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van Eemeren, F.H.; Grootendorst, R.

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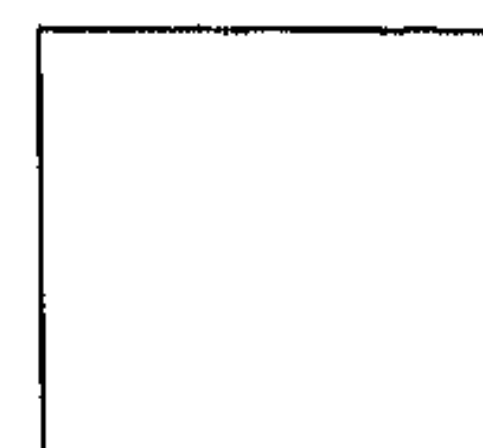
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Telefoonnummer : 050-3635057
Coöperatiecode : R

Leverwijze : Elektronisch
Fax :
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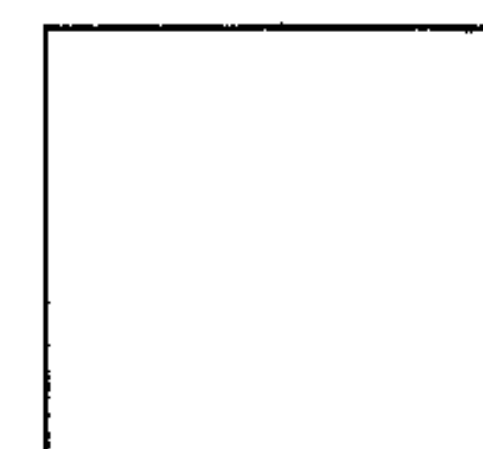
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Fallacies in Pragma-Dialectical Perspective

FRANS H. VAN EEMEREN AND ROB GROOTENDORST

*University of Amsterdam
Instituut voor Neerlandistiek
Spuistraat 134
1012 VB Amsterdam
The Netherlands*

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1. FALLACIES AS INCORRECT MOVES IN A DISCUSSION

In order to settle a dispute by means of argumentation, the language users must observe a number of rules. If they jointly attempt to resolve the dispute by engaging in an interaction of speech acts according to these rules, a dialectical approach refers to their discourse as a *critical discussion*.¹ Our pragmatic ideal model of a critical discussion explains which rules apply to the distribution of speech acts in the four stages the resolution of a dispute should pass through.² Although as an ideal model it by definition is not a true-to-life representation of reality, and reproduces only aspects that are of specific importance to the particular objective concerned (in this case the resolution of a dispute), such a model provides a set of tools to grasp reality and to determine the extent to which practice corresponds with the requirements for this objective.³

In a dialectical approach, the starting point is that the discussants do have the intention of jointly resolving the dispute. That is, the discussant whose arguments do not prove strong enough must be prepared to abandon his position, and the one whose doubts or objections have been overcome by the argumentation must be prepared to drop them. This is the basis of the reasonable attitude that is prerequisite to the conduct of a critical discussion. The rules of the ideal model tell us what such an attitude amounts to and constitute a code of conduct for rational discussants who want to act reasonably.⁴

Having the required attitude and observing the rules of the ideal model do not guarantee that the participants in a discussion will actually bring their dispute to a successful resolution, only that a number of preconditions for doing this have been met. Any violation of the rules may have the consequence that the dispute will not be resolved.

Although the consequences of violating the rules may vary in their

seriousness, every violation is a potential threat to the successful conclusion of the discussion, regardless of which party is responsible and regardless of the stage of the discussion at which it occurs. Seen in this perspective, all violations of the rules are incorrect moves in a critical discussion. These incorrect moves correspond roughly to the various kinds of defects traditionally referred to as *fallacies*.

In our pragma-dialectical conception, the term 'fallacy' is reserved for speech acts which hinder in any way the resolution of a dispute in a critical discussion. Thus this term is systematically connected with the rules for critical discussions, and our treatment of fallacies is linked to a particular theoretical approach to argumentation.⁵ In this conception, committing a fallacy is not tantamount to unethical conduct, but is wrong in the sense that it frustrates efforts to arrive at the resolution of a dispute.⁶

In order to identify fallacies, it is first necessary to establish the rules that have to be observed in a critical discussion. Therefore, we shall formulate the rules for the successive stages and also indicate possible violations of these rules and mention the various fallacies associated with them.⁷

2. DIALECTICAL RULES AND VIOLATIONS OF THE RULES

Rule I: Parties must not prevent each other from advancing or casting doubt on standpoints.

In principle, everyone is entitled to advance a point of view on any subject and to call any standpoint into question, whatever it may refer to. Rule I is broken if a discussant tries to impose certain restrictions on the standpoints that may be advanced or called into question, or to restrict the fundamental right of the other party to advance or cast doubt on whatever standpoint he likes. Restrictions of the former kind may mean that certain standpoints are banned from the discussion, or, conversely, are declared sacrosanct, and, as a result of this, are rendered immune to criticism. Restrictions of the latter kind are attempts to eliminate the opponent as a serious partner in the discussion by putting pressure on him, or by discrediting his expertise, impartiality, integrity or credibility.

Rule I applies to the confrontation stage of a critical discussion, and can be violated by both the protagonist and the antagonist. Possible violations, and the corresponding fallacies are:

(a) *With reference to standpoints*

- | | |
|------------------------------------|--|
| — banning standpoints | 'I don't want to talk about it' |
| — declaring standpoints sacrosanct | 'Nobody in his right mind can deny it' |

(b) *With reference to opponent*

- putting pressure on opponent
 - * 'You'll have to face the consequences for our personal relationship' (*argumentum ad baculum*)
 - * 'You can't do that to me' (*argumentum ad misericordiam*)
- performing personal attack on opponent by
 - * depicting him as stupid, bad, unreliable, etc. (*argumentum ad hominem*)
 - * casting suspicion on his motives 'Don't listen to this moron, crook, liar, etc. (*abusive*)
 - * pointing out an inconsistency between his ideas and deeds 'He just says so because he wants to be elected' (*circumstantial*)
 - in past and present 'Look who says so!' (*tu quoque*)

Rule II: Whoever advances a standpoint is obliged to defend it if asked to do so.

The obligation to defend a standpoint that has been called into question has traditionally been known as the burden of proof. Rule II is broken if a discussant tries to evade or shift his burden of proof. The first way of evading the burden of proof amounts to presenting a standpoint as self-evident, the second to giving one's personal guarantee of the rightness of a standpoint, and the third to formulating a standpoint in a non-falsifiable way by leaving out quantifiers and adding essentialistic qualifications. Shifting the burden of proof amounts to trying to get the challenger to start proving why the standpoint that he has called into question is wrong.

Rule II applies to the opening stage, and can be violated by the protagonist:

(a) *Evading the burden of proof*

- presenting the standpoint as self-evident 'The facts speak for themselves . . .'
- giving a personal guarantee of the rightness of the standpoint 'I can assure you that . . .'
- immunizing the standpoint against criticism 'It is part of human nature that . . .'

(b) *Shifting the burden of proof*

- demanding the antagonist show that the standpoint is wrong 'If you don't believe me, just prove I'm wrong'

Rule III: An attack on a standpoint must relate to the standpoint that has really been advanced by the protagonist.

For a dispute to be resolved, it is essential for the standpoint the antagonist is attacking to be identical to the standpoint the protagonist has been advancing. Rule III is broken if a fictitious standpoint is imputed to the opponent, or if his standpoint has been distorted. In both cases a *straw man* fallacy has been committed. One way of imputing a fictitious standpoint to someone is by putting forward with great emphasis the opposite standpoint. Another way is by referring to him as a member of a party or group which has this standpoint. The creation of a fiction goes even further if it is not even clear precisely who it is that actually adheres to the standpoint being attacked. Distorting someone's standpoint amounts to twisting his words by simplifying or exaggerating them.

Rule III applies to all stages of a critical discussion, and can be violated by the antagonist:

(a) *Imputing a fictitious standpoint to someone*

- | | |
|--|---|
| — emphatically advancing a standpoint implying that the opponent takes the opposite view | ‘I don’t know about my opponent but I personally regard it as extremely important that . . .’ |
| — referring to views of the group to which the opponent belongs | ‘That may be what he says now, but as a communist he naturally does not mean a word of it’ |
| — creating a non-existent opponent | ‘Although almost everybody believes that . . .’ |

(b) *Distorting someone's standpoint*

- | | |
|----------------------|---|
| — oversimplification | by omission of his nuances or qualifications |
| — exaggeration | by absolutizations or generalizations of his statements |

Rule IV: A standpoint may be defended only by advancing argumentation relating to that standpoint.

For a dispute to be resolved it is required that in defending his standpoint the protagonist use argumentation only, and that his argumentation genuinely relate to the disputed standpoint. Rule IV is broken if a standpoint is defended by argumentation not relating to the original standpoint, or by means other than argumentation. In the first case we are dealing with irrelevant argumentation, in the second with non-argumentation. With the use of non-argumentation, achieving approbation of an audience is

aimed at in an improper manner, which is why this surrogate argumentation is a spurious means of discussion. The rhetorical ruses used instead of proper argumentation exploit either the emotions or prejudices of the audience, or the protagonist's personal peculiarities, his expertise or other qualities. In the former case *pathos* takes the place of *logos*, in the latter *ethos*.

Rule IV applies to the argumentation stage, and can be violated by the protagonist:

- (a) *The argumentation does not refer to the standpoint under discussion*
 - irrelevant argumentation (*ignoratio elenchi*)
- (b) *The standpoint is defended by rhetorical ruses instead of argumentation*
 - non-argumentation, using
 - * *pathos*: playing on the emotions or prejudices of the audience
 - 'You do want your children to be safe in your own neighbourhood, don't you?'
 - (*argumentum ad populum*)
 - * *ethos*: parading one's own qualities
 - 'As an expert in the field I can say with some emphasis that . . .'
 - (*argumentum ad verecundiam*)

Rule V: A person can be held to the premisses he leaves implicit.

Besides explicit premisses, a discursive text will generally also contain unexpressed premisses which are nevertheless a real part of the argumentation put forward to support a standpoint. Rule V is broken if a reconstruction of an unexpressed premiss is an exaggeration of this, or if the commitment to an unexpressed premiss is denied despite its having been correctly explicitized (playing down one's responsibility). Blowing up an unexpressed premiss is a special case of the straw man fallacy, denying a correctly reconstructed unexpressed premiss is a special case of evading the burden of proof.

Rule V applies to the argumentation stage, and can be violated by both the protagonist and the antagonist:

- (a) *By the antagonist*
 - reconstructing an unexpressed premiss beyond what the protagonist can be held to
 - A: 'John is at home, because his car's in the drive'
 - B: 'So you think people never go out without taking their cars'
 - (*blowing up what has been left implicit*)

(b) *By the protagonist*

- denying a commitment to a correctly reconstructed unexpressed premiss
 - A: 'John is at home, because his car's in the drive'
 - B: 'So you think John does not go out without taking the car'
 - A: 'Not at all. What makes you think so?'
 - (*denying an implicit premiss*)

Rule VI: A standpoint must be regarded as conclusively defended if the defence takes place by means of arguments belonging to the common starting point.

In order to resolve a dispute, a common starting point of facts, values, etc. is required. The protagonist can make use of these joint premisses by pointing out that a proposition on which the antagonist has cast doubt ought not to have been called into question because of its status as a starting point. This method amounts to identifying a proposition being attacked as a common starting point. This so-called *identification procedure* entails no testing of the content of the proposition, which is, in effect, presupposed. Rule VI is broken if a proposition is being presented as a common starting point when in fact it is not, or if a proposition is called into question even if it is clear that it belongs to the common starting point. Falsely raising the status of a proposition to that of a common starting point is an attempt to evade the burden of proof for this proposition. This can be done in various ways. Falsely denying that a proposition is part of the common starting point amounts to depriving the other party of the possibility of defending a standpoint *ex concessis*.⁸

Rule VI applies to the argumentation stage, and can be violated both by the protagonist and the antagonist:

(a) *By the protagonist*

Falsely presenting something as a common starting point

- wrapping up a proposition in a presupposition
 - 'Where did you hide the murder weapon?'
 - (*many questions*)
- hiding away a proposition in an unexpressed premiss
 - 'This applicant is unsuitable because she is married'
- advancing an argument that amounts to the same thing as the standpoint
 - 'I am right, because what I say is true'
 - (*begging the question or petitio principii*)

- (b) *By the antagonist* *Falsely denying a common starting point*

- casting doubt on a starting point ‘What’s wrong with adultery anyway?’

Rule VII: A standpoint must be regarded as conclusively defended if the defence takes place by means of arguments in which a commonly accepted scheme of argumentation is correctly applied.

In order to resolve a dispute, applying the identification procedure will not be sufficient in most cases. A *testing procedure* is also needed to test the truth or acceptability of propositions that are not part of the starting point. The testing procedure relates to the scheme of argumentation being used. Rule VII is broken if a scheme is chosen which is unsuitable for the proposition concerned, or if the right scheme is applied in an inappropriate way. Corresponding to the main schemes, three types of argumentation need to be distinguished: symptomatic argumentation, argumentation by analogy, and causal argumentation.⁹ Both the selection and the application of a scheme should depend on the kind of proposition expressed in the standpoint that is to be defended.

Rule VII applies to the argumentation stage, and can be violated by the protagonist:

(a) *Applying an unsuitable scheme of argumentation*

- | | |
|--|--|
| — establishing the truth or acceptability of a standpoint by referring to some kind of authority
(symptomatic argumentation) | ‘Professor X says so, so it must be true’
(<i>argumentum ad verecundiam</i>)
‘Everybody says so, so it must be true’
(<i>argumentum ad populum</i>) |
| — testing the truth or acceptability of a standpoint by pointing out desirable or undesirable consequences
(causal argumentation) | ‘This can’t be true because it would destroy everything this country stands for’
(<i>argumentum ad consequentiam</i>) |

(b) *Inappropriately applying a scheme of argumentation*

- | | |
|---|--|
| — justifying a general conclusion on the basis of an insufficient number of (nonrepresentative) observations
(symptomatic argumentation) | ‘The American medical system doesn’t care what happens to the patient. I know of a man who was turned away by a hospital and then died’
(<i>hasty generalization</i> or <i>secundum quid</i>) |
|---|--|

- | | |
|---|---|
| — defending an opinion by comparing the matter in question with another, essentially different matter (argumentation by analogy) | ‘You can’t have a compact disc, your father and I didn’t have one when we are were young’
<i>(false analogy)</i> |
| — inferring a cause-effect relation from the mere observation that two events take place one after the other (causal argumentation) | ‘The fact that the shops are closed on Sundays is caused by the fact that they are open on Saturdays’
<i>(post hoc ergo propter hoc)</i> |
| — rejecting a course of action because it is supposed to lead us from bad to worse, whereas it is not necessary for the alleged consequences to occur at all (causal argumentation) | ‘Tolerating euthanasia leads to genocide. That’s why I’m opposed to it’
<i>(slippery slope)</i> |

Rule VIII: The arguments used in a discursive text must be valid or capable of being validated by the explicitization of one or more unexpressed premisses.

It is the form of a valid argument that guarantees that true premisses cannot lead to a false conclusion. To be able to determine whether or not this is the case in a discursive text, it is necessary to reconstruct the arguments underlying the argumentation advanced by the protagonist. Often it will be necessary to explicitize one or more unexpressed premisses. The added premisses should render the original argument into a valid one. That is why only in cases in which the argument is already “complete” it will be necessary to check its validity. This implies (explicit or implicit) knowledge of logic. Applying logical rules in testing the validity of an argument constitutes the *inference procedure* on which the discussants can rely. Rule VIII is broken if the inference procedure reveals that one or more of the protagonist’s arguments is invalid.

Rule VIII applies to the argumentation stage, and can be violated by the protagonist in various ways. Some forms of invalidity occur with a certain regularity and are not always immediately recognized as such:

(a) *Confusion of necessary and sufficient conditions*

- | | |
|--|--|
| — a necessary condition is treated as a sufficient condition
(inverted <i>modus tollens</i> : <i>denying the antecedent</i>) | ‘If the traffic in the area is really bad, the road should be widened’
‘There aren’t any problems with the traffic in the area, so there is no need for the road to be widened’ |
|--|--|

- a sufficient condition is treated as a necessary condition
(inverted *modus ponens*: affirming the consequent)
- ‘They are widening the road, so the traffic there must be really terrible’

(b) *Confusion of properties of parts and wholes*

- a property of a whole is incorrectly ascribed to one or more parts
 - a property of one or more parts of a whole is incorrectly ascribed to the whole
- ‘This is a light boat, so the anchor of this boat is light’
(*fallacy of division*)
- ‘This boat is made of excellent materials, so it is an excellent boat’
(*fallacy of composition*)

Rule IX: A failed defence must result in the protagonist withdrawing his standpoint and a successful defence must result in the antagonist withdrawing his doubt about the standpoint.

A standpoint is successfully defended if both the identification or testing procedure and the inference procedure produce a positive result. If one or more of the results are negative, the defence has failed. If the protagonist and the antagonist agree on the outcome of the discussion, the dispute can really be resolved. As a consequence, the antagonist must withdraw his original doubt about a standpoint which is successfully defended, and the protagonist must withdraw a standpoint which is not successfully defended. Rule IX is broken if one of the parties refuses to meet these requirements, but also if one of them exaggerates the consequences he is entitled to draw. The protagonist is overdoing his victory if he claims from a successful defence that his standpoint now has been proved true. By claiming this he denies the specific *ex concessis* nature of his defence. The antagonist is exaggerating if he claims from a failed defence of a standpoint that the opposite standpoint has been proved true. By claiming this he evades the burden of proof for the latter. Moreover, he overlooks possible alternatives, often by creating an erroneous opposition.

Rule IX applies to the concluding stage, and can be violated by both the protagonist and the antagonist:

(a) *By the protagonist*

- concluding that a standpoint is true because it has been successfully defended against the opposition of the antagonist
- ‘You can’t have any objections anymore, so what I said is true’
(*absolutizing the success of a defence*)

(b) *By the antagonist*

- concluding that a standpoint is true because the opposite has not been successfully defended
 - A: 'I'm giving up smoking, because it gives you cancer'
 - B: 'Nobody has proved that conclusively, so you can carry on smoking without any fear for getting cancer'
 - (*absolutizing the failure of a defence or argumentum ad ignorantiam*)
- (often combined with)
- an erroneous opposition
 - A: 'I'm giving up sex because it's bad for my health'
 - B: 'That's never been proved, so it's very good for you'
 - (*false dilemma*)

Rule X: Formulations must be neither puzzlingly vague nor confusingly ambiguous and must be interpreted as accurately as possible.

Unclear usage can have direct consequences for the resolution of a dispute. It can create misunderstandings between the parties and give rise to pseudo-agreement or pseudo-disagreement. In the case of the former there is a good chance that an unnecessary discussion will be conducted, and in the case of the latter a discussion which is necessary may never take place. Therefore, the discussants must try to put into words as clearly as possible what they mean, so that the other party is able to determine the intended meaning, and they must do their best to determine the intended meaning of what the other party is saying. Rule X is broken if one of the parties tries to gain advantage over his opponent by misusing unclarity or ambiguity. All the various types of unclear or ambiguous language can occur in discussions.

Rule X applies to all the stages of a critical discussion, and can be violated by both the protagonist and the antagonist. The main types of unclarity and ambiguity are:

(a) *Unclearness*

- structural unclarity (textual level)
 - obscure structure of paragraphs, "illogical" order of presentation, lack of coherence, etc.
- implicit illocutionary force¹⁰ of a speech act (sentence level)
 - A: 'Charles is a kleptomaniac'
 - B: 'Is this just a statement, or a warning?'
- indefinite reference of a speech act (sentence level)
 - B: 'Who do you mean by Charles, your neighbour or your brother-in-law?'

- unfamiliar predication of speech act
(sentence level) *B*: 'What's a kleptomaniac?'
- vague predication of a speech act
(sentence level) *B*: 'Does he steal everyday, then?'
- (b) *Ambiguity*
- semantic ambiguity *A*: 'There was a leaf on the floor'
 B: 'What do you mean, a leaf from
 a plant or from a book?'
- syntactic ambiguity *A*: 'I'm not going with you because
 of the rain'
 B: 'What do you mean, (a) are you
 not going and is the reason for it
 that it's raining, or (b) are you
 going and is the reason for it not
 that it's raining, but some other
 reason?'

3. THE PRAGMATIC DIMENSION OF FALLACIES

Jointly, the discussants are responsible for achieving the desired communicative effect of mutual understanding. This means that in their wording they must fulfil the requirement of clarity in the performing of speech acts. This requirement follows from the Communication Principle.¹¹ Also, each party must do his best to understand the speech acts of the other, further ensuring that the Communication Principle is being observed.

The requirement of clarity does not mean that a speaker or writer must necessarily formulate his intentions with maximal explicitness and directness, nor that a listener or reader can be satisfied with merely assigning a literal meaning to the speaker's or writer's words. It is perfectly normal that all sorts of things remain implicit and that the illocutionary force of a speech act is only made known indirectly. This also goes for unexpressed premisses.¹²

Generally speaking, in practice implicit speech acts, unexpressed premisses and other indirect speech acts do not present much of a problem. Using background knowledge, one can usually see from the context and situation what is meant. Indeed, in most cases the speaker or writer will assume this and adjust his wording accordingly. If he succeeds in doing this satisfactorily, both formulation and interpretation are optimal.¹³

The success or failure of communication is not a matter of absolutes. Comprehensibility is relative, because the same phrase which is comprehensible to one listener can be incomprehensible to another. It is also

gradual, because it is not a property that a formulation simply has or not, but something that can be present to a greater or lesser extent. For some purposes it may be necessary to achieve a higher level of understanding in communication than for others.¹⁴ A surgeon explaining the precise details of an operation to a colleague will set higher standards of comprehension than the same man telling the same thing to his small nephew.

Explicitizing an implicit speech act, defining, explaining or amplifying an unfamiliar expression, and precizing an indefinite, vague or ambiguous word is done by means of a *usage declarative*.¹⁵ To be able to fulfil the dialectical requirement that formulations must be sufficiently clear and unambiguous (Rule X), the speaker or writer is always entitled to perform a usage declarative to clarify his words, and the listener or reader is entitled to ask him to perform this type of speech act. In principle the speaker or writer is always obliged to accede to such a request, since otherwise he would be violating the Communication Principle.

Unclearness and ambiguity fallacies can occur as violations of Rule X either as an independent fallacy or combined with violations of one or more rules of discussion. Sometimes, indeed, unclearness or ambiguity can even be an important factor in the occurrence of other fallacies. Various sorts of implicitness and indirectness may play significant roles here.

Take, to begin with, the *argumentum ad baculum* and the *argumentum ad hominem* (violations of Rule I). Threats and personal attacks are often more effective if they are issued or made in veiled terms or indirectly. Sometimes, indeed, the indirectness goes so far as to invoke an emphatic denial that it is the intention to put pressure on the opposing party or to launch a personal attack on him. The threat or attack is presented as information with which the listener may do what he will.

In the fallacy of *evading the burden of proof* (violation of Rule II) implicitness is a means much used by the protagonist to suggest that his standpoint is in no need of defence or is immune to criticism. In the first case the standpoint nature of an utterance is played down, and in the second case the standpoint is immunized. These effects are achieved by not expressing the illocutionary force of the standpoint explicitly and by omitting quantifiers from the propositional content.

In the case of the *straw man* fallacy (violation of Rule III), implicitness can play a part both in the illocutionary force and in the propositional content of a standpoint. The first happens if an excessively certain standpoint is ascribed to the protagonist, the second if too general a standpoint is imputed to him. Since neither the strength of the illocutionary force nor the scope of the propositional content is always indicated explicitly by the protagonist, the antagonist can do this without it being immediately conspicuous.

With the fallacies of *irrelevant argumentation* or *non-argumentation* (violations of Rule IV), implicitness is crucial both to the illocutionary

force and the propositional content. For example, the protagonist is hardly likely to concede in so many words that his argumentation relates to a standpoint different from the one being discussed (*ignoratio elenchi*) or that he is not advancing arguments at all but merely playing on the emotions of the audience (*argumentum ad populum*) or parading his own qualities (*argumentum ad verecundiam*). If he did so, nobody would take the slightest notice of what he had said.

In the case of *blowing up* or *denying* an unexpressed premiss (violation of Rule V) implicitness is a *sine qua non*. The antagonist can only blow up an argument thanks to the fact that it is not explicitly formulated, and the same applies to the denial of an unexpressed argument by the protagonist. The former can always maintain that something was really concealed in the protagonist's words, and the latter can always protest that he really never said what the antagonist claims he said.

In the case of the fallacy of *begging the question* or *petitio principii* (violation of Rule VI), usually formulations are being used which differ from one another to a greater or lesser degree so that it is only on closer inspection that they turn out to amount to the same thing. The circularity of the argument is not immediately obvious because the identity or dependence between premiss and standpoint remains implicit and is consequently concealed.

In the case of the *argumentum ad consequentiam*, the fallacy of *slippery slope*, *post hoc ergo propter hoc* and *hasty generalization* or *secundum quid* (violations of Rule VII), either the chosen scheme of argumentation is unsuitable or it is used in an inappropriate way. The choice of a scheme of argumentation and the way in which it is to be used generally depend on the kind of proposition to be tested. However, the nature of a proposition is often unclear because the illocutionary force of the speech act in which it occurs is implicit and the scope of the proposition has not been indicated explicitly.

In the case of the fallacy of *denying the antecedent* or *affirming the consequent* and the fallacy of *composition* or *division* (violations of Rule VIII), it is not always immediately obvious that the argument is invalid. First, the argument must be translated from colloquial speech into the language of a logical system. However, the wording will not usually point to one particular translation. In the case of the fallacy of composition or division, there is the additional problem that the transferability of a property cannot be known directly from the terms used. Whether or not a property is transferable in a particular case can generally only be established after a thorough analysis of the terms used.

The fallacy of *absolutizing the failure of a defence* or *argumentum ad ignorantiam* (violation of Rule IX) is often combined with a *false dilemma*. However, the confusion of a contrary with a contradictory opposition involved in this fallacy is again not always immediately apparent from the

words used: 'open'/'closed' (contradictory) versus 'hot'/'cold' (contrary). Here again, then, much depends on a correct analysis of the terms used.

This survey shows that implicitness of language plays an important role in fallacies which are to be considered as violations of rules other than Rule X. The implicitness may relate to the illocutionary force (*argumentum ad baculum* or *ad hominem*), the propositional content (*circular* or *invalid argument*) or both (*straw man* or *argumentum ad ignorantiam*). The consequences of implicitness can vary considerably. Sometimes implicitness is a concomitant phenomenon that produces the effect of a fallacy (*argumentum ad baculum*), sometimes it is an important condition of the success of a fallacy (*straw man*), and sometimes it is even absolutely indispensable (*blowing up an unexpressed premiss*).

4. THE CONDITIONAL CHARACTER OF FALLACY ANALYSIS

One of the consequences of implicitness in usage is that analysing fallacies is always conditional. It is only given a particular interpretation that there may be an allegation that a fallacy occurs. In obvious cases the violation of one of the rules of discussion is instantly recognizable as such, but in practice this is rare. Usually it is still a 'matter of interpretation'.

This inevitably means that the person accused of committing a fallacy can almost always deny that he has broken a rule of discussion, without being caught in a real inaccuracy or contradiction. One of the reasons for this is that speech acts in a discussion are as a rule implicit and often also indirect, so that a speaker or writer can claim that this interpretation does not record what he meant, and that this is certainly not what he has said. The only remedy against this immunizing manoeuvre is to determine as exactly as possible what the speaker can be held to in the given context and situation. But there is also another reason why fallacy analysis is always conditional. 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. Sometimes, however, this is not at all the purpose of a discussion, and sometimes it is not clear whether or not this is the case.

In the former case there is no point, from a dialectical perspective, in referring to a fallacy, while in the latter there is a risk of an unjustified accusation. When in doubt, it is a good idea to employ the *strategy of maximal reasonable interpretation*.¹⁶ This means that when in doubt the discussion is treated as if its purpose were to resolve a dispute. Incidentally, it is not an absolute prerequisite for the application of the dialectical rules of discussion that a given discussion should be a hundred per cent aimed at resolving a dispute. In practice this is hardly ever the case, nor for that matter is the converse.

Applying the strategy of maximal reasonable interpretation means that

the person suspected of a fallacy is given maximal credit, because all speech acts performed by him are in principle regarded as possible contributions to the resolution of the dispute. Whatever turns out *not* to be a contribution is then regarded as a breach of the code of conduct for rational discussants as specified by the rules for critical discussions.

According to the strategy of maximal reasonable interpretation, the discussants are in principle considered to strive for the resolution of a difference of opinion and to adhere to the rules of discussion that may further this end. If one or more of the rules are broken, a fallacy has been committed. Breaking a rule does not automatically mean, though, that a reasonable attitude to the discussion on the part of the offender is completely absent. Something may simply have gone wrong in the application of the rules, without any evil intent. The presence or absence of deliberate calculation is not decisive nor even relevant in diagnosing something as a fallacy. The violation of a rule of discussion is both a necessary and a sufficient condition for that.

5. ADVANTAGES OF A PRAGMA-DIALECTICAL APPROACH

The pragma-dialectical approach to fallacies outlined here is primarily an attempt to develop a theory on fallacies which provides an adequate alternative to the atheoretical Standard Treatment described and criticized by Hamblin (1970).¹⁷ Fallacies are analysed by us as discussion moves which threaten the resolution of a dispute; they are violations of the rules of a critical discussion. Our ideal model of a critical discussion is intended to cover all relevant aspects of such discussions so that we can account for the whole range of argumentational defects traditionally known as fallacies and analyse them in a more systematic way.

Due to their *ad hoc* basis, the Standard Treatment and its post-Hamblinian variants have an inconsistent outlook which is readily illustrated by the fact that quite a high proportion of the fallacies distinguished do not even answer the standard definition of a fallacious argument as 'one that *seems to be valid* but *is not so*' (Hamblin 1970: 12). In some cases there is no question of an *argument* (e.g. 'many questions'), whereas in some others the argument is not *invalid* (e.g. 'begging the question'). In our pragma-dialectical approach such inconsistencies do not occur.

This approach also does justice to the fact that invalidity is only one of the reasons why a dispute may not be resolved. In everyday discourse there are often implicit elements serving as unexpressed premisses or standpoints, and usually it is fairly easy to supply these "incomplete" arguments with whatever is necessary to turn them into valid arguments so that it is pointless to point to invalidity as the cause of their fallaciousness, as the Standard Treatment tends to. Invalidity is in the pragma-dialectical

approach not ignored but put into its proper perspective, serious attention also being paid to the great many other things that can go wrong in a discursive context. A lot of fallacies are linked to other rules of discussion; only four of the categories of fallacies distinguished in Section 2 can be analysed as direct violations of the validity rule (Rule VIII).¹⁸

Because the validity of an argument cannot be established without the use of logic, logic is a valuable tool for the analysis of certain fallacies but, in our view, it cannot provide a comprehensive theory of fallacies taking into account all that can go wrong in everyday argumentation. By abstracting from the peculiarities of colloquial language and concentrating on argument forms, all practical phenomena of implicitness, indirectness and other characteristics of language usage which may play a part in fallacies are ignored (cf. van Eemeren et al. 1984: 116–123). Because of this, with the Standard Treatment many fallacies will be hard to detect and to identify. With the normative ideal model of the speech acts performed in a critical discussion, the pragma-dialectical approach to argumentation not only provides us with means to detect fallacious discussion moves, but also helps us to get a better insight into practical argumentative reality.

For an adequate analysis of fallacies, argumentative reality as it presents itself in a discursive context must be reconstructed normatively as a critical discussion so that we can explain what is going on. Such a reconstruction may require the carrying out of dialectical transformations of deletion, addition, permutation and substitution (cf. van Eemeren 1986a). As is shown in the discussion of the various categories in Section 3, here the dialectical transformations of addition and substitution are directly relevant to the analysis. For example, blowing up or denying an unexpressed premiss (violation of Rule V) would not be recognizable as such without applying the dialectical transformation of addition. And a substitution transformation is required to identify the straw man fallacy and *petitio principii* (cf. van Eemeren 1986b).

Having indicated the importance of normative reconstruction to a pragma-dialectical analysis of fallacies, we should now point out that our pragma-dialectical argumentation theory as it is, is by no means complete. To get to know exactly when and how the various dialectical transformations may be carried out, a serious amount of pragma-linguistic work still has to be done.¹⁹ And even if the ten rules formulated here should really reflect all relevant aspects of a critical discussion, the listing of the various ways in which they may be violated and the associated fallacies will need further specifications and supplements. Furthermore, all kinds of questions still have to be answered with regard to the dialectical analysis itself. Logicians may be extremely helpful in carrying out these tasks but, in our opinion, their logical approach should be incorporated in a pragma-dialectical framework which places their contributions in a proper perspective.²⁰

NOTES

¹ Cf. van Eemeren and Grootendorst 1984: 17—18.

² According to our pragma-dialectical model, a critical discussion passes through four discussion stages: (1) the *confrontation stage*, during which the dispute is externalized; (2) the *opening stage*, during which agreements are reached concerning the manner in which the dispute and the discussion are to be conducted; (3) the *argumentation stage*, during which argumentation is advanced and reacted to; and (4) the *concluding stage*, during which it is established how the discussion is concluded (cf. van Eemeren and Grootendorst 1984: 85—87).

³ The model specifies which activities the participants in a critical discussion have to perform at the four stages in order to contribute to the resolution of a dispute. In our pragmatic approach, the rules of the model indicate what sorts of speech acts in the four stages of a critical discussion can serve the purpose of resolving a dispute, and prescribe when the discussants are entitled, or indeed obliged, to perform a particular speech act.

⁴ Cf. van Eemeren and Grootendorst 1984: 151—175.

⁵ In ordinary speech the use of the term *fallacy* is not consistently confined to a specific theoretical conception of a rational discussion. Often it is taken to mean no more than an invalid and deceptive argument, or even simply a false assertion. Here the term is used both more precisely and more broadly. More precisely, in the sense that it is systematically linked to a dialectical approach to argumentation, more broadly because it relates to all aspects of the discussion and not merely the truth value of assertions or the validity of arguments.

⁶ In everyday language fallacies are rather strongly associated with deliberate attempts to mislead. Impute a fallacy to someone and you almost automatically appear to be passing a moral judgement on his behaviour. In our conception there is no question of any such moralistic condemnation.

⁷ A more elaborated version of the rules including an explanation in more detail is presented in van Eemeren and Grootendorst 1987.

⁸ Cf. Barth and Martens 1977: 79.

⁹ Cf. van Eemeren and Kruiger 1986.

¹⁰ The illocutionary force of an utterance refers to the kind of speech act performed by the speaker or writer (assertion, request, promise, etc.). Cf. Searle 1970: 22—25.

¹¹ The Communication Principle, as we call it, corresponds to Grice's Co-operative Principle. To be precise, the requirement mentioned follows from his Maxim of Manner which says: 'Be perspicuous. Avoid obscurity of expression, avoid ambiguity, be brief (avoid unnecessary prolixity), and be orderly' (1975: 46).

¹² Cf. van Eemeren 1986b (interpreting indirect argumentation) and van Eemeren and Grootendorst 1987 (explicitizing unexpressed premisses).

¹³ Of course, a speaker can always be mistaken about the listener's background knowledge or the degree to which context and situation speak for themselves, and the listener can make a wrong association between context and situation and the speaker's words, and thus attribute an unintended meaning to what the speaker says. In other words, attempting to arrive at optimal formulations and interpretations is not a sufficient condition for bringing about understanding between speaker and listener, but it is, however, a necessary condition for it.

¹⁴ Naess refers to the level of understanding as the 'depth of intended meaning' or the 'depth of understanding' (1966: 34—36). According to him this depends on the context in which a sentence is used. The importance of the role of the context in interpreting utterances is also stressed in Crawshay-Williams 1957. Both Naess's and Crawshay-Williams's ideas about language use in discussions are discussed in van Eemeren, Grootendorst and Kruiger 1984: 116—118, 122—131.

¹⁵ A usage declarative is a speech act the purpose of which is to achieve the illocutionary effect of understanding the speaker's speech act. Examples of usage declaratives are: definitions, precisations, amplifications, explications, and explicitizations (cf. van Eemeren and Grootendorst 1984: 109–110).

¹⁶ The rationale of this strategy is explained in van Eemeren 1986b. Of course, the advice in doubtful cases to employ this strategy can itself create new areas of doubt, as is the case, for example, with advertising texts, election speeches and quarreling in public. The alternative is to assume from the start all reasonableness is absent, which would appear to be even less desirable than a possible *faux pas* in deciding that something is a fallacy when in fact it is not. As long as we bear in mind the conditional character of fallacy analysis and remember not to attribute any absolute value to it, this risk ought not to cause too much trouble.

¹⁷ A critical survey of the pre- and post-Hamblinian Standard Treatment is presented in Grootendorst 1986. The idea of fallacies as violations of rules for rational argumentation (in our theoretical conception argumentation aimed at the resolution of a dispute) is suggested in Barth and Martens 1977: 96. Another method for analysing fallacies is to take them as arguments which cannot be generated by a finite set of production rules for generating rational arguments (Barth and Martens 1977: 96). This second alternative is also proposed in Barth and Krabbe 1982: 90.

¹⁸ That is why it is sensible to distinguish between violations of Rule VIII, which are *fallacies in the narrow sense*, and *fallacies in the broad sense*, which violate one of the other rules of discussion.

¹⁹ In a joint project with Sally Jackson and Scott Jacobs we are trying to develop a theory of conversational argument, combining a dialectical approach with insights taken from conversation analysis. A first outline is sketched in van Eemeren 1986b. See for the conversational work already done by Jackson and Jacobs, for example, 1982 and 1983.

²⁰ Lots of work has to be done with respect to, for example, the *argumentum ad consequentiam*, the fallacies of composition and division, hasty generalization, *post hoc ergo propter hoc*, and *petitio principii*. Excellent contributions from a logical point of view have been made by Woods and Walton. Cf., e.g., their 1982 and 1987, and Walton 1984 and 1985.

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ABSTRACT. In the pragma-dialectical approach, fallacies are considered incorrect moves in a discussion for which the goal is successful resolution of a dispute. Ten rules are given for effective conduct at the various stages of such a critical discussion (confrontation, opening, argumentation, concluding). Fallacies are discussed as violations of these rules, taking into account all speech acts which are traditionally recognized as fallacies. Special attention is paid to the role played by implicitness in fallacies in everyday language use. It is stressed that identifying and acknowledging fallacies in ordinary discussions always has a conditional character. Differences between the pragma-dialectical perspective, the Standard Treatment, and the formal logic approach to fallacy analysis are discussed.