Introduction to a Negative Approach to Argumentation

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Towards a New Ethic for Philosophical Debate

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CONTENTS

PREFACE

The central motivation for writing this book is an attempt to modify the logic and ethics of philosophical discussions, moving from a self-centred attitude, where one is insensitive to others' reasons, which is typical of the affirmative approach, towards an attitude of openness, pluralism, diversity of perspectives and with a strong capacity to adopt a panoramic view where one's own posture appears only as one among many others. Alternative lines of argumentation are considered as plausible organizations of the elements at play, as lines of argument sustainable by other arguers. Attempts are made to see the others in the discussion not as adversaries or enemies, but as collaborators trying, like us, to understand complicated problems that affect everyone to a greater or lesser extent.

Connecting the logical and the ethical dimensions of argumentation, we examine what kind of arguments human beings are able to use and develop from their concrete existential situation in the world. When we are brought into life, we are placed in a very sensibly and morally adverse situation, difficult to solve by ethical and logical resources, a place where we are compelled to give a value to ourselves. The field of argumentation is one of the many scenarios of this same ontological adversity; it is not a pure "space of reasons" in which humans rationally solve their problems. At the level of argumentation, our pressing need to give value to ourselves is revealed in the strong desire to win arguments and to defeat the adversary, in order to be considered a striking, rigorous and forceful arguer. The affirmative approach to argumentation totally satisfies this particular view of things. The negative approach tries to think of a new ethos for philosophical discussions where the adversity of our condition does not eliminate the rationale of the arguments of others, providing a more balanced and fair view of the nature and intention of debating in philosophy.

Argumentation is a ubiquitous matter because, whatever the field, professionals will have to argue to present reasons to support their position or diagnosis, whether in diplomacy, medicine, floral arrangement or religion. Even when the book focuses specifically on philosophical matters, the same theses may be tested in other fields of inquiry. Just as philosophers find the positions of other philosophers wrong or absurd, a similar situation can happen, for example, in a medical diagnosis or in

diplomatic advice, where each side sees the others as unsuccessful or missing the point. Also, in everyday life, people are constantly arguing, trying to convince or prevail over others; even children demand justifications for the orders of their parents that do not seem reasonable. In any of these contexts, the distinction between an affirmative approach and a negative approach to argumentation matters.

It is important to note that this is not a book aimed at professional logicians—formal or informal—who consider that their field of activities is well defined and only deals with solving internal problems in this field. The book intends—with or without success—to discuss the very foundations of an attitude that runs through our usual logical-argumentative activities. In the special case of the sections devoted to formal logic in Chapter 7 of the book, the discussions opened there will not be in the interest of the formal logician or even the philosopher of formal logic who thinks that these are idle philosophical questions, since formal logic is nowadays a constituted science that has already overcome this speculative moment about its own foundations. In this sense, the present proposal could be read as a post-analytical or even extra-analytical questioning of argumentation, in a line that I would link with the attitude adopted in the works of analytic thinkers like Thomas Nagel or Robert Brandon, among others, who opened themselves to problems of other traditions of thought.

CHAPTER 1

PRELIMINARIES FROM A META-PHILOSOPHICAL DISSATISFACTION

At some point in our practices in philosophical debates, meetings, colloquiums, congresses and seminars on classic and contemporary philosophy, we begin to find it highly implausible that someone does not accept that their ideas are only a possible way of approaching the issues under discussion among many other ways. It seems very difficult for them to admit that their perspective is only one among thousands of other perspectives. It is difficult to understand that 21st century philosophers still think that what they present in the philosophical arena is the only resolution or "the right answer" to the addressed issues, and that all the other answers are simply "wrong" or even absurd or dishonest (according to the vehemence of discussions and the arguers' politeness).

In philosophical discussions we see the astonishing inability of philosophers to look beyond their own positions; they have a curious blindness for diversity. At least Western philosophy[1] is a theatre of fierce struggles between different perspectives. All kinds of controversies have surfaced throughout the history of European philosophy, at least since the conflicts between Greek wisdom and Christian ideas, the Platonic "Eros" and "Agape", and reason and revelation; whether God is intelligible to humans or infinitely distant and inexpressible; what is the correct way of approaching the Bible; whether Neo-platonic books were right about the nature of evil; if there exists true happiness in our present life or just in eternal life or whether the existence of God sets insurmountable obstacles to human freedom. We read about the controversy between Anselm and Gaunilo regarding the ontological argument; the query (from Abelard on) of whether doubt is a legitimate starting point for logical investigation or not; if there are supra-rational truths that humans cannot fathom (as sustained by Richard of Saint Victor and John of Salisbury); or if truths must all be placed at the level of human reason. On what grounds can the

[1] But not only in the West; see Chapter 6, "Excursus on the East".

debaters legitimately suppose that questions of this nature must have *a unique answer*?

In modern times, confrontations more or less follow this same path: whether there is a primacy of active life over a merely speculative one; if folly can reveal truth (Erasmus); whether in politics it is better to remain within the reality of things or to consider how things should be (Machiavelli). Modern scientific discoveries, like the Earth's spinning movement around the Sun or elliptical planetary orbits, look less controversial; but, for example, the query of whether human beings must guide their lives by scientific discoveries or not are deemed to be controversial. Descartes' convictions on the secure grounds of knowledge were profusely counter-argued by Mersenne, Gassendi, Arnauld and others. The issue of a "communication of substances" met many "solutions" (Occasionalist, Spinozian, Leibnizian), making it hard to decide why and on what grounds we could accept only *one* of these solutions as "correct" and the others simply as "wrong".

Some might argue that this depicts only the historical situation of European philosophy before Kant, in the phase we know as "pre-critical". In the section on "Transcendental Dialectics" in the first Critique, Kant sets the antinomies around metaphysical problems that cannot have any rational solution, because no empirical connection compels the choice of one against the other. But paradoxically Kantian "critical" problems also lead to countless discussions, debates, polarizations and disagreements, the same way as traditional metaphysics did. We can see this in the theories of ideas in British empiricism and in the illuminist controversies between atheists and deists, in Rousseau's allegations on the surpassing of the state of nature and on the best way of educating the young, in the Kantian issue of whether there are a priori synthetic judgements or in post-Kantian endless debates on the thing-in-itself and Spinozism. One may notice a constant and strong confrontation of positions, none of them conclusively "imposing" on the others as the only right one.

In philosophies of the 20th century, this situation remains the same. Even in analytical styles of thinking, and in very precise areas such as the philosophy of mathematics, we enter into a situation of plurality of opposing views without setting definitive solutions. We can see this in disputes between Russell and Frege, Wittgenstein and Russell, Frege and Kripke, Popper and Adorno, Popper and Kuhn, Apel and Habermas, Rawls against Nozick and MacIntyre, Chomsky and Wittgenstein, Heidegger and Neokantians, Carnap and Heidegger, Searle versus Derrida, Rorty and the foundationalists, French theorists like Claude Lefort against Habermas and Rawls on the foundations of democracy, and so on. The issues around

subjectivity, the "overcoming of metaphysics", linguistic and pragmatic turns, the French philosophy of difference, the re-emergence of practical philosophy in Germany and the development of various forms of relativism, all these matters open new lines of argument in all directions. Ironically, the attempts to "unify" philosophies, like Husserl's idea of confluence in one common "Lebenswelt", or Karl-Otto Apel's linguistic "transformation of transcendental philosophy", are, in fact, philosophical positions as any others; they do not "unify" anything at all.

Many great European philosophers have been presenting their complaints about this unending and inconclusive state of philosophical debating when compared to scientific ones. Kant considered the spectacle of philosophical diversity as a "scandal" and the "lack of agreement" around some few consensual truths was a situation that he regarded as a sign of the "imperfection" of metaphysical-oriented philosophy, preventing philosophy from advancing into the "sure road of science". In the preface of his "Prolegomena", Kant reacts against the arrogance of metaphysics which intends to be the "Queen of sciences" but fails to establish a unique and unquestionable long-lasting principle as other sciences do.

Kant's and other philosophers' complaints about the endless disputes in philosophy presuppose an attitude concerning argumentation that seems to be similar to the one assumed by the philosophers they criticize: each one believes, in spite of the diversity of approaches, that one unique truth concerning some topic is attainable, and each one believes to have reached this unique truth or approached it at least. The discourse of philosophers, pre- and post-Kantian, modern or contemporary, is full of expressions such as "X is completely wrong in saying that", or "nowadays, such a sort of position has been totally overcome in philosophy". Although one may read Kantian critical philosophy as an attempt to lay bare previous philosophical discourse, by removing the mask that made it look like a science of solid knowledge, Kant also thinks to have rendered the "right solution" to the addressed problems.

In fact, he thinks, in a similar style to those "dogmatic" philosophers he contests, that, in the practical domain, Greek moral philosophers were *mistaken* when they put morality in the domain of happiness, or when he states that morality must be rooted in the apriorism of reason and not in experience. The same could be said of other great philosophers who complained about the diversity of philosophies and the lack of definitive solutions to problems, as we find in the writings of Bertrand Russell or Max Scheler among many others; they also presented their positions as true and the opposite ones as wrong (Scheler thought that materialism was

mistaken and Russell that Bergsonian intuitionism was objectively dangerous and harmful).

In all this we can see a prevalence of a certain kind of approach in philosophical argumentation which I call the "affirmative approach", consisting basically of thinking that philosophical queries have a right solution, or, at least, an adequate approach among many others that are inadequate or wrong. What we notice, even with "great philosophers" in classic and present times, is a remarkable concentration on their own positions, as they maintain a strong belief that they are providing an adequate approach to the debated questions and they reject, sometimes summarily, the alternatives. The affirmative approach sustains a meta-philosophical view of the plurality of philosophies as a scandal and a mistake which must be resolved in some way.

If we adopt the affirmative point of view in argumentation, it is at least strange that for so many centuries philosophers have not yet found the "correct solutions" to the classical problems of philosophy (what is knowledge, what are the foundations of morality, what aesthetic emotion consists of, and so on). How far can the incapacity of philosophers or the "intrinsic complexity" of the problems be advanced as sound explanations for this curious fact? Is it reasonable to provide *ad infinitum* the same answers to the question of the diversity of philosophies? By contrast, it seems plausible to start thinking that, perhaps, "there are" philosophical problems in a different sense as "there are" chairs in this room; or that there is nothing to "discover" in philosophy in the same sense as we could discover, say, a misappropriation of money in a company. The risk of sticking to the affirmative approach in argumentation could be that we fail to understand what philosophers had effectively been doing for centuries. Maybe they were not looking for something that was perpetually missing.

In the introduction to his *Lectures on the History of Philosophy*, Hegel has furnished an elegant explanation of the "diversity of philosophies" and endless quarrels between them. He maintains that such an impression of the history of philosophy as a mere "gallery of opinions" rises from the fact that we dwelled only on the particular principles of each philosophy, instead of searching for specific ways in which they all express the movements of the human spirit in different configurations. Thereby, each philosophy is valid, according to him, when seen in the scope of their particular principles, even when each one of them will inevitably oppose other philosophies with their own principles. From the Hegelian perspective, no philosophy "refutes" the others but acknowledges that they are different accomplishments of the human spirit in some of its many aspects.

These Hegelian insights are extremely interesting in trying to capture the way philosophical argumentation really works. The approach that I intend to present in this work, which I will call "negative", can adopt the Hegelian idea of the simultaneous sustainability of opposite philosophies and the impossibility of mutual refutation, without having to carry the heavy burden of his metaphysics of Absolute Spirit.

This meta-philosophical concern about the diversity of philosophies is what leads me to formulate the negative approach to argumentation. This approach is explicitly contrary to the prevailing affirmative point of view. The negative approach aims to present and develop the logical position that we assume when we learn to "look around" beyond our own stances, seeing the alternatives and decentralizing our own viewpoint, abandoning the intention to occupy the privileged space of unique truth. The negative approach prefers to place one's own perspective within a very wide and complex holistic web of approaches and perspectives that speak and criticize mutually without discarding one another, even when each position may fiercely maintain its own perspective supported on defensible grounds.

After many years getting involved in all sorts of philosophical debates, I noticed that the usual affirmative ways of argumentation in philosophy—not only in the West—have condemned us to a kind of endless and mutually accusing confrontation. Each party aims to dispose of (and, many times, destroy) the opposite party, sometimes hastily and without understanding the other's proposal in all its assumptions and objectives, being more concerned about formulating their own position than really trying to understand the other's point of view, and being generally reduced to a rough simplification and, sometimes, to a scarecrow. The fact that each position is fully aware of its own accuracy and of the other's inadequacy and error seems to contain a powerful element of self-deception that deserves profound meta-philosophical scrutiny.

When we get involved, for example, in ethical discussions on procreation, abortion or the death penalty or in logical debates about analyticity, non-classic logics or lexical connections, we notice that the opposite positions are perfectly *tenable*, *although they are not the positions that we ourselves prefer to take*. We understand that our position about, for example, abortion, comes from a set of previous assumptions, preferences, dislikes, past experiences and education, all elements and circumstances that oriented our choice of categories, concepts and modes of reasoning that could greatly differ from the set of arguments of our interlocutors in a dialogue. Anything we can present about controversial topics like these would normally be opposed or rejected by the other party

through all kinds of objections. Opposition is not an anomaly, but the current form in which philosophy historically developed.

Two human beings engaging in a discussion about philosophical questions are naturally and perforce going to differ in substance and method on almost any topic. What is the point in trying to impose one's own perspective? I see no reason for trying to destroy the other's lines of thought, even if regarded as absurd, untenable or dishonest. A question of the ethics of argumentation is at stake here. In order to address this state of affairs, it seems important to write an essay about how we could try to modify our attitudes concerning the positions that we cannot or do not want to assume, challenging the usual affirmative way of setting forth philosophical ideas, as a kind of battle where the other is an adversary, or even an enemy, and truth appears as a trophy.

The present book is precisely such an attempt to ask, as an ethical and logical demand at the same time, if philosophical discussions could be seen another way, more congruent with the appalling fact of the diversity of philosophical perspectives across the centuries; we must see if a meta-philosophical diagnosis better than the "complexity of problems" or philosophers' incompetence, could be advanced.

CHAPTER 2

THE ELEMENTARY STEPS OF AN ARGUMENTATION PROCESS (A MINIMAL CHARACTERIZATION)

Since we are referring to the issue of argumentation, it seems appropriate to start with the points that the reader may find in the available texts of logic, the elementary steps of any argumentation. This is our goal in this brief preliminary chapter. In Chapter 3, it will be explained what the prevailing affirmative approach to argumentation consists of. Afterwards, I will present the negative approach (in Chapter 4), the specific style of argumentation I defend, not only theoretically but as the style of argument that I intend to use from now on in my philosophical writings. (More on this in the last chapter of this book.) We must try to observe later which attitudes regarding these elementary steps of argumentation could be considered as affirmative or negative.

Unsurprisingly, not all inferential passages are legitimate and logic exists precisely with the objective of trying to evaluate, in many ways, the good or bad quality of the arguments. However, we must try to understand how such assessments really happen, their conditions and bounds. In the first place, I will only expose the elementary requirements to assess an argument. Only in the following chapters will I put into question, from the negative viewpoint, the very idea of an argument's assessment.

The steps of any argumentation process run approximately as follows:

(1) *Determining the existence of an argument*. First of all, we need to check whether there is, in fact, an argument at all; for we could be facing nothing but an unstructured amalgamation of statements where nothing follows from nothing. It could be a merely descriptive report, a declaration of intentions or an emotional explosion, although sometimes an apparent description (for example, the conditions of life in a prison) implicitly bears an argument. Some consider that employing certain terms such as "therefore", "so" and others is *per se* the indication of the existence of an argument; but this is not reliable: there are argumentative texts where such

terms cannot be found, and texts containing such terms that do not display arguments.

(2) *Determining the existence of an arguer.* Having an argument is not enough; there must be someone who advances the argument and defends it, taking the burden of proof and assuming the responsibility for the argument. There are several criteria for deciding this; for example, the anti-intuitive character of some standpoint to be argued, like, for example, the immorality of procreation or the morality of suicide. In this step, it is also important for the arguer to establish the purpose of the argumentation (demonstrating, refuting, reinforcing, calling attention to, praising, provoking scandal, amusing), and what will be the target audience (everyone, or only young people, or professional philosophers, and so on).

(3) *Reconstructing the argument.* If there really is an argument (step 1) and someone takes responsibility for it (step 2), then this person has to try to reconstruct the argument in question. This will be made through argumentation schemes showing whether there is only one argument or many, which argument is central, whether an argument is a sub-argument of another, which are the relevant premises and which are the expected conclusions, whether the premises are in an appropriate order and so on. This step is, somehow, "handicraft", like a sculptor that draws a statue out of a rock, the rock being the given text and the statue the reconstructed argument.

(4) *Making terms and premises clear.* One has to question whether there are terms to be clarified or defined in the reconstruction carried out in step 3; it is also necessary to expose the assumptions and the premises whose truth will be accepted without argument. Both things are mutually connected because we may accept the truth of a premise when terms are defined some way and reject it as false with other definitions of the same terms. One must also check whether the assumed premises and assumptions are no stronger than the conclusion we pretend to obtain. In a discussion about the ethical legitimacy of abortion, for example, one of the parties cannot pretend that the other one accepts that foetuses are not persons, or that God regards life as sacred, because these standpoints are more controversial than what is intending to be proven through them.

(5) *Testing the argument's correction.* Here we reach the core of the question: do conclusions effectively *arise* from premises and assumptions? How about the quality and reliability of the inferential passage? Is the argument convincing, cogent, overwhelming? Does it set forth its conclusion? (The ways in which conclusions can "follow" are many: deductive, inductive, abductive, lexical, rhetorical, associative, etc.)

(6) *Testing the aims of the argument*. One might think that step 5 is the last and decisive one. It is not. The argument might have successfully passed by step 5 and have been considered a good argument and, nonetheless, it could not accomplish the purpose established in step 2, or it does not have any impact on the audience being targeted. If this is the case, if purposes are not accomplished, the argument fails, even if it is good according to step 5. The agreement or assent of the target audience can be crucial to many types of argumentation and, perhaps, to all of them.

We may regard these six steps as being essential as a minimum to characterize an argumentative process. But we must observe the difference between this elementary scheme, in its bare structural shape, and specific *theories* of argumentation like Stephen Toulmin's, Alec Fisher's, Carlos Vaz Ferreira's, Douglas Walton's or Frans Van Eemeren's theories. *Any* argument theory has to pass by these six steps one way or the other.

In the following two chapters, I attempt to describe an *affirmative* attitude concerning this structural scheme of six steps and, thereafter, how one can formulate a *negative* approach as regards these same steps.

CHAPTER 3

THE USUAL AFFIRMATIVE APPROACH TO ARGUMENTATION

The affirmative approach to argumentation basically states that by adopting a procedure following the six steps adequately and carefully, we are able to decide conclusively about the correctness or incorrectness of a given argument, establishing a result and rejecting others as mistaken. The term "conclusively", however, may be understood in the affirmative approach in a stronger or a weaker way.

The weaker way admits that results reached through argumentation are not absolute and definitive, but revisable. The *weak* affirmative arguer accepts that one can refer back to an argument and correct the conclusions formerly obtained. But the weak affirmative arguer believes that in each argumentative process some position appears as being right, in such a way that other lines of argumentation are deemed to be wrong—or even fallacious—and must, therefore, be rejected. The results obtained may remain unquestionable since there are no convincing counter-arguments to bring them down.

In a *strong* affirmative approach, some arguments are definitely conclusive and those who deny them are simply mistaken. In the strong approach, some positions are sufficiently settled and challenging their results is a very hard, or even impossible, task. Think, for instance, about Habermas' arguments which aim to reveal the overcoming of "philosophies of conscience" by "philosophies of language", or the arguments supporting the definitive abandonment of metaphysical points of view on nature like Hegel's after the rise of modern Physics; or Ernst Tugendhat's position on Husserl's and Heidegger's phenomenology, irreversibly overwhelmed through the analytical paradigm, turning into a pure and simple "waste of time" the dedication of so much effort to such an obsolete line of thought as phenomenology.

The strong affirmative approach states that some philosophical positions are definitively proved to be anachronistic, with no chance of being reconstructed in the present day. As a very clear corollary, the strong

affirmative approach usually believes in "progress" in philosophy, given that certain positions definitely leave other positions behind, making them unviable. (For anti-mentalist defenders, for instance, it is absurd, after Wittgenstein's investigations, to continue to support rationalistic positions like Chomsky's, which are still vindicating innate universal mental structures.) Of course, the same thinker might oscillate between weak and strong affirmative positions concerning different issues through time. As we will see in more detail later, a weak affirmative approach might even get very close to a negative approach in some points, although they will never totally coincide. The negative approach, as we will see later, is to be formulated particularly in clear opposition to the *strong* affirmative approach.

Perhaps it was Leibniz who, in modern times, gave the affirmative conception a clear formulation, when, around 1685, he manifested the idea that when logic was sufficiently developed, philosophical and theological problems could be solved simply by calculation, in such a way that disputes were decided favourably on one side or the other—a kind of universal logical optimism. Leibniz's affirmative approach was stronger than many present affirmative positions in as far as he thought an argument could *formally* be proven as the only right one over all the others. At the beginning of the 20th century, Bertrand Russell and others had the same yearning for absolute truths and irremovable foundations, whose effective realization they believed could be reached using the tools provided by Fregean modern Logic, sometimes considered as the realization of the Leibnizian programme.

However, most philosophical problems cannot be put *pro forma* and be solved just by means of formal procedures; they are currently intertwined with informal features involving a lot of assumptions, associations, preferences, different types of audiences, implicit information and socially established values. This does not discourage arguers to the extent that they also support a strong affirmative position within the scope of an "informal" logic as well. Informal logicians accept in general that, for a given matter (value of life, procreation and war, death penalty or patterns of knowledge) there is a solid line of informal argumentation that is right and others are wrong, at least at a certain moment in the whole argumentation process. It is noteworthy that, although informal logicians do not count on the ultra-precise instruments of formal logic, they think that their argumentative schemes must lead to a "resolution" of disputes, however revisable, favouring one side and rejecting the opposite ones. In one way or another, whether in a formal or informal version, according to the affirmative approach there is always in argumentation a unique right

side and many wrong sides (sometimes not only wrong, but fallacious), and logic, formal or informal, can provide the elements to detect, finally, which side is right and which is not.

There is a profuse set of strong affirmative statements in the contemporary philosophy panorama. For example, in the chapter on abortion in his book *Practical Ethics*, Peter Singer states:

> In contrast to the common opinion that the moral question about abortion is a dilemma with no solution, I shall show that, at least within the bounds of non-religious ethics, *there is a clear-cut answer and those who take a different view are simply mistaken*.[1]

Exposing Tugendhat's thought, Brazilian philosopher Ernildo Stein writes:

> Tugendhat states that we can only engage in defending a certain philosophical standpoint after examining the most important standpoints of others on the same matter *and defeating them*. . . . It is not only a comparative work to decide *who has got the best reasons*, but presenting reasons as *attested*, taking the other arguers to see the same quality of reasons we display and, *therefore, end up accepting our arguments*. This is argumentation in Philosophy.[2]

The history of European philosophy is full of examples of this same attitude, supposing that arguers are debating about the same clearly identifiable questions and that some arguers reach "the best arguments" forcing their opponents to acknowledge that they were wrong. Moreover, in informal logic texts we find statements with a clear affirmative bias, stronger or weaker. In the beginning of the first chapter of his book *Informal Logic*, Douglas Walton states:

> The purpose of this book is helping readers to use critical methods to assess, impartially and reasonably, strong and weak standpoints in arguments.[3]

It is suggested here that we can pinpoint whatever is strong and weak in an argument in an impartial way which is not seriously affected by

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[1] Peter Singer, *Practical Ethics* (Cambridge University Press, 1993), 137. Emphasis is mine.
[2] Ernildo Stein, *Inovação em Filosofia* (Ijuí: Editora Unijuí, 2011), 39. Translation from Portuguese and emphasis is mine.
[3] Douglas Walton, *Informal logic* (Cambridge University Press, 1989), 1.

perspectives. The participants are seen as cooperative in the task of reliably detecting "bad arguments", supposing they take part in a rather rational dialogue subject to rules which all parties follow: they have to be clear, not digressive and not aggressive. In such an affirmative view, a counter-argument is regarded as an argument able to *win* over the first one, *defeating* and *discarding* it.

At this point of the exposition we face a distinction crucial for our present purposes, between descriptive and normative. One thing is to formulate what a correct argumentation should be, and another is to elucidate how human arguments effectively develop in real situations. There is absolutely no doubt that affirmative conception in argumentation is correct in the normative domain, the field of what should happen in discussions and debates. The problem is to see whether what should happen actually does happen. This question is much more crucial within informal logic, since in many books on this matter it is very frequently said that the passage from formal logic to an informal one is justified by the explicit desire to study real reasoning, and not mere artificial products manufactured in a laboratory. In informal logic, the demand for descriptive adequacy is much heavier than in formal logic, although both of them must meet normative requirements.

In the book *Argumentation Schemes*, written by Walton together with Reed and Macagno, the formulation of the informal procedure is presented in entirely affirmative style:

> The method of evaluation of an argument fitting a scheme is that once the argument is put forward by a proponent, it *may be defeated* if the respondent asks an *appropriate* critical question that *it is not answered* by the proponent.[4]

And in the same vein:

> If the respondent asks one of the critical questions matching the scheme and the proponent *fails* to offer *an adequate* answer, the argument *defaults* . . . The original weight of an argument, before it *defaulted* and had to be *retracted*, is *restored* only when the proponent gives a *successful* answer to the question.[5]

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[4] Douglas Walton, Christ Reed and Fabrizio Macagno, *Argumentation schemes* (Cambridge University Press, 2010), 3.

[5] Walton, Reed and Macagno, *Argumentation schemes*, 9. I italicize the presumed affirmative terms; I will come back later to the analysis of these expressions in the exposition of the negative approach, in Chapter 4.

Here arguments can be "defeated", their "flaws" can be highlighted by means of an "adequate answer", and the "defeat" of one position and the "adequacy" of the other can be established with reasonable acuity.

In the same book, there is an interesting example of the "refutation" of an argument: a scene in a movie suspected of plagiarism of a passage in a book proved through a "striking analogy" between the two texts, the filmscript and the book.[6] Walton and collaborators expound the issue in such a way as if the question could be perfectly decided in favour of one party by applying adequate argumentative schemes. The authors state that the argument by analogy becomes a fallacy when "the strength of the argument is overrated", implying that there are clear ways to define when an analogy is proper and when it is not. Further on, in order to reinforce the argument, we are told that the plaintiff in the plagiarism lawsuit admitted he had been mistaken. According to the weak variant of the affirmative approach, this would prove that arguments can be decided even in a defeasible way; plagiarism, in this case, was proved and the other party was defeated.

Moreover, a difference made quite often within the affirmative approach is the one between merely "attacking" and explicitly "refuting" some piece of an argument, suggesting a clear-cut difference between the two things (refuting means much more than attacking) and that it is quite possible to refute arguments.[7] Here we find the usual affirmative formulations, including some very strong ones, such as: "Refutation is something more powerful; a refutation *knocks down* the original argument".[8] "An argument that *defeats* another is one that shows that the other argument has to be *given up*".[9] ". . . even a weak refutation by questioning can *defeat* an argument".[10] Some dialogue ". . . represents *a refutation (a successful one*, that is) as opposed to a rebuttal or counterattack, because the counter-argument is stronger than the original one it attacks".[11] "If he cannot defend the premise in this way, his argument *collapses*".[12]

In a recent book on Wittgenstein, Paul Horwich declares that Wittgenstein's ideas on "the true nature of philosophy" were "*so often*

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[6] Walton, Reed and Macagno, *Argumentation schemes*, 83.
[7] Walton, Reed and Macagno, *Argumentation schemes*, 220 and following pages.
[8] Walton, Reed and Macagno, *Argumentation schemes*, 220.
[9] Walton, Reed and Macagno, *Argumentation schemes*, 224.
[10] Walton, Reed and Macagno, *Argumentation schemes*, 229.
[11] Walton, Reed and Macagno, *Argumentation schemes*, 247.
[12] Walton, Reed and Macagno, *Argumentation schemes*, 252. All my italics; see also about refutation, 267-268, 271.

misunderstood and undervalued, that I have written this essay".[13] Later he states that ". . . my aim is to give a clear account of Wittgenstein's ideas about how philosophy *should* and *should not* be done", and after briefly exposing some criticisms against Wittgenstein's cryptic and obscure style of thinking, Horwich says: "I hope to show that this point of view *is wrong*, and that it does a disservice to the rationally disciplined character of Wittgenstein's thought."[14] This usual affirmative way of exposing philosophical ideas suggests that books are written with the heroic purpose of *correcting* previous wrong approaches, to finally present *the correct version* of the issues in a kind of intellectual liberation.

Although a weak affirmative approach to argumentation allows informal arguments to be defeasible and revisable, they are strictly submitted to rules enabling arguments, at least in principle, to be solved on their own merit, favouring one part and ruling out the other. This indicates that in the face of philosophical problems (ethical, bioethical, logical, political or metaphysical), an affirmative arguer takes part in discussions, persuaded that they possess a "solution"—more or less provisional, perhaps definitive in many cases—that the other party will be forced to admit. Even using informal methods of argumentation and not providing apodictic solutions for questions, some solution is reached through the regular application of some strict method of reasoning.

An affirmative approach to argumentation could be said to assume roughly the following thesis (although strong and weak versions may disagree on the sense attributed to or accent put on them, or even reject some of these theses, especially the first one):

(1) There is only one reality that can be apprehended by language and mind. There is no case for many realities. (The ontological thesis.)
(2) Many philosophical theories try to unveil and describe such reality but fail, due to the complexity of the points at issue and to the limitation of human capacities. (The epistemological thesis.)
(3) Some theories are better than others, better formulated and argued as long as they succeed in capturing reality. Better theories defeat worse theories in their attempt to get closer to reality. Some theories are true and others are false; the former refute, eliminate and dispense with the others. (The logical thesis.)
(4) Better theories, the ones who best reflect reality, are the ones we support, whereas others' theories are wrong or inadequate. Our own

[13] Paul Horwich, *Wittgenstein's Metaphilosophy* (Oxford: Clarendon Press, 2013), vii.
[14] Horwich, *Wittgenstein's Metaphilosophy*, viii. All emphasis is mine.

theories can, of course, contain errors, but they are corrigible. We are always receptive to criticisms and disposed to give up our position when good counter-arguments are presented. Our opponents, by contrast, are dogmatically enclosed in their own positions. (The psychological thesis.)

CHAPTER 4

THE NEGATIVE APPROACH TO ARGUMENTATION

The negative approach to argumentation agrees with the affirmative approach, on the normative level, on the issue of how argumentation *should be*. The affirmative approach, especially in the strong variant, states exactly what we all wish to happen in discussions: philosophical questions being decided in such a way as that all parties are satisfied in their rational claims and purports. The negative approach also aims for the same achievement and preserves such a reasonable expectation as a prospect. But the negative approach is also crucially concerned with what actually *happens* in real philosophical argumentation; this had clearly been the explicit main goal of informal logic from the very beginning. This does not mean, in the least, abandoning the normative requirements distinctive of any logic whatever, formal or informal, but just accentuating the relevance of the *descriptive* requirement, based on what arguers actually *do*, without seeing their effective practices, in a Platonic vein, as mere "deviations" of ideal norms.

On such a strictly descriptive level, we may begin our analysis with a single phenomenology of argumentation practices in our own experiences in congresses, meetings, discussions, panels, conferences and philosophical debates in general, live and online.[1] What we usually see in such situations are vigorous allegations coming from both parties, reluctance to acknowledge one's own defeat and the apparent endless ability of keeping on arguing indefinitely, leaving the final decision to some sort of preference or authority, rather than to strict "argumentative resolution". Most of the discussion remains open and they seldom come to an end by one of the opponents having conclusively "proved" a standpoint or convinced the other party to retreat. In many debates the point at issue is

[1] I would like to remind the reader that here I am particularly concerned with philosophical discussions, although I think that a great deal of the results of the inquiry could be applied to all kinds of discussions, including day-to-day ones and perhaps some of the debates in the sciences.

so controversial that participants have to make use of voting, settling the matter by simply counting raised hands; if not, discussions could be carried on indefinitely.[2]

The crucial phenomenon is that, whatever our topic of reasoning, the opponent will have always a reply at hand, and we will have a reply to his/her reply if we are not prevented from counter-arguing by external means (violence, illness or death). Even the most seemingly indefensible stance, which would appear to have been totally impaired and unable to provide a counter-argument—by the accumulation of evidence—can always emerge from the ashes and present a defence. I do not want to support the thesis that everything can be proved as true in argumentation; I maintain that any point can be denied in argumentation, that the other's assent cannot be obtained just by the force of the arguments. Even a thesis presented as true by sound argumentation can be challenged and even a thesis strongly attacked can be defended.

I would like to give a clear example of this. The Brazilian philosopher Mário Ferreira dos Santos wrote a book called *Vertical Invasion of the Barbarians*, with a few pages about black people. He argues that there has never been an African culture (Egypt had European roots), that Africa has lived its entire history steeped in barbarism and that Christian Europeans were their only salvation to improve and be civilized. Africa has always been, in his terms ". . . a land of barbarous and cruel people, stupid and unhappy" and that we "should therefore make them but slaves, since they do not understand free labour". Slavery by the civilized and Christian whites was better than the slavery which the negroes imposed on other negroes.[3] To our eyes in the present day (these pages were written in the 60s), these are clearly racist and discriminatory texts. Notwithstanding this, the editor of the book puts in a footnote the following:

> The author's view, however controversial and despite any criticisms made of it, seems to aim more for a radical realism without any euphemisms or romantic attenuations, than to be properly prejudiced.[4]

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[2] The negative approach does not give support for any form of "post-modern" scepticism about the impossibility of argumentation, but on the contrary, to a sort of "excessive" scepticism where argumentation is always possible.

[3] Mário Ferreira dos Santos, *Invasão Vertical dos bárbaros* (São Paulo: Realizações É, 2012), 78.

[4] Mário Ferreira dos Santos, *Invasão Vertical dos bárbaros*, 74. My translations from Portuguese.

That is, reading a text that appears as clearly disqualifying the black race, at least the following counter-arguments can be presented: (a) The text is not racist, but realistic, and it shocks only romantic spirits; (b) The idea of an African culture comes from historical ignorance and political decisions (people who want to win the sympathy and support of Africans for their own causes); (c) European whites did not introduce slavery into Africa, but blacks had long enslaved their own brothers for centuries, and in more cruel ways than whites; (d) After all, white slavery brought to the negroes the advantages of civilization and Christianity.

It is clear that there will be replies against each of these points and replies to the replies and so on: the opponents will present their evidence on Egypt being genuinely African; or doubts concerning the denunciations against the discrimination of blacks as mere political manoeuvring, on the degree of cruelty of the various forms of slavery, black and white; from both sides there will always be fresh replies. According to the negative approach, arguers can *in principle* advance arguments supporting any idea or philosophical thesis whatsoever, however anti-intuitive or unacceptable they may sound. If the other party's assent is demanded in order to settle some point, this assent can be retained or refused indefinitely on a pragmatic level.

Of course, we are able to clearly and definitely decide many *factual* issues, such as: today is Tuesday and not Sunday; a shop opens for 24 hours or closes at midnight; Lula da Silva ruled Brazil from 2003 to 2011; Cervantes wrote Don Quixote, not Goethe; until today (2019), Cate Blanchett has won two Oscars, not three; Alfred Hitchcock never shot a film with John Wayne; Brasilia is the capital city of Brazil and Rio de Janeiro was before it; and Julio Cabrera published in 1996 a book named *Critique of Affirmative Morality*. Obviously, given how language works and things being as they are, all these points are absolute truths. They are simply not controversial points that must go through an argumentative process. The negative approach exclusively refers to conceptual questions such as: Sundays are more productive than other days of the week; 24-hour shops overload their workers more than regular shops; in Lula's terms people's social needs were more addressed than before; Faust is more universal than Don Quixote; Cate Blanchett deserved her second Oscar but not the first one; Alfred Hitchcock would never have accepted to work with John Wayne; moving the capital from Rio to Brasilia was a political mistake; or Julio Cabrera's book *Critique of Affirmative Morality* was a relevant contribution to the antinatalist debate. Goethe being the author of Faust is not a point in need of argumentation, but Faust being more universal than Don Quixote certainly is.

In the affirmative approach, each party wants to assume "the best arguments" and attempts to impose them on the other side. But the crucial point is that an argument can be considered right or wrong from a certain perspective and not from nowhere; the weaknesses of an argument are real but they can be denounced only from having some specific presuppositions; if we refuse to assume these presuppositions, the defects of the argument do not appear. Of course, we use some criterion to judge the strong or weak character of a line of argument, but any criterion for judging arguments to be right or wrong can, in turn, be put into doubt by argumentation. There seems to be no neutral or objective domain where we could decide what the "best arguments" consist of and why they are the unique ones for solving the point at issue.

Any domain of decision we choose can be submitted to impugnation by new argumentation through objections and requests for justification. *In the strict domain of argumentation* both parties are even, and to win the tiebreak, some criteria of quality of arguments are needed; but the problem is that any proposed criteria may always be called into question by new argumentation. This is important, because the negative approach sometimes meets the objection that all these considerations apply only to arguers, not to the "argumentation itself": if arguments do not reach a unique end and face all these handicaps, it is not because of the structure of the arguments but due to the characteristics of the arguers, who are stubborn, tricky or incompetent.

Such an objection seems to be grounded in a curious Platonism where "argumentation" is something above arguers. But it is actually impossible, especially in informal logic, to clearly distinguish between these two levels. In informal logic (and even in formal logic, as we will see later in Chapter 7), the notion of "assent" is crucial. It is very strange to consider as sound, an argument which the arguers do not accept as such. Let's suppose somebody saying: "My arguments against euthanasia are perfectly sound; if you do not accept them, it is because of your idiosyncrasies, stubbornness or ignorance". But *where is the objective and impartial court of law to which we should appeal, in order to prove this allegation and make our argument be accepted as sound?* The other party can always claim, even in good faith and with no intention whatsoever of trouble-making, that he/she is not convinced by my arguments for such and such a reason. We cannot distinguish a level of "pure arguments" from the place where real arguers are discussing, assenting and dissenting.

The negative approach to argumentation acknowledges stubbornness, vanity and the intention to complicate things, but I intend to prove that this is not always the case, that *the endless nature of philosophical discussions*

is also a response to argumentation's internal features; counter-arguing is always possible even when arguers act in good faith and are willing to engage in serious argumentation with no intention to obstruct the process. We can admit that, sometimes, arguers assume a non-cooperative or destructive attitude, but we will need to prove, *using arguments*, that this is *always* the case. (Leaving aside that, in real discussions, one of the parties may perceive the other as stubborn and destructive, but the other one can deny this and present themselves as being cooperative.)

According to the negative approach, such a situation of endless confrontation and conflict between arguments and counter-arguments *is intrinsic to the very process of argumentation*. There is no difference between the level where real arguers assent or dissent and a presumed Platonic "argumentation level" hovering over our heads; unfortunately, or not, the community of arguers constitutes the last instance for judging the quality of our arguments in discussions. There is no God or a super-computer able to decide which party is utterly right disqualifying the other, if both parties have carefully and properly elaborated their arguments and presented reasons to support their own lines of reasoning. To all intents and purposes, if my arguments are not accepted by the other party, *they are not good arguments from my audience's perspective, however convincing they might be from my own.* And the other's arguments are in the same position, regarding my own assent or dissent of them.

* * *

In the negative approach, we can perfectly accept that argumentation is a rule-governed activity. The question is not that argumentation does not follow rules. The problem is, that in each one of the six steps of argumentation (as described in Chapter 2), some of the participants could at any moment of the process open a space for new lines of counter-argumentation, all of them strictly rule-governed. Let's take, for instance, step number 1, the very existence of an argument. From certain perspectives and assumptions there exists an argument which is perfectly inexistent from other perspectives and assumptions; the existence of an argument is not an objective ontological question. In a debate on abortion, for example, the very "abortion problem" might not even exist for a religious arguer who considers the criminal nature of preventing the development of a foetus totally evident. For him, there is nothing to be argued at all, in the same way as, for the Camusian existentialist, there is nothing like the "problem of God" to be discussed, but it is a perfectly real

problem for a reader of Dostoevsky's books or of Javier Zubiri's philosophy. Whether "there is" or "there is not" a real issue to be subjected to argumentation is not something that can be decided in absolute terms.

There is no argumentative confrontation in this case. The discussion has not even started because one of the parties does not admit that *there is* really an issue to be discussed. Therefore, one of the sides must try to convince the other that *there is* a problem, and new arguments would be needed to prove *that*. Before displaying the arguments relevant to the question, new arguments must be presented in order to show that *there is* such a problem. For a debate on abortion, one of the parties must convince the other that there is something like "the problem of abortion". We have to take a step back here: when we try to argue in favour of or against X, we must firstly waste time trying to prove that *there is an X* to be discussed, and this kind of backwards step can be repeated.

We may notice the same phenomena in any of the steps, for example, in step number 2, about assuming the burden of the proof and the purpose and target-audience to be reached in the process of argumentation. Let's suppose, in a discussion on abortion, the proponent wishes to adopt a strong version of the "Thou shall not kill" principle, while the opponent is disposed to accept only a *prima facie* version of the principle in order to argue in favour of abortion. Thus, the opponent's position is that the proponent should accept taking the burden of proof, because he is advancing a stronger and less intuitive principle about killing people. But the proponent may not consider his principle as particularly "strong" (in the light of other criteria of argumentative strength), and think that he is not obliged to assume the burden, but that his opponent must.

If one of the parties, in trying to evade the burden, wishes to convince the other of the weakness of his principle about killing people, he will have to come up with new arguments to convince the other party. Thus, when we attempt to enter an argumentation on X we have to take some time over a previous argumentation in order to make clear who must take the burden of arguing about X. For instance, the arguers might disagree on the "intuitive" nature of the principles advanced by the other party. Different criteria of "intuitiveness" can be employed. Clearly, the affirmative approach also accepts a discussion about the burden of proof but it supports the view that such discussions have a closing point. But what is most disturbing in normal argumentative processes, is that there is no guarantee that more and more new argumentation will not be needed before reaching the point we wanted to originally discuss.

To assert the same point: in step number 3, argument reconstruction (is there only one argument or many? If many, what are their relations?);