How to Distinguish Good and Bad Arguments: Dialogico-Rhetorical Normativity

WOUTER H. SLOB

Raadhuisstraat 14
9648 JV Wildervank
The Netherlands
E-mail: whslob@hotmail.com

ABSTRACT: Deductivism is not merely a logical technique, but also a theory of normativity: it provides an objective and universal standard of evaluation. Contemporary dialectical logic rejects deductive normativity, replacing its universal standard by an intersubjective standard. It is argued in this paper that dialectical normativity does not improve upon deductive normativity. A dialogico-rhetorical alternative is proposed.

KEY WORDS: Commensurability, dialectic, idiosyncrasy, normativity, rhetoric

INTRODUCTION

Logic is the study of distinguishing between good and bad reasoning or argumentation, and therefore it is a normative discipline. Determining what are good or bad arguments is not an interesting hobby, but involves the normative evaluation of arguments pertaining to the acceptance or dropping of conclusions. The question is not whether a conclusion is accepted, but whether it *should* be accepted. By formulating sets of rules, logicians try to get a grasp on the norms involved in the process of reasoning or argumentation. But what is it that gives such norms their authority? Where does the *normativity* of logic come from? In an era witnessing the fusion of many norms and values in all kinds of fields and contexts, this question becomes increasingly urgent.

DEDUCTIVISM

The idea that *bad* arguments are logically interesting is rather young. For ages logic was primarily interested in *good* arguments. Bad ones were negatively defined as not-good and, as a distinguishing instrument, logic could be limited to answering the question what accounts for the goodness of arguments. Strictly speaking, a good argument is a *sound* one, involving both the truth of the premises as well as the validity of the inference. Such deductive arguments yield conclusions by necessity: if the premises are true, the conclusion cannot be false. Deductivism might be understood as

a truth-preserving method of inference: it warrants that the conclusion never exceeds the information of the premises. But of course, the information of the premises may be defective. 'The conclusion of a deductive argument,' Leo Groarke reminds us, 'is as certain as its premises' (Groarke, 1995, p. 138). Still, from a logical point of view, the status of the premises is hardly interesting. It is the job of the scientist of a relevant discipline to determine the status of the premises. The logician is responsible only for the validity of the inference. In this view, logic does not change the content of the premises and is merely a method of combining information. Here another aspect of deductivism arises: it is not merely a logical technique, but also suggests a specific understanding of normativity. As no information is changed, deductive inference is neutral and objective. Everybody who accepts the premises should accept its conclusions. Deductivism, thus, provides a universal standard of inference. Not merely being a logical tool, it is a theory that serves to understand normativity. It is this aspect of deductivism that raises questions. There is, to my mind, not the least objection to using a deductive method as a logical technique, but as a theory of normativity, providing a neutral and objective standard of evaluation, it fails. Unless indicated otherwise, it is in this latter sense that I shall use the term 'deductivism.'

According to deductivism, an argument can be bad for two reasons: its premises are false, or the inference is invalid. Logic is concerned only with the latter, and, as C. L. Hamblin has shown, it applies a negative understanding of bad arguments: 'a fallacious argument . . . is one that *seems to be valid* but *is not* so' (Hamblin, 1970, p. 12). Hamblin, however, argues that this 'standard treatment' of fallacies is not adequate in accounting for bad arguments. Deductive invalidity is neither a sufficient nor a necessary condition for fallaciousness. Some fallacies are not invalid (e.g. the notorious *begging the question*), and others are invalid but not fallacious (all inductive arguments are, as such, deductively invalid).[1] But if this is so, deductivism fails as normative instrument to distinguish between good and bad arguments and hence fails as a theory of normativity. Many thinkers have followed Hamblin and have expressed doubts on the suitability of deductivism. In a broad gesture of recognition, Ralph Johnson embraces as informal logicians all 'those who reject soundness as being either necessary or sufficient for a good argument' (Johnson, 1995, p. 237). Although informal logicians display many important differences, they share a suspicion towards deductive normativity. Three aspects are to be mentioned.

(1) By aiming at an objective and universal standard, deductivism hopes to yield definite inferences. If the inference is deductively valid, the conclusion follows necessarily. Surely, the definiteness of deductivism is one of its great attractions, but we may see an important shortcoming of this logical ideal: it does not allow for gradations in logical strength. This feature, however, neglects the actual *argumentative performance*.

Argumentation is understood as the exchange of arguments both pro and contra, but it is hard to see how deductivism can balance both those 'forces'. 'Deductively,' Trudy Govier complains, 'the category "valid" is of the all-or-nothing kind. If an argument is such that, given its premises, it is absolutely impossible for its conclusion to be false, it is valid. If not, it is invalid. Period: there is nothing in between' (Govier, 1987, p. 3). This disqualifies deductivism as a suitable evaluative instrument for most actual discussions, as discussions typically are about weighing pros and cons. Deductively only support counts, but this means that no account can be given for rebuttals. Although it is obviously possible to argue deductively both for a positive and a negative version of the conclusion, it is not possible to balance them deductively.

(2) Deductive normativity aims at inference by necessity, which cannot be false (if the premises are true) and which therefore cannot be doubted. It requires therefore a monistic understanding of logic: 'there is just one correct system of logic.'[2] The early Wittgenstein echoes a long tradition maintaining that 'we can think nothing unlogical, since if we could, we would have to think unlogically' (*Tractatus*: 3.03). If thinking as such presupposes logic, we are dealing with a universal understanding of human rationality. Deductive normativity requires such a logical monism and hence applies a universal type of rationality. Given the fact that bad arguments exist, however, we must presume that the persons advancing them *do* think 'unlogically'. If monism is to be maintained, we may be facing logical alternatives. Now the problem arises how to decide which logic is the correct system. As logic itself is at stake here, it is clear that we need another normative instrument to decide upon this. This makes the normativity of logic, at least partially, dependent on something else but monistically this is impossible. To substantiate the univocality of deductivism, logicians in the beginning of the 20th century hoped to discover the true foundations of logic, which would form the basis of monistic deductivism. Unfortunately for their project however, the last century witnessed an enormous proliferation of logical systems, not forming a coherent unity.[3] Rather than *yielding* a normative instrument, the proliferation of logical systems *calls* for a way to make a normative choice.

(3) Perhaps the most serious problem for deductive normativity is that it is not at all hard to obtain. Logical validity is easily obtained when the right premises are present. Deductivism allows for a technique to make any argument valid. Generally, it recognizes the so-called *enthymeme* as an argument with a missing premise. In practice, such incomplete arguments are often used and cause no problems because most people will tacitly add the missing premise so that the argument is completed. Deductively, however, an enthymeme is not valid. But clearly, such a verdict is hasty as only the complete argument can be properly evaluated. A deductive analysis, therefore, must add the missing premises. As no valid argument can become invalid by adding premises, completing arguments can deduc-

tively only do good. The problem, however, is that *any* argument can be made valid by adding a suitable premise. The associated conditional or the conclusion itself will do.[4] There may be objections regarding the content of the premises, but, as said before, that is of no concern to the deductive logician. This simply means that either an argument is valid, or it can always be made valid. If enthymemes are allowed to be completed, no invalid arguments can exist. Deductive logic, far from providing a suitable normative instrument, has no power to perform its distinguishing task.

If deductivism fails as a theory of normativity, we have lost our universal standard to assess arguments in a neutral and objective way. Are we on our way to relativism?

THE SHIFT TO DIALECTIC

Over the last three decades an increasing number of logicians have dropped deductivism as normative theory in favor of a *dialectical* approach. The term traces back to Aristotle, for whom dialectical arguments differed from demonstrative arguments by applying *acceptable* instead of *true* premises. Dialectical arguments, consequently, do not yield necessity but yield only probability.[5] In its contemporary form, however, dialectical logic is not primarily concerned with the status of the premises, but with the status of logical inference. In contrast to Aristotle modern dialecticians reject monism and acknowledge the plurality of different systems of logic between which *choices* must be made. Modern dialectical logic is about the authorization of a specific logical system in a particular situation. To see how this works, we must see how dialecticians understand the nature of argumentation.

Modern dialecticians understand argumentation as a matter of dialogue. Basically there are two participants involved: the proponent, defending a thesis, and the opponent, resisting the thesis.[6] Whereas deductive monism concentrates on the support of the conclusion only, dialectical logic acknowledges the vital role of opposition in argumentation. Indeed, the opponent generates the discussion. Only when a thesis is disputed, it makes sense to defend it. Supporting an undisputed thesis is at best a waste of time, at worst irrelevant babbling, or an *ignoratio elenchi* in between. Dialectical logic takes disagreement on the status of a thesis as a condition for the possibility of discussions. At least in this sense, the starting positions of the participants are asymmetrical.

There are many different ways to deal with disagreements. We may try to solve the conflict, or stick to investigating where exactly the difference lies. We may want to settle the issue by means of force, or try to tackle the opponent by ridiculing her position. According to dialecticians, different ways of dealing with conflicts yield different types of discussion; and different types of discussions allow for different argumentative moves.

What is suitable in a quarrel is not always acceptable in a critical discussion, and vice versa.[7] For every type of discussion, a specific set of argumentative rules can be drawn. When two people want to work on their disagreement, in one way or another, they must first decide what kind of discussion they will engage in and respect the argumentative rules that are in force. Whereas the starting-positions of the participants are asymmetrical, the regulating system of logical rules is not! Obviously, the participants must voluntarily submit to the rules; only on this basis can someone be held committed to the authority of the rules. Dialectical rules are in force if *conventionally* accepted by all participants.[8] Very often the conventional aspect remains implicit: many rules of discussion go without explicitly mentioning them. It would be very tedious to issue a 'dated and signed written declaration' every time an argument is about to begin.[9] Nevertheless, as Douglas Walton says, 'the rules *can* be explicitly stated, and agreed to by the participants, where it is useful and necessary, at the opening stage' (Walton, 1989, p. 10, italics whs). In other words, the participants *would* accept the rules if they were explicitly asked to. Conventional normativity may be called '*would*-normativity'.

Dialectical logic aims at an inter-subjective understanding of normativity, now that objective monism has been shown to be impossible. In our era of conceptual schemes, paradigms, 'language-games', webs of belief, etc. its conventional approach seems to cohere well with the general philosophical climate. The rules of the game determine what is correct and what is incorrect and provide clarity for the participants. But the rules also allow outsiders to evaluate a discussion. Anyone who is aware of the rules of the game is in the position to pass judgement on the argumentative moves that are being made.

Still, dialectical *would*-normativity is not sufficient because, in short, it also allows for *would-not*. In the face of losing a discussion a participant may simply withdraw his commitment, or demand modification, or distinguish exceptions. Indeed, Walton and Krabbe see retraction as 'one of the most fundamental (almost intractable) problems concerning commitment' (Walton and Krabbe, 1995, p. 9). The conventional nature of dialectical normativity leaves us with the fundamental possibility that someone retracts commitment at a decisive stage. Its would-normativity is not what we expect from normativity. It lacks normative force precisely where it is needed most: when somebody does not accept something she *should* accept. To account for such *should*-normativity we must rule out arbitrary or strategic one-sided withdrawals. Dialectically this is only possible if the agreements are controlled in some way.

The problem of retraction is complicated by the fact that conventional normativity often remains implicit. This invites the possibility that 'rules' are kept hidden only to be played out when needed. Any dictator can be 'reasonable' as long as he has the best arguments. But there might also be the 'rule' that in case he is wrong, his adversaries will be silenced. Under

these conditions the evaluation of arguments is a feeble business. The dictator will feel confident in applying the additional rule, and may even feel justified in doing so, as everybody implicitly knows that dictators cannot lose discussions. From the interlocutor's perspective the additional 'rule' is mere powerplay and blatantly fallacious. This suggests that the evaluation of argumentative moves cannot simply be trusted in the hands of the participants. Indeed, as Johnson and Blair say: 'many people evaluate arguments by one "standard" only: does it support my view or not? That', they insist, 'is not a logical standard of evaluation but rather a purely idio-syncratic one' (Johnson and Blair, 1983, p. 30). In what way can this idiosyncrasy be overcome?

DIALECTICAL RATIONALITY

The conventional-dialectical answer to this problem is sought in regulating the basic agreement of the participants by means of a modest understanding of rationality. Surely, by dropping monism, no *universal* rationality is feasible any more, but we might still be able to conceive of a *shared* form of rationality. Acknowledging that the starting points of a discussion are asymmetrical for both participants, it is still possible to find substantial moments of agreement. These moments serve as orientation for a modest understanding of rationality. In this fashion Calvin Schrag (1992) develops a notion of *transversal rationality*: although people are irreducibly different, any interaction shows points of agreement that can function as the basis for a local form of rationality. We can also think of Nicholas Rescher's *rationality of ends*, consisting of an anthropological orientation on real interests (Rescher, 1988). The appropriate ends Rescher maintains, 'are not somehow freely *chosen* by us: they are fixed by the (for us) inescapable ontological circumstance that – like it or not – we find ourselves to exist as human beings' (Rescher, 1988, p. 105). Reflecting on the question of normativity, however, we need not delve into the substances of these pro-posals. What is important for our purposes is the fact that dialectical rationality consists of some form of basic agreement that overcomes the idiosyncratic differences and that provides a suitable form of commensu-rability. If this succeeds, we have a normative standard for the regulation of discussions. In practice, the common ground will not always be easy to find, and might not even be stable. Indeed, if it were straightforwardly available, it would substantially be indistinguishable from monism. Its function, however, is to provide a normative horizon. Dialectical rationality is a logical *ideal*, deriving its normativity from the idea that ultimately people would come to agreement in matters under dispute if they were given sufficient time and information.[10]

Dialectical rationality performs its task for at least three purposes. First

of all there is the question of how conventions are arrived at. Presumably a discussion is required to determine the choice of which logical system is to be in force. But clearly such a meta-discussion needs regulation as well, and a nasty infinite regress impends. Dialectical logicians appeal to a notion of 'logical intuition' or 'natural rules' of normal argumentative behavior.[11] Generally, the idea is that participants of a discussion cooperate because rationally this is in their best interest.[12] This idea is rather troublesome in itself, as the notion of 'best interest' seems to *presume* substantial normativity rather than providing one (at least it must be able to say what is to count as 'best' interest). But even if this problem is surpassed, we should see that cooperation is not simply by definition in the best interest of all participants. No appeal to subversive elements is necessary to make this understandable. Mahatma Ghandi did well not to accept the 'normal argumentative behavior' of colonial Britain to achieve his goals. If his deviation of its argumentative rules defines irrationality, there were good reasons for him to be irrational.

Secondly, dialectical rationality allows controlling the proper conduct of the discussion. If a substantial standard can be arrived at conventionally, it is possible that the observance of its rules is monitored. This is where rationality gets a face. The inter-subjective character of dialectical normativity suggests that 'the control of each discussion is in the hands of the participants themselves' (Hamblin, 1970, p. 283). But we have seen that if idiosyncrasy is to be ruled out, this is not so generously permissible. Indeed, dialectical logicians generally introduce a *third* logical role: that of the rational observer. In an unbiased way, she can determine what type of discussion is going on and apply the corresponding rules. The rational observer embodies the normative conduct of the discussion. As the participants have committed themselves conventionally to the rules, and the rational observer only applies these standards, her verdict is normative for the participants involved. This can only mean that the control of the discussion is in the hands of the participants themselves only in so far as they represent the verdict of the rational observer. Typically, of course, it is the logician or theorist of argumentation who is in the position to perform the task of rational observer.

The third important task for dialectical rationality is to perform evaluation. The rules of any type of discussion determine the 'moving space' of the participants. As long as both can do legitimate moves, the discussion continues, but at some moment it may no longer be possible for one of the participants to make a correct move. In this situation, the interlocutor has won the discussion. Here the role of rationality for our normative problem is cashed out: 'it is not irrational to lose a discussion. . . . But it is – we suggest – irrational not to admit that one has lost' (Barth and Krabbe, 1982, p. 71). Although specific rules determine the distinction between correct and fallacious argumentative moves, it is the notion of rationality that

controls the authority of the rules corresponding to a specific type of discussion. In this sense rationality is, in Charles Willard's apt phrase, the gold standard of argumentation.

DIALECTICAL NORMATIVITY

If dialectical normativity is to be preferred to monistic normativity, it should at least perform better where monism failed. When we take a closer look at the function of the dialectical understanding of rationality, there appears to be hardly any improvement. Indeed, if this form of rationality is to perform its normative task, dialectical logic turns out to be a monism in disguise and its emphasis on dialogue a cosmetic brush-up. Ironically the objections parallel the objections against monistic normativity. Just as in monism the actual argumentative performance is of little importance. Just as in monism it is hard to see how irrationality can arise. And just as in monism it is questionable how the distinguishing instrument is able to perform its task. Let us see what it comes about in more detail:

(1) The dialectical approach emphasizes argumentation and hereby values dialogue. Two perspectives are always taken into account. The proponent supports a thesis, whereas the opponent resists it. Despite the fact that in this way both supporting and rebutting forces in a discussion are present, we may also observe that the dialectical approach hardly leaves room for genuine argumentative exchange. The outcome of any dialectical discussion is a function of the rules and the respective starting points. This means that there is always a 'best solution' to any logical problem, and only a mistake or a limited perspective could spoil it. A perfect observer in ideal circumstances and infinite time could calculate the outcome of any discussion given the points of departure and the rules of inference. This feature erases the actual argumentative performance of the participants. The dialectical approach, moreover, seems to limit the choice of logical systems to undecidable systems only. In decidable systems, after all, the conclusions are predictable and it is hard to see why someone who could foresee the loss of her argumentative strategy would ever want to accept a logical system that leads to her loss.

(2) Rather than a fundamental feature, the dialectical acknowledgement that there are different perspectives is a matter of discomfiture and is the result of the fact that real-life arguers are not perfectly rational. If they were, both perspectives would coincide with the perspective of the rational observer and no conflict would arise in the first place. The question is where and how does irrationality slip in? How can the participants have perspectives that deviate from the rational one? And especially, to what extent? The very fact that both participants engage in a discussion with eachother shows that they are prepared to defend their respective positions, or at least that they are not prepared to change them for no reason at all. But to

the extent that they are committed to their own position, they surely will consider their own convictions to be rational. And obviously the most stubborn convictions are most strongly considered to meet this general standard so that the interlocutor should also adopt them. What we see is that within a discussion the participants may disagree on what *counts* as rational. It is hard to see how in such circumstances rationality itself can be invoked to perform the task of neutral arbiter,[13] unless of course rationality has a monistic status.

(3) The main problem for a dialectical notion of rationality is that it cannot perform its evaluative task. The perspective of the rational observer is only useful if it transcends the limited perspectives of the discussants. But this means that the rational observer is indeed an observer: an outsider that has no substantial impact on the participants in question. If there is substantial influence, the observer becomes part of the discussion and hereby loses his external position. The perspective of the rational observer cannot be relevant for the discussion unless it becomes a position within the discussion. But if this is the case, it is merely another opposing position and has lost its capacity to perform its determining task in an unbiased way. It becomes a party in the discussion and its perspective is on equal level with the others. Clearly this merely increases the normative problem. When it comes to distinguishing good from bad arguments, we need an instrument that is available within the debating arena. Dialectical rationality offers only an ideal perspective, remaining an external onlooker.

The failure of a dialectical notion of rationality to perform its normative function is shown when we look at the dialectical understanding of fallacies. In the influential pragma-dialectical approach of Frans Van Eemeren and Rob Grootendorst, the notion of fallacies is directly linked to the violation of specific rules for critical discussions: 'the dialectical rules which are violated in case of fallacies are applicable *only in so far as the purpose of the discussion is to resolve a dispute*' (Van Eemeren and Grootendorst, 1987, p. 296, italics whs). This dialectical understanding of rational normativity is conditional: if people engage in a critical discussion they must obey its specific rules. Put in this way, however, any instance of a fallacy may be seen as a negation of the normative conditional: violating the rules negates the consequent, which means that the antecedent is false as well. The occurrence of a fallacy, unless as slip of the tongue or correctable mistake, may be an indication that no critical discussion is going on in the first place. But under those circumstances, as Van Eemeren and Grootendorst argue, it is not possible to apply the standard for a critical discussion and consequently 'there is no point, from a dialectical perspective, in referring to a fallacy' (Van Eemeren and Grootendorst, 1987, p. 298). Does this not evaporate the entire notion of fallacy? If so, dialectical normativity based on rationality fails to perform its normative task.

There can be little doubt that the dialectical shift in logic has opened up a whole new area of tools and instruments to analyze argumentation.

Much better than deductive monism it is equipped to deal with real-life argumentation and in the thirty years of its development it has provided many useful descriptive insights. Yet, its conception of normativity does not solve the problems that encountered deductivism. Its appeal to a modest version of rationality to prevent idiosyncrasy can only work if it transcends the respective perspectives of the participants. But this either mocks the intersubjectivity of the dialectical proposals or becomes irrelevant for its substance. The external rational observer will not do for a suitable notion of normativity, which also means that this cannot be the task of logic. Yet, we need not be sad about this. It may, as Hamblin argued, 'not be the logician's particular job to declare the truth of any statement, *or the validity of any argument*' (Hamblin, 1970, p. 244).

DIALOGICAL RHETORIC

If rationality fails as an instrument to substantiate normativity, it seems that we are left with the idiosyncrasies of the participants. This means that no *shared* standard for evaluation is available, and this may seem to involve a hopeless relativism. I do not think the latter consequence is involved. There is another way of conceiving normativity that can control idiosyncrasy, indeed, a way that makes use of the different perspectives of the participating discussants.

The solution may lie in the point that many traditional logicians will see as the problem to overcome: the argumentative asymmetry in starting positions. Rather than trying to neutralize the differences by postulating a universal or shared form of rationality, we might radicalize the asymmetry and see if there is a blessing in the curse.

As we have seen, dialecticians generally defend the idea that argumentation only makes sense when some thesis is being questioned. There is plenty to be said about this presupposition (for instance: does it allow for gradations? How are logical roles exactly to be conceived of? How should we analyze complicated situations, involving more than one opposition? How do apparent non-discursive situations, such as introspection or scientific inquiry, fit in? How do undefined 'opponents', such as readers of a book, fit in?). But in considering our main question, – proposing a normative alternative for dialectics –, it is not this dialogical aspect that is at issue, but the question of a suitable standard. Regarding this, we can make use of dialogical asymmetry. If it is the opposition that initiates the discussion, then closure of discussion might simply be determined by overcoming the opposition. If the 'why'-question of the opponent is satisfactorily answered, the argument has succeeded. From this perspective, argumentation is fundamentally audience-oriented and 'aims at gaining the adherence of minds' (Perelman and Olbrechts-Tyteca, 1969, p. 14). Chaim Perelman and Lucy Olbrechts-Tyteca use this description to char-

acterize the New Rhetoric. In their minds dialectic and rhetoric are virtually the same, but traditionally philosophy has had a somewhat tense relation with rhetoric. Rhetoric merely aims at *persuading* an audience, whereas philosophy is after a higher goal: truth. Logic serves as its instrument to *prove* its conclusions, rhetoric is at best ornamental and at worst deceptive. The lack of normativity in rhetoric is clearly at stake.

Rhetoric is often associated with the use of beguiling arguments, with opening up the box of illicit tricks and with cheating its audience. Yet applying deceiving strategies is a bad advice for the rhetorician. In rhetorical theory reputation is important and reputation is easily damaged by bad argumentation. Thinking that argumentative bogus can be rhetorically successful, moreover, seems to be quite an underestimation of audiences. In general audiences are not persuaded by arguments they do not consider reasonable. The question, however, is whether we need a larger notion of *rationality* to make sense of argumentative *reasonableness*. My answer is no. The participants themselves determine the reasonableness of the interlocutor's moves and they do so by applying their own standards. Discussants do not need a universal or shared standard of rationality; they need to observe the standards of their respective interlocutor because it is her resistance that launched the discussion in the first place. If we are to convince any interlocutor, we can succeed only if she is given arguments that are convincing to her. Perhaps, we might call this trans-subjective.

Still, there *is* an important normative problem facing rhetoric. The demand to orient oneself to the standards of the audience erodes the position of the speaker herself! If only the standards of the audience were important, the speaker seems to be extradited to the whims of her audience. This surely, would be a very disturbing consequence of audience-orientation. There is a moral objection: it is absurd to demand this orientation if the audience's standards are abject. There is a rhetorical objection in the long run: one disqualifies as a serious partner in discussion when shifting standards according to specific audiences. Most serious, however, is the logical objection that only by observing one's own standards a thesis is worth defending. Much like the dialectical idea that an argument only begins when some thesis is being questioned, we should say that an argument only starts when the speaker is prepared to support it. If only the standards of the audience were decisive, its very resistance would be the end of the discussion. Precisely because the speaker is committed to the thesis, she defends it, but this is only possible if she acknowledges the compelling nature of her own convictions. All this suggests that audience-orientation has limits. But while dialectical logic deploys rationality to set those limits, I propose to leave setting the limits to the participants themselves. The speaker's own standards control her willingness to accommodate the argument to the standards of the audience.[14]

This version of rhetoric pushes the dialogical character of dialectics a little further. The orientation on the interlocutor goes both ways: this

rhetoric is dialogical. Not only must the proponent orient her arguments on the opponent, in principle the opponent is as well called to defend his resisting position to the proponent. Dialectical logic granted the opponent the right to ask just any 'why'-question and burdened only the proponent to defend her thesis.[15] Dialogical rhetoric adds that this is only called for if the 'why'-question makes sense. As Aristotle said 'a man should not enter into discussion with everybody or practice dialectics with the first comer' (*Topica*, VIII, 14, 164b). Dialogical rhetoric distributes burden of proof over both participants. Both opponent and proponent must defend their respective positions, if called for. And either can only succeed by convincing the other.

The small clause 'if called for' is an important condition. Just as the proponent is called on to defend her thesis only by instigation of the opponent, so the opponent is only called on to defend his resisting position when the proponent questions it. In many discussions it is not a recommendable strategy that the proponent plays upon this possibility. If one wants to gain the adherence of a mind, positive arguments often work better than the more aggressive tactic of requiring an explanation for not accepting one's own position! Still, doubling the burden of proof allows us to make sense of the idea that not all objections are worth serious attention. It provides moreover a suitable instrument in case of stubbornness: 'why do you still object?'. If only the proponent faced burden of proof, there was no obligation for the opponent to answer this question.

Dialectics hoped to retain normativity in the face of idiosyncratic standards by postulating a commensurating standard of rationality. The rational observer is the virtual third logical role that embodies this idea. Dialogical rhetoric proposes another strategy: not the neutral arbiter, but the players themselves control one another's arguments. The basic idea of dialogical rhetoric is that the two personal or even idiosyncratic standards of proponent and opponent 'span' a normative field that determines the argumentative moving space of a particular discussion. Within this field the participants must convince the interlocutor of the reasonableness of their respective positions, but they will also have to balance their support to the rebutting evidence contributed by the interlocutor. At all times, however, the question is not how to satisfy some external rational observer, but simply how to answer the questions of the specific interlocutor.

Dialogical rhetoric concedes that any discussion begins because an opponent questions a thesis and a proponent is prepared to defend it. They hold a different position from the start and they are argumentatively committed to their respective positions. Clearly the proponent tries to convince the opponent of the reasonableness of the thesis, but dialogical rhetoric maintains that also the opponent tries to convince the proponent of the reasonableness of his opposition. In both cases the arguments advanced are directed to the respective interlocutor. And it is this specific interlocutor that determines whether the other's move is indeed reasonable. Whereas

rationality requires that there is a universal or shared standard that is substantially normative for both, dialogical rhetoric allows that both participants apply their own, perhaps idiosyncratic, standard.

Lacking the authority of rationality in no way opens up a normative vacuum. On the contrary. Because of the equally distributed burden of proof, any argumentative move might call for support. Neither of the participants can frivolously dismiss the arguments of the interlocutor, as the dismissal itself can be called for justification. And the reasonableness of this is to the interlocutor to decide. The normative force of dialogical rhetoric lies in the fact that for the establishment of any move both participants are responsible. Obviously the proponent is responsible for the moves she advances. But the opponent also becomes committed when he does not, or no longer, resist the claim.[16] By either advancing or accepting any argumentative move both participants become responsible for both the supporting and the rebutting 'forces'. Together they form a kind of a *vector*, constituting the strength of the argument. The resultant conclusion is binding for both participants, because they are committed to all the constitutive elements. As both discussants may apply different standards, it may very well be the case that the resulting conclusion is accepted for different reasons. But we do not need complete agreement. Dialogical rhetoric is happy with acquiescence.[17]

Some remarks are called for regarding the objections against both monistic deductivism and dialectical rationality. Dialogical rhetoric should do better.

First of all, dialogical rhetoric is genuinely argumentative and concerns only the substantial contributions of the participants themselves. The normative force of any conclusion is the result of the moves that are established during the discussion. This is a matter of accepting argumentative moves advanced by the interlocutor. In contrast to dialectical logic, however, dialogical rhetoric sees the acceptance of moves not as determined by rules, but rather by the question when and to what extend some 'rule' is in force. At stake is a difference in understanding rules and regularities within argumentation. Of course argumentation shows regularities and those regularities can be strategically exploited. From a rhetorical point of view, however, they should be seen as *topoi*: argumentative strategies and not as normative rules. Understanding argumentative regularities as topoi has the advantage that argumentative sliding is easily understandable. Dialectical logic links sets of normative rules to specific types of discussion, but also maintains that discussions can 'slide' into other types.[18] If, however, the type-specific rules are normative, such sliding is simply impossible: deviation from normative rules is by definition illegitimate, unless, of course, exceptions or modifications are allowed during the discussion. But there can be no other reason to do so than if a specific argumentative move compels it. In that case, however, the course of the discussion determines the authority of the rules which turns the idea of

rule-regulation upside down. If dialectical rules are understood as rhetorical topoi, this problem vanishes. The regularity forms an integral part of the discussion itself.

Secondly, dialogical rhetoric plays on the disagreement that has got the discussion started in the first place and expands on it. It does not require any form of prior agreement. Consequently, the problem of incommensurability is insubstantial for its understanding of normativity, and there is no need to ponder upon universal or shared rationality. Still, there is no need to defend incommensurability or to emphasize disagreement. In practice argumentative situations are surely much less *différant* than some contemporary philosophers want us to believe. The claim here is merely that commensurability is not required for normativity, but it will not do much harm either. If dialogico-rhetorical normativity works under incommensurable conditions, it also works when the situation involves substantial agreement after all. The only thing that is required is that both participants have an *interest* in the discussion. They do not have to share a set of normative standards, nor do they have to pursue a common goal; they should only consider their interlocutor helpful in some way to achieve their own aims in the discussion. As this 'interest' can have many different shades and forms, it is merely an empty, formal requirement. It is required only to explain the participants' willingness to engage in the discussion and has no substantial normative impact whatsoever.

Thirdly, the control of the discussion is completely in the hands of the participants themselves. The normative force of the conclusion is the result of the standards of both participants and hence fully available. As a kind of a balance between personal, perhaps idiosyncratic standards, many philosophers might object that such a dialogico-rhetorical understanding of normativity involves no standard at all. In a sense this is correct. There is no shared standard operative here that is publicly available and that could also be controlled by an outside observer. Still, when no public standard is required to dispose of a suitable understanding of normativity, this objection loses interest. Whereas dialectical reasonability depends upon a public standard of rationality, dialogico-rhetorical reasonability consists of the acceptance of any move by the interlocutor. The feeble and shifting play of advancing and accepting argumentative moves results in a dynamic and shifting form of normativity. What is lost, however, is that an external rational observer controls the evaluation of a discussion. Dialogical rhetoric takes Hamblin's contentment seriously that the logician 'does not stand above or outside practical argumentation or, necessarily, pass judgment on it' (Hamblin, 1970, p. 244). Being neither a judge nor a court of appeal, however, the logician is certainly a 'trained advocate'. As such, her task is to assist discussants and to train them, perhaps, in logical self-defense. But there is no normative task for her. Yet the importance of normativity is not that an external observer can control it, but that the participants are committed to the conclusions of a discussion. It is my conviction that a

dialogico-rhetorical understanding of normativity provides a better account of this than its dialectical counterpart. When all reasonable moves have been made, both participants *must* accept the resultant conclusion, and this surpasses dialectical would-normativity. Obviously this is not to say that any other person is committed to the results of a discussion as well. A by-stander, such as an informed logician, may have reasons to question the course of a discussion. But unless she engages in a substantial discussion, such reasons are not relevant to show any mistake that might have been made.

The goodness of arguments is determined by the acceptance of the inter-locutor, the badness of arguments by the refusal to do so. This idea has consequences for the notion of fallacy. Without an operative notion of dis-cussion-rules fallacies cannot be seen as violations of rules. Nevertheless the traditional fallacies are to be understood as unadvisable argumentative strategies. Arguments that are usually considered fallacious are bad because they are weak; they can easily be exposed and are not very convincing for the most part. A taxonomy of fallacies is useful to show risky argumenta-tive strategies, and is as such helpful in enhancing argumentative skills. It may improve people's argumentative techniques and may teach them how to respond to fallacious argumentation. But it may also show people how to *use* fallacies. From a dialectical point of view committing a fallacy is disqualifying as such. But this makes it hard to understand why they are all around us. A dialogico-rhetorical understanding makes it possible to explain the phenomenon. Even blatantly fallacious argumentation can have a function: it opens up a possibility to shift the burden of proof to the interlocutor. If she shows non-acceptance by responding to a bad move by saying 'fallacy!', she may be called upon to support her charge. This may put a new item on the agenda, distract attention, and buy time. Acknowledging that fallacies can be used strategically explains their occur-rence, whereas merely rejecting them off hand as rule-breaking moves does not. Fallacies should not only be studied for logical self-defense, but also as a means to win a discussion.

CONCLUSION

The dialectical shift of logic improves many aspects of deductive monism, but it does not offer a better understanding of normativity. The problem lies in the fact that dialectics conceives of normativity as something that is determined by a shared form of rationality. Dialecticians acknowledge that participants of a discussion differ in their opinions (indeed, this forms a precondition for the very existence of the discussion), but this leaves them with the problem of idiosyncratic standards. If discussants are allowed to have different perspectives, they might as well have different standards for the discussion. The appeal to a shared form of rationality, that would

provide for a suitable form of commensurability runs into similar problems
as deductive normativity does. Dialogical rhetoric offers another way
to deal with idiosyncrasy. Rather than trying to find a common denomi-
nator, it suggests that the idiosyncrasies of the participants 'balance' one
another. This results in understanding normativity as a consequence of the
argumentative process itself for which commensurability is insubstantial.
Perhaps this does not satisfy what was traditionally expected from a nor-
mative standard, but it certainly yields 'should'-normativity. As such it
offers an understanding of normativity that is applicable in radically plu-
ralized situations.

NOTES

[1] It is possible, however, to reconstruct inductive arguments in a deductive way. This
typically applies deductivism as a logical technique without adopting its implied under-
standing of normativity. Cf. Groarke, 1995.

[2] Cf. Haack, 1978, p. 221. For epistemological reasons I am not entirely happy with the
term 'monism,' as it seems to suggest that both thinking and being are structurally the
same. This is the problem of (post-aristotelean) epistemology in a nutshell. An alternative
for 'monism' may be 'mono-logic,' but this term is easily confused as derived from
monologue.

[3] For Barth and Krabbe, 1982 (pp. 3–13, 19–22) this is the main reason to go 'from axiom
to dialogue'. For an overview of different logical systems cf. Haack, 1978.

[4] And perhaps even the negation of one of the other premises. Obviously this will make
the premises inconsistent. But the problem of inconsistency is its triviality and not its
invalidity.

[5] Cf. Van Eemeren, Grootendorst and Snoeck Henkemans, 1996, chapter 2.

[6] The two participants are best understood as logical roles. Actual persons can play these
roles, but also groups of people. It is not absurd to think of a 'man talking to himself' as
playing both roles. Moreover scientific inquiry can be put in those terms as well. Jaakko
Hintikka defended the notion of 'interrogative dialogues' as suitable instrument to analyze
communication, but also as 'a model of scientific knowledge seeking'. Cf. Hintikka, 1987,
p. 217.

[7] Douglas Walton distinguishes between eight different types of discussion, including eristic
discussions: quarrels. Most dialecticians, however, do not recognize the latter as a genuine
discussion. Cf. Walton, 1989, pp. 3–11.

[8] It is easily seen that this picture allows for some form of dynamism: during the discus-
sion the process can be suspended to discuss on a higher level the suitability of one or more
of the rules. It may be required to modify them. If all participants agree to proceed according
to the modified rules, the discussion can be reopened.

[9] Cf. Barth and Krabbe, 1982, pp. 21f, defining a logical convention for a well-defined
company.

[10] This feature remains loyal to the idea that rationality performs an epistemological task.
If it were *in principle* impossible to arrive unanimously at truth, all epistemological efforts
would be hopeless. Dialectical rationality can deal with practical uncertainties in the
application of rationality, but ideally unanimity must be secured. Or else the entire notion
of rationality evaporates.

[11] Cf., for instance, Barth and Krabbe, 1982, pp. 39, 75.

[12] The emphasis on cooperation leads to a natural preference for a specific type of dis-
cussion: the critical or rational discussion. Indeed a distinction is being made between *settling*

and *resolving* disputes. Settling concerns forms of dealing with disagreements such as tossing, refereeing, fighting and intimidation. The preference for more civilized forms of discussion is betrayed in sentences such as: 'to really resolve a dispute, the points that are being disputed have to be made the issue of a critical discussion that is aimed at reaching agreement . . .' (Van Eemeren and Grootendorst, 1992, p. 34).

[13]   Technically the question of which position reflects the rational standpoint transforms the dialectical understanding of rationality into an epistemological problem. Considering that rationality itself is supposed to be an epistemological notion to arrive at truth, it seems that we doubled a problem rather than solved one.

[14]   This is a somewhat simplified picture. The starting points of a participant and the aimed at result of the discussion determine the relative 'stake' of the engagement in the discussion. For our present purpose however, abbreviating this as 'standard' will do.

[15]   If the 'opponent' starts defending a counter-thesis, dialectical logic analyzes this as a different discussion in which the original logical roles are switched. The proponent becomes opponent and vice versa. In this way the burden of proof is always on the proponent only, and hence dialectical logic, like deductive logic, is always supportive. Even when rebuttals have substantial influence, the qualifiers are exclusively supportive. Cf. James B. Freeman, 1991, pp. 111ff.

[16]   At what stage he does so is not important at this point. In some cases he must be quick to react, because the discussion may pass an irreversible moment after which no return to an earlier stage is possible. In other cases steps may be retraced to an earlier stage. What is allowed is simply to the interlocutor to decide.

[17]   Despite his rationality of ends consisting of an ideal form of agreement, Nicholas Rescher proposed a suitable understanding of acquiescence. Cf. Rescher, 1993.

[18]   Cf. for instance Walton and Krabbe, 1995, pp. 100–116.

REFERENCES

Aristotle: 1965, *De Sophisticis Elenchis*, trans. E. S. Forster, Loeb Classical Library, London/Cambridge, Mass.

Aristotle: 1989, *Topica*, trans. E. S. Forster, Loeb Classical Library, London/Cambridge, Mass.

Barth, E. M. and E. C. W. Krabbe: 1982, *From Axiom to Dialogue; A Philosophical Study of Logics and Argumentation*, Walter de Gruyter, Berlin/New York.

Eemeren, Frans H. van and Rob Grootendorst: 1987, 'Fallacies in Pragma-Dialectical Perspective', *Argumentation* **1**, 283–301.

Eemeren, Frans H. van and Rob Grootendorst: 1992, *Argumentation, Communication, and Fallacies; a Pragma-Dialectical Perspective*, Lawrence Erlbaum Associates, Hillsdale.

Eemeren, Frans H. van, Rob Grootendorst and Francisca Snoeck Henkemans (eds.): 1996, *Fundamentals of Argumentation Theory; A Handbook of Historical Backgrounds and Contemporary Developments*, Lawrence Erlbaum Associates, Mahwah.

Freeman, James B.: 1991, *Dialectics and the Macrostructure of Arguments; a Theory of Arguments Structure*, Foris, Berlin.

Govier, Trudy: 1987, *Problems in Argument Analysis and Evaluation*, Foris, Dordrecht.

Groarke, Leo: 1995, 'What Pragma-dialectics Can Learn from Deductivism, and What Deductivism Can Learn from Pragma-dialectics', in Frans H. van Eemeren, Rob Grootendorst, J. Anthony Blair and Charles A. Willard (eds.), *Analysis and Evaluation. Proceedings of the Third ISSA Conference on Argumentation*, vol. I, 138–145.

Haack, Susan: 1978, *Philosophy of Logics*, Cambridge University Press, Cambridge.

Hamblin, C. L.: 1970, *Fallacies*, Methuen, London.

Hintikka, Jaako: 1987, 'The Fallacy of Fallacies', *Argumentation* **1**, 211–238.

Johnson, R. H. and J. A. Blair: 1983, *Logical Self-defense*, McGraw-Hill Ryerson, Toronto etc.

Johnson, Ralph H.: 1995, 'Informal Logic and Pragma-dialectics: Some Differences', in Frans H. van Eemeren, Rob Grootendorst, J. Anthony Blair and Charles A. Willard, *Perspectives and Approaches. Proceedings of the Third ISSA Conference on Argumentation*, Vol. II, 237–245.

Perelman, Ch. and L. Olbrechts-Tyteca: 1969, *The New Rhetoric; A Treatise on Argumentation*, University of Notre Dame Press, Notre Dame/London.

Ray, John: 1978, 'Perelman's Universal Audience', *The Quarterly Journal of Speech* **64**, 361–375.

Rescher, Nicholas, 1988, *Rationality; A Philosophical Inquiry into the Nature and the Rationale of Reason*, Clarendon, Oxford.

Rescher, N.: 1993, *Pluralism; against the demand for Consensus*, Clarendon, Oxford.

Schrag, Calvin O.: 1992, *The Resources of Rationality; a Response to the Postmodern Challenge*, Indiana University Press, Bloomington.

Walton, Douglas N.: 1989, *Informal Logic. A Handbook for Critical Argumentation*, Cambridge University Press, Cambridge.

Walton, Douglas: 1996, *Argument Structure; A Pragmatic Theory*, University of Toronto Press, Toronto/London.

Walton, Douglas N. and Erik C. W. Krabbe: 1995, *Commitment in Dialogue; Basic Concepts of Interpersonal Reasoning*, SUNY, Albany.