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## Why the Dialectical Tier is an Epistemic Animal

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Ralph Johnson has proposed a “two tiered” conception of argument, comprising of the illative core and the dialectical tier. This paper’s two-part thesis is that (i) the dialectical tier is best understood as an epistemic requirement for argument, and (ii) once understood epistemically, the dialectical tier requirement can be defended against the leading objections.

KEYWORDS: dialectical tier, Ralph Johnson, epistemic theory of argument

## 1. INTRODUCTION

In *Manifest Rationality* (2000) and other work (1996 and 2003), Ralph Johnson defends what he calls a “two-tiered” conception of argument, comprising of an *illative core* (of premises and conclusions) and a *dialectical tier* (of replies to objections). Johnson holds that his two-tiered model for argument is necessary, because with argument, we are out to persuade an interlocutor with an act of manifest rationality. That is, an argument’s objective is not only to rationally persuade, but for the rationality of that persuasion to be clear to the persuaded. It must not only *be* a rational inference from the reasons to the target claim, but that move must also be *clearly* rational. And so, “the practice of argumentation is best understood as an exercise in manifest rationality” (2000, p. 1).

Johnson’s view that arguments must have a dialectical tier has been the target for a number of objections, three of which I will consider here. The first is that there is no obvious connection between the dialectical tier and the rationality of the illative core of argument (as argued by Ohler, 2003 and Liang & Xie, 2011). The second is that the dialectical tier is argumentatively supererogatory; it is not a dialectical

obligation (as argued by Adler 2004). Third, and finally, it has been objected that the dialectical tier yields a vicious regress (as argued by Govier 1999).

This paper's two-part thesis is that with an account of epistemic defeat and defeater-defeat, it is possible to explain why arguments, if they are to provide hearers with justification for accepting a conclusion, must have a dialectical tier. Once this epistemic notion of dialectical considerations is in place, it is possible to answer the three pressing objections to Johnson's dialectical tier. As a consequence, it is best to take the dialectical tier to be one derived from the epistemic normativity of argument.

## 2. THE DIALECTICAL TIER AND ITS DISCONTENTS

Johnson's notion of the dialectical tier is dependent on his commitment that argument is an exercise in manifest rationality. An act is manifestly rational when it is not only rational, but it seems to all the relevant parties to the act that it is rational, too. Johnson explains with regard to argument, in particular:

What is distinctive of argumentation is that it is an exercise in manifest rationality, by which I mean not only that a good argument is itself a rational product – a product of reasons, reasoning, and reasoners – but that it is part of the nature of the enterprise that this product appear as rational as well (2000, p. 144)

One may see this notion of argument arising from a requirement of respecting the dignity of others with whom one disagrees and thereby with whom one must argue – one must first see them, insofar as one takes it one can argue with them, as rational and movable by reason. Further, one must take it that if they are rational and moved by reasons, they, by their own lights, have been moved to their views (even if wrong) by reasons. Johnson makes this thought explicit by requiring of any theory of argument that it be able to recognize that for any view, there can be good arguments for and against it (2000, p. 53). What manifest rationality requires, then, is that those reasons be sorted in a way that allows them to be seen as reasons but also provides accessible reason to those who have disagreed for going one way and not another.

In light of the connection between this notion of manifest rationality and the view that argumentation must countenance conflicting reasons, the dialectical tier is a requirement of successful argument. Johnson's definition of argument bears this out:

An argument is a type of discourse or text ... in which the arguer seeks to persuade the Other(s) of the truth of a thesis by producing the reasons that support it. In addition to this illative core, an argument possesses a dialectical tier in which the arguer discharges his dialectical obligations (2000, p. 168)

With the illative core, Johnson holds there must be “a premise-conclusion structure: a set of premises in support of some other proposition that is the conclusion” (2000, p. 150). With the dialectical tier, the arguer must “address standard objections” and “alternate positions” (2000, p. 125 and p. 328). Tying the dialectical tier to the notion of manifest rationality, Johnson explains:

[I]f the arguer takes seriously the positions of others and in the course of his own argument addresses himself to them, the result is a display that is not only rational, but is one that appears to be rational (2000, p. 151).

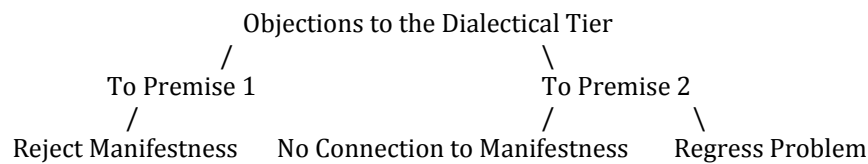
In short, the dialectical tier is in the service of the *manifestness* of manifest rationality, the clarification and exemplification of the rationality of accepting the conclusion on the basis of the premises. Johnson’s case for the dialectical tier, then, may be stated as follows:

*Premise 1:* Arguments must be exercises of manifest rationality.  
*Premise 2:* Arguments are manifestly rational only if they have a dialectical tier.  
*Therefore,* arguments must have a dialectical tier.

Stated as such, the argument is valid, and Johnson’s reasons for holding the premises are clear. For Premise 1, argument’s objective is of rational persuasion, which requires the rationality of the terms of persuasion to themselves be clear to those persuaded. For Premise 2, clarity of this sort is possible only if one’s worries, misgivings, objections, and clarifying questions are answered. The dialectical tier is the function of making the rationality of accepting an argument’s conclusion manifest.

The three objections to the dialectical tier are best as targeting the premises of Johnson’s case. First, one may object to Premise 1 on the grounds that good arguments need not be *manifestly rational*, but only *rational*. To have good arguments that one has a good argument is to ask more than what is required for argument. Alternately, one may object to Premise 2. One may do so in two ways. On the one hand, one may hold that there is no clear connection between the dialectical tier and

manifesting rationality – that chasing down and answering objections actually impedes that goal. On the other hand, one may object that the dialectical tier sets before us a task that is impossible to complete – since for every objection answered, there must be an argument, which will need to answer yet further objections. With this insight, we have a rough taxonomy of objections to the dialectical tier.



My plan is to review these objections in order. First, one may object to the dialectical tier because one sees manifestness of rationality as, instead of an obligation of argument, rather as something that is *supererogatory*. Johnathan Adler has argued that the dialectical tier is still an “imperfect duty” one has to oneself and one’s view, but disagreements from others is not a defeater for arguments. The dialectical tier, then, “impos(es) excessively burdensome costs on arguers” (2004, p. 281). Human inquiry, Adler holds, must be bound by the demands for economizing, and this means that there must be a division of epistemic labour, so our arguments need only be appropriate for the time and resources we have at hand. Fulfilling the dialectical tier, then, would “diminish the vitality of argument and inquiry” (2004, p. 284).

The second objection to the dialectical tier is to Premise 2 along the lines that the dialectical tier has not obvious connection to the rationality of the support the conclusion has by the premises. Addressing objections that, by hypothesis, are unfounded or do not affect the argument’s quality is not only a misuse of one’s time and efforts, but it is actually contrary to the spirit of the manifestness of the rationality of the support. Amy Ohler captures this objection, noting that:

To have to respond to criticism believed or known to be misguided is in one important sense of the word *irrational* (2003, p. 70).

Jonathan Adler, too, holds that this line of thought yields an absurd notion of what the argument must achieve.

[A]n arguer is entitled to dismiss objections that he regards – and for good reason – as failing, without having to explain why it fails (2004, p. 289).

And further, Liang and Xie hold that the dialectical tier doesn't lead to improved or clarified rationality, since addressing bad, or low-quality, objections is "unlikely to affect the cogency of our argument" (2011, p. 233). As a consequence, the objection is that the dialectical tier adds nothing to the argument's quality, but it stands to obscure the connection between the premises and conclusions.

Third and finally, the dialectical tier, it is objected, sets arguers on the road to a vicious regress. The argument for regress runs as follows (standardized for presentation):

- i. Every argument must have a dialectical tier.
- ii. Dialectical tiers are arguments (or have arguments as components)
- iii. *Therefore*, every dialectical tier must have a dialectical tier.
- iv. *Therefore*, every argument has an infinite number of dialectical tiers.

Trudy Govier concludes that "Johnson's view seems to imply an infinite regress" (1999, pp. 232-3). On the assumption that giving a successful argument is a finite task, line 4 of the argument is absurd, and so we have a *reductio* of the dialectical tier. As Govier puts it, "surely it is not plausible to say that an arguer has an obligation to put forward an infinite number of arguments in order to build a good case for a single conclusion!" (1999, p. 233).

### 3. EPISTEMIC DEFEAT AND THE STRUCTURE OF OBJECTION AND REPLY

A successful case for an epistemic reading of the dialectical tier must address three issues. First, an account of what objections and replies are on an epistemic theory must be clear. So, an epistemic view of what the dialectical tier is must be manifest. Second, the epistemic theory must be shown to be pursuant of the broader objective of manifest rationality in argument. Third, the epistemic theory of the dialectical tier must have successful replies to the three standing objections.

The epistemic view of the dialectical tier depends on an account of the relationship between (a) inferential justification, (b) epistemic defeaters, and (c) defeat of defeaters. To begin, inferential epistemic justification is the status of a belief or commitment has when it is

justified on the basis of some other commitment's inferential support. This, for argument, is the *illative core* – conclusions are supported by premises and the appropriate logical relation they have bearing on it.

Once a commitment is justified by the inferential support another justified commitment provides, new information can defeat that support. With this new information, the support that the premise provides for the conclusion can be eliminated. Here is a rough notion of what a *defeater* is:

D is a *defeater* for a subject S's justification for holding that a proposition P is true on the basis of evidence E iff: (i) D is true or justified for S, and (ii) if D were added to S's evidence E, S would no longer be justified in holding that P.

Importantly, defeat can come in two forms, because we can no longer be justified in holding a proposition in two ways: either that justification is eliminated by new information but the proposition's truth value remains in question, or the proposition is shown to be false for reasons that are better than (or perhaps equal to) the support of the initial justification. And so, there are two types of defeat:

D is an *undercutting* defeater iff D is a defeater that eliminates S's justification (but P's truth value remains indeterminate in light of D)

D is a *rebutting* defeater iff D is a defeater that provides S with reasons to hold that P is false

An example will help keep the two kinds of defeater distinct. Let S hold that P on the basis of some attester A's say-so. S's evidence E, then, is this testimony. An *undercutting defeater* for E's support of P would be the information that A has some motive to lie about P. A's motive to lie about P isn't itself evidence that P is false, but it certainly eliminates our justification for holding that P on the basis of A's say-so. Alternately, let there be some powerful evidence, perhaps some undoctored photograph or video provided by a very reputable source that Q is true (and Q is a contrary of P). Now, S's justification for holding that P is defeated, because S now has reason to believe that P is false. This second form of defeat is *rebutting* defeat.

Objections can come along the lines of challenges to premises, illation, clarity, and to the conclusion. Insofar as reasons to consider defeat (of one of the two kinds) immanent, we can take the following complex to represent the possibilities for objection-types.

	Premise	Inflation	Clarity	Conclusion
Undercutting				
Rebutting				

For example, one can provide undercutting reasons or rebutting objections against the conclusions of an argument (as we have seen above), or one could provide those objections against whether the premises are acceptable. Additionally, one can show that one does not have sufficient grasp on how clearly the premises support the conclusion or that it is positively clear that they do not. Every one of these sets of *objections* may be stated as a form of *defeater* for the justification a subject may have for holding the target proposition or conclusion as true.

Replies, then, must show that the target proposition (or some properly precisified version of it) is justified, even in light of the standing objection. These, too, may be rebutting or undercutting in form. And so:

R is a *reply* in defence of S's holding that P on the basis of E (with defeater D) iff were R and D added to E, S would have justification for holding that P is true.

Replies, given the way justification can arise from the coordination of defeat and new information, can come in two forms.

R is a *restoring reply* iff were R and D added to E, S's justification for holding P is true would solely be on E

R is a *reestablishing reply* iff were R and D added to E, S's justification for holding that P is true would arise with R's new information

To clarify these, let us return to the defeater case from before. Let S believe that P on the basis of some attestor A's say-so. If we had the defeating reason D to hold that A had motive to lie, we would call this an undercutting case of defeat. However, our justification for D itself could be undercut by R, perhaps showing that our source for the belief that A has a conflict is confused and had wrongly misnamed A as an unreliable source. Or we could find some rebutting evidence, perhaps showing that A has no conflict of interest in this case. In either way, we would *restore* our original justification. Alternately, we may find some other line of reasoning to P, perhaps along the lines of some more credible attestors to P, which would be a form of *reestablishing* justification.

The point of this taxonomy is to show that accounts of epistemic defeat and defeaters of defeat provide a model for how objections and replies may be aligned and assessed. Moreover, it provides a way of explaining not only the *rationality* of the process of objection and reply, but it explains what makes this exercise of rationality itself *manifestly rational*.

Manifestness arises from this nexus of objections and replies because if an arguer provides a hearer with reasons to accept P as true, but if the hearer has an objection, even if unjustified, the hearer is not rational in accepting p unless and until the hearer sees that the objection does not defeat the conclusion. And so, for the sake of manifest rationality, not only in the *arguing*, but in the hearer's being *rationally persuaded*, the arguer must address first the hearer's objections and, second, the objections the hearer would likely encounter in similar critical discussions. The activity and its product must not only be *rational*, in proportioning belief to evidence, but it should also *appear as rational* to those participating. So objections must be answered, and epistemic models of defeat and reply explain why this is so.

#### 4. DEFENDING THE DIALECTICAL TIER

The final stage of the case for an epistemic reading of the dialectical tier is showing that the epistemic model of defeat and reply allows for successful defence against the three prominent objections surveyed earlier. To the objection to the dialectical tier not having a tight connection to manifest rationality (that is, to the second premise), the epistemic theory is that if we are to take ourselves to be justifying our commitments with argument and yielding rational change of view as we exchange reasons, then replies to objections must be part of the process. This is because a failure to reply to an objection, even if the objection is unfounded, does not defeat the defeater in the eyes of the person wielding the objection. This, for the objector, then nevertheless has justification defeated. Insofar as the objective of argument is *manifest* rationality, *showing* the rationality of a line of reasoning, then replies to objections is an intrinsic feature of the project.

For those who hold that the dialectical tier and manifestness is supererogatory (as does Adler) or that it is actually contrary to the exercise of rationality (as does Ohler and Xie & Liang), a distinction is in order. Let a speaker S be challenged by a hearer H about one of S's commitments, P. H knows enough about the domain of discourse concerning P to provide some concerns about P's truth, and H calls attention to them. S, in this case, is very knowledgeable about the



domain and has been aware of the concerns H has raised for quite some time, and S is also aware of reasons not to take those too seriously, but rather to focus on the high-quality evidence E that supports P. Let's also stipulate that E, even despite H's concerns, supports P. In this case, from S's perspective, worrying about H's objections is pointless, and so it would be irrational to address them or give them more attention. But from H's perspective, these seem to be serious defeaters, and S's not addressing them seems intransigent dogmatism.

In one sense, S's argument from E to P is satisfactory, and is considerably more efficient than one that must engage in a dialectical tier with H's concerns. But in another sense, S would fail at achieving the interactive and communicative goal of argument, giving H reasons H can herself recognize as good reasons to accept P as true. Call the first sense of argumentative success *the absolute notion* – one does not need to look to an audience to assess whether the argument is good. Call the second sense of argumentative success *the relational notion* – one must look to audiences and the intellectual milieu to determine whether the argument is appropriate.

The absolute notion of argumentative quality is certainly *logically* prior to the absolute notion, as one cannot help but ask, when one evaluates an argument, whether one accepts the argument absolutely. However, the relational notion is *epistemically* prior, since when one evaluates an argument for absolute quality, it is one's own dialectical criteria (and then those of others) from which one evaluates an argument. The notion of relational quality depends on that of absolute quality (as one asks *do the premises support the conclusion?* internal to any evaluation). The notion of relational quality depends on that of absolute quality, but we cannot help but start from that of a relational perspective, namely, that of our own set of acceptable premises and what relevancies are manifest.

Insofar as we take the Gricean cooperative elements of communication in argument – that of producing reasons we think warranted, relevant, of an appropriate quantity, and of a manner accessible to our audience – are in the service of our collaborative weighing of reasons, the dialectical notion of argument seems an inescapable requirement. Arguments given without care for whether an audience accepts, understands, can keep track of the number, and can efficiently see the relevance of the premises are less *arguments*, and more instances of *browbeating* or *hectoring*. And, consequently, there are occasions where argumentative dialogues can become more sessions for information-sharing or inculcating a sense of what is relevant. Without these background conditions either in place or in the

process of being established, argument is destined for communicative failure. And so, even though the absolute notion of argument quality is what we must evaluate arguments *in situ*, those deployments themselves depend on the fact of the relational conception – we deploy the absolute conception of argument against our own background of competencies and knowledge, without which, we would not be able to see the argument’s quality. This is why argument must be an exercise of manifest rationality, and consequently, why there must be a dialectical tier.

The final challenge is to answer the problem of the regress. If arguments must have dialectical tiers, and if tiers themselves are arguments, then we face a vicious regress of reasons. There is a variety of views about the *epistemic* regress problem, and each may provide a method for addressing this *dialectical* regress. If I am right that the dialectical tier is an epistemic phenomenon, then any structural feature of it that has an epistemic problem will have a parallel epistemic solution. In this case, given that the dialectical tier and requirements of manifest rationality are highly demanding parallels to epistemic internalism, epistemic internalism’s most significant problem will be a problem for argumentation theory – particularly, the problem of the regress of reasons.

Sextus Empiricus’s Five Modes (PH 1.164) is the *locus classicus* for the regress challenge for justification (though it arguably is at work in Plato’s *Meno* 75d and Aristotle’s *Posterior Analytics* 72b5). For any commitment, Sextus reasons, one may challenge it with *disagreement* (someone who denies it) or with *relativity* (some information that defeats the evidence by showing it is not connected to truths). Those holding the commitment must then reply with a reason, and to that reason, one may challenge again with disagreement or relativity. And so another reason must be given. Sextus held that one could go in of three patterns for the reasons: (i) one could end with commitments without supporting reasons, (ii) one could keep giving reasons without end, or (iii) one could argue in a circle. Sextus held that none of these options, which he had termed *hypothesis*, *regress*, and *circularity*, yielded a structure of justifying reasons, and so he concluded that there seems to be no way for our commitments to be justified.

However, it seems there are many ways to solve Sextus’ trilemma. The first strategy of reply is *foundationalism*, the view that some reasons do not need to come in the form of *arguments*, but in the form of *logical intuitions*, *experiences*, or *ethical impulses* (see Freeman 2003, p. 5 for an exemplary reply to Govier along these lines). Alternately, there may be *benign circularity*, as when commitments

come in coherent theoretical systems. Within a theoretical program, one may explain and predict phenomena, one may revise and refine the details of the views in light of new information. And so, instead of an *argument*, at some point the *coherence of the system* itself becomes a reply to challenges.

Finally, there may be a more skeptical turn to our thoughts with the infinitist line with the regress – in particular, it may be the case that *every argument is incomplete*, all finite cases are necessarily leaving important critical questions unanswered. Perhaps it is not so absurd to think that arguments must often be opened up again, since there is always more to say. Surely, one must stop here or there, but that is for *pragmatic* reasons, not purely argumentative or epistemic purposes. We grow tired, bored, or hungry, and we let it go. Or sometimes, our audience finally comes around to agree, and so we leave off. But we always do so with a promise to keep talking if it arises that there are more questions later.

## 5. CONCLUSION

The takeaway from this discussion is that the dialectical tier is best conceived in terms of an epistemic feature of manifest rationality. We have the obligation to answer objections, because if we are to display the rationality of our commitments in a way that others can recognize, we must address concerns as rational. The nexus of epistemic defeat and varieties of justification-restoring and re-establishing reply provides a means of explaining why the dialectical tier is necessary for justification to be clear. Further, once the epistemic categories are in place, replies to the leading objections are not only possible, but are clear.

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