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The Rule of Similarity as Intercultural Basis of Defeasible Argumentation

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ABSTRACT: This paper is concerned with the deconstruction of defeasible argument schemes. It will be claimed that one of the central elements of all defeasible argument schemes is the rule of similarity which demands that one must ascribe similar propositions to essentially similar entities in order to be treated as reasonable. This rule is presented as interculturally valid and of such central importance that it could even been used as a defining quality of defeasible argumentation.

KEYWORDS: argumentation schemes, critical questions, identity, objections, similarity

1. AIM

The aim of this paper is to make a contribution to two central problems in fundamental argumentation theory: 1) Where do reasonable arguments derive its normative force from? and 2) How can the critical questions be structured systematically? Although those two questions do not seem closely connected at first it will be claimed that they can both be approached with the same theoretical tool, namely the introduction of the concept of a *rule of similarity*.

In order to reach the goal of this paper a number of steps must me made: First, the two desiderata will be analyzed and it will be explained why they pose interesting and important problems for fundamental argumentation theory. Second, the assumptions that need to be made in order to address these problems in this paper will be made explicit. Third, the rule of similarity will be described and distinguished from other related concepts, most importantly the basic axioms of formal logic. Fourth, an attempt will be made to explain the strong intuitive conclusiveness and strength of the rule of similarity based on its relationship to other rules and our concept of a 'person.' Finally, the applicability of this rule for the systematization of critical questions (and thereby argumentation schemes) will be shown on two sample schemes.

2. DESIDERATA

The normative force of argumentation

The first motivating problem for this paper is the question of the origin of the normative force of reasonable argumentation. Since this is one of the most fundamental questions of argumentation theory this paper can only aspire to make a very moderate contribution. One way of phrasing this very basic question might be: 'Why do people across cultures, genders, backgrounds, ages etc. feel compelled by reasonable argumentation and are unable to dismiss it without danger to their image in a social group?.' Of course specific standards of reasonability may vary, different forms of argumentation might have varying esteem and arguers will not always act in accordance with their claim, but the core quality of argumentation stays stable across all borders: One cannot dismiss a reasonable argument without either explanation or danger to one's face. This fact seems as trivial as it is evident but it does leave the open question: Why not? To give an example: Consider two similar countries are applying to become members of an international organization. They are of similar size, cultural background, economic strength etc. If arguer A now points out to arguer B that B supports the admission of country 1 then B must either show a significant difference in the two cases or admit a prima facie reason for the admission of country 2. B cannot uphold the claim about country 1 and accept the similarity between country 1 and country 2 and at the same time negate any reason for the admission of country 2 without danger of loss of face or credibility as reasonable person. Once again: Why not?

One evident candidate for the explanation of this normative force or reasonable argumentation is the laws of formal logic, especially the principle of identity and the principle of non-contradiction. They are well established and there have been numerous well reasoned defenses of their importance since Aristotle (e.g. Arist. Metaph. IV, 6; VII, 17; cf. also Copi/Cohen 2002, p. 344ff.). While there is something to be said about the relationship between the basic logical laws and the normative force of argumentation (especially by taking into account more generalized implicit claims that arguers might be hold accountable for) I will argue below that the latter cannot be reduced to the former without the support of additional—non logical—assumptions. It should suffice to show for now that arguer B would not break any of the logical laws by supporting the membership of country 1 and opposing the membership of the strongly similar country 2 for the simple reason that the two countries are separate entities and not identical.

Systematizing critical questions

The second complex I want to address in this paper is a more practical question concerning the system of critical questions. A number of esteemed scholars have provided lists of critical questions or objections together with their systems of argumentation schemes (cf. e.g. Hastings 1962, Kienpointner 1996, Walton 1996). Those lists are very helpful in evaluating the strength of a given scheme and most of them are intuitively quite convincing. What is more important in this context though: all of those lists are different. While some critical questions appear unsurprisingly in one form or another in most of those lists others are only included in one or two of them. Some of

those differences can be explained by a careful reformulation or deletion of those members of the list that should be attributed to counterarguments of some form rather than critical questions. But even after those operations the included critical questions for each of the schemes are different and it is hard to give a clear priority to any of the lists. From a practical perspective this is not a large problem because any of the lists still equip the actual arguer with a helpful tool for testing opposing arguments. For the theorist however this status is unsatisfying. Since a complete list of critical questions is supposed to give a systematic tool for the evaluation of any given argument there should be a theoretically sound way of giving a full account of them.

Giving a systematic account of critical questions is desirable also for a second reason. Rather than first choosing one of the major systems of argumentation schemes of which—similar to the systems of critical questions for each of the schemes—also exist a number of intuitively convincing alternatives (cf. e.g. Perelman/Olbrechts-Tyteca 2003, Hastings 1962, Schellens 1985, Kienpointner 1992, Van Eemeren/Grootendorst 1992, Walton 1996, Garssen 2001, Walten et al. 2008 etc.) one could use the critical questions to judge the merits of each of those models. In other words a systematic account of critical questions can help to build a more systematic account of argumentation schemes or to criticize existing ones in a more systematic way. This approach would of course be limited to systems of argumentation schemes that are structured according to the probative function of the schemes (which are in a close relationship to the respective critical questions). Systems that would be based primarily on the heuristic function of the schemes could evidently not be analyzed on this basis because the quality of those systems would depend on other aspects. Of the contemporary approaches to argumentation schemes most seem to concentrate on the probative function however and it might be doubted that building a systems primarily on the heuristic function would be more fruitful or even lead to a different result at all. (Cf. also Aristoteles 2002, I 261ff.)

3. ASSUMPTIONS—ARGUMENTS AND CRITICAL QUESTIONS

In order to give a clear background for the claim below some assumptions about the two central concepts in this paper should be made explicit. They concern the understanding of 'argument' and of 'critical question' employed in this paper.

Argument

For the purpose of this paper an argument will be understood to be a mode of rationally transferring assent from one object to another. Some of the aspect of this assumption should be further specified in order to avoid potential misunderstandings: Those concern the elements of a) assent, b) objects and audience, c) rational transference and d) the idea of a conclusive argument.

a) Under assent I understand a belief held by a given audience that certain propositions are true for certain objects. Those propositions are usually of the type of 1) Object O has / does not have attribute A (existence), 2) O can have / cannot have A (potentiality) or 3) O should have / should not have A (value). Accordingly there are different qualitative types of assent that need to be distinguished when analysing the transference from one object to another. Evidently there are also different levels of

quantity of assent given that vary from a weak prima facie assent to near certainty and strong believe.

b) In the context of argumentation two groups of objects should be distinguished: initial object that possess certain propositions in the eyes of the audience and target object of which the same audience doubts or contests those propositions. For these purposes an audience can be composite or consist of one person only who can be identical with the arguer himself (in the case of self deliberation)—with the default case being the exchange between a single arguer and a single auditor.

c) The criterion of rationality distinguishes arguments from other modes of transferring assent, most prominently those based on emotions. It will be assumed that a mode is rational if it withstands scrutiny and analysis without losing much of its potential of transference. Thus an adequate analogy or qualified authority will continue to transfer the assent even when their functionality is understood by the audience whereas the force of an association of an attractive person with a brand of shower gel will be seriously reduced by questioning its persuasive functionality.[1]

d) An argument will be treated as conclusive if it withstands all potential objections or critical questions. The term conclusive argument will be distinguished from the more extensive descriptions of conclusive reasons and conclusive argumentation. If conclusive reasons are understood to be non defeasible and logically entailing their conclusions (Cf. Pollok 1995, p. 85ff.) then conclusive arguments are usually not conclusive reasons. It could even be argued that they are *never* conclusive reasons because those reasons—apart from being extremely rare in ordinary language—are not part of the realm or argumentation but of demonstration (Cf. also Perelman/Olbrechts-Tyteca 2003, p. 13ff.). As such they are based on different fundaments and need additional assumptions beyond those of formal logic. Finally the term 'conclusive argument' will be understood as a more modest description than 'conclusive argumentation' in that is excludes objections or critical questions aimed at the procedure and higher order conditions and will be limited to the structure and content of the argument.

Critical question

The concept of critical questions has been treated under a variety of names and with a number of different emphases and differentiations. This is not the place to give a clear history and distinction of the connected term of 'enstasis,' 'critical question,' 'objection,' 'undercutter' or 'undercutting defeater' to name just the most important ones. (Cf. e.g. Arist. An. Pr. 69a37ff., Top. 157a35ff. and Rhet. 1402a31ff., Pollok 1995, p. 85ff.)

For the purpose of this paper critical question and objection will be understood to address the necessary implicit or explicit claims for which an arguer must accept the burden of proof when using a certain argument scheme. 'Critical question' will refer to addressing these claims in the form of a question ("Did authority A really make statement x?") and 'objection' will refer to addressing these claims in form of a doubt or negation ("Authority A did not make statement x."). A complete list of critical questions or potential objections must include all implicit and explicit claims that are connected to a

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[1] This criterion would also eliminate defective arguments or fallacies.

scheme and successfully testing an argument with the help of these lists thus means that the argument as a product is conclusive.

Given the understanding of argument above it can already be seen that any argument must have at least two critical questions and that those two questions will be the same in all argument schemes. Since an argument is understood to be a mode of rationally transferring assent from an initial object to a target object there are at least two claims for which the arguer must carry the burden of proof: 1) a certain proposition p can be ascribed to the initial object. And 2) the proposition that is ascribed to the initial object and the proposition that is claimed for the target object is identical. Both claims might raise doubts or be disputed. The respective critical questions that are part of any list for any argument scheme are thus:

1) Does the initial object posses alleged proposition p?
2) Is the proposition that is claimed for the target object identical with the proposition of the initial object?

The first basic critical question addresses the factual background of a given argument ("Is it really good and worthy of support for country 1 to become a member in the international organization?"). The second basic critical question tests against naturalistic fallacies and related problems ("Only because country 1 *did* become member of the international organization does that mean it would be *good* for similar country 2 to become a member?")

Being able to identify two necessary members of the list of any argumentation scheme is a helpful first step in providing systematic lists.

4. THE RULE OF SIMILARITY AND LOGICAL LAWS

The main purpose of this paper is to show that there is a third necessary element that can be found in *any* argument scheme which leads to a corresponding third basic critical question/objection. It will further be claimed that this element—which in want of a better name will be called the 'rule of similarity'—cannot be reduced to the basic logical axioms and thus provides a distinction between purely logic based demonstration and reasonable argumentation. The rule of similarity also helps to explain the normative force of conclusive arguments.

The rule of similarity can be phrased as: "*Similar propositions must be ascribed to entities in the same essential category.*" This rule is binding all participants in a reasonable argumentation process and gives reasonable arguments their normative force. Propositions in this contexts will be understood to be of the form of "has x" whereas "x" can be a factual, potential or normative statement. To return to our earlier example of the two countries entering the international organization such propositions could be "has entered the organization," "should enter the organization," "can enter the organization" etc.

The rule of similarity is most evident in arguments from analogy which could be considered to be the archetype of arguments schemes. Other argument schemes employ this rule as well but also include additional elements that make the deconstruction of the respective argument slightly more complex. For this reason I will use an argument from

analogy for illustrative purposes before addressing the relationship between the rule of similarity and the basic logical rules.

Let us look as the following argument: "If Slovenia has successfully entered the European Union then Croatia should also be allowed to join." Following the assumptions above an arguer making this claim in form of an analogy argument carries the burden of proof for three statements that can be tested with the help of critical questions:

1) Slovenia has successfully entered the European Union.
2) Slovenia and Croatia are members of the same essential category.
3) The proposition ascribed to Slovenia and the proposition claimed for Croatia are of the same kind.

The first and third statement refers to the two assumptions made about critical questions and the second statement is a result of the rule of similarity. If all three statements can be defended then the argument is conclusive and develops a normative force. In other words the recipient of this argument must either attack at least one of those statements or acknowledge the reasonableness of the argument.[2] Refusal to do either will result in jeopardizing the face of the recipient and might make him or her appear unreasonable.

If this is the case and arguers must acknowledge the normative force of a conclusive argument in order to be perceived as reasonable then the question arises about the source of this force. One evident candidate for justifying this force is the basic logical rules especially the laws of identity and of non-contradiction. Without going into further detail about the justification of these rules it will be assumed that those rules are well founded and that breaking them sufficiently warrants the perception of being unreasonable. If the rule of similarity can be deduced from those rules then this in turn would mean that its normative force is sufficiently grounded. Reducing the rule of similarities to these logical rules leads to a number of problems however. Three of those problems will be briefly addressed here: a) reconstructing a reasonable burden of proof of the arguer, b) the choice of adequate groups and c) gradual and binary qualities of the respective rules.

How could the rule of similarity be reduced to the logical laws? At face value violating the rule of similarity does not lead to violating the law of identity or the law of non-contradiction. One might claim that the membership of Slovenia is good and the membership of Croatia is bad even if both countries should be strikingly similar without violating any logical law for the simple reason that both countries are not identical. This is true at first sight but stopping the attempt to reduce the rule to the logical laws at this point already might be considered a too easy way out. The problem can be overcome with a reformulation of the initial claim (the membership of Slovenia is good) into a more general underlying version (the membership of the group of entities to which Slovenia belongs is good). In this version of the claim the membership of Croatia must also be supported if it belongs to the same group. Failure to do so would indeed break the logical laws and a separate rule of similarity would be superfluous. This reformulation leads to the abovementioned problems however.

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[2] This does of course not mean that the recipient has to agree with the claim because even if there is a conclusive argument for the claim this argument might be overruled by a stronger independent counterargument.

a) Reconstructing a reasonable burden of proof for the arguer

The first of these problems concerns the burden of proof an arguer can be reasonably expected to carry. Reconstructing the claim "It is good that Slovenia has entered the European Union" as containing "It is good for any country that belongs to the same group as Slovenia to enter the EU" certainly expands the argumentative burden beyond a reasonable level. It is easy to see that depending on the kind of group one chooses (e.g. small Mediterranean countries, European democracies, countries starting with the letter 'S' etc.) *any* entity could fall under such an expanded reconstruction. Accordingly the reconstruction must allow for a relevant choice of groups and potential exceptions. This in turn leads to the next and more decisive problem.

b) The choice of adequate groups

Most objects that can be used in arguments are members of a nearly infinite amount of different groups any of which could be used for a logical reconstruction of the argument. While it is fairly easy for an ordinary language user to distinguish the less useful groups ("countries starting with S") from the more useful groups ("small European democracies") this selection cannot be done with purely logical tools. In order to find the more relevant groups for this form of reconstruction one will need to distinguish essential qualities from accidental qualities of that entity. I have no intention of trying to define 'essence' for this purpose or even to suggest how this intuitively easy process could be explained in systematic terms. For the sake of this paper it is sufficient to show that even the attempt to reconstruct an argument in a way that allows its normative force to be derived from logical laws needs an additional element. This non logical element (the 'essence' of an entity) is the same core element that is employed in the rule of similarity ('essentially similar'). A reconstruction of the argument to its genus proximum or any relevant group of which the entity is a member would thus not be theoretical more economic. Since this—the avoidance of an additional element (in this case the rule of similarity) was the main purpose of this reconstruction it can be concluded that the rule of similarity (or a functional equivalent) is an independent necessary element of argumentation.

c) Gradual and binary qualities of the rule of similarity and the logical laws

Even though the problem of theoretical economy (Ockham's razor) outlined above would be sufficient to refrain from reducing the rule of similarity to logical structures there is yet another—comparatively minor—problem with reducing argumentative similarity relationships to logical group membership. While it would be possible (though uneconomic) to reconstruct the argument "You should ascribe property x to object B because you ascribe x to object A and A and B are essentially similar." to the form of "You should ascribe x to B because you ascribe x to A thereby also ascribing x to group G of which A and B are members." there would be a significant difference in meaning. The first form (employing the rule of similarity) uses a gradual concept. Accordingly the

argument becomes gradually stronger in proportion to the similarity of A and B. The second form on the other hand uses a binary concept. Either A and B are members of the same group to which x also applies or they are not. This makes accounting for the gradual strengths of arguments a little harder. This problem can be partially addressed by pointing to the size of the respective group, its relevance for the essence of A and B and multiple group memberships but it does ceteris paribus add another reason against the reduction of the rule of similarity to the logical laws.

5. JUSTIFYING THE RULE OF SIMILARITY

If the rule of similarity (and with it reasonable arguments in general) does not derive its normative force from the basic logical laws then how can it be justified? One evident candidate that might allow for this kind of transfer of normative force could be basic ethical rules especially the rule of justice. Chaim Perelman and Lucie Olbrechts-Tyteca describe this rule as following:

> The rule of justice requires giving identical treatment to beings or situations of the same kind. The reasonableness of this rule and the validity that it is recognized as having derive from the principle of inertia, from which originates in particular the importance given to precedent. (Perelman/Olbrechts-Tyteca 1969, p. 218ff.)

Following this wording the rule of similarity might be understood to be a specific instance of the rule of justice.

Yet there is a significant danger in using this ethical rule for the justification of the rule of similarity. The 'principle of inertia' on which the rule of justice is based is not further grounded and just treated as self evident (compare for similar concept C. S. Peirce's 'habit' which he used as the basis of argumentation, Peirce 1992, 218ff.). While the rule of justice has a high intuitive value it thus lacks the strength necessary to justify the comparably basic concept of the rule of similarity. Reducing the rule of similarity to the rule of justice would accordingly run the danger of circular reasoning or justifying the less doubtful with the potentially more doubtful.

Instead of arguing for the justification of the rule of similarity based on its relation to any ethical concept I would like to attempt an independent founding based on a different idea that is also treated by Perelman and Olbrechts-Tyteca under the heading of 'A person and his acts` (Perelman/Olbrechts-Tyteca 1951, 251ff.; 2003, 293ff.). They argue that our concept of a person derives from the stability of the acts that we can observe of that person.[3] Without at least a basic stability of those acts we are unable to

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[3] Compare e.g.:

> The concept of 'person' introduces an element of stability. Any argument about the person has to do with this stability: it is assumed when an act is interpreted as a function of the person, and it is failure to respect this stability which is deplored when someone is reproached for incoherence or unjustified change. (NR § 68, p. 294);

> The object, defined in terms of its properties, provides the model for a concept of the person, stabilized on the basis of certain of his acts, which are transformed into qualities and virtues and which are integrated into an unvarying essence. (NR § 68 p. 295)

understand his underlying principles of believe and behavior and will fail to construct a person out of a contingency of acts.

Taken as such this concept of a person (same as Peirce's concept of `habit`) cannot make any claim to normativity yet since only because we use the stability of the acts of a human to construct him or her as a person does not mean that the human has an *obligation* to act stable and consistent. It can however be quickly transformed into a normative principle if one observes that we have a *right* to only construct a human as a person if we are able to do so. So while there is no obligation *per se* for a person to act stable there is however an obligation to act stable for a human *if* he or she wants to be treated as a person.[4] This relative normativity then is the basis for the normative force of the rule of similarity and with it reasonable argumentation in general. Persons who want to participate as equal partners in the argumentative realm are bound by the rule of similarity and a violation of this rule can lead to social sanctions including in severe or repeated cases the exclusion from the argumentative community. In practice this may result in taking an agent less serious or not serious at all anymore. A result that in everyday life is about as frequent as it is undesirable.

Founding the rule of similarity on our concept of 'person' thus allows for a justification of the normative force of reasonable arguments that is independent of ethical beliefs and interculturally valid. Essentially it links our need to accept a conclusive argument to our desire to preserve our face or 'person' in the eyes of the audience. Coincidentally this foundation also explains why standards of reasonability in argumentation are easier to uphold in groups that entertain a mutual personal respect for each other than in groups that care comparatively little about their respective image and face perception.

6. APPLYING THE RULE OF SIMILARITY

The preceding sections provide a toolset for the analysis of argument schemes and allow for a more systematic construction of necessary critical questions for each scheme. While a complete analysis of all relevant argument schemes would go beyond the scope of this paper I will attempt to show its structure on two important argument schemes that feature prominently in most lists: The argument from analogy and the argument from authority.

Following the results above each deconstruction of an argument scheme will start with isolating the three necessary elements of any scheme followed by an analysis of the remaining parts. While the first of these steps follows a systematic pattern the second one

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and

> The person will then coincide with the structured aggregate of his known acts. More precisely, we may say, the relation between what must be considered the essence of the person and the acts which are but the manifestation of that essence is fixed once and for all. (NR § 69, p. 296f.)

[4] The moral footnote: To avoid any misunderstandings I would like to make the distinction between what has been called a ´human' and a 'person' redundantly clear: Withdrawing personhood in this sense of a human of course has purely argumentative implications and does not mean that we treat him as a lesser human being. It is evident that for example children below a certain age or intellectually impaired do not always act consistent and stable, yet while it might be fully justified to treat those differently in argumentative interactions this does not necessarily imply deprivations of human or civil right. The human rights can be justified alternatively by pointing to the generic closeness of a being to ourselves or by desirable social consequences and are independent on what could be called 'personal rights.'

will usually involve some independent reasoning. This process thus does not guarantee a fully systematic result yet but it does go significantly further in this direction than a purely ad hoc deconstruction and listing of critical questions. A second limit of this study should also be mentioned at this point: Ideally the path taken in this paper will provide a more systematic list of critical questions for the selected argument schemes. It can however not yet provide any suggestions about alternative systems of argument schemes based on their respective sets of critical questions. For this larger aim a complete analysis of all relevant argument schemes would be necessary. This full analysis cannot be provided here but should be possible with the same toolset.

The three necessary elements of an argument according to the claims and assumptions above are the following: 1) An initial object A that carries a certain proposition p to which the audience agrees, 2) A target object B for which the same proposition p is claimed and 3) an essential similarity connecting objects A and B directly or indirectly. A more complex argument scheme might employ more than one similarity relationship.

The *argument from analogy* is an adequate start for this exemplary deconstruction because it is arguably the most simple and basic of argument schemes. An example of the argument scheme has been used above and will serve here again: "If it was a good idea for Slovenia to be allowed into the European Union then Croatia should probably also be allowed to enter."

The initial object A in this case is 'Slovenia.' The proposition p is 'it is good to enter the EU.' Target object B is 'Croatia' and the similarity relationship claimed is between 'Slovenia' and 'Croatia.' Since the argument from analogy is rather simple the isolation of the necessary elements is already sufficient and there are no additional elements that need to be accounted for. In a more general form the argument from analogy could thus be expressed as:

1) Object A has proposition p.
2) Object A and object B are essentially similar.
3) Therefore object B also has proposition p.

The accompanying critical questions are:

1) Does A have proposition p? (Do you believe that it was good that Slovenia entered the EU?)
2) Are A and B essentially similar? (Are Slovenia and Croatia alike in all relevant aspects such as economy, size, corruption, cooperation with the ICC etc.?)
3) Are the proposition of the initial object and the target object identical? (Only because Slovenia *has* entered does that mean it would be *good* if Croatia entered the EU?)

Following this analysis a complete list of critical questions for the argument from analogy would thus consist of the three questions above. Other critical questions that are sometimes mentioned in this context can usually be subsumed under one of the above questions or are in fact not critical questions but some kind of counterargument. The most

important of the latter are questions that address alternative analogies (Is there another object C that is more similar to B than B is to A?). I cannot fully discuss the distinction between critical questions, counterarguments and mirror arguments (of which the above is a case) here but it is easy to see that in the form of a critical question the last example puts a undue burden of proof on the arguer (the list of potential alternative analogies is practically infinite and the arguer cannot be expected to have full knowledge of all) whereas in the form of an objection the objector carries the full burden of proof for his or her statement and the objection can be treated as an independent (mirror) argument.

The *argument from authority* (or argument from expert opinion) is more complex then the argument from analogy. Once again let us start with an example: "The pope asserts that the use of condoms leads to a faster spreading of the HI virus." Here identifying the initial object is slightly more difficult because it is not explicitly mentioned in the argument. It might therefore be helpful to first look at the target object and its proposition which is easier to distinguish. Let us first reformulate the claim so that it preserves its content but becomes more explicit: "The pope says x (use of condoms leads to the spreading of HIV) and what the pope says is usually true therefore x is probably true." The target object B can now be identified as 'statement x of the pope at this time t' and the proposition p as 'is true.' The initial object accordingly should be able to explain the assent that the audience might give to the target object and its proposition. Depending on the kind of authority invoked this initial object might vary because what is usually treated under the heading of 'argument from authority' should more precisely be divided into two distinct types. Staying with the example above the initial object (or objects) from which the assent of the audience could be transferred are most likely earlier statements from the pope. The argument could thus be reconstructed in the form:

1) Other statements of the pope were usually true.
2) The pope is stating that the use of condoms leads to the spreading of HIV.
3) The other statements of the pope and this statement are essentially similar.
4) Therefore the statement that the use of condoms leads to the spreading of HIV is probably true.

In a more general from this type of argument could be phrased as:

1) Proposition p has been ascribed to statement x' (x'' etc.) of agent A at time t' (t'' etc.).
2) Agent A has made statement x at time t.
3) Statement x at t and statements x' (x'' etc.) at times t' (t'' etc.) are essentially similar.
4) Therefore p should be ascribed to x at t.

The accompanying critical questions are:

1) Was p ascribed to x^n of A at t^n? (Are the earlier statements of the pope true?)
2) Did A state x at t? (Did the pope say that the use of condoms lead to the spreading of HIV?)

3) Is x at t essentially similar to x^n at t^n? (Is the pope speaking in the same function as he did when his statements were experienced to be true?)
4) Are the propositions of the initial object and the target object identical? (Are the statements of the pope usually *true* (as is claimed in this case) or merely *wise* or *pious*?

As mentioned above *these* kinds of initial objects that justify the transfer of the audience's assent to the statement in question are not the only (and probably not even the more common) kinds of objects. The deconstruction above assumes that the authority in question establishes its credibility directly. Authorities of this kind can commonly be found in statements from well known experts, family and friend, religious dogmata or important legal or social texts. It is not necessary however for an authority to establish its credibility directly. Many authorities can give credibility to their statements not based on their other statements but on their membership in a credible group. It is necessary to distinguish the former kinds of arguments (which I would like to call 'arguments from absolute authority') from the latter (that will be called 'arguments from relative authority" here) because testing their conclusiveness and accordingly their lists of critical questions are different.

To make this clear and allow a closer look at the relevant differences I want to add a (fictional) example of an argument from relative authority:[5] "Professor Smith of Harvard medical school affirms that the proper use of condoms can help preventing the spreading of HIV." Here the statement of the agent in question does not derive its credibility from his earlier statements but from statements of other similar experts. Accordingly this argument from relative authority can be reconstructed in the form of:

1) Statements of medical experts about their field are usually true.
2) Professor Smith is a medical expert.
3) Professor Smith is stating that proper use of condoms can help to prevent the spreading of HIV.
4) Professor Smith is speaking in his area of expertise.
5) Therefore the statement that the proper use of condoms can help preventing the spreading of HIV is probably true.

In a more general form this can be expressed as:

1) Proposition p has been ascribed to statement x' (x'' etc.) of group G at time t' (t'' etc.).
2) Agent A is a member of group G.
3) Agent A has made statement x at time t.
4) Statement x at t and statements x' (x'' etc.) at times t' (t'' etc.) are essentially similar.
5) Therefore p should be ascribed to x at t.

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[5] Needless to say that arguments from relative authority are per se neither weaker nor stronger than arguments from absolute authority but only derive their normative force from a different source. Both kinds of arguments can be fully conclusive or deficient.

Here the accompanying critical questions are:

1) Was p ascribed to x^n of A at t^n? (Are the statements of medical experts in their field usually true?)
2) Is A a member of G? (Is Professor Smith a medical expert?)
3) Did A make x at t? (Did Professor Smith say that the proper use of condoms can help preventing the spreading of HIV?)
4) Is x at t essentially similar to x^n at t^n? (Is Professor Smith speaking in his area of expertise?)
5) Are the propositions of the initial object and the target object identical? (Are the statements of the medical experts usually *true* (as is claimed in this case) or merely *academic possibilities* that are usually disputed but other schools of thought?)

In theory it might be possible to encounter even more indirect form of the argument from authority (such as the introduction of a group of authorities based on the words of another authority) but those forms can be more fruitfully reconstructed as a connection of separate arguments. For this purpose the distinction between the argument from absolute authority and the argument from relative authority should be sufficient to allow for the compilation of the systematic lists of critical questions above. As in the case of the argument from analogy other critical questions that are sometimes mentioned are usually either addressing theoretically arbitrary but practically frequent instances of either of the critical questions (eg. "Is the authority biased?" for question 3 (absolute authority) / 4 (relative authority) "Is x at t essentially similar to x^n at t^n?") or introducing points that address some form of counterargument rather than critical questions per se (eg. "Are there other authorities in the field that claim differently?").

7. CONCLUSION

In form of a conclusion I would like to point to three aspects of the findings above: one theoretical and two practical.

On the theoretical level I hope that the introduction of what I have called the 'rule of similarity' and its justification by linking it to our concept of a 'person' makes a contribution to the understanding of the intercultural validity of conclusive arguments. According to this reasoning arguers must acknowledge the prima facie force of conclusive arguments in order to appear reasonable and thus enable others to see them as consistent 'persons.' Not acknowledging this force without pointing to specific deficits in an argument thus threatens the face of the agent—a danger that he or she will usually want to avoid and that enables reasonable argumentative exchange of some sort in most everyday situations.

On the short term practical level the introduction of three necessary elements in any argument scheme should allow for a more systematic approach to the complex of 'critical questions' and 'objections' in argumentation theory. Isolating those three elements that question the propositions given to the initial object, the target object and the similarity relationship—while not guaranteeing a systematic list of critical questions—should make the compilations of such lists significantly easier. The process of

deconstructing arguments schemes with the help of these tools has been shown at the examples of the argument from analogy and the argument from authority. A conclusive proof that these tools can be used for all argument schemes can only be given inductively by completing this deconstruction for all important schemes. The deductive justification of the necessity of all three elements provides a strong reason that this will be possible though.

Finally on the long term practical level the compilation of systematic lists of critical questions for all major argument schemes should allow to revisit the structure of the different systems of arguments schemes that have been suggested in recent literature since Perelman and Olbrecht-Tyteca's work. If such structures are organized by the probative force of argumentation then comparing the necessary critical questions for each scheme will give important information about the relationship between those schemes.

Link to commentary

REFERENCES

Aristoteles (2002). *Rhetorik*. Transl. and comm. by Ch. Rapp. 2 Vol. Berlin: Akademie Verlag.
Aristotle (1975). *The Metaphysics*. Vol. I. Transl. by H. Tredennick. Cambridge, MA & London: Harvard University Press.
Aristotle (1975). *The 'Art' of Rhetoric*. Transl. by John H. Freese. Cambridge, MA & London: Harvard University Press.
Aristotle (1976). *Posterior Analytics. Topica.* Transl. by H. Tredennick and E.S. Forster. Cambridge, MA & London: Harvard University Press.
Copi, I.M. and C. Cohen (2002). *Introduction to Logic*. 11th ed. Upper Saddle River, NJ: Prentice Hall.
Eemeren, F.H. van and R. Grootendorst (1992). *Argumentation, Communication, and Fallacies. A pragma-dialectical perspective.* Hillsdale, NJ: Lawrence Erlbaum.
Garssen, B. (2001). Argument schemes. In: F.H. van Eemeren (Ed.), *Crucial Concepts in Argumentation Theory* (pp. 81-100), Amsterdam: Amsterdam University Press.
Hastings, A.C. (1962). *A Reformulation of the Modes of Reasoning in Argumentation*. Unpublished Dissertation. Northwestern University Evanston, IL.
Kienpointner, M. (1992). *Alltagslogik. Struktur und Funktion von Argumentationsmustern.* Stuttgart: Frommann-Holzboog.
Kienpointner, M. (1996). *Vernünftig Argumentieren*. Hamburg: Rohwohlt.
Peirce, Ch.S. (1992). *Reasoning and the Logic of Things.* Ed. by K.L. Ketner. Cambridge, MA & London: Harvard University Press.
Perelman, Ch. and L. Olberechts-Tyteca (1951). Act and person in argument. *Ethics* 61, 251-269.
Perelman, Ch. and L. Olberechts-Tyteca (2003) *The New Rhetoric. A Treatise on Argumentation.* Transl. by J. Wilkinson and P. Weaver. 9th ed. Notre Dame, IN: University of Notre Dame Press.
Pollock, J.L. (1995) *Cognitive Carpentry. A blueprint for how to build a person.* Cambridge, MA & London: MIT Press.
Schellens, P.J. (1985). *Redelijke argumenten. Een onderzoek naar normen voor kritische lezers*. Dordrecht: Foris.
Toulmin, S. (2003). *The Uses of Argument.* 2nd rev. ed. Cambridge et al: Cambridge University Press.
Walton, D. (1996). *Argumentation Schemes for Presumptive Reasoning.* Mahwah, NJ:
Walton, D., Ch. Reed and F. Macagno (2008). *Argumentation Schemes.* Cambridge et al.: Cambridge University Press.