability of different sorts of critical questions, see van Eemeren and Grootendorst (1992: 94–102).

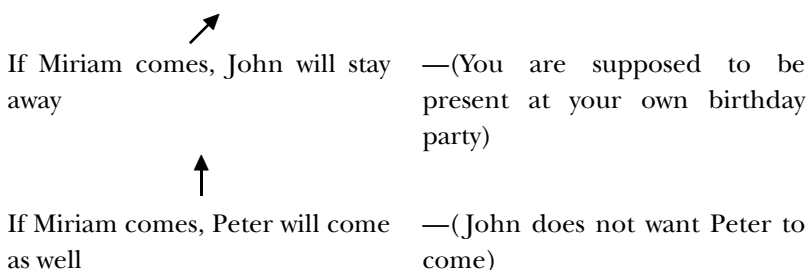
argumentation (lines 39–40) can be represented as follows (the unexpressed premises are mentioned in parenthesis):

Miriam should be invited to John's birthday party



The structure of John's argumentation (lines 41–43) can be represented as follows:

Miriam should not be invited to John's birthday party



In Harry's first argumentation, the argument scheme is symptomatic: It is symptomatic of birthday parties that they are not supposed to be boring. Harry's second argumentation, as we have seen, has a causal argument scheme: The presence of a lively woman prevents a party from being boring. John uses, in fact, the same two argument schemes in the same order. First, he makes use of a symptomatic argumentation: You are supposed to attend your own birthday party. This argumentation is followed by a causal argumentation: The consequence of inviting Miriam will be that Peter comes too.

## 6

### Rules for a Critical Discussion

#### A critical-rationalistic view of reasonableness

Words like “rational” and “reasonable” are used in and out of season in ordinary language. It is often unclear exactly what they are supposed to mean, and even if it is clear, the meaning is not always consistent. An extra difficulty is that the senses in which these words are used are not so precisely defined either. For ordinary usage, this is usually not necessary, but if we are to use these terms technically, we have to decide what they mean. This is particularly the case in the study of argumentation, where a systematic attempt is made to indicate whether or not an argumentation is valid (in the informal sense of problem valid and intersubjectively valid discussed in Chapter 2). The terms *reasonable* and *rational* play a crucial role here, since the evaluation of validity is put in the hands of a “rational critic who judges reasonably.”<sup>1</sup>

To start with the dictionary definitions, the *Oxford English Dictionary* distinguishes the following meanings of “reasonable”:

1. Endowed with the faculty of reason; rational
2. In accordance with reason; not irrational or absurd
3. Proportionate
4. Having sound judgement; ready to listen to reason, sensible

<sup>1</sup> For the role of a rational critic who judges reasonably, see Chapter 2 of this volume.

5. Within the limits of reason; not greatly less or more than might be thought likely or appropriate; moderate; of a fair, average, or considerable amount, size, etc.
6. Articulate
7. Requiring the use of reason

The meanings “proportionate” (3), “articulate” (6), and “requiring the use of reason” (7) are not so relevant here, nor is (5) in the sense of “The weather was reasonable” or “My English is reasonable.” We shall therefore limit our attention to the other meanings (described in 1, 2, and 4).

Excluding now obsolete meanings and those that are confined to special disciplines such as physics and mathematics, the same dictionary distinguishes the following meanings of the epithet “rational”:

1. Having the faculty of reasoning; endowed with reason
2. Of, pertaining to, or based on reason or reasoning
3. In accordance with reason; not foolish, absurd, or extreme.

Leaving aside some subtle differences, clear correspondences can be seen to exist between the relevant meanings of the word “reasonable,” on the one hand, and the word “rational,” on the other. The main difference between “rational” and “reasonable” is generally that between “the use of the faculty of reasoning” and “the *sound* use of the faculty of reasoning.” In line with this, we shall use the term *rational* for the use of the faculty of reasoning and the term *reasonable* for the sound use of the faculty of reasoning. Although this terminology is derived from ordinary language usage, at the same time we pin down, in a regulatory fashion, the meanings of the two terms by stipulative definitions. After all, the difference in meaning between the two words in ordinary language is more diffuse, and the words are often used interchangeably.

By distinguishing in this way between rational and reasonable, we adhere to a traditional philosophical distinction that is often indicated by the German terms *verständlich* and *vernünftig*. Unfortunately, even many scientific writers sometimes confuse the meanings of *Verstand* and *Vernunft*, but we shall try to distinguish consistently between rational in the sense of “based on reasoning” and reasonable in the sense

of “making sound use of the faculty of reasoning.”<sup>2</sup> As we use these terms, rationality is a necessary condition of reasonableness, but not automatically a sufficient condition.<sup>3</sup>

The question now is that of the exact content of reasonableness in the sense of the sound use of reasoning. The process of scientific research is often regarded as the paragon of reasonableness. Even though it is pointed out nowadays that irrational elements play an important role in devising scientific theories,<sup>4</sup> many epistemologists still regard the process of scientific research as the prototype of a purposive rational discussion and the most pronounced form of a reasonable exchange of ideas. It is therefore natural to begin to answer our question by examining how philosophers of science who have given much thought to it define *reasonableness*. This, however, proves to raise more problems than one might have expected. We shall discuss only a few of them that are most pertinent to us.

Various philosophers of science who are concerned with research methodology have tried to give the term *reasonableness* more substance by indicating which rules and criteria must be observed in the resolution of a scientific problem. In doing so, they often assume that the process of resolving a scientific problem can be regarded as conducting a scientific discussion. According to Habermas (1971), the purpose of a scientific discussion of this kind is to arrive at intellectual consensus.<sup>5</sup> The rules that must be observed in a scientific discussion are based on the conventions of scientific tradition and intersubjective agreement. De Groot (1984) locates the reasonableness of the scientific method in the fact that an attempt is made to arrive at consensus by means of argumentation in a critical discussion. The consensus has to be reached in what de Groot calls the “forum” of scientists or scholars. The problems that confront researchers cannot be resolved by the application of precisely defined and infallible methodological

<sup>2</sup> Cf. Perelman (1979: 117–123).

<sup>3</sup> Reasonableness may, for instance, mean that in certain cases, not only verbal elements are to be taken into account, but also visual elements that play a part in the argumentation process, such as supporting images. Reasonableness may sometimes even include the incorporation of emotional factors in the analysis of an argumentative discourse or text.

<sup>4</sup> See Kuhn (1962) and Feyerabend (1975).

<sup>5</sup> For a useful overview in English of Habermas's insights, see Habermas (1998).

rules and criteria, because such rules and criteria simply do not exist. Of course, rules and criteria can be laid down to a certain point, but they are never sufficient. According to de Groot, the researchers will eventually still have to come up with arguments that are convincing for the forum and arguments are convincing only if they satisfy the idea of reasonableness shared by the scientific forum.

It is regrettable that, according to de Groot, it is impossible to indicate precisely who belongs to the forum. Although in itself this looks like a purely practical problem, it is in fact a major stumbling block because the normative-theoretical construction of a forum implies total openness. All relevant experts must be enabled to take part in the discussion, and a process of self-selection should guarantee the quality of its participants. The identity of the members of this discussion community can be determined in practice only to a certain extent. Some philosophers consider it necessary to distinguish between more than one forum: Each forum is connected with a specific sort of scientific problem or way of raising a question. In fact, a better way of solving the problem of the membership of the scientific forum seems to be to approach it from the opposite direction by first determining which discussion rules apply and then examining which researchers observe these rules.

In taking this approach, the problem of reasonableness is, of course, by no means solved. In modern philosophy of science, it is often assumed that there is more than one scientific methodology. Many oppose the suggestion that it is possible to draw up a single body of methodological rules that is absolutely reasonable. Ideologically, this suggestion is generally connected with a form of teleological thinking that assumes that there is an objective scale of reasonableness with an absolute and final limit. These days, such speculations are only rarely formulated by philosophers anymore, but instead it is often too easily assumed that the problems are solved once they are shifted from the methodological criteria and rules to the criteria for sound argumentation and the discussion rules of the forum. A glance at the study of argumentation is enough to make it clear that shifting the problem in this way does not solve it just like that. Philosophers of science who think otherwise have an exaggerated confidence in the problem-solving capacity of argumentation theory.



The situation is, in fact, rather complicated, because, on the other hand, there are also philosophers of science who underestimate the scope and range of argumentation theory. They have a *parti pris* that a principal distinction must be made between descriptive and normative claims and that normative statements can never be the object of a reasonable discussion. It is often thought that wishes, preferences, and value judgments are based only on subjective preferences. By restricting reasonableness in this way, positivists and others adhering to this view relegate discussions about wishes, preferences, and so on to second place: They are discussions that do not satisfy the norm of reasonableness. This limitation of the notion of reasonableness gives free rein to those in politics, for example, who are not interested in maintaining reasonableness. It even provides them with an alibi for not using argumentation and immunizes their standpoints for criticism. In our view, there is no a priori justification for pronouncing wishes, aims and other choices of position that imply a value judgment unsuitable, for a reasonable discussion.<sup>6</sup> It is the task of argumentation theorists to explain how in all these cases the general norm of reasonableness can be satisfied in a critical discussion.

### Conceptions of reasonableness in the study of argumentation

The dominant conceptions of reasonableness in the study of argumentation can best be characterized on the basis of two older works that, despite new ideas that have been developed in the last couple of decades, have so far been most influential in this discipline: Toulmin's *The Uses of Argument* (1958) and Perelman's and Olbrechts-Tyteca's *La nouvelle rhétorique* (1958).<sup>7</sup> The conceptions of reasonableness espoused in both these works are immediately directed against formal

<sup>6</sup> Our vision is not new. Apart from "cognitive reasonableness," which is what scientists usually concentrate upon, the analytic tradition distinguishes also "desiderative reasonableness," which bears on wishes, aims, and norms, and "practical reasonableness," which relates to actions. Following in the philosophical footsteps of Popper, critical-rationalists have been emphasizing for years that any subject about which a critical discussion can be conducted lends itself to a reasonable treatment, irrespective of whether the difference concerns facts, ideas, judgments, attitudes, or actions.

<sup>7</sup> For a fuller discussion of the works of Toulmin and Perelman and Olbrechts-Tyteca, see van Eemeren et al. (1996: chapter 5 and chapter 4, respectively). See also Chapter 2 of this volume.

logic. These authors credit logicians – in Toulmin’s later terminology – with a “geometrical” approach to reasonableness:

We ‘know’ something (in the full and strict sense of the term) if-and-only-if we have a *well-founded belief* in it; our belief in it is well-founded if-and-only-if we can produce *good reasons* in its support; and our reasons are really ‘good’ (by the strictest philosophical standards) if-and-only-if we can produce a ‘conclusive’, or *formally-valid* argument, linking that belief back to an *unchallenged* (and preferably *unchallengeable*) *starting point* (1976:89).

From the fact that formal logicians apply a formal criterion of validity, it cannot be concluded, however, that they automatically share a geometrical conception of reasonableness according to which the concept of “reasonableness” is only applicable to artificial arguments in a formal argumentation. Logicians do not simply equate the soundness of argumentation with the validity of the reasoning expressed in the argumentation. Although they usually do not pay much attention to this problem, some logicians, for example, emphasize the fact that the argumentation must also be *relevant* to the point defended. Because of their “formal orientation,” logicians nowadays concern themselves only with the truth of the premises of an argument to the extent that the truth of the premises structurally influences the validity of the argument. An argument is only logically valid if it has a form that rules out the possibility that it has true premises and a false conclusion. Logicians are not interested in “truth values” in themselves, let alone that they jointly adhere to the epistemological ideal of the “Eternal City of well-founded truth” that Toulmin holds to be characteristic of the geometrical approach.

Generally, neither do logicians opt for an “anthropological” approach to reasonableness, which implies that human knowledge is produced just by following shared procedures on which there is a consensus in a particular community (see Chapter 2). On this view, the validity of arguments does not depend on the formal, quasi-geometrical structure of the argument, but on this consensus. According to the anthropological concept of reasonableness, the validity criterion is determined on purely empirical grounds. In the past, it was not uncommon to regard logic as a descriptive science, but this conception has been in disgrace since Frege delivered his devastating critique of the psychological approach to logical principles as “laws of

thinking.”<sup>8</sup> If one were to opt for an anthropological approach, one of the extreme consequences would be that formal fallacies that the discussants do not recognize as such must be regarded as valid arguments.<sup>9</sup>

There are also logicians – and we will follow them here – who prefer to adopt a “critical” view of reasonableness by attributing value both to the formal properties of arguments and to the shared knowledge that is necessary to achieve consensus. If these two different aspects are connected, it becomes possible to regard arguments as parts of a functionally “formal” argumentative procedure that is “intersubjectively” acceptable. In the critical approach to reasonableness, there is not only scrutiny of the effectiveness of the argumentative procedure, but also reflection on the advantages and disadvantages of following this procedure for the potential parties in a disagreement (Toulmin 1976: 207–261). Logicians who have a critical ideal of reasonableness consider, just as Toulmin does, that a geometrical and an anthropological approach to argument eventually lead both to an impasse. In the geometrical case, it results in skepticism; in the anthropological case, in relativism. Logicians, however, usually give a somewhat different interpretation to “critical” than Toulmin. Unlike Toulmin, they do not link arguments exclusively with the justification of standpoints. Toulmin ignores the fact that logic can also be seen as a theory of criticism.<sup>10</sup>

In both Toulmin’s model and the new rhetoric of Perelman and Olbrechts-Tyteca, the soundness of argumentation, as is customary in argumentation theory, is linked to specific judges, but they part company when it comes to identifying these judges. Perelman and Olbrechts-Tyteca regard argumentation as sound if its target audience accepts it. They thereby choose a sociological perspective, and adopt an anthropological norm of reasonableness, which implies that they ultimately equate the soundness of argumentation with its effectiveness on those who act in a particular case as the judges. The consequence is

<sup>8</sup> See Haack (1978: 238).

<sup>9</sup> On the other hand, the anthropological approach does justice to factors that formal logic abstracts from, but that are all the same relevant to the evaluation of argumentation, such as the contextual circumstances in which the argumentation is advanced.

<sup>10</sup> See Jarvie (1976: 329).

that argumentation that is sound in one case need not be sound in the other case. The soundness of argumentation then depends essentially on the evaluation criteria of a more or less arbitrary group of people, who are selected by the speaker or writer. This means that the norm of reasonableness is potentially relativistic to a high degree: Potentially, there are as many kinds of reasonableness as there are judges – or even more, if one bears in mind that judges may change their mind and in the course of time come to apply other evaluation criteria. Perelman's introduction of the restriction that argumentation is only reasonable when the "universal audience" considers it to be reasonable does in the end not entail any restriction: Each individual is free to determine who or what he considers to belong to the universal audience. Ultimately, this boils down to the fact that whoever puts forward an argument can also decide whether this argumentation is sound or not. After all, a speaker or writer can always imagine a reasonable audience that follows the same norm of reasonableness, and declare that public to be the universal audience.

Toulmin's model indicates less clearly which norm of reasonableness is applied. At any rate, this norm is not geometrical. In his later books, *Human Understanding* (1972) and *Knowing and Acting* (1976), Toulmin rejects both the geometrical and the anthropological conception of reasonableness, but in *The Uses of Argument*, first published in 1958, his conception of reasonableness appears to have primarily anthropological characteristics. Toulmin thinks that the soundness of argumentation depends in the end on the specific evaluation criteria of a particular group of people. Unlike in Perelman and Olbrechts-Tyteca's case, this group is in Toulmin's case not arbitrary: It comprises representatives of the "field" – whatever this exactly means – to which the argumentation in question belongs. In our view, there is a striking resemblance between Toulmin's group of judges and de Groot's scientific forum. This is why it is all the more remarkable that Toulmin later usually also uses the term *forum* to refer to his experts (Toulmin, Rieke, and Janik 1979).

The crucial role played by experts in a field is, according to Toulmin, connected with the central position that is occupied in his model by the "warrant," the legitimizing of the step from the premises ("data") to the conclusion ("claim"). Only people who are familiar with the field of argumentation concerned can decide whether the "backing" of the

warrant is sufficient in a particular case. It is this “field-dependent” evaluation that gives Toulmin’s conception of reasonableness a relativistic character.<sup>11</sup>

### A dialectical notion of reasonableness

A crucial objection that applies to both the geometrical and the anthropological norm of reasonableness is that they are both based on “justificationism”: Both approaches assume that reasonableness is concerned exclusively with legitimizing standpoints definitively. Justificationism of any kind, however, can never escape the so-called Münchhausen trilemma, because in the last resort the justification has to choose from the following three alternatives: (1) ending up in an infinite regress of new justifications (*regressus in infinitum*); (2) going round in a circle of mutually supporting arguments; (3) breaking off the justificatory process at an arbitrary point. None of these three alternatives is really satisfactory.<sup>12</sup>

Justificationists generally adopt the last alternative. They usually stop the process of justification at a certain point. The assertion where the justification is broken off is then declared to be axiomatic or is in some way or other elevated beyond further discussion. Sometimes, that assertion is retrospectively even raised to the status of a premise because its truth is taken to be evident on the basis of intuition or experience. In this way, a premise is created that is immune to criticism. It can function as an a priori truth or perhaps even as a dogma.

In our view, it is necessary to depart radically from the justificationism of the geometrical and anthropological approaches to reasonableness and to replace these conceptions of reasonableness with a different one. We do so by adopting the view of a critical rationalist who proceeds on the basis of the fundamental fallibility of all human thought. To critical rationalists, the idea of a systematic critical scrutiny of all fields of human thought and activity is the principle that serves as the starting point for the resolution of problems. In this approach, conducting a critical discussion is made the point of departure for

<sup>11</sup> See also Burleson (1979: 115).

<sup>12</sup> See Albert (1975: 13).

the conception of reasonableness – which implies the adoption of a dialectical approach. As we have indicated, argumentation in a dialectical approach is regarded as part of a procedure for resolving a difference of opinion on the acceptability of one or more standpoints by means of a critical discussion. In this procedure, a certain role is played by critical insights from dialectics, by geometrical insights from logic, and by anthropological insights from rhetoric. The reasonableness of the procedure is derived from the possibility it creates to resolve differences of opinion (its *problem validity*) in combination with its acceptability to the discussants (its *conventional validity*). In this connection, the rules of discussion and argumentation developed in a dialectical theory of argumentation must be scrutinized in terms of both their problem-solving effectiveness and their intersubjective acceptability.<sup>13</sup>

The logical starting point that an assertion and its denial cannot both be true at the same time has as consequence for the discussion that one of the two assertions has to be withdrawn. Critical-rationalists conclude from this predicament that the dialectical scrutiny of claims in a critical discussion boils down to the exposure of (logical and pragmatic) inconsistencies. Barth and Krabbe (1982), for instance, have developed a dialectical method for detecting logical contradictions. Their method entails examining whether a particular thesis does not lead to contractions with certain concessions – that is, is tenable in the light of these concessions. If simultaneously maintaining the standpoint and the concessions leads to contradictions, either the standpoint or one or more of the concessions must be abandoned.<sup>14</sup>

In Barth and Krabbe's formal dialectical theory, a discussion situation is assumed that differs substantially from the discussion situation that is normal in argumentative practice. The initial situation assumed in the regulated dialogues of formal dialectics appears in attempts to resolve a difference of opinion only in an argumentative discussion

<sup>13</sup> See Barth and Krabbe (1982: 21–22). For an extensive empirical research project investigating the extent to which the pragma-dialectical procedure corresponds to the norms of reasonableness of ordinary discussants and can claim conventional validity, see van Eemeren, Meuffels, and Verburg (2000).

<sup>14</sup> Strictly speaking, in the system of Barth and Krabbe contradictions are not ruled out. All that is prohibited is to call into question at a later stage an assertion that one advanced earlier in the discussion.

or text when the protagonist has advanced his arguments in defense of a standpoint and then decides to check together with the antagonist whether this standpoint is indeed tenable in the light of the arguments that have been advanced. In fact, in such a case they are jointly examining if the standpoint is a conclusion that follows logically from the arguments that serve as premises. The antagonist should then be prepared to assume the role of opponent and to add the protagonist's argumentation to his commitments. In ordinary discourse or texts, this rather artificial situation will not so easily occur, though the discussion partners are naturally entirely free to add a scrutiny of this kind if they want to.

Because a theory of argumentation must, in our view, deal in the first place with ordinary argumentative exchanges in ordinary language, in pragma-dialectics the general starting-point is a different one: A speaker or writer advances a standpoint and acts as protagonist, and a listener or writer expresses doubt with regard to the standpoint and acts as antagonist. (If this antagonist advances the opposite standpoint, the situation is already more complicated.) In a critical discussion that proceeds in accordance with pragma-dialectical rules, the protagonist and the antagonist try to find out whether the protagonist's standpoint is capable of withstanding the antagonist's criticism. After the antagonist has expressed doubt or criticism, the protagonist puts forward argumentation in defense of the standpoint. If a positive standpoint is defended, the protagonist attempts to justify the proposition(s) expressed in the standpoint; if a negative standpoint is defended, the protagonist attempts to refute this proposition (or these propositions). If there is reason to do so, in both cases the antagonist reacts critically to the protagonist's argumentation. If the protagonist is confronted with new critical reactions on the part of the antagonist, the attempts at legitimizing or refuting the standpoint may be continued by putting forward new argumentation, to which the antagonist can react in turn, and so on. The difference of opinion is resolved when the arguments advanced lead the antagonist to accept the standpoint defended, or when the protagonist retracts his standpoint as a consequence of the critical reactions of the antagonist. In this way, there is an interaction between the speech acts of the protagonist and the speech acts of the antagonist that is typical of the dialectical process of convincing in a critical discussion. This

interaction can, of course, only lead to the resolution of a difference of opinion if it proceeds in an adequate fashion. This requires a regulation of the interaction that is in accordance with certain rules of critical discussion. It is the task of dialectical argumentation theorists to formulate these rules of critical discussion in such a way that together they constitute a problem-valid as well as a conventionally valid discussion procedure.

A procedure that promotes the resolution of differences of opinion cannot be exclusively confined to the logical relations by which conclusions are inferred from premises. It must consist of a system of regulations that cover all speech acts that need to be carried out in a critical discussion to resolve a difference of opinion. This means that the procedure should relate to all the stages that are to be distinguished in a critical discussion aimed at resolving a difference of opinion: the confrontation stage in which the difference of opinion is developed, the opening stage in which the procedural and other starting points are established, the argumentation stage in which the argumentation is put forward and subjected to critical reaction, and the concluding stage in which the outcome of the discussion is determined.

Following our basic model of the distribution of speech acts in the different stages of a critical discussion as described in Chapter 3, we developed in *Speech Acts in Argumentative Discussions* (1984) a pragma-dialectical theory of argumentation that includes a discussion procedure that in our view satisfies the criterion of problem-validity. The rules of procedure that apply to the different stages of a critical discussion are problem-valid because each of them makes a specific contribution to solving certain problems that are inherent in the various stages of the process of resolving a difference of opinion.<sup>15</sup> Of course, the rules cannot offer any guarantee that discussants who abide by these rules will always be able to resolve their differences of opinion. They will not automatically constitute a sufficient condition for the resolution of differences of opinion, but they are at any rate necessary for achieving this purpose.

<sup>15</sup> In fact, the pragma-dialectical rules aspire to comply with the more specific norms implicitly posed by Barth and Krabbe (1982) such as systematicity, realism, thoroughness, orderliness, and dynamism.



## The pragma-dialectical discussion procedure

The rules of the pragma-dialectical discussion procedure pertain to the behavior of people who want to resolve their differences of opinion by means of a critical discussion. Because we are here concerned with deliberate behavior, or “acting,” for which the actors carry a certain responsibility, the rules apply to the *acts* that the discussants perform. In the externalized discussions we are concerned with, these acts consist primarily of *speech acts*. In Chapter 3, we have indicated which speech acts may occur in the successive stages of a critical discussion. For the sake of simplicity, we start in presenting our discussion procedure from a consistently non-mixed, single discussion, in which one and no more than one standpoint is defended. The rules must specify in which cases the performance of certain speech acts contributes to the resolution of the difference of opinion. This makes it necessary to indicate for each discussion stage when exactly the parties are *entitled* to perform a particular kind of speech act, and if and when they are even *obliged* to do so.

In the confrontation stage of an argumentative discourse or text dealing with a non-mixed, single difference, a standpoint is externalized (by discussant 1), and this standpoint is called into question (by discussant 2). If there is no difference of opinion, there is nothing to resolve, and the argumentative discussion is superfluous. A difference of opinion that is only partly externalized, or not externalized at all, does not make having a discussion superfluous, but it does make it difficult. A dialectically regulated discussion, at any rate, is ruled out. After all, rules for a critical discussion bear on the speech acts performed by the discussants involved in the difference and the ensuing commitments. The importance of the externalization of differences of opinion is therefore evident. One of the first tasks in the formulation of rules for a critical discussion is thus to promote an optimal externalization. This means that the discussants must be able to put forward every standpoint and to call every standpoint into question. The guarantee that this is possible can be obtained by explicitly granting every discussant the *unconditional right* to put forward or call into question every standpoint vis-à-vis every other discussant.

In principle, standpoints are expressed by means of assertives. The fundamental ability to put forward or to call into question any standpoint has the consequence that no special conditions apply to the propositional content of these assertives. The same is true of the propositional content of the negation of the commissive with which a standpoint is called into question. The unconditional right of discussants to put forward standpoints and to call them into question also means that no special preparatory conditions apply regarding the status or position of the speaker or writer and the listener or reader. It is not the might of the strongest that is decisive in a critical discussion, but the quality of the argumentation and criticism.

That differences of opinion may concern any standpoint and that all discussants have the unconditional right to put forward or call into question every standpoint is expressed in the following rule:

### **Rule 1**

*a. Special conditions apply neither to the propositional content of the assertives by which a standpoint is expressed, nor to the propositional content of the negation of the commissive by means of which a standpoint is called into question.*

*b. In the performance of these assertives and negative commissives, no special preparatory conditions apply to the position or status of the speaker or writer and listener or reader.*

Rule 1 applies to all the discussants who take part in a discussion. By virtue of this rule, discussants themselves are not only entitled to put forward and to call into doubt any standpoint, but they may also in no way prevent other discussants from doing the same either. It is perhaps superfluous to point out that rule 1 gives the discussants an unconditional right, but does not impose any obligation on them. Generally speaking, it is advisable to make use of the rights granted by virtue of rule 1. Anyone who wants a difference of opinion to be resolved will have to cooperate on the *externalization* of that difference.

A consequence of the unconditional rights that are granted the discussants under rule 1 is, for example, that a discussant who has just lost a discussion in which he defended a particular standpoint against another discussant reserves the right to put forward *the same* standpoint

to *the same* discussant again. This even applies to a discussant who has first successfully defended a particular standpoint and then proceeds to call it into question or to defend the opposite standpoint. Of course, it is debatable whether the other discussant will be prepared to begin a new discussion with such an idiosyncratic or unpredictable discussant, and also whether it is reasonable to expect him to do so. We shall return to the latter question in discussing the rules of the opening stage.

In the *opening stage*, after discussant 1 has accepted discussant 2's challenge to defend his standpoint, the discussants decide to hold a discussion, and they come to agreements on the allocation of roles and the discussion rules. The rules for a critical discussion must indicate when discussant 2 is entitled to challenge discussant 1, when discussant 1 is obliged to take up this challenge, who assumes the role of the protagonist, who assumes the role of the antagonist, what the shared premises are, which rules apply in the *argumentation stage*, and how the discussion is to be concluded in the *concluding stage*.

### *The right to challenge*

We propose to grant the right to challenge a discussant to defend his standpoint unconditionally to any discussant who has called this standpoint into question in the confrontation stage. Since, by virtue of rule 1, every discussant also has the unconditional right to call every standpoint of every other discussant into question, this means that in principle there is no restriction on challenging any discussant on any standpoint by any discussant. This unconditional right is laid down in rule 2:

### **Rule 2**

*The discussant who has called the standpoint of the other discussant into question in the confrontation stage is always entitled to challenge this discussant to defend his standpoint.*

The right enshrined in rule 2 may be an unconditional right of a discussant who has called a particular standpoint into question, but it is never an *obligation*. Challenging the other discussant to defend his standpoint, after all, must be regarded as a challenge to enter into discussion of this standpoint; if the other discussant accepts this

invitation, the challenger is bound by it. However, it is possible to imagine cases in which a discussant has good reasons not to enter into a discussion with this other discussant even though he does not accept the standpoint. One can think here of the idiosyncratic and unpredictable discussant whom we mentioned in our explanatory comments on rule 1. It therefore suffices to grant discussants the unconditional right to do this by virtue of rule 2, whether they are prepared to make use of this right or not.

### *The obligation to defend*

It follows from the preparatory conditions of the assertive with which a discussant has expressed a standpoint that he is obliged to put forward proof or argumentation in defense of this standpoint when asked to do so. It should immediately be added, however, that it is debatable whether this obligation should apply under all circumstances, in all situations, and to every challenger. As a rule, a discussant who has been challenged is always obliged to defend the standpoint, and this obligation can only be removed by a successful defense of the standpoint or by retraction of the standpoint. A discussant who has successfully defended a standpoint is not subsequently obliged to defend *the same standpoint again according to the same discussion rules and with the same premises against the same discussant*. This would only lead to a repetition of the discussion that has already been conducted. It therefore seems reasonable to us to apply the legal principle of *non bis in idem* to a critical discussion too.

This principle does not apply to discussions either with a *different* challenger, or with the same challenger but with *different* premises, or *different* discussion rules. In any of those cases, the challenged discussant is obliged to defend the same standpoint again. Unlike a legal dispute, an argumentative dispute can in principle never be settled once and for all. The discussion can always be reopened. After all, it is quite possible (and very normal in practice) that new light can be thrown on the case, for example, on the basis of other premises. The rules for a critical discussion must encourage this, not rule it out.

It should be noted that the cessation of the obligation to defend through a successful defense does not affect the unconditional right to challenge a discussant as laid down in rule 2. Anyone who puts

forward a standpoint can be challenged to defend this standpoint, even if he has already successfully done so. The obligation of the challenged discussant to accept the challenge is nullified only if he has successfully defended the same standpoint against the same discussant with the same premises and the same discussion rules. It is not unreasonable to keep on challenging somebody, but it is not unreasonable to refuse to accept every challenge either.

As long as a discussant has not yet successfully defended his standpoint (against any other discussant whatsoever), the obligation to defend it holds fully (assuming that he has not retracted the standpoint in the meantime). There is only one exception to this general rule. A critical discussion is impossible without certain shared premises and without shared discussion rules. Discussants who cannot agree on the premises and the discussion rules are not in a position to resolve a difference of opinion, and are therefore advised not to start a discussion. A challenged discussant cannot be obliged to defend a standpoint against a discussant who is not prepared to accept any premises and discussion rules.

The general obligation to defend and its crucial exception are laid down in rule 3:

### **Rule 3**

*The discussant who is challenged by the other discussant to defend the standpoint that he has put forward in the confrontation stage is always obliged to accept this challenge, unless the other discussant is not prepared to accept any shared premises and discussion rules; the discussant remains obliged to defend the standpoint as long as he does not retract it and as long as he has not successfully defended it against the other discussant on the basis of the agreed premises and discussion rules.*

The obligation to defend as formulated in rule 3 is a (conditional) obligation to defend *in principle*. This means that the obligation to defend always applies (provided the conditions laid down are satisfied). However, there may be reasons or causes that make it impossible to comply with this obligation immediately *in practice*. For example, the discussant who is obliged to defend may not have the time to engage in a discussion with the challenger, or it may be the case that upon reflection he wants to document or prepare his case more thoroughly

first. However, this at most may lead to a *postponement* of the discussion (although in practice this can sometimes lead to its cancellation), but it does not alter the obligation to defend. This obligation holds fully until the discussant concerned has complied with it or has retracted his standpoint.

By recognizing the obligation to defend as laid down in rule 3, and by accepting the challenge of the other discussant, the discussant who has put forward the standpoint indicates his *preparedness to discuss*. The discussant who has challenged him can in turn indicate his preparedness to discuss by agreeing to shared premises and discussion rules. Rule 3 is thus aimed at externalizing the willingness to engage in discussion that may be expected of discussants who are involved in a dispute.

#### *Allocation of the burden of proof*

Rule 3 also regulates how the onus of proof with regard to a standpoint is distributed. Whoever puts forward a standpoint and does not retract it again bears the onus of proof for this standpoint once he is challenged (in accordance with the conditions as specified in rule 3) to defend this standpoint. The onus of proof in a discussion thus lies with the discussant who has the obligation to defend a standpoint in accordance with rule 3. In the case of *non-mixed* differences of opinion, which is what we are assuming here, the problem of allocating the onus of proof is dealt with by rule 3. In the case of *mixed* differences of opinion, which are common in practice, the situation is more complicated. Each party may have called the other's standpoint into question and challenged the other party. In this case, however, the question of who bears the onus of proof is, in principle, not problematic either. The answer is simply that both discussants are obliged to defend their own standpoint in accordance with rule 3, and therefore each discussant bears the onus of proof for his respective standpoint. The question is thus not that of who bears "the" onus of proof in the discussion, but of who defends his standpoint first.<sup>16</sup> The allocation

<sup>16</sup> In the case of a mixed dispute, it is thus not the case that the onus of proof has to be conferred on one of the two discussants; both discussants bear a particular onus of proof.

of the onus of proof in a mixed discussion does not raise *problems of choice*, but instead a *problem of order*.<sup>17</sup>

The discussants will have to consult among themselves to reach agreement on who defends his standpoint first. If they are unable to do so, the discussion will probably not take place, but the obligation to defend remains in force in relation to both standpoints. In the traditional view of the allocation of the onus of proof, a decision in a dilemma of this kind is forced by proposing that the person who attacks an established opinion or an existing state of affairs must begin the defense (if he is not the only person to bear the onus of proof according to this view). The conservative character of this view has been pointed out from various perspectives. Moreover, it is often problematic to determine what “the established standpoint” is.<sup>18</sup>

#### *Allocation of the discussion roles*

The first agreement that the discussants must make before they begin the argumentation stage concerns the allocation of roles in the discussion. The question is: Who will assume the role of protagonist, and who the role of antagonist? The answer to this question seems fairly obvious: The discussant who has put forward a standpoint in the confrontation stage must assume the role of the protagonist, and the discussant who has called this standpoint into question must assume the role of the antagonist. This is how things will normally proceed in practice, but it is not necessarily the case. It is quite possible for the roles to be reversed.

Although in practice the discussants will often pass over the question of the allocation of roles in silence, the discussant who has put forward a standpoint will almost automatically act as protagonist, and the discussant who has called this standpoint into question will do the same for the role of antagonist. We propose to leave it up to the discussants themselves to act otherwise if they prefer to do so. One condition is that both discussants agree to the allocation of roles and that they maintain the agreed allocation of roles throughout the whole discussion.

<sup>17</sup> See Hamblin (1970) and van Eemeren and Houtlosser (2002c).

<sup>18</sup> See van Eemeren and Houtlosser (2003).

**Rule 4**

*The discussant who in the opening stage has accepted the other discussant's challenge to defend his standpoint will fulfill the role of protagonist in the argumentation stage, and the other discussant will fulfill the role of antagonist, unless they agree otherwise; the distribution of roles is maintained until the end of the discussion.*

In the *argumentation stage*, the discussant who has assumed the role of protagonist tries to defend the initial standpoint against the discussant who has assumed the role of antagonist. The question is how the protagonist can defend the standpoint and how the antagonist can attack the standpoint. A further question is when are these attempts at defense and attack successful – in other words, when has the protagonist *successfully defended* the initial standpoint and when has the antagonist *successfully attacked* the initial standpoint.

*Agreements concerning the discussion rules*

Attacking and defending a standpoint take place in a critical discussion in accordance with shared rules of discussion. We shall discuss a number of these discussion rules for the argumentation stage. As mentioned earlier, these discussion rules must be understood as proposals that only come into force in a discussion once they have been accepted by the discussants who fulfill the roles of protagonist and antagonist. This means that the discussants in question have declared their readiness to conduct the discussion in accordance with shared rules. If the discussants who take part in a discussion have done this, the rules acquire the status of *conventions* by which the parties are bound during the discussion and to which they hold one another. In fully externalized discussions, this agreement on the discussion rules takes place explicitly. In practice, however, discussants often tacitly assume that they accept more or less the same discussion rules. Unlike in the case of explicitly agreed rules, the discussants in this case assume that they are bound by *conventions*.

The difference between explicit agreements and conventions need not necessarily have serious consequences for the course of the discussion. If both parties consistently abide by the rules, there is not even any difference between the two at all. The advantage of explicitly agreed rules only emerges if there is disagreement on the *force* of a rule applied by the other party or on the correctness of the *application*



of a rule in force. Explicit formulation makes it easier to reach a decision both on the force and on the application of the rule that is at issue.

As mentioned earlier, one consequence of explicit agreement on the discussion rules is that the discussants are *bound* by these rules (at least for the duration of the discussion). This implies that the discussion rules themselves may no longer be raised for discussion during the discussion itself. The rules apply as long as *this* discussion between *these* discussants continues. The only question concerning the rules that may be raised during the discussion is whether they are correctly applied. Of course, this does not mean that the rules may not be raised for discussion *after* the discussion has taken place or *before* the start of a new discussion. It certainly does not mean that there are rules that may never be raised for discussion. Without any exception, *all* rules can be called into question by any discussant who sees fit to do so. The rule that is questioned then acquires the status of a proposition on which different standpoints can be adopted (cf. rule 1). The discussion that arises on the rule, if one does, is a *meta-discussion*.

### Rule 5

*The discussants who will fulfill the roles of protagonist and antagonist in the argumentation stage agree before the start of the argumentation stage on the rules for the following: how the protagonist is to defend the initial standpoint and how the antagonist is to attack it, and in which case the protagonist has successfully defended the standpoint and in which case the antagonist has successfully attacked it. These rules apply throughout the duration of the discussion, and may not be called into question during the discussion itself by either of the parties.*

#### *Attacking and defending standpoints*

Three types of speech acts are performed in the argumentation stage: By means of assertives, the protagonist performs exclusively the complex speech act of *argumentation*, while the antagonist accepts this argumentation by performing the commissive *acceptance* or declines this argumentation by performing the negation of this commissive; the antagonist can then perform the directive *request* to elicit a new *argumentation*. These are the *only accepted ways* of attacking or defending standpoints in a critical discussion. They represent a right of the protagonist and the antagonist that is in principle unrestricted. The antagonist

may attack every argumentation advanced by the protagonist in this way (and in no other way), and every argumentation that is called into question may be defended in this way (and in no other way).

Putting forward argumentation in defense of a standpoint is always a *provisional* defense. The protagonist has not defended a standpoint definitively until the antagonist has fully accepted the argumentation. The acceptance of an argumentation implies that the propositions expressed in the argumentation are accepted and that the constellation formed by the argumentative utterances is regarded as legitimizing (pro-argumentation) or refuting (contra-argumentation) the proposition to which the standpoint pertains. The antagonist who does not accept the argumentation of the protagonist can thus call its *propositional content* into question, but he can also call into question its *force as a justification or refutation*.

## Rule 6

- a. The protagonist may always defend the standpoint that he adopts in the initial difference of opinion or in a sub-difference of opinion by performing a complex speech act of argumentation, which then counts as a provisional defense of this standpoint.*
- b. The antagonist may always attack a standpoint by calling into question the propositional content or the justificatory or refutatory force of the argumentation.*
- c. The protagonist and the antagonist may not defend or attack standpoints in any other way.*

The discussion rules for the argumentation stage must explicitly lay down in which case the defense of the protagonist is to be regarded as successful. The rules must indicate when the antagonist is obliged to accept the argumentation put forward by the protagonist as an adequate defense of the standpoint. Then and only then, when the protagonist has defended a standpoint in accordance with the rules and the antagonist is obliged to accept the defense in accordance with these rules, may the protagonist be said to have *successfully defended* his standpoint. If the protagonist fails to do so, the antagonist has *successfully attacked* the standpoint (assuming, of course, that he has observed the other discussion rules).

We shall first concentrate on the regulations that apply when (part of) the propositional content of an argumentation is called into question. By calling the propositional content of an argumentation into question, the antagonist creates a new point of contention. Since the protagonist has adduced the argumentation in support of the standpoint, he will adopt a positive standpoint with regard to this proposition and is obliged (by virtue of rules 3 and 4) to defend it again. Beside the *initial* dispute, bearing on the *initial standpoint* of the protagonist, a *sub-dispute* then arises, bearing on this positive sub-standpoint. A whole chain of sub-disputes, sub-sub-disputes, and so on can arise in this way. In this case, the argumentation of the protagonist is subordinatively compound.

In which case is the antagonist obliged to accept the propositional content of an argumentation? This question can only be answered if the discussants that are to fulfill the roles of protagonist and antagonist agree in the opening stage on how they will decide on the acceptability of the propositions advanced by the protagonist in his argumentation. To this end, they must explicitly spell out both *which list of propositions they both accept* and *how they will decide together on the acceptability of other propositions*.

#### *The intersubjective identification procedure*

The propositions that are accepted by both parties may concern facts, truths, norms, values, or value hierarchies. The discussants are completely free to draw up a list of propositions accepted by both parties. All the propositions they both accept may be included. The only restriction is that the list must be consistent. It may not contain any propositions that are inconsistent with other propositions. Otherwise it would always be possible to successfully defend any arbitrary standpoint against an attacker, which inevitably renders the resolution of a difference of opinion impossible. That a proposition is included in the list of accepted propositions means only that the discussants are agreed that the proposition in question may not be called into question during the discussion. In other words, for the purpose of this discussion they accept it, although they might not do so in other contexts. The list specifies which propositions have been accepted by the discussants for the duration of the discussion, and can therefore be regarded as their *shared premises*.

How can the protagonist make use of the list of agreed propositions in defending the argumentation that he has advanced? If the antagonist only calls the propositional content of the argumentation into question, the protagonist can point out that, according to him, the proposition(s) in question appear(s) in the list. The protagonist and the antagonist must then check to determine whether this is actually the case. If so, the antagonist is obliged to retract his objection to the proposition(s) in question and to accept the argumentation. The protagonist has then successfully defended himself against the attack of the antagonist. This method of defense by the protagonist thus consists of participating in *joint scrutiny*, at his request, to determine whether the propositions that have been called into question really are *identical* to the propositions in the list of propositions accepted by both parties. We refer to this method as the *intersubjective identification procedure*. If the application of this procedure yields a positive result, the antagonist is obliged to accept the propositional content of the argumentation put forward by the protagonist. If the application of this procedure yields a negative result, the protagonist is obliged to retract this argumentation.

The earlier remarks on the conventional status of the rules for the argumentation stage also apply to the propositions accepted by both parties. In fully externalized discussions, it is explicitly determined in advance which propositions are accepted by both parties, but in practice, these propositions usually function as mutually presupposed shared background knowledge. As long as both parties are in tacit agreement that a particular proposition belongs to the shared background knowledge, it makes no difference. As soon as disagreement arises, however, neither of the parties can appeal to the other party's commitment, and both parties can easily (rightly or wrongly) deny that they are committed to certain propositions.

Of course, the protagonist must also be allowed to make use of propositions on which *no prior agreement* has been reached. Otherwise the protagonist would only be able to defend a standpoint by making use of propositions that had already come up at the start of the discussion. This is an undesirable restriction. The protagonist must therefore be able to make use of *new information* in his defense.

In order to make use of new information in a critical discussion, it is necessary for the discussants to agree in the opening stage on how they

will determine whether a proposition should be accepted or not. The methods agreed on may consist of consulting oral or written sources (encyclopedias, dictionaries, reference works) or of joint perception (by way of experiment, or not). As in the case of the list of propositions accepted by both parties, both discussants must consider the method chosen to be adequate.

In addition to carrying out the intersubjective identification procedure, the discussants can also decide in the opening stage to allow for a *sub-discussion* to be conducted in which it is determined whether the proposition on which agreement was first lacking can be accepted in the second instance. The protagonist will then have to take a positive *sub-standpoint* with regard to the proposition concerned, and defend it against possible objections and criticisms of the antagonist. This sub-discussion has to be conducted in accordance with the same premises and the same discussion rules accepted in the original discussion.<sup>19</sup>

The consequences of the recommended regulations of the protagonist's opportunities for defense are laid down in rule 7:

### Rule 7

*a. The protagonist has successfully defended the propositional content of a complex speech act of argumentation against an attack by the antagonist if the application of the intersubjective identification procedure yields a positive result or if the propositional content is in the second instance accepted by both parties as a result of a sub-discussion in which the protagonist has successfully defended a positive sub-standpoint with regard to this propositional content.*

*b. The antagonist has successfully attacked the propositional content of the complex speech act of argumentation if the application of the intersubjective identification procedure yields a negative result and the protagonist has not*

<sup>19</sup> The following explanation might be didactically helpful. At this stage, the discussants have not yet reached full agreement on all the premises that, apart from the premise at issue, are to be accepted, and the discussion rules that are to be applied. The sub-discussion that is required, of course, cannot be conducted effectively until such an agreement has been reached.

*successfully defended a positive sub-standpoint with regard to this propositional content in a sub-discussion.*

*The intersubjective inference procedure*

As laid down in rule 6, the antagonist may call an argumentation into question not only for its propositional content, but also for its force of justification or refutation. How can the protagonist successfully defend himself against an attack on the force of justification or refutation of his argumentation, and in which case is the antagonist bound to accept? Before they embark on the argumentation stage, the discussants must agree in the opening stage on how this will be determined.

If the protagonist adopts a positive standpoint, the question can be raised of whether the reasoning “*propositional content of the argumentation, thus proposition to which the standpoint refers*” is valid as it stands. If the protagonist adopts a negative standpoint, it is necessary to determine whether the reasoning “*propositional content of the argumentation, thus not proposition to which the standpoint refers*” is valid as it is. The validity of the reasoning in the argumentation needs to be judged only if this reasoning is completely externalized and the protagonist can be regarded committed to the claim that the soundness of the argumentation depends on its *logical validity*.

Being able to check whether the arguments of the protagonist are logically valid calls for *logical rules*, such as the dialogue rules of the Erlangen School, to evaluate the validity of the arguments. This makes it possible to examine whether a contended proposition is defensible in relation to the premises (viewed as a concession) that constitute the argumentation. Since checking the validity of the arguments is a matter of determining whether the protagonist’s inferences are acceptable, we shall refer to this procedure as the *intersubjective inference procedure*.

*The intersubjective explicitization procedure*

If the reasoning in the argumentation is *not* completely externalized – and for that reason cannot be valid as it stands – the question will be whether the argumentation makes use of an argument scheme that is considered admissible by both parties and that has been correctly applied. As a rule, the argument scheme employed in an argumentation is not made explicit in the discourse or text, but has to be reconstructed.

To this end, the antagonist and the protagonist should jointly carry out an *intersubjective explicitization procedure*. This procedure can be based on similar principles as the procedure that we have developed for rendering unexpressed premises explicit. It must lead to agreement between the discussants on the kind of argument scheme that is used in the argumentation. When the reasoning in the argumentation of the protagonist is incomplete, and thus cannot be valid, it is in the interest of the protagonist that the intersubjective explicitization procedure be carried out. It must therefore be carried out at the request of the protagonist.

### *The intersubjective testing procedure*

Once the argument scheme that is employed in the protagonist's argumentation has been reconstructed by means of the intersubjective explicitization procedure, it must be determined whether this argument scheme can be considered admissible by both parties and has been correctly applied. In order to check that the argumentation of the protagonist is based on an argument scheme that is admissible, it is necessary that the protagonist and the antagonist have first jointly determined which argument schemes may and may not be used. In principle, the discussants are free to decide on this, provided the decision is based on mutual consent. In special cases, however, there may be specific institutional conditions in force that prohibit the use of certain schemes. For example, in some countries the use of argumentation by analogy is inadmissible in certain criminal law disputes. Of course, discussants may also conclude that it is better to exclude certain forms of argumentation without such conditions being in force. For instance, they might decide not to use argumentation based on authority because the subject under discussion does not lend itself to determination by authority, or they might decide not to draw any comparisons because as a rule comparisons do not constitute a decisive argument.

Only when agreement has been reached on the nature of the argument schemes to be used does it make sense to determine which applications of the schemes adopted are or are not admissible. For example, the discussants may appeal to certain conditions for making causal or other connections between different types of propositions. They may also determine which critical questions the different

argument schemes are expected to answer.<sup>20</sup> In these cases, they may agree that although a comparison is in principle an admissible form of argumentation, argumentation of this kind will only be regarded as decisive if no single relevant difference can be demonstrated between the cases under comparison.

Since checking the overall acceptability of the argument scheme is concerned with determining how to scrutinize the contents of the step from the proposition that is expressed in the argumentation to the proposition that is expressed in the standpoint, we shall refer to this procedure as the *intersubjective testing procedure*.

### Rule 8

*a. The protagonist has successfully defended a complex speech act of argumentation against an attack by the antagonist with regard to its force of justification or refutation if the application of the intersubjective inference procedure or (after application of the intersubjective explicitization procedure) the application of the intersubjective testing procedure yields a positive result.*

*b. The antagonist has successfully attacked the force of justification or refutation of the argumentation if the application of the intersubjective inference procedure or (after application of the intersubjective explicitization procedure) the application of the intersubjective testing procedure yields a negative result.*

### *Attacking and defending standpoints conclusively*

On the basis of the discussion so far, and by virtue of rules 7 and 8, we can now indicate when the protagonist has *conclusively* defended an initial standpoint or a sub-standpoint by means of argumentation and when the antagonist has *conclusively* attacked this standpoint. For a *conclusive defense* of a standpoint, the protagonist must have defended both the *propositional content* of the argumentation (as prescribed in rule 7) and its *force of justification or refutation* with regard to the proposition on which the standpoint bears (as prescribed in rule 8). For a *conclusive attack* on a standpoint, the antagonist must have successfully attacked either the *propositional content* of the argumentation or its *force of justification or refutation* (as prescribed in rules 7 and 8). The antagonist may try to do both (by virtue of rule 6), but for a conclusive attack

<sup>20</sup> See van Eemeren and Grootendorst (1992: 92–102).



on the standpoint, it is sufficient to succeed in one of the two attempts. This is laid down in rule 9:

### Rule 9

*a. The protagonist has conclusively defended an initial standpoint or sub-standpoint by means of a complex speech act of argumentation if he has successfully defended both the propositional content called into question by the antagonist and its force of justification or refutation called into question by the antagonist.*

*b. The antagonist has conclusively attacked the standpoint of the protagonist if he has successfully attacked either the propositional content or the force of justification or refutation of the complex speech act of argumentation.*

If the protagonist manages to defend the initial standpoint in the prescribed manner, this standpoint is thereby at the same time conclusively defended. A conclusive defense of a sub-standpoint, however, does not automatically mean that the initial standpoint is thereby conclusively defended. To defend the initial standpoint conclusively, it is necessary by virtue of rule 9 that the force of justification or refutation of the first argumentation also be successfully defended (as prescribed in rule 8). The same applies, *mutatis mutandis*, to the defense of sub-standpoints with the help of sub-sub-standpoints, and so on.

### *Optimal use of the right to attack*

Rules 7, 8, and 9 refer to attacking and defending standpoints, but the antagonist need not necessarily call into question *everything* that the protagonist puts forward in the discussion. By virtue of rule 6, the antagonist is entitled to call into question both the propositional content and the force of justification or refutation of each of the protagonist's argumentations, but he is not *obliged* to do so. It is quite possible, however – and very common in practice too – that in the course of the discussion the antagonist may suddenly realize that he was wrong in accepting the whole argumentation without objection. It may also happen that he has in the first instance only called into question the propositional content of an argumentation, but not its force of justification or refutation, and regrets this upon reflection. The antagonist must be given the opportunity to exercise the rights that he passed up earlier. That opportunity can be given to the antagonist by

allowing him to make use of the right to which he is entitled by virtue of rule 6 *throughout the entire discussion*. This addition to rule 6 thus offers the antagonist the opportunity to make optimal use of his right of attack, and it is therefore conducive to the resolution of a difference of opinion.

### **Rule 10**

*The antagonist retains throughout the entire discussion the right to call into question both the propositional content and the force of justification or refutation of every complex speech act of argumentation of the protagonist that the latter has not yet successfully defended.*

#### *Optimal use of the right to defend*

By virtue of rule 9, for a conclusive defense of the initial standpoint, the protagonist is obliged to defend himself against all attacks by the antagonist on an argumentation that he has put forward. However, it is possible that the antagonist has called into question both the propositional content of an argumentation and its force of justification or refutation, and that the protagonist has in the first instance only defended himself against the first attack by conducting a new argumentation. The antagonist may then call this new argumentation into question, and if the protagonist defends himself against this attack, this does not mean that the first argumentation has thereby been conclusively defended. The protagonist must be given the opportunity to defend it conclusively at this point. This opportunity can be offered by allowing him to defend every argumentation that is attacked throughout the whole discussion against the attacks of the antagonist. This gives the protagonist the opportunity to make optimal use of his right of defense, and this too, like the optimal use of the right of attack by the antagonist, is conducive to the resolution of a difference of opinion.

### **Rule 11**

*The protagonist retains throughout the entire discussion the right to defend both the propositional content and the force of justification or refutation of every complex speech act of argumentation that he has performed and not yet successfully defended against every attack by the antagonist.*

Another way of enabling the protagonist to make optimal use of the right of defense is to give him the opportunity to *retract* an

argumentation that has already been put forward once. It may happen that the protagonist in the first instance considers that he can defend the initial standpoint or sub-standpoint conclusively by means of this argumentation, while later he realizes that this is not the case. By retracting an argumentation, the protagonist withdraws his commitment to it and thus also the obligation to defend it. In this way, the protagonist can correct himself in the course of the discussion. He may replace the retracted argumentation with another, which he considers able to be defended successfully. Protagonists should have the opportunity both to withdraw an argumentation on their own initiative without its being called into question by the antagonist, and if the antagonist has called the argumentation into question. Since the obligation to defend the argumentation ceases when it is retracted, protagonists may still be able to satisfy the requirement formulated in rule 9 for a conclusive defense of initial standpoints.

### **Rule 12**

*The protagonist retains throughout the entire discussion the right to retract any complex speech act of argumentation that he has performed, and thereby to remove the obligation to defend it.*

#### *The orderly conduct of the discussion*

The addition at the end of rules 10 and 11 means that the antagonist may not carry out attacks on an argumentation that the protagonist has already successfully defended and that the protagonist does not have to defend (and is not even allowed to defend!) himself against attacks that he has already successfully parried. These provisions prevent the discussion from being endlessly held up by repetitions of identical attacks or defenses. Such repetitions are pointless because they are in no way conducive to a resolution of the difference of opinion. The legal principle of *non bis in idem* – already mentioned in connection with rule 3 – is applicable here as well.

A critical discussion must not only not contain any pointless repetitions of identical speech acts; it must also proceed in an orderly fashion. This requires provisions that are conducive to the rapid and efficient resolution of differences of opinion. These provisions taken as a whole form a set of *regulations for the orderly conduct of a critical discussion*. The provisions contained in rule 13 can be

regarded as an important part of such a set of regulations on orderly conduct.

### Rule 13

- a. The protagonist and the antagonist may perform the same speech act or the same complex speech act with the same role in the discussion only once.*
- b. The protagonist and the antagonist must in turn make a move of (complex) speech acts with a particular role in the discussion.*
- c. The protagonist and the antagonist may not perform more than one move of (complex) speech acts at one time.*

In the *concluding stage*, the discussant who has carried out the role of protagonist in the argumentation stage either does or does not retract the initial standpoint, and the discussant who has carried out the role of antagonist in the argumentation stage either does or does not maintain the calling into question of the initial standpoint. The discussants close the discussion together by determining the final outcome (that may or may not lead them to start a new discussion). The only point that calls for explicit regulation in the concluding stage is to determine in which case the protagonist is obliged to retract the initial standpoint on the basis of the attacks carried out by the antagonist during the argumentation stage, and in which case the antagonist is obliged to retract his calling the initial standpoint into question on the basis of the defense carried out by the protagonist. These regulations are embodied in rule 14:

### Rule 14

- a. The protagonist is obliged to retract the initial standpoint if the antagonist has conclusively attacked it (in the manner prescribed in rule 9) in the argumentation stage (and has also observed the other discussion rules).*
- b. The antagonist is obliged to retract the calling into question of the initial standpoint if the protagonist has conclusively defended it (in the manner prescribed in rule 9) in the argumentation stage (and has also observed the other discussion rules).*
- c. In all other cases, the protagonist is not obliged to retract the initial standpoint, nor is the antagonist obliged to withdraw his calling into question the initial standpoint.*

No rule is needed to determine in which case the protagonist *may* retract the initial standpoint or in which case the antagonist *may* retract his calling into question of the initial standpoint. Both the protagonist and the antagonist are entitled to do so at every stage of the discussion. If one of them makes use of this entitlement, the difference of opinion is thereby immediately removed and the discussion is over. Of course, this premature conclusion to the discussion cannot be regarded as a resolution of the difference of opinion that is *the outcome of the discussion*.

The reason for not laying down this right of retraction on the part of the protagonist and the antagonist in a discussion rule is that this right follows immediately from the *premise* on which all the discussion rules are based. After all, all discussion rules assume that the discussants can never be obliged or forced to put forward or to call into question a standpoint. On this premise, discussants who put forward standpoints or call them into question do so of their own free will, and this means that they are also entitled to withdraw these standpoints or expressions of doubt of their own free will as well.

Nor is a rule necessary to indicate in which case the protagonist *may continue* to maintain the initial standpoint and in which case the antagonist *may continue* to call that initial standpoint into question. The reason is that this is already implied by rule 14. If the antagonist is obliged to retract his calling the initial standpoint into question, then the protagonist automatically has the right to continue to maintain the initial standpoint, and if the protagonist is obliged to retract the initial standpoint, the antagonist automatically has the right to continue to call that initial standpoint into question. The protagonist and the antagonist must themselves decide whether they wish to make use of this right or not.

After the discussants have concluded the discussion by jointly determining who has won the discussion, in accordance with rule 14, they can decide to conduct a new discussion or not. This new discussion, for example, might concern a different initial standpoint with regard to the same proposition, a statement that formulates a proposition from the list of accepted propositions (that is, a premise of the previous discussion) or a previously accepted discussion rule (so that a *meta-discussion* arises). Of course, it is for the discussants to decide whether they want to begin a new discussion (and if so, what its subject is). If

they decide to do so, the rules for conducting a critical discussion will apply to the *new* discussion as well.

*Rights and obligations regarding usage declaratives*

In the confrontation stage of a critical discussion, it is very important that the discussants understand each other's speech acts. This naturally holds for the other stages of the discussion as well. If a discussant is unclear in formulating his standpoint or in calling a standpoint into question, or if the other discussant misinterprets the formulations, there is a high probability that they will speak at cross-purposes. It is also conceivable that no discussion will arise at all, since in view of the formulation the other discussant sees no grounds for calling the standpoint into question. The rules for a critical discussion must therefore not only be conducive to the externalization of differences of opinion, but above all to the *optimal* externalization of the differences. To this end, discussants must formulate optimally and they must also interpret optimally. Although it is not easy to determine when a formulation or an interpretation is optimal, the formulations and interpretations must at least not obstruct the resolution of a difference of opinion in a critical discussion. The consequence of this requirement is that a discussant must choose formulations that are comprehensible to the other discussants, and that these other discussants must interpret the formulations in accordance with their well-considered assumptions about the first discussant's intention. Moreover, where necessary, all discussants must be prepared to replace their formulations and interpretations with better ones.

Aiming for optimal formulations and optimal interpretations does not, unfortunately, mean that these aims are attained automatically. To be on the safe side, discussants who doubt the clarity of their formulation would do well to replace it by a formulation they consider to be clearer, and discussants who doubt their interpretation would do well, to be on the safe side, to put it to the other discussant and ask for an amplification, specification, or other usage declarative.

The resolution of differences is furthered if the discussants have the opportunity, either of their own accord or at the request of others, to provide an amplification, specification, explanation, or definition. If the discussants consider it desirable, they may therefore always perform such usage declaratives in a discussion and they may also always

request other discussants to perform a usage declarative. The latter right creates an obligation for the other discussant to accede to a request of this kind. The rights and obligations of discussants in relation to the performance of usage declaratives or to requesting the performance of usage declaratives are laid down in rule 15:

**Rule 15**

- a. The discussants have the right at every stage of the discussion to request the other discussant to perform a usage declarative and to perform one themselves.*
- b. The discussant who is requested to perform a usage declarative by the other discussant is obliged to act accordingly.*

Our proposals for rules for a critical discussion come to an end with rule 15. Each of the rules formulated here makes it possible to satisfy a necessary condition for the resolution of a difference of opinion. As a whole, the rules are conducive to the resolution of a difference of opinion by means of argumentative discussions. The rules do not guarantee that differences of opinion can always be resolved in practice by means of these rules. That, naturally, requires more.<sup>21</sup>

<sup>21</sup> We refer here not only to further elaborations, specifications, and above all “operationalizations” that are called for, but also to the fulfillment of the “higher-order conditions.” See van Eemeren, Grootendorst, Jackson, and Jacobs (1993: 30–34) and Chapter 8 of this volume.

## Fallacies

### The state of the art in the study of fallacies

A standard definition of a fallacy that was accepted until recently is that of “an argument that seems to be valid but that is not valid.” During the last few decades, however, argumentation theorists have raised several important objections to this definition: “Seems” involves an undesirable amount of subjectivity; “validity” is incorrectly presented as an absolute and conclusive criterion; the definition ignores the fact that some well-known fallacies are valid by the terms of present-day logical standards; the definition restricts the scope of the concept of fallacies to patterns of reasoning, leading to the exclusion of a large number of recognized fallacies. These objections explain why nowadays it is preferred in some quarters to give a broader definition in which a fallacy is regarded as a deficient move in an argumentative discourse or text.

In *De sophisticis elenchis* (*Sophistical Refutations*), Aristotle (1928c) puts the fallacies in the dialectical context of a dialogue in which a thesis is attacked by one party and defended by the other party. The refutation of the opponent’s thesis is one way to win the debate. Seen from this perspective, fallacies are incorrect discussion moves in refuting this thesis. *Sophistical Refutations* deals with refutations that are only refutations in appearance (*paralogisms*) and that Aristotle considers characteristic of the style of argumentation of the Sophists, hence “sophisms.” In the *Topica* (*Topics*), Aristotle (1928d) discusses correct moves attackers can make to refute the thesis defended by their



opponent as well as incorrect argumentative moves such as *petitio principii*, also known as *begging the question* or *circular reasoning*.<sup>1</sup>

In *Sophistical Refutations*, Aristotle groups the fallacies into thirteen different types of incorrect refutations and indicates how the defender can parry these incorrect moves. He divides the dialectical fallacies into two groups: refutations that depend on language (*in dictione*) and refutations that are independent of language (*extra dictionem*). The fallacies that depend on language are connected with ambiguities and shifts of meaning. The fallacies that are independent of language can also occur in an artificial “perfect” language that is unequivocal and in every respect well defined. The distinction between language-dependent and language-independent fallacies is not without its problems, and was later often misinterpreted or interpreted in a very different way.<sup>2</sup> Nowadays, it has generally been replaced by the distinction between ambiguity fallacies and relevance fallacies.<sup>3</sup>

Aristotle’s standard definition of a fallacy as an apparently valid argument that is really invalid set the tone for a long time, but later scholars often ignored the dialectical context of the definition. They also ignored the differences between a deductively valid argument and Aristotle’s view that proper reasoning requires not only that the conclusion of the syllogism in question follow from the premises but also be based on these premises and different from them. It was not until the Renaissance that scholars such as Petrus Ramus rejected Aristotle’s insights – or even denied that fallacies were a field worth studying at all.

The philosopher Locke, who was critical of syllogistic logic, introduced the first *ad* fallacies: *ad verecundiam* (originally the “shame” argument, because one did not dare to attack an authority, nowadays the fallacy of a misplaced appeal to an authority); *ad ignorantiam* (the fallacy of concluding that an assertion is true because the opposite is not successfully defended); and *ad hominem* (originally making use of the other party’s concessions, now the general term for direct or indirect

<sup>1</sup> Aristotle (1928a) adds a number of comments in the *Analytica priora* (*Prior Analytics*). In the *Rhetorica* (*On Rhetoric*), Aristotle (1991) discusses a selection of the fallacies that he collected in his *Sophistical Refutations*, including *post hoc ergo propter hoc*.

<sup>2</sup> See, for example, Cohen and Nagel (1964) and Copi (1972).

<sup>3</sup> See, for example, Copi (1972).

attacks on the opponent). Locke, by the way, did not condemn these types of argumentation as fallacies. Nowadays, they are usually classified as relevance fallacies.

Whately's *Elements of Logic* (1828) treats the fallacies from a logical point of view, in which the Aristotelian definition is somewhat broadened. Whately was exceptionally influential on the later tradition in manuals in Great Britain and the United States. An important characteristic of treatments of the fallacies in these later manuals of traditional logic is the shift from Aristotle's dialectical perspective to the perspective of a monologue. In this way, the theory of fallacies concentrates exclusively on errors of reasoning rather than on misleading maneuvers by someone who is trying to get the better of the other party.<sup>4</sup>

Because some fallacies in Aristotle's list are intrinsically linked to the dialogue situation, one of the consequences of abandoning the context of debate has been that it is sometimes unclear why a particular fallacy is actually fallacious. An example of this is *many questions*, a fallacy that arises when a question is asked that can only be answered by simultaneously answering one or more questions that are "hidden" in the original question, as in "What did you do with the money you stole?" According to the modern interpretation, the answer to the original question *presupposes* a specific answer to other questions. Since *many questions* depends on the dialogue situation, this fallacy can only be analyzed adequately by means of a dialectical approach.

In *Fallacies*, a highly influential study of the history of the study of fallacies, Hamblin (1970) found such a degree of uniformity in the approaches to fallacies in prominent manuals of logic of the time that he spoke of a logical *standard treatment*. His critique of the standard treatment is devastating. The shortcomings of the standard approach are, in his view, already expressed in the standard definition of a fallacy as an argument that seems to be valid but that is actually invalid. Apart from formal fallacies such as the *denial of the antecedent* and the *confirmation of the consequence* (cases in which there is a confusion of sufficient and necessary conditions for logically valid reasoning), most of the fallacies discussed in the standard treatment do not match this definition

<sup>4</sup> For a more detailed explanation of fallacies as "derailments" of strategic maneuvering, see van Eemeren and Houtlosser (2002b).

at all. This may be because there is no question of an argument (in *many questions*, for example), because the argument is not at all invalid according to modern interpretations (in *petitio principii*, for example), or because the fallaciousness is not primarily due to the invalidity of an argument but connected with the unacceptability of an unexpressed premise (in *ad verecundiam*, *ad populum*, and *ad hominem*, for example). In the latter cases, an objection will relate to the content rather than the form of the argument. An *argumentum ad hominem* is generally not presented as an argument in the form of a series of premises with a conclusion, and cannot easily be reconstructed as such either.

Hamblin's critique of the standard treatment, even more than his own contribution to the theory of fallacies in the form of a regulatory system for formal dialectics, has led to all kinds of reactions.<sup>5</sup> The many articles and books that the logicians Woods and Walton have published, either individually or as co-authors, since the early 1970s, constitute the most ambitious post-Hamblin contribution to the study of fallacies. Their remedy for the standard treatment is to tackle fallacies with a variety of more advanced logical systems than just syllogistic logic, propositional logic, and predicate logic.<sup>6</sup> Their starting point is that fallacies can be analyzed using the structures and theoretical vocabulary of dialectical and other logical systems, and that successful analyses of fallacies will have characteristics that make these analyses formal in a very broad sense.<sup>7</sup> The informal logicians, on the other hand, who very much concentrate on argumentative practice, pay special attention to the conditions under which a specific argumentative move should be treated as a fallacy.

An important theoretical attempt to create a formal dialectical framework for the analysis of fallacies as envisaged by Hamblin was undertaken by Barth and Krabbe (1982). Their "formal dialectics" is,

<sup>5</sup> For a survey of the current state of the art in the theory of fallacies, see Hansen and Pinto (eds., 1995), and van Eemeren (ed., 2001, chapter 6).

<sup>6</sup> Their manual, *Argument. The Logic of the Fallacies* (1982) provides a clear statement of Woods and Walton's approach. See also *Fallacies. Selected Papers, 1972–1982* (1989), which contains a substantial collection of their joint articles.

<sup>7</sup> Walton's *Informal Fallacies* (1987), by the way, marks a turning point in his development. In his later work on analyzing fallacies, such as Walton (1989, 1992, 1995a, b, 1996, 1997a, b, 1998, 1999, 2000), he not only subordinates formal logic to dialectics, but also resorts (in a very broad sense) to pragmatics. See also Walton and Krabbe (1995).

as we explained in Chapter 3, among other sources, based on insights from the dialogue logic of the Erlangen School. Barth and Krabbe view a theory of rational argumentation as a finite collection of rules for the generation of rational arguments.<sup>8</sup> Fallacies can thus be analyzed as argumentative moves that *cannot* be generated by the rules. Instead of the *ad hoc* declarations that the standard treatment usually provides, formal dialectics makes it possible to give systematic analyses of the fallacies.<sup>9</sup> In the latter respect, the treatment of the fallacies that we offer in our pragma-dialectical approach fits in with the formal dialectical approach. We shall now proceed to explain what the pragma-dialectical treatment of the fallacies boils down to.

### Fallacies and the concept of a critical discussion

In Chapter 6, we formulated rules for the resolution of differences of opinion. Every violation of any of these rules can make the resolution of a difference more difficult, or may even obstruct it. We shall take such a violation to be a fallacy. This conception of a fallacy is broader than the familiar conception of fallacies as invalid or incorrect arguments, but it is also more specific. Our view is broader because we do not link the fallacies exclusively to one particular discussion stage, which we call the argumentation stage, in which the reasoning of the protagonist is tested for its correctness. It is more specific because it links the fallacies specifically and explicitly with the process of resolving a difference of opinion. Certain cases that are traditionally regarded as fallacies, but whose analysis has always raised problems, can now be analyzed adequately by means of our rules. This applies in particular to the so-called informal fallacies, which have always been the major obstacle to analysis. We shall show that the rules of the discussion procedure we have developed permit a systematic analysis of these informal fallacies.

Our starting point is that fallacies can occur at every stage of a critical discussion and that both the protagonist and the antagonist can be the guilty party. We therefore discuss the consequences of violations of the

<sup>8</sup> For an account of the rules of such formal-dialectical systems, see Barth and Krabbe (1982).

<sup>9</sup> See, for example, Barth and Martens (1977) for an analysis of the *argumentum ad hominem*.

pragma-dialectical discussion rules *for each discussion stage* and indicate *by which party* the infringements may be committed. For the sake of convenience, we assume that the discussant who has put forward the initial standpoint in the confrontation stage of a discussion plays the role of protagonist in the argumentation stage, and that the discussant who has called the initial standpoint into question fulfils the role of antagonist. We simply refer to these two discussants at every stage of the discussion as the “protagonist” and the “antagonist.”

Before entering upon a systematic discussion of the violations at each discussion stage, we shall first deal with contraventions that concern the distribution of speech acts in accordance with the model of a critical discussion. The model indicates which speech acts may occur in the course of the discourse or text and how these speech acts are distributed between the parties in the different stages of a critical discussion. The admissible speech acts are all speech acts or complexes of speech acts that belong to the categories of the assertives, commissives, directives, or usage declaratives.

Not *every* speech act belonging to these four categories may be performed at will by *each* party at *every* stage of the discussion. First, the possibilities are limited to the kinds of speech acts belonging to the categories that are listed in the model. Second, provisions included in the model bind the performance of admissible speech acts. This means that the only speech acts that may be performed are the ones listed in the model that have the specific role indicated in the model, at the stage in the discussion indicated in the model, and by the party indicated in the model.

The provisions laid down in the model can be violated in a number of ways. It may happen that an act performed (a) is not a speech act, (b) does not belong to the right category of speech acts, (c) is not the right member of the category in question, (d) is not performed by the right party, (e) is not performed at the right stage of the discussion, or (f) does not fulfill the right role. It will be evident that different violations can have considerably divergent consequences.

(a) The performance of an act different from a speech act may entail a more or less fundamental violation of the character of a discussion aimed at resolving a difference of opinion, but the seriousness of the consequence of the violation for the resolution of the difference, of

course, will not always be the same. Shaking a fist menacingly, for example, is usually a more serious violation than making a gesture to add force to a particular assertion. In the first case, the non-verbal act is an immediate violation of rule 1 for conducting a critical discussion stating that the participants have the unconditional right to put forward or call into question every standpoint. The person responsible is guilty of a fallacy that may at times be difficult for outsiders to detect: the *argumentum ad baculum*. In the second case, the consequences are less serious. It is even questionable whether one should refer to making a supporting, or otherwise argumentatively relevant, gesture as a violation at all.

(b) With the exception of the usage declaratives, declaratives, just as expressives, as such, are not a part of a critical discussion. In the case of declaratives, this is because they always require some form of authority in an extra-linguistic institution. In the case of expressives, it is because they presuppose the truth of the proposition concerned, while that is in principle precisely what is at issue or ought to be at issue. Declaratives can be used in a discourse or text to put pressure (of varying degrees) on the other party; expressives can be used to inform the other party of one's feelings with regard to certain aspects of the discussion. In the first case, there is again a violation of rule 1, while in the second case, the damage might be limited to the occurrence of an irrelevant remark that need not necessarily stand in the way of resolving the difference, unless the expressive in question takes on the function of an argument, as in the case of the *argumentum ad misericordiam*.

(c) One example of a category that does belong to the admissible group of speech acts is that of the directives. However, the only members of this category that are admissible in a critical discussion are *challenges* (the antagonist challenges the protagonist to defend the standpoint) and *requests* (the antagonist requests the protagonist to perform argumentation, or either party requests the other party to perform a usage declarative). Performing a *command* (for example, the command to retract the initial standpoint) or pronouncing a *prohibition* (for example, a prohibition on calling a particular standpoint into question) are examples of directives that hinder a critical discussion and obstruct the resolution of a difference. An example of

members of the category of assertives that may not be performed in a critical discussion are *threats* (which may also be seen as primarily commissive).

(d), (e), (f) The performance of a speech act that belongs to an admissible category and is also an admissible member of this category can still constitute a violation. The *wrong party* may have performed it; the right party may perform the right act at the *wrong stage* in the discussion; or the right party may perform the right act at the right stage of the discussion, but the act fulfils the *wrong role*. Cases in which the wrong party performs a speech act that is in principle admissible are, for instance, when the antagonist in a discussion about a non-mixed difference of opinion suddenly starts to perform assertives, or the protagonist suddenly starts to call standpoints into question. In these cases, the effect is that the discussion acquires a *mixed* (and in the latter case, also *multiple*) character. This need not render the resolution of the initial difference impossible, but if it is not taken into account, it can make the situation confused. The performance of a speech act at the wrong stage of the discussion can also create confusion. It can, for instance, be very confusing if the protagonist comes up with new arguments in the concluding stage. The performance of a speech act that is appropriate to the discussion stage concerned, but fulfils the wrong role in it, such as accepting a particular premise instead of the defended standpoint in the concluding stage, can also seriously complicate the process of resolving a difference of opinion.

#### *Violations of rules for the confrontation stage*

Differences of opinion are externalized in the confrontation stage. Rule 1 lays down how this can be done optimally by categorically stating that in principle, standpoints can refer to *anything*, and that in principle, *every* standpoint can be called into question, that *everyone* can put forward standpoints, and that *everyone* can call standpoints into question. A consequence of this rule is that the participants in a discussion may not prevent the other party *in any way* (verbal or non-verbal) from making use of this unconditional right.

Violations of rule 1 have as a consequence the situation that differences of opinion are not fully externalized. Whether this is the result of excluding a discussant from participating in the discussion,

prohibiting the expression of a standpoint by declaring it taboo, or forbidding the calling into question of a standpoint by declaring it sacrosanct, in every case the difference of opinion is not brought fully into the open. Violations of rule 1 imply that a necessary condition for conducting a critical discussion cannot be satisfied. Such violations should therefore be regarded as a serious violation of the dialectical procedure.

The confrontation stage is also the first discussion stage in which usage declaratives may be performed. If it is not clear that the protagonist has put forward a standpoint by means of, say, an assertive, or if it is not entirely clear what this standpoint exactly is, it is quite possible that a discussion will get under way, but there is also a high likelihood that the participants in the discussion will talk at cross-purposes, and even that at a certain stage they will claim to have arrived at a resolution of their difference, while this is in fact not the case. It is also possible that no discussion will get started at all because the antagonist does not realize that the standpoint formulated by the protagonist is open to criticism. In that case, the discussants claim to be in agreement, while this is only appearance. Of course, there can never be a full guarantee that differences of opinion are real instead of apparent, nor that resolutions of differences of opinion are real resolutions. Rule 15 is intended to create the necessary conditions to achieve clarity on this point, but no more than that. These necessary conditions are that each party (on his own initiative or at the request of the other party) may amplify or explain his own words, and that each party may request the other party to amplify or explain his words. The discussant to which such a request is addressed is always obliged to comply with it.

The lack of clarity or the misunderstanding resulting from a violation of rule 15 may have to do with the communicative force of a speech act, but it may also pertain to its propositional content. In order to make the communicative force of speech acts clear, the discussants can make use of standard formulations that have been agreed on beforehand. For the clarification of the propositional content, there are no specific instruments available. This means that it is difficult to prevent all kinds of *ambiguity fallacies* from occurring.

It is also possible to rule out that the antagonist attributes a stronger communicative force to the protagonist's speech act than the protagonist actually intended, or that the antagonist attributes a wider scope to



the propositional content of a speech act by the protagonist than the protagonist intended. An example of the former occurs when the protagonist presents a specific standpoint as a conclusion that is *plausible* on the basis of certain facts, while the antagonist (whether deliberately or not) regards this conclusion as a *necessary conclusion*. In other words, the protagonist puts forward an inductive probability argument and the antagonist acts as though the protagonist has put forward a deductively valid argument. If the protagonist has justified the probability claim, but not the (alleged) validity claim, at the end of the discussion he has lost the argument to the antagonist, even though from his own point of view he has actually won it.

The case is similar when the antagonist attributes a wider scope to the propositional content of a speech act than the protagonist intended. Suppose that the protagonist wants to defend the standpoint that women, *generally speaking*, have a different logic from men, and the antagonist interprets the protagonist's words in such a way that, according to him, the protagonist is obliged to defend the view that *all* women have a different logic (which can easily happen if the protagonist has said, for example, "I think that women have a different logic from men"). If in the course of the discussion a woman is mentioned who, in the eyes of both the antagonist and the protagonist, has the same logic as men, it is not necessarily the case that the protagonist has to abandon his standpoint, but on the antagonist's interpretation he has already lost the discussion.

### *Violations of rules for the opening stage*

In the opening stage, the protagonist is challenged by the antagonist to defend his standpoint in the argumentation stage according to rules agreed upon by both parties. Rules 2 to 5, which bear on this stage, must ensure that, after the difference of opinion has been externalized, the parties attempt to join in finding a resolution to the difference. Violations of the rules pertaining to this discussion stage may have as their consequence the situation that the protagonist and the antagonist do not reach the argumentation stage because the protagonist is not challenged by the antagonist (rule 2) or because the protagonist does not accept the challenge (rule 3). It is also necessary that the discussants' willingness to debate be externalized (rule 4) and that certain discussion rules are agreed upon that are acceptable to

both parties (rule 5). The regulation of the burden of proof is crucial in the first three cases. A protagonist who does not recognize that he has been allocated the burden of proof with regard to the standpoint that he has voluntarily put forward (and that has been called into question by the antagonist) withdraws from a discussion in which this standpoint can be critically tested. A protagonist who tries to evade his burden of proof by passing it on to the antagonist is guilty of the fallacy of *shifting the burden of proof*. John Locke called this phenomenon the *argumentum ad ignorantiam*, and described it as follows:

[...] another way that men ordinarily use to drive others, and force them to submit their judgments, and receive the opinion in debate, is to require the adversary to admit what they allege as a proof, or to assign a better. And this I call *argumentum ad ignorantiam* (1961: 278).

If one of the two parties refuses to accept any system of rules for defending and attacking the initial standpoint, a regulated discussion is by definition impossible. If one party does not wish to accept certain rules, it is impossible for the other party to appeal to these rules. A person who does want to agree upon rules may reach the argumentation stage, but no other discussant can be obliged to begin a discussion with such an “unattached” discussant. Agreeing on rules for the argumentation stage that are acceptable to both parties is a *conditio sine qua non* for a critical discussion. The situation is only a little different when a discussant is first prepared to abide by certain rules, but then calls them into question in the argumentation stage (probably because on closer inspection the rules in question are not so favorable to him). A person who acts in this way disturbs the discussion of the initial standpoint. As we explained in Chapter 6, in itself there is nothing objectionable about holding a *meta-discussion* on the adequacy of the rules for the argumentation stage, but such a meta-discussion should be conducted *before* or *after* the original discussion of the initial standpoint: A discussant who confuses a meta-discussion with the original discussion will probably (intentionally or not) produce the undesired effect that *both* discussions get into difficulties.

#### *Violations of rules for the argumentation stage*

The rules bearing on the argumentation stage (rules 6 to 13) regulate the way in which the initial standpoint may be attacked and defended,

as well as in which case the attack or defense is conclusive. An important role is played here by the *intersubjective identification procedure* (bearing on the propositional content of the argumentation), the *intersubjective explicitization procedure*, the *intersubjective inference procedure*, and the *intersubjective testing procedure* (all bearing on the force of justification or refutation). These four procedures are all of crucial importance for the smooth running of the argumentation stage. We shall discuss violations concerning the propositional content of the speech act complex of argumentation committed by the protagonist before passing on to violations concerning the force of justification or refutation of the argumentation.

With regard to the propositional content of the argumentation put forward by the protagonist, he may make the mistake of expressing propositions that do not (or do not all) occur in the list of accepted propositions and that after closer inspection are not automatically accepted by the antagonist (negative result of the intersubjective identification procedure), while the protagonist still maintains the argumentation. The consequence of rule 7 is that the protagonist is obliged to retract his argumentation if the outcome of the intersubjective identification procedure is negative and he has not made the propositional content of the argumentation in the second instance acceptable to the antagonist by means of a sub-discussion. If a protagonist refuses to do so, he fails to abide by the rules that are binding by virtue of the agreements made with the antagonist. The antagonist can make the opposite mistake by refusing to accept the propositional content in question despite a positive outcome of the intersubjective identification procedure or a sub-discussion. In this case, he too fails to abide by the rules that are binding by virtue of the agreements he has made with the protagonist.

Whether the protagonist or the antagonist violates rule 7, in both cases there is little point in continuing the discussion because a joint resolution of the difference of opinion is only possible if *both* parties abide by the rules that determine what counts as a successful defense and what counts as a successful attack. Without such rules, it is sometimes possible to win the other party (or a third party consisting of listeners or readers) over to one's own standpoint, but a successful attempt at persuasion of this kind can never be regarded as a successful attempt to convince by means of argumentation in a critical discussion.

With regard to the force of refutation or justification of a speech act complex of argumentation, both the protagonist and the antagonist can commit violations of rule 8 that are comparable to the violations concerning the propositional content. The literature on fallacies has always paid the most attention to possible mistakes bearing on the force of justification or refutation of an argumentation. These errors are apparently considered so important that the old definition of fallacies was exclusively based on mistakes of this kind. Moreover, as a rule, attention is focused only on the outcome of the intersubjective inference procedure. The results of the intersubjective testing procedure are generally left out of account. Moreover, attention is usually concentrated exclusively on the negative results of the intersubjective inference procedure, which makes the protagonist exclusively responsible for all fallacies. The importance of conducting the intersubjective explicitization procedure is completely ignored as well.

What kinds of violations of the rule for a successful attack and defense of the force of justification or refutation can be distinguished? We shall discuss violations bearing on the performance of the intersubjective explicitization procedure, the intersubjective inference procedure, and the intersubjective testing procedure, in that order.

The intersubjective explicitization procedure should be carried out if the protagonist has not expressed a full argument, but has left out one or more parts of the argumentation. The procedure is intended to lead to the reconstruction of the unexpressed parts. A crucial factor here is that the reconstruction must be acceptable to both the antagonist and the protagonist. This condition of mutual agreement is open to two types of violation – one by the antagonist and one by the protagonist. The former takes place if the antagonist's intervention means that the reconstruction goes further than the unexpressed argument to which the protagonist can be held by virtue of his statements or other speech acts. In that case, the antagonist is guilty of the fallacy of *distorting an unexpressed premise*. If the protagonist's intervention means that the reconstruction falls short of the unexpressed argument to which the protagonist can be held, the violation is of a different kind, and the protagonist is guilty of the fallacy of *denying an unexpressed premise*.

The intersubjective explicitization procedure is followed by the intersubjective inference procedure. The application of the latter

procedure is actually only relevant if the protagonist has expressed a full argument. If the application of this procedure shows that the protagonist's (presented) argument does not satisfy the accepted validity requirement – for example, because the protagonist has reversed the (valid) argument form *modus ponens* (and is thus guilty of the fallacy of *denying the antecedent*), or the (valid) argument form *modus tollens* (and is thus guilty of the fallacy of *affirming the consequent*), or because the protagonist has committed a logico-semantic mistake by confusing the properties of parts and wholes (and is thus guilty of a fallacy of *division* or *composition*) – the antagonist has successfully attacked the force of justification or refutation of the protagonist's argumentation by virtue of rule 8, and the protagonist is obliged to withdraw his argumentation.

The application of the intersubjective testing procedure must make it clear whether the argumentation makes use of an argument scheme that is acceptable to both parties and that is also correctly applied in the opinion of both parties. Only if the use of the argument scheme meets these two conditions has the protagonist conclusively defended the force of justification or refutation of his argumentation and has he the right (presupposing that the intersubjective identification procedure has also yielded a positive outcome) to maintain the argumentation against the antagonist. If the testing of the acceptability of the chosen argument scheme or of the correctness of its application yields a negative result, the antagonist has successfully attacked the force of justification or refutation of the protagonist's argumentation, and the protagonist is obliged to retract his argumentation.

The protagonist can commit violations of rule 8 that are connected with the choice of the argument scheme in one of two ways. The protagonist can put forward argumentation that is based on a scheme that is unacceptable to the antagonist. He can also put forward argumentation that does not allow the reconstruction of an argument scheme that would establish an argumentative connection between the propositional content of the argumentation that is advanced and the proposition that is expressed in the standpoint. The latter case is one of *non-argumentation* (there is no argumentation, but the protagonist shows off his own qualities or tries to play on the feelings of the antagonist) or of *irrelevant argumentation* (there is argumentation, but not for or against the standpoint that has been called

into question, so that the protagonist commits the fallacy of *ignoratio elenchi*).

Both the protagonist and the antagonist can commit violations of rule 8 connected with the application of the chosen argument scheme. The protagonist applies the chosen argument scheme incorrectly if he connects a proposition from the argumentation with the proposition that is expressed in the standpoint in such a way that links are made between matters that are not linked like that in any factual or desirable reality or cannot be linked like that. For instance, the protagonist may put forward a proposition in the argumentation in which a certain event is mentioned, and then derive a proposition causally from it in which an event is mentioned that took place at a later moment, but is not necessarily caused by the event mentioned in the propositional content of the argumentation. Given that the parties are in agreement on the admissibility of the use of the causal argument scheme, the protagonist who applies this argument scheme in this way violates rule 8 by presenting a temporal sequence as a sufficient instead of a necessary condition for a causal connection. He thus commits the fallacy known as *post hoc ergo propter hoc*. Similar violations are *secundum quid* (a hasty generalization in which a universal proposition is based upon singular or particular propositions that are not representative or insufficient) and *ad consequentiam* (a supposed fact is taken to be or not to be the case based on the desirable or undesirable consequences mentioned in a proposition illustrating the consequences of that fact).

Another way in which the protagonist can violate rule 8 is by refusing to respond to the critical questions that correspond to the argument scheme he has used, or even by preventing these questions from being raised. An example of the latter is the fallacy of the *slippery slope*. The protagonist commits this fallacy if he presents a proposition in which a prediction is made, without any further motivation, regarding the desirable or undesirable consequences of taking or not taking a measure, and derives from that an evaluative proposition in which it is claimed that it is necessary to take or not to take the measure. By presenting the prediction as uncontroversial, the protagonist makes it difficult for the antagonist to raise the critical questions that he is invited to rise.

The antagonist can also obstruct the correct application of an argument scheme that is deemed acceptable by both parties. He may do

so by an incorrect handling of the critical questions that correspond to the argument scheme in question, or by raising critical questions that do not correspond to this argument scheme at all, but to another argument scheme. For instance, if the protagonist uses a symptomatic argument scheme, the antagonist can request him to demonstrate that there really is a causal link between the matters represented in the propositional content of the argumentation and in the standpoint, while the protagonist only intended to argue that the propositional content of the argumentation *strongly indicates* that the propositional content of the standpoint is correct. Such violations are examples of the fallacy of *misplaced criticism*.

#### *Violations of the rule for the concluding stage*

The only rule that applies to the concluding stage (rule 14) lays down the consequences for the protagonist of a conclusive attack on the initial standpoint by the antagonist, and for the antagonist, of a conclusive defense by the protagonist. In the first case, the consequence for the protagonist is that he is bound to retract the initial standpoint; in the second case, the consequence for the antagonist is that he is bound to retract the calling into question of the initial standpoint. A protagonist who refuses to do the former, or an antagonist who refuses to do the latter, may have argued entirely in accordance with the rules so far, but the resolution of the difference of opinion is prevented at the last stage of the discussion by this attitude. Such a reaction is therefore a well-founded reason for the other party to refuse to enter into a new discussion with this discussant.

These consequences are the *only* consequences that follow from rule 14. The parties may not attach any other consequences to victory or defeat than the retraction of the initial standpoint or the calling into question of that standpoint. If the protagonist has lost the discussion, he is bound to retract the initial standpoint by virtue of rule 14. However, he is not obliged to admit that the *opposite* standpoint has been proven – that is, conclusively defended. An antagonist who attaches this consequence to the protagonist's defeat incorrectly assumes that the discussion was mixed and that there are always only two (opposite) standpoints possible. He thereby commits the fallacy that is nowadays (in a usage different from Locke's) known as the *argumentum ad ignorantiam*.

### The pragma-dialectical discussion procedure and the analysis of fallacies

This survey of the possible violations of the pragma-dialectical discussion procedure for the conduct of a critical discussion shows how the resolution of a difference of opinion can be obstructed at each stage of the discussion by one or both of the parties.<sup>10</sup> Violations of rule 1, bearing on the confrontation stage, can be committed by both the protagonist and the antagonist. They imply that the difference of opinion has not been fully externalized, which entails the failure to comply with a necessary condition for the resolution of the difference. Both the protagonist and the antagonist can commit violations of rules 2, 3, 4, and 5, which bear on the opening stage. Their consequence is that the discussants do not reach the argumentation stage in a constructive way, and thus do not arrive at a resolution of the difference of opinion either.

Violations of rules 6–13, bearing on the argumentation stage, can be committed by both the protagonist and the antagonist. These violations imply that the argumentation stage, on which the resolution of the difference of opinion depends, takes a course that is not beneficial to the resolution process. This deficiency may be connected with both the propositional content and the force of justification or refutation of a complex speech act of argumentation performed in this stage of the discussion. What is at stake here is the acceptability of propositions, the validity of arguments, and the overall acceptability of the argument schemes that are used.

Finally, both the protagonist and the antagonist can commit violations of rule 14, bearing on the concluding stage. These violations imply that a discussant refuses to concede that the other party has won by not retracting an inconclusively defended standpoint or by not accepting a standpoint that has been attacked inconclusively. The *argumentum ad ignorantiam*, which amounts to accepting the opposite standpoint when a standpoint is not defended satisfactorily, is a violation that can only be actively committed by the *antagonist*.

<sup>10</sup> For a fuller exposition of the pragma-dialectical approach to the fallacies, see van Eemeren and Grootendorst (1984) and in particular, van Eemeren and Grootendorst (1992).



Our analysis shows that the traditional definition of fallacies as *invalid arguments* covers by no means all the various kinds of wrong moves in an argumentative discourse or text that are usually called fallacious. In the traditional analysis, the fallacies are reduced to violations of one part of one particular discussion rule (rule 8), which can only be committed by one party (the protagonist).

At this stage of the explanation of the pragma-dialectical approach to the fallacies, we are in a position to offer a more precise definition of what we take to constitute a *fallacy*:

Every violation of any of the rules of the discussion procedure for conducting a critical discussion (by whichever party and at whatever stage in the discussion) is a fallacy.

On this view, fallacies are not “absolute” mistakes that can simply be attributed to discussants by an analyst who penetrates the “essence” of reasonableness, but moves in an argumentative discourse or text that can be characterized as less than constructive, or even destructive, because they are violations of a well-defined system of rules for the resolution of differences of opinion that the discussants intersubjectively accept. A fallacy is thus only a fallacy in relation to a particular normative model of an argumentative discourse or text, that is, in our pragma-dialectical theoretical approach in relation to a critical discussion, and only for discussants who (explicitly or implicitly) agree with this conception. A basic advantage of this approach to the analysis of fallacies is that the use of subjective and vague expressions such as “having the appearance of validity” and “being apparently correct,” a feature that Hamblin (1970: 12) took to be characteristic of traditional analyses of fallacies, can be avoided. Starting from a discussion procedure that is explicitly formulated, fallacies can now be systematically analyzed as violations of the discussion rules that, according to this discussion procedure, apply to the various discussion stages of a critical discussion.

### Examples of an analysis of some well-known fallacies

In order to demonstrate that fallacies that always raise problems in the traditional approach can be adequately analyzed by means of the

analytical apparatus that we have developed, we analyze two well-known problematic fallacies: the informal fallacies of *begging the question* and *argumentum ad hominem*.

The fallacy of *begging the question* (also known as *circular reasoning* or *petitio principii*) is a clear example of a fallacy in which the “fallaciousness” does not lie in the invalidity of the argument that is used. The clearest case of this fallacy is an argument of the form “*p*, therefore *q*,” such as “A, therefore A.” Arguments of this form (according to the law of identity) are valid arguments. If the argumentation in which they are used is nevertheless considered fallacious, its lack of soundness must be the result of something other than invalidity. The literature on fallacies in fact contains various examples of attempts to answer the question of where the invalidity of circular reasoning lies, but none of these attempts has been satisfactory.

Using the discussion rules that we have proposed, the fallacy of *begging the question* can be analyzed as follows. In the event of a difference of opinion, one discussant puts forward a standpoint and the other discussant calls that standpoint into question. These discussants are therefore *not* in agreement on the acceptability of this standpoint. If any attempt to resolve this difference of opinion by means of a regulated discussion is to have any chance of success, it is necessary for the discussants to adopt a number of propositions accepted by both parties (rule 3) as their starting point. The initial standpoint (in this case represented by “A”) cannot, of course, form any part of the list of agreements expressing propositions that are acceptable to both parties, otherwise there would be no difference of opinion. When the fallacy of *begging the question* is committed, it is only natural to suppose, just as in other cases, that the discussant who in the discussion fulfills the role of protagonist will in the argumentation stage at a certain moment express a proposition that he claims can be identified as a common starting point by means of the intersubjective identification procedure. In the case of *begging the question*, the error that is made is that the protagonist then (intentionally or unintentionally) makes use of a proposition that, as he can know beforehand, is *not* to be found in the list of propositions that are acceptable to both parties, so that the intersubjective identification procedure *cannot* yield a positive result. If this statement were to occur in the list, or if it were to be added to the list, the

difference of opinion would immediately be resolved, which is not the case here.<sup>11</sup>

The second fallacy to be discussed is the *argumentum ad hominem*. Three variants of this fallacy are usually distinguished in the literature: the *abusive* variant, the *circumstantial* variant, and the *tu quoque* variant. The *abusive* variant can best be described as a direct personal attack in which the opposite party is represented as stupid, dishonest, unreliable, or negative in some other way. The *circumstantial* variant is an attempt to undermine the position of the opponent by suggesting that he is acting purely out of (and motivated by) self-interest, and that the argumentation he puts forward is nothing but a (deceptive) "rationalization." The *tu quoque* variant is aimed at bringing to light a contradiction consisting in the fact that the opponent in this discussion attacks (or defends) a standpoint that he has previously advanced (or attacked). This contradiction may concern a discrepancy that crops up within a single discussion, but it may also concern a discrepancy between the standpoint adopted in the discussion and a standpoint that the opponent has previously adopted in another discussion or on another occasion. It is also possible that the standpoint now adopted is out of line with (or even in contradiction to) his further actions or with certain principles that he may be expected to observe.

What these three variants have in common is that the discussant who commits one of these variants of the *argumentum ad hominem* fallacy (a) does not tackle the standpoint or the argumentation of the other party, (b) tries to obtain or enforce support for his own position instead, (c) does so by trying to discredit the other party to the discussion, and (d) does so by representing the other party as unworthy of credibility. The differences between these three variants lie in the different means deployed to attain that shared objective. In the *abusive* variant, it is done by calling into question the knowledgeability, intelligence, or integrity of the other party *in general*. In the *circumstantial* variant, an attempt is made to show that personal interests prevent the other party from making an impartial judgment *in the present case*. In the

<sup>11</sup> Of course, it is always possible in principle to start a sub-discussion about this statement, but then it still stands that at the discussion stage we were originally talking about the fallacy of *begging the question* has been committed.

*tu quoque* variant, an attempt is made to undermine the credibility of the other party by accusing him of lack of consistency if he adopts *this* standpoint in *this* question.

It should first be pointed out that both the protagonist and the antagonist could use any of the three variants of the *argumentum ad hominem*. Second, the first two variants of this fallacy are in practice often aimed not at the other party (although they are naturally aimed *against* him), but at a *third* party consisting of the spectators. We are not primarily concerned here with explaining the use of rhetorical devices, but it will be clear that all three variants can be used to *silence* the other party in the presence of a third party.<sup>12</sup> The question now is to what extent the three variants can all be regarded as violations of the rules pertaining to discussions aimed at resolving a difference of opinion between two parties, and if so, which rules.

In the *tu quoque* variant, a distinction must be made between (real or alleged) inconsistencies *in the same discussion*, on the one hand, and inconsistencies by comparison with *earlier discussions* or with the *rest of the other party's behavior*, on the other. In the first case, the party accused of inconsistency (if the allegation is founded) calls into question a proposition that appears on the list of propositions agreed on by both parties. The point, however, was that these propositions should serve as a starting point for the discussion. In that case, there really is an inconsistency.

If the (real or alleged) inconsistency relates not to the propositions of the other party expressed in the same discussion, but (also) to propositions in statements or other speech acts performed in previous discussions or to the rest of the opponent's behavior, the situation is different. According to rule 1, the discussants have the unconditional right to put forward *any* standpoint and to call into question *any* standpoint. Their only *obligation* is to retract in specific circumstances either the initial standpoint or the calling into question of the initial standpoint, an obligation that follows from rule 14. That obligation applies if the antagonist has successfully attacked the initial standpoint or if the protagonist has conclusively defended his standpoint. Whoever claims, not on these grounds but on the grounds of an inconsistency

<sup>12</sup> For the rhetorical use of presentational devices, see van Eemeren and Houtlosser (2002b).

with the opponent's statements in an earlier discussion or in other behavior, that the opponent must retract a standpoint or stop calling into doubt a standpoint, violates rule 14 and is guilty of the *tu quoque* variant of the *argumentum ad hominem*. There is at the same time a violation of rule 1, because there is also a breach of the unconditional right to put forward this standpoint or to call it into question.

The *abusive* and the *circumstantial* variants can be regarded as violations of rules 1, 2, and 3. According to these rules, a discussant is always entitled to call a standpoint into question and to challenge the other discussant to defend his standpoint, and the challenged discussant can only evade the obligation to defend a standpoint against the opponent if he has already conclusively defended this standpoint on a previous occasion against the same challenger in accordance with exactly the same discussion rules and with exactly the same premises, or if the challenger is not prepared to accept rules and premises agreed upon by both parties. That the other party is a bad person or has a financial interest in winning the discussion is no valid reason for the protagonist to refuse to take up that party's challenge under rules 2 and 3. No one is obliged to put forward a standpoint against someone whom he dislikes for some reason or other, but a person who has voluntarily expressed a standpoint to another person is obliged to defend this standpoint against this person when requested to do so. The same applies, *mutatis mutandis*, to the calling into question of a standpoint and the challenging of the protagonist by the antagonist.

In this brief discussion of the fallacies of *begging the question* and *argumentum ad hominem*, we have shown that it is possible to use the rules we have formulated to provide an adequate analysis of some of the problematic informal fallacies. Together with the examples we have given in the discussion of fallacies as violations of the discussion rules for a critical discussion (*ad baculum*, *ad ignorantiam*, and so on), the analysis should make it clear that fallacies are not exclusively tied to the role of the protagonist, nor to (a single aspect of) the argumentation stage of the discussion. The *argumentum ad hominem* is a good illustration of a fallacy whose analysis raises serious problems when this fallacy is to be treated as a fallacy exclusively tied to the invalidity of the arguments that are expressed in the argumentation of the protagonist in the argumentation stage of the discussion. These problems are solved in our analysis, in which the fallacy *argumentum ad hominem* is brought

in connection with rules that bear on the confrontation stage and the opening stage. The argumentative move of *begging the question* cannot be analyzed, in accordance with the traditional definition of a fallacy, as an invalid argument. The problems are solved, however, if this fallacy is connected with rule 3 of the pragma-dialectical discussion procedure and the application of the intersubjective identification procedure. The *argumentum ad baculum* does relate to the confrontation stage of a critical discussion rather than the argumentation stage: It amounts to a violation of rule 1 of the discussion procedure. The *argumentum ad ignorantiam* (in the modern interpretation) is a last illustration of a fallacy that can only be analyzed properly if the fallacy is brought into connection with a discussion procedure such as the one proposed in pragma-dialectics, in this particular case with rules that bear on the concluding stage and with the role of the antagonist.

### Fallacies and implicit language use

In applying the rules of the discussion procedure to ordinary argumentative discourse and texts, it is necessary to take into account the fact that ordinary language use is not always unambiguous. Unlike in the case of the use of logical symbols, in oral and written communication a lot is left implicit. It must be strongly emphasized that this certainly does not mean that there is always something fallacious to ordinary language use. In argumentative discourse and texts, this is only so if the implicitness obstructs the resolution of a difference of opinion.<sup>13</sup>

Let us first consider some ways in which discussants can obstruct the resolution of a difference of opinion by implicit language use. Lack of clarity, which is sometimes the result of implicitness, can be an isolated phenomenon, but the implicitness may also be combined with a violation of one or more discussion rules. To start with, take the *argumentum ad baculum* and the *argumentum ad hominem*. Threats and personal attacks are often more effective if they are made in veiled terms or indirectly. Sometimes they are so indirect that there is even an explicit denial that the intention is to put pressure on the other party

<sup>13</sup> To determine when this is and when this is not the case, we need pragmatic insight into the way in which people communicate with each other.

or to attack him personally. The threat or the attack is then presented, for instance, as information that the listener or reader is free to use as he chooses.

In *evading the burden of proof*, implicitness is a device commonly used by the protagonist to pretend that his standpoint requires no defense or is not open to criticism. In the first case, the fact that the utterance has the character of a standpoint is played down, while in the second case, the standpoint is rendered immune. These effects are, for instance, achieved by not presenting the standpoint explicitly or by leaving out quantifying qualifications.

In the case of the *straw man*, implicitness may play a role with regard to the communicative fore or the propositional content of a standpoint. The former is the case if an exaggeratedly pertinent standpoint is attributed to the protagonist; the second, if a standpoint that is too general is attributed to the protagonist. As neither the certainty nor the scope of the standpoint is always explicitly indicated by the protagonist, the antagonist can do this without its immediately being recognized.

In the case of *irrelevant argumentation* or *non-argumentation*, implicitness is crucial for conveying both the communicative force and the propositional content of the standpoint. It is, for example, hardly likely that the protagonist will concede in so many words that his argumentation concerns a standpoint that is different from the standpoint under discussion (*ignoratio elenchi*) or that the protagonist will state explicitly that he, instead of putting forward any arguments, is only concerned with playing on the emotions of the people who are to be convinced (*argumentum ad populum*) or with showing off his own qualities (*argumentum ad verecundiam*).

In the case of *distorting or denying an unexpressed premise*, implicitness is a *conditio sine qua non*. The antagonist can only distort an argument if it is not expressed explicitly. The same applies to the denial of an unexpressed premise by the protagonist. The antagonist can then always maintain that his interpretation of the words of the protagonist is borne out by those words themselves, and the protagonist can always counter by way of protest that he never actually said what the antagonist asserts that he said.

In the case of *begging the question* or *petitio principii*, formulations that differ to some extent from one another are generally used, so that it is

only on closer inspection that they are seen to boil down to the same thing. The circularity of the argumentation is not immediately obvious because the correspondence between the premise and the standpoint remains implicit, and therefore veiled.

In the case of *denying the antecedent* or *affirming the consequent* and the fallacies of *division* and *composition*, it is not always obvious from the way it is phrased that the reasoning used in the argumentation is invalid. To start with, the argumentation has to be translated first from ordinary language into the language of a logical system. The formulation of the arguments, however, does not usually point unequivocally in the direction of a particular translation into a particular logical system. In the case of fallacies of composition or division that are invalid on logico-semantic grounds, moreover, an additional problem is that the transferability of a property cannot be directly read off from the terms used.

In the case of the *argumentum ad consequentiam*, *slippery slope*, *post hoc ergo propter hoc*, and *secundum quid*, the chosen argument scheme is incorrectly applied. The way in which the argument scheme should be applied usually depends on the kind of standpoint that is to be tested. However, the nature of a standpoint is often unclear because it is implicit or its scope has not been explicitly given.

The *argumentum ad ignorantiam* is frequently found in combination with a *false dilemma*. A false dilemma involves the confusion of a contrary and a contradictory opposition, but whether an opposition should be conceived as contrary ("warm"/"cold") or contradictory ("open"/"closed") is once again not always immediately clear from the words used.

This survey shows that implicitness can play an important role in various fallacies. The implicitness may bear on the communicative force of a standpoint (*argumentum ad baculum* and *argumentum ad hominem*), the content (*circular reasoning* and *invalid reasoning*) or both (*straw man* and *argumentum ad ignorantiam*). Sometimes, implicitness is an accessorial phenomenon (*argumentum ad baculum*); sometimes it is an important condition (*straw man*) or even a necessary condition (*distorting an unexpressed premise*) for the effect of a fallacy.

Does the important role implicitness plays in fallacies have as its consequence that discussants who want to engage in a critical discussion



must be required to express themselves explicitly at all times and in all places? That is, of course, putting it rather simply. The discussants are jointly responsible for the achievement of mutual comprehension. Achieving this comprehension does not in most cases mean that the speaker or writer needs to be fully explicit. Nor does it mean that being clear is enough: The discussants must also try to understand the speech acts of others as well as they can. These requirements follow from the general Communication Principle that applies to all forms of ordinary communication.

The requirement of clarity neither means that a speaker or writer must necessarily formulate his intentions explicitly and directly, nor that it is enough for the listener or reader to attribute a literal meaning to the words of the speaker or writer. It is completely normal for all kinds of things to remain implicit in ordinary language, or for intentions to be conveyed indirectly. Generally speaking, implicit and indirect speech acts entail hardly any problems in practice. By making use of background knowledge, it is usually easy to ascertain what is intended, or may be regarded to be intended, from the context and the situation. In many cases, the speaker or writer will count on this. If the speaker or writer manages to convey his intentions, the formulations that are used are clear enough for the listener or reader. Of course, a speaker or writer can always be mistaken in the use of background knowledge, or in his estimate of the extent to which the context and situation speak for themselves. The listener or reader may make the wrong connection between the context or situation and the words of the speaker or writer, and therefore misinterpret his words.

In communication, success or failure is not an absolute: A verbal utterance that is comprehensible to one listener may be incomprehensible to another. Intelligibility is also gradual, since a formulation can be understandable to a greater or lesser degree. Some purposes demand a higher level of understanding than others. A surgeon explaining an operation to a colleague will aim at a higher level of understanding than when explaining it to his nephew. There is, one might say, a difference in "depth of intended meaning."<sup>14</sup>

Where clarification is required for the resolution of a difference of opinion, the discussants can make use of usage declaratives, the speech

<sup>14</sup> See Naess (1966: 33–36).

acts that explain, render explicit, or specify unclear, indeterminate, vague, or ambiguous language use.<sup>15</sup> As we have mentioned, a speaker or writer always has the right to perform a usage declarative and a listener or reader always has the right to request a usage declarative from a speaker or writer.

### The identification of fallacies

One of the consequences of the frequent occurrence of implicit language use in argumentative discourse and texts is that the identification of a possible fallacy usually has a conditional character. Because implicit language use can be interpreted in different ways depending on the nature of the case, it is only warranted to speak of a fallacy if the interpretation is firmly justified. In some cases, the violation of a discussion rule is immediately recognizable as such, but in practice this tends to be the exception rather than the rule. Usually it is a “matter of interpretation” whether there is a fallacy or not. This means that people accused of a fallacy can almost always deny that they have violated a discussion rule. They can say that the interpretation does not correspond to their intention and that they have certainly not said this. Of course, they may be right. If they are not, the only remedy is to point out to them what they can be held to in the given context and situation.

There is another reason why the identification of fallacies has a conditional character: The rules of discussion that are violated by fallacies are only applicable to (parts of) discourse or texts that are aimed at resolving a difference of opinion, and sometimes it is not at all clear to what extent the discourse or text is of that kind. An analytic reconstruction of the argumentative discourse or text as a critical discussion is required first.<sup>16</sup> In case of serious doubt, the strategy of the maximally reasonable reconstruction may offer a way out, which requires the discourse or text to be analyzed as if its purpose were to resolve a

<sup>15</sup> This sub-category of the declaratives, which is of special importance here, is introduced in van Eemeren and Grootendorst (1984: 109–110).

<sup>16</sup> For the dialectical transformations that are carried out in such an analytic reconstruction, see Chapter 5 of this volume, van Eemeren (1986), and van Eemeren and Grootendorst (1987).

difference of opinion.<sup>17</sup> A discourse or text need not be primarily and entirely aimed at achieving this goal for the rules of a critical discussion to be applicable. In practice, it seldom is.

The application of the strategy of maximally reasonable reconstruction gives maximal credit to the protagonist as well as the antagonist. Unless this is clearly out of order, all speech acts performed in the discourse or text are regarded as potential contributions to a resolution of the difference of opinion. It is assumed that, in principle, this is the target of the discussants. If there is no reason not to assume that they are trying to resolve a difference of opinion, and they violate a rule, such a violation is a fallacy.

In the pragma-dialectical approach to fallacies that has been expounded here, all aspects of argumentative discourse and texts relevant to resolving a difference of opinion are treated. This means that the whole range of classical fallacies can be analyzed in a systematic way. All moves that are fallacies because of the invalidity of the arguments used are incorporated in this approach, but the approach differs from the more traditional approaches in that fallacies are no longer automatically taken to be invalid arguments. The pragma-dialectical approach therefore offers a more comprehensive alternative to the logical standard treatment of the fallacies.<sup>18</sup> Instead of assuming fallacies to consist of an inherited and unstructured list of violations of the validity norm, this approach differentiates between a variety of "validity" norms, so that different fallacies that were traditionally classified in the same nominal categories can now be distinguished from each other, and similar fallacies that were traditionally classified in totally different ways can now be brought together.

To determine exactly which violations of rules for a critical discussion take place in an argumentative discourse or text, it is first necessary to examine to what extent such a discourse or text can be reconstructed as a critical discussion. It then becomes clear which standpoint is under discussion and whether this really pertains to the issue the discussants

<sup>17</sup> On the importance of this strategy, see Chapter 5 of this volume and van Eemeren (1987b).

<sup>18</sup> For the logical standard approach of the fallacies, see Hamblin (1970) and Grootendorst (1987).

are concerned about, so that it can be determined, for example, whether we are dealing with a straw man. It then also becomes clear which unexpressed premises play a role in the argumentation, so that it will be possible to determine whether these unexpressed premises are distorted or denied, and so on. To conclude, in order to determine to what extent an argumentative discourse or text may be called reasonable, it is not only necessary to determine whether all the rules of a critical discussion are satisfied, but also to ensure first that the discourse or text concerned is correctly reconstructed as a critical discussion.

## A Code of Conduct for Reasonable Discussants

### Characteristics of reasonable discussants

The pragma-dialectical rules for a critical discussion presented in Chapter 6 combine to form a discussion procedure that indicates which norms the speech acts performed by either of the parties in a difference of opinion must satisfy in order to contribute to the resolution of the difference of opinion. In our view, a theory of argumentation must, first, formulate a discussion procedure that provides a general survey of the rules for implementing the norms that constitute the “first-order” conditions for conducting a critical discussion. These rules are to be considered as the rules that are to be followed in order to play the game effectively, and they are to be judged for their capacity to serve this purpose well – their problem-validity. In order for the rules to be of any practical significance, however, there also must be potential discussants who are prepared to play the game by these rules, because they accept them intersubjectively – so that the rules acquire conventional validity as well. In practice, argumentation theorists cannot go much further than to propose the rules and defend their acceptability.

Our claim that the pragma-dialectical discussion rules will in principle be acceptable to discussants who want to resolve their differences of opinion in a reasonable way is based, first, on the effectiveness of the rules.<sup>1</sup> Because the rules have been specially drawn up to

<sup>1</sup> See van Eemeren and Grootendorst (1988).

promote the resolution of differences of opinion, assuming that they are correctly formulated, they should be acceptable to anyone who has that aim in view.<sup>2</sup> Viewed philosophically, it can be observed that there is a pragmatic reason for such discussants to accept these instrumental rules that some would characterize as “utilitarian.”<sup>3</sup> It should be borne in mind, however, that the primary aim of a critical discussion is not to maximize agreement but to test contested standpoints as critically as possible by means of a systematic critical discussion of whether or not they are tenable.<sup>4</sup> In accordance with the critical-rationalistic ideal, people in this case are stimulated to be critical by confronting other people’s standpoints methodically with a maximum of doubt.<sup>5</sup> Reaching an outcome of the discussion that is optimally satisfactory to all parties concerned certainly does not automatically mean that the protagonists and antagonists are in the end in agreement on everything.

Proposing a model of a critical discussion, as we did, may lead to running the risk of being identified with striving for an unattainable utopia. The primary function of the pragma-dialectical model of a critical discussion, however, is a different one. By clearly and systematically indicating what the rules for conducting a critical discussion are, the model provides those who want to fulfill the role of reasonable discussants with a series of well-defined guidelines, which may, though formulated on a higher level of abstraction and based on a more clearly articulated philosophical ideal, to a great extent be identical to the norms they would like to see observed anyway.<sup>6</sup> For those who are prepared to use the model of a critical discussion as their

<sup>2</sup> Instead of, or in addition to, this pragmatic rationale, there may be an ethical rationale for accepting (part of) a code of conduct for reasonable discussants based on the pragma-dialectical discussion procedure such as the one we are proposing in this chapter.

<sup>3</sup> Those people who assess rules for resolving differences of opinion on their instrumental merits, and whose criterion is that in mutual cooperation the outcome that is most satisfactory to both parties must be reached, can be called *utilitarians*. Unlike egoistics, these types of utilitarians strive for the optimal result for all concerned. See Bentham (1952) and Mill (1863/1972). See also van Eemeren and Grootendorst (1988).

<sup>4</sup> This position could be characterized as “negative utilitarianism.” Rather than achieving the greatest possible happiness, the general aim is achieving the least possible unhappiness.

<sup>5</sup> See Popper (1971: chapter 5, note 6).

<sup>6</sup> For some first empirical evidence, see van Eemeren, Meuffels, and Verburg (2000).

guiding principle, what are the requirements the discussion attitude must fulfill?<sup>7</sup> And viewing these matters from a practical perspective, under which circumstances are they able, and can they afford, to assume such a reasonable discussion attitude?

If the rules of the pragma-dialectical discussion procedure are regarded as first-order conditions for having a critical discussion, as we have just explained, the internal conditions for a reasonable discussion attitude can be viewed as “second-order” conditions relating to the state of mind the discussants are assumed to be in. To some extent, everyone who wants to satisfy the second-order conditions can do so, but in practice, people’s freedom is sometimes more or less severely limited by psychological factors that are beyond their control, such as emotional restraint and personal pressure. Besides such second-order conditions, there are also external, “third-order” conditions that need to be fulfilled in order to be able to conduct a critical discussion properly. They relate to the social circumstances in which the discussion takes place and pertain, for instance, to the power or authority relationships between the participants and to special features of the situation in which the discussion takes place.<sup>8</sup> Together, the internal second-order conditions and the external third-order conditions for conducting a critical discussion in the ideal sense are *higher order conditions* for resolving differences of opinion.<sup>9</sup> Only if these higher order conditions are satisfied can critical reasonableness be fully realized in practice. Compliance with second-order conditions can to some extent be stimulated by education that is methodically directed at reflection on the first-order rules and understanding their rationale.

<sup>7</sup> For this kind of person, doubt is intrinsic to his attitude to life, and criticism a way of resolving problems. Argumentative discourse and texts are then seen as ways of tracing weak spots in standpoints. Shielding standpoints from criticism (immunization) and every form of fundamentalism are therefore to be opposed. This requires a non-dogmatic and anti-authoritarian approach and a distrust of unshakeable principles and claims to infallibility.

<sup>8</sup> It may even be useful to distinguish “fourth-order” conditions pertaining to what Searle (1969) calls “normal input and output conditions” for verbal communication. Since the latter conditions are not confined to argumentative discussions, they are discounted here.

<sup>9</sup> The distinction between “first-order” conditions and the “higher-order” conditions is in the first instance derived from Barth and Krabbe (1982: 75). In the way it is presented here, it goes back to van Eemeren, Grootendorst, Jackson, and Jacobs (1993: 30–34).

And the fulfillment of third-order conditions can be promoted by a political choice for individual freedom, non-violence, intellectual pluralism, and institutional guarantees for the right to information and criticism.

### Ten commandments for reasonable discussants

As we have formulated it in Chapter 6, the pragma-dialectical procedure for conducting a critical discussion is too technical for immediate use by ordinary discussants: It is a theoretical model for examining argumentative discourse and texts. For practical purposes, we now propose a simple code of conduct for reasonable discussants who want to resolve their differences of opinion by means of argumentation that is based on the critical insights expressed in the pragma-dialectical discussion procedure. This code of conduct consists of ten basic requirements for reasonable behavior, profanely referred to as the “ten commandments.” Instead of stating all the rules that are to be taken into account in a critical discussion, the commandments only list prohibitions of moves in an argumentative discourse or text that hinder or obstruct the resolution of a difference of opinion.

Commandment 1 of the code of conduct is the *freedom rule*:

- 1     *Discussants may not prevent each other from advancing standpoints or from calling standpoints into question.*

Commandment 1 is designed to ensure that standpoints, and doubt regarding standpoints, can be expressed freely.<sup>10</sup> It is a necessary requirement for resolving differences of opinion, because a difference of opinion can never be resolved if it is not clear to the parties involved that a difference of opinion exists and what that difference entails. In an argumentative discourse or text, the parties must therefore have ample opportunity to make their positions known. In this way, in those parts of the discourse or text in which they express the difference of opinion, they can make sure that the confrontation stage of a critical discussion is properly completed. According to the code of conduct

<sup>10</sup> Commandment 1 is instrumental to complying with rules 1, 6b, and 10 of the pragma-dialectical discussion procedure, and is also relevant to rules 2, 3, and 14.



for reasonable discussants, putting forward a standpoint and calling a standpoint into question are both basic rights that all discussants must accord each other unconditionally and without reservation.<sup>11</sup>

Commandment 2 is the *obligation-to-defend rule*:

- 2     *Discussants who advance a standpoint may not refuse to defend this standpoint when requested to do so.*

Commandment 2 is designed to ensure that standpoints that are put forward and called into question in an argumentative discourse or text are defended against critical attacks.<sup>12</sup> A difference of opinion remains stuck in the opening stage of a critical discussion and cannot be resolved if the party who has advanced a standpoint is not prepared to fulfill the role of protagonist. According to the code of conduct, someone who puts forward a standpoint therefore automatically assumes the obligation to defend that standpoint if requested to do so.

Commandment 3 is the *standpoint rule*:

- 3     *Attacks on standpoints may not bear on a standpoint that has not actually been put forward by the other party.*

Commandment 3 is primarily designed to ensure that attacks – and, consequently, defenses by means of argumentation – really relate to the standpoint that is indeed advanced by the protagonist.<sup>13</sup> A difference of opinion cannot be resolved if the antagonist actually criticizes a different standpoint and, as a consequence, the protagonist defends a different standpoint. A genuine resolution of a difference of opinion is not possible if an antagonist or a protagonist distorts the original standpoint in any way whatsoever. The third commandment of the code

<sup>11</sup> By way of illustration, it may be added that to satisfy the first-order condition entailed in this commandment, the second-order condition – that the participants in the discussion are prepared to express their opinions and to listen to the opinions of others – must be fulfilled. In fairness, this attitude can only be assumed to exist if the third-order condition – that the social reality in which the discussion takes place is such that the participants are entirely free to put forward their views – is fulfilled.

<sup>12</sup> Commandment 2 is instrumental to complying with rule 3 of the pragma-dialectical discussion procedure, and is also relevant to rules 2, 4, and 12.

<sup>13</sup> Commandment 3 is primarily instrumental to complying with rule 2 of the pragma-dialectical discussion procedure, and is also relevant to rules 14c and 15.

of conduct, together with the fourth, are intended to ensure that the attacks and defenses carried out in those parts of an argumentative discourse or text that represent the argumentation stage of a critical discussion are correctly related to the standpoint that the protagonist has advanced.

Commandment 4 is the *relevance rule*:

- 4     *Standpoints may not be defended by non-argumentation or argumentation that is not relevant to the standpoint.*

Commandment 4 is designed to ensure that the defense of standpoints takes place only by means of relevant argumentation.<sup>14</sup> If the argumentation stage of a critical discussion is not properly passed through, the standpoint at issue will not be assessed on its merits.<sup>15</sup> The difference of opinion that is at the heart of an argumentative discourse or text cannot be resolved if the protagonist does not put forward any argumentation, but substitutes only rhetorical devices such as *pathos* or *ethos* for *logos* instead, or advances arguments that are irrelevant to the defense of the standpoint that has been advanced but pertain to some other standpoint that is not at issue.<sup>16</sup>

Commandment 5 is the *unexpressed-premise rule*:

- 5     *Discussants may not falsely attribute unexpressed premises to the other party, nor disown responsibility for their own unexpressed premises.*

Commandment 5 ensures that every part of the protagonist's argumentation can be critically examined by the antagonist as part of the argumentation that is advanced in a critical discussion – including

<sup>14</sup> Commandment 4 is instrumental to complying with rule 6, and especially its subsections a and c, of the pragma-dialectical discussion procedure, and is also relevant to rule 8.

<sup>15</sup> Referring once more to the higher-order conditions: To satisfy the first-order condition entailed in this commandment, the second-order condition that a person who has advanced a standpoint must be willing to provide arguments for that standpoint must be fulfilled. Also, the third-order condition – that the standpoint and arguments are not dictated by a superior – has to be satisfied.

<sup>16</sup> This is not to say that advancing argumentation cannot be combined with, or even include, the use of *pathos* and *ethos*, or that relevant arguments cannot be suggested by, or even implied in, apparently irrelevant arguments.

those parts that have remained implicit in the discourse or text.<sup>17</sup> A difference of opinion cannot be resolved if the protagonist tries to evade his obligation to defend an unexpressed premise, or if the antagonist misrepresents an unexpressed premise – for example, by exaggerating its scope. If the difference of opinion is to be resolved, the protagonist must accept responsibility for the elements that he has left implicit in the discourse or text, and in reconstructing as part of a critical discussion what the protagonist has left unexpressed, the antagonist must try as accurately as possible to determine what the protagonist can be held to.

Commandment 6 is the *starting-point rule*:

- 6     *Discussants may not falsely present something as an accepted starting point or falsely deny that something is an accepted starting point.*

Commandment 6 is intended to ensure that when standpoints are being attacked and defended, the starting point of the discussion is used in a proper way.<sup>18</sup> In order to be able to resolve a difference of opinion, the protagonist and the antagonist must know what their common starting point is. A protagonist or an antagonist may not present something as an accepted starting point if it is not. Neither may a party deny that something is an accepted starting point if it is so. Otherwise it is impossible for a protagonist to defend a standpoint conclusively – and for an antagonist to attack that standpoint successfully – on the basis of agreed premises that can be viewed as concessions made by the other party.

Commandment 7 is the *validity rule*:

- 7     *Reasoning that in an argumentation is presented as formally conclusive may not be invalid in a logical sense.*

Commandment 7 is designed to ensure that protagonists who resort to formal reasoning in resolving a difference of opinion use only

<sup>17</sup> Commandment 5 is instrumental to complying with rules 8 and 9 of the pragma-dialectical discussion procedure.

<sup>18</sup> Commandment 6 is primarily instrumental to complying with rules 5 and 7 of the pragma-dialectical discussion procedure.

reasoning that is valid in a logical sense.<sup>19</sup> It is possible for the antagonists and protagonists to determine whether the standpoints that are defended in a discourse or text do indeed follow logically from the argumentation that is advanced only if the reasoning that is used in the argumentation is expressed in full. If not every part of the reasoning has been fully externalized, a reconstruction of the implicit elements is called for in an analysis of the argumentative discourse or text. When such a reconstruction is carried out, however, in certain cases Commandment 7 may prove not to apply because in view of the communicative situation at hand, a further, and more drastic, reconstruction is required that involves adding an unexpressed premise that goes beyond the “logical minimum” and renders Commandment 7 irrelevant.<sup>20</sup>

Commandment 8 is the *argument scheme rule*:

- 8     *Standpoints may not be regarded as conclusively defended by argumentation that is not presented as based on formally conclusive reasoning if the defense does not take place by means of appropriate argument schemes that are applied correctly.*

Commandment 8 is designed to ensure that standpoints can indeed be conclusively defended by arguments that are not presented as logically valid if the protagonist and the antagonist are agreed on a method to test the soundness of the types of arguments

<sup>19</sup> Commandment 7 pertains to rules 8 and 9 of the pragma-dialectical discussion procedure. Of course, what is meant by valid in a logical sense can be interpreted in different ways, depending on the logical theory that is taken as the starting point. It is an interesting academic question as to what logical theory provides the best starting point, but we cannot deal with this question in the context of this discussion of a practical code of conduct.

<sup>20</sup> For the pragma-dialectical analysis of unexpressed premises, see van Eemeren and Grootendorst (1992: 60–72). According to this method, identifying an unexpressed premise involves first validating the reasoning as an intermediary heuristic step in the reconstruction procedure and then determining the “pragmatic optimum” that may in the context concerned be regarded as the unexpressed premise (which can result in an argument that is, strictly speaking, not logically valid). Largely as a result of Erik C.W. Krabbe’s useful comments in describing the reconstruction procedure in this way, and in phrasing Commandment 7 in the way we did, we deviate in some respects from recent descriptions as given in van Eemeren, Grootendorst, and Snoeck Henkemans (2002: chapter 4).

concerned.<sup>21</sup> A difference of opinion can only be resolved if the antagonist and the protagonist agree on how to determine whether the protagonist has adopted appropriate argument schemes and has applied them correctly.<sup>22</sup> This implies that they must examine whether the argument schemes that are used are, in principle, admissible in the light of what has been agreed upon in the opening stage, and whether they have been correctly fleshed out in the argumentation stage.

Commandment 9, bearing on the concluding stage, is the *concluding rule*:

- 9 *Inconclusive defenses of standpoints may not lead to maintaining these standpoints, and conclusive defenses of standpoints may not lead to maintaining expressions of doubt concerning these standpoints.*

Commandment 9 is designed to ensure that the protagonists and the antagonists correctly ascertain the outcome in the concluding stage of the discussion.<sup>23</sup> This is a necessary, though sometimes neglected, part of analyzing and evaluating argumentative discourses or texts as a critical discussion. A difference of opinion is resolved only if the parties are in agreement that the defense of the standpoints at issue has been successful or has not been successful. A discussion that seems to have run without any hitches is still unsatisfactory if at the end a protagonist unjustly claims to have successfully defended a standpoint, or even that he has now proved that the standpoint is true. The discussion ends in an equally unsatisfactory manner if an antagonist unjustly claims that the defense has not been successful, or even that the opposite standpoint is now proven.

Commandment 10 is the general *language use rule*:

- 10 *Discussants may not use any formulations that are insufficiently clear or confusingly ambiguous, and they may not deliberately misinterpret the other party's formulations.*

<sup>21</sup> Commandment 8 pertains to rules 8 and 9 of the pragma-dialectical discussion procedure.

<sup>22</sup> See van Eemeren and Grootendorst (1992: 94–102).

<sup>23</sup> Commandment 9 is instrumental to complying with rule 14 of the pragma-dialectical discussion procedure.

Commandment 10 is designed to ensure that misunderstandings arising from unclear, vague, or equivocal formulations in the discourse or text are avoided.<sup>24</sup> A difference of opinion can only be resolved if each party makes a real effort to express his intentions as accurately as possible in a way that minimizes the chances of misunderstanding. Equally, a difference of opinion can only be resolved if each party makes a real effort not to misinterpret any of the other party's speech acts. Problems of formulation or interpretation may otherwise lead to a "pseudo-difference" of opinion or a "pseudo-resolution" of a difference of opinion. Problems of formulation and interpretation are not confined to a specific stage in the resolution process; they can occur at any stage of a critical discussion.

<sup>24</sup> Commandment 10 is instrumental to complying with rule 15 of the pragma-dialectical discussion procedure and is also relevant to rule 13.

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