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What Should a Normative Theory of Argumentation Look Like?

LILIAN BERMEJO-LUQUE

*Department of Philosophy I
University of Granada
Edificio de Psicología. Campus de Cartuja, s/n.
Granada 18071
Spain
lilianbl@ugr.es*

Abstract: Even if we identify the goals of normative theories of argumentation with the goals of a theory of justification, we can either focus on the conditions for considering that a target-claim is justified, or on characterizing justification from the point of view of the practice of arguing. I analyze the rewards and shortcomings of both views and their corresponding criteriological and transcendental accounts of the sort of objectivity that good argumentation is able to provide.

Keywords: criteriological conception, justification LNMA, rationality, reasonableness, reasons, transcendental conception, wrong kind of reasons problem

1. Introduction

Is arguing well always something reasonable, rational or justified? I would like to answer this question by considering two ways of thinking of the relationship between argumentation and reasonableness/ rationality/ justification that mirror two very different views about what a theory of argumentation should look like.

Most argumentation theorists take their task to be that of providing models to evaluate argumentation as regards its reasonableness, rationality or justificatory power. For them, reasonableness, rationality and justification are semantic primitives, unexplained explainers that work as standards for argumentative goodness: argumentation is said to be good only if it is deemed to be reasonable, rational or justified according to one or another set of criteria. This is, for example, the view of authors within the epistemological approach to Argumentation Theory, who contend that good argumentation is argumentation that, in fulfilling certain epistemic conditions, makes belief in its conclusion (epistemically) rational or justified. It is also the view of Pragma-dialectics, which takes good argumentation to be (procedurally) reasonable, inasmuch it fulfils certain procedural conditions, or the view of the virtue approach to Argumentation Theory, which takes good argumentation to be argumentation conducted virtuously, so that it justifies belief in its conclusion. So understood, Argumentation Theory would be the task of putting together all that we know about ways of reasoning that have proven to be safe, in the sense of warranting, one way or another, its outcome. I will call this the *criteriological* conception of Argumentation Theory.

Yet, it is also possible to think of Argumentation Theory as the endeavour of characterizing reasonableness, rationality and justification themselves. On this view, reasonableness, rationality and justification would be neither semantic primitives, nor standards for argumentation goodness, but the very outcome of arguing well. For to say of something that it is reasonable, justified or rational is to say that there are good reasons for it, and on this view, this can only mean that there is good argumentation for it. Good argumentation, and only good argumentation, would justify and make our claims rational or reasonable and, by extension, also

our beliefs, actions, decisions, attitudes, etc. On this view, things do not stand justified, rational or reasonable on their own, but only in virtue of there being good argumentation for them.

Of course, as a proposal within Argumentation Theory, this approach cannot take argumentation goodness as a semantic primitive. And in thinking of normative concepts such as justification, rationality or reasonableness as essentially argumentative, the approach is committed to look for the normative conditions of argumentation in the very practice of arguing. From this perspective, the main question for a theory of argumentation would be something like “does this piece of argumentation count as good argumentation, taking into account the conception of argumentative value that makes sense of arguing as an activity?” So understood, Argumentation Theory would be the philosophical task of characterizing the normative activity of arguing and its underlying conception of argumentation goodness; and this *transcendental* conception of Argumentation Theory would be called to play a central role within epistemology, theories of rationality, and any other field in which normative concepts such as justification, rationality, reasons or reasonableness are pivotal.

The goal of this paper is to analyze the rewards and shortcomings of these conceptions of Argumentation Theory and their corresponding accounts of the sort of objectivity that good argumentation is able to provide.

2. Rationality, justification and reasonableness from a criteriological perspective

Argumentation Theory is a normative endeavour at least in the following sense: argumentation theorists aim at providing tools to tell good argumentation from bad argumentation. But the task of warranting our intuitions about what is good (or bad) argumentation is not easy. The usual strategy is to contend that argumentation has an idiosyncratic goal, so that those pieces of argumentation that achieve this goal are said to have intrinsic value and therefore count as good argumentation.

The hallmark of the epistemological approach to Argumentation Theory is to deal with argumentative normativity in epistemological terms. The core idea is that arguments aim at the achievement of knowledge or at least of justified belief (Siegel and Biro 1997, p. 278), so that good argumentation is characterized as argumentation that provides justification (Biro 1987, p. 69; Biro and Siegel 1992, p. 96; Goldman 2003, p. 58).

But to be true, this plea for justification does not quite help in discriminating a particular proposal within the field. For it is not just those theories adopting an epistemological approach, but every theory within the field, that is committed to a principled distinction between good argumentation and bad argumentation, and to the corresponding conception of an argumentative intrinsic value. This way, whatever makes the difference, in each of these theories, between good argumentation and argumentation that falls short of being good, can be said to amount to what these theories take to be argumentation providing justification, rationality or reasonableness, be it argumentation solving a difference of opinion *on the merits*, or argumentation able to persuade a *universal* audience, or argumentation producing *rational* persuasion, or argumentation conducted *virtuously*, etc.

Of course, there are important differences between theories adopting an epistemological approach and theories adopting dialectical, rhetorical or virtue approaches. Particularly, dialectical, rhetorical and virtue theories of argumentation tend to avoid terms such as ‘rationality’ and ‘justification’ in favour of others such as ‘reasonableness’. But their point as models within Argumentation Theory is to determine what makes argumentation intrinsically

good, and not merely successful. So understood, any theory of argumentation would consist of a set of criteria for warranting the quality of the outcome of those pieces of argumentation that satisfy them, according to one or another conception of the goal that, allegedly, we pursue when we argue.

Authors within the epistemological approach have tried to stand out by insisting on two further ideas: on the one hand, that good argumentation turns belief in its conclusion rational, and on the other hand, that good argumentation makes its conclusion more likely (Lumer 2005, pp. 213-214; Goldman 2003, p. 62). However, this is, again, something that any other theory within the field may subscribe: pragma-dialecticians, for example, could say both that it is reasonable to believe the conclusion of a piece of argumentation that meets the standards of a critical discussion, and that this is so because it is more likely to have true beliefs, or at least beliefs closer to truth, by following the rules of a critical discussion than by violating them.¹ In this respect, the attempt to demarcate epistemic proposals from theories such as Pragma-dialectics by pointing out that the function of argumentation is to reach knowledge (or justified belief) rather than consensus would be flawed: consensus would be just a further criterion to say that the outcome is warranted –i.e., justified, rational or reasonable. And much the same could be said of virtue theories of argumentation: the fact that arguers are virtuous indeed speaks in favour of their argumentation and, in principle, makes belief in their conclusions rational and justified (Aberdein 2007).

3. Problems with the criteriological conception of Argumentation Theory

So, theories such as Pragma-dialectics, virtue argumentation theory, and those within the epistemological approach would share the strategy of determining argumentation goodness by providing sets of criteria to warrant that argumentation that satisfies these criteria achieves the type of value that, allegedly, is the sort of thing that we argue for –namely, the justification, rationality or reasonableness of its outcome. Regarding the epistemological approach, Lumer says:

[a]n epistemological theory of argument is characterized by two features. 1. It takes the standard function of arguments to be: to lead the argument's addressee to (rationally) justified belief, i.e., to guide him to realize the truth or acceptability of the argument's thesis – where 'acceptability' is intended to be a broader term, meaning truth, high probability or verisimilitude. 2. It develops criteria for good arguments and argumentation on this basis, i.e., it designs them in such a way as to fulfil their epistemic function. (Lumer 2005, pp. 213-214).

I would like to show now that this general strategy is problematic. I will focus on the epistemological approach because of its adamant use of normative standards, but my contention is that the following quandaries apply in similar ways to any proposal within Argumentation Theory that adopts this criteriological strategy.

One of the first things that we may wonder about models based on criteria for argumentation goodness is: where do these criteria come from? Are they empirical rules of thumb that have proven reliable means to avoid falsity over time, or are they more constitutively

¹ For Pragma-dialectics, truth is not a requirement of good argumentation, but because of its endorsement of Popper's critical-rationalism, it can be said to constitute the ultimate goal of a critical discussion.

tied to truth –as for example, the rules of logic? How should we justify the rules for determining justification? As Hilary Putnam taught us, this is a tricky question that pervades all those areas of philosophy that pivot on normative concepts. In his account, this question poses the following trilemma: either refusing the possibility of justifying models for determining what is justified, or trying to justify them, by appealing either to subsequent normative models – which is a strategy doomed to initiate an infinite regress – or to the very model that we try to justify – which is a viciously circular strategy (Putnam 1981, pp. 103-126).

Pragma-dialectics has at least made some attempt to justify its rules for determining argumentation goodness by considering the problem-solving effectiveness and the intersubjective acceptability of the procedural rules that sanction critical discussions (van Eemeren and Grootendorst 2004, pp. 123-157). The idea is that these rules are supposed to be instrumental in solving differences of opinion *on the merits*. Yet, there is no further attempt to explain what does it mean “on the merits,” or to show that these rules are sufficient to warrant the outcomes of the procedures that play by them, or to show that each of these rules is necessary for a warranted outcome. In turn, within the epistemological approach, only Goldman and Lumer have actually proposed (incomplete) sets of epistemic principles whose justification would come from the fact that, allegedly, they are efficient in the sense that, by following them, we get at *acceptable* beliefs. Again, in Lumer’s words:

What is important, though, (...) is to underline the necessity and existence of clear and efficient, epistemologically justified truth definitions and criteria as well as procedures for cognizing the truth and the criteria for good argumentation based on them. Only this can cut off the seemingly eternal general objection that some people believe this, other people believe that, where the relevant question is: Which belief is justified? And here a big research task is still waiting for the champions of the epistemological approach, namely to enlarge and further elaborate the arsenal of such epistemologically justified instruments (Lumer 2005, p. 192)

Basically, the criteriological strategy for justifying rules for justification is to point out that we should follow them because, allegedly, they would warrant the achievement of the goals that, allegedly again, we pursue when we argue – like getting knowledge, or solving differences of opinion on the merits, or persuading a rational or a universal audience. But, what if we do not pursue such goals? What would be wrong with arguing without pursuing the resolution of a difference of opinion, or even without pursuing knowledge? Even if it is true that argumentation has an idiosyncratic goal, why are we obliged to pursue that goal when we argue? And why should we pursue it by following rules that have not been shown to be individually necessary and collectively sufficient to achieve it? Why arguing that way is arguing intrinsically well?

Actually, the characterization of argumentation goodness as argumentation that gives us reasons to believe the truth of the conclusion (Biro and Siegel 2006, p. 94), or that, at least, “that makes belief in its conclusion justified” (Feldman 1994, p. 176) seems to pose two further problems for the epistemic approach. For, on the one hand, such characterization is incoherent: a very bad argumentation whose conclusion is that the arguer is not a good arguer would give us reason to believe so and would make belief in its conclusion justified and rational; yet, by definition, it would be bad argumentation that gives us reason to believe so.

On the other hand, this characterization of good argumentation is open to a particular version of the *wrong kind of reasons problem*. This problem results from the vagueness of thinking of a reason for something as a *consideration that counts in its favour* (Hieronymi 2005). If by producing a particular piece of argumentation, whether good or bad, it happens to be the case that someone's life depends on our believing the conclusion, then this argumentation gives us a good reason to believe the conclusion (and it makes it rational, reasonable and justified to believe it); yet, it seems to be a reason of the wrong kind.

As we are going to see in the sec. 5, these problems have to do with the fact that the very concept of (good) reason (as well as those of justification, reasonableness and rationality) is not only normative, but also essentially argumentative, and because of that, it cannot work as a standard to characterize argumentation goodness in turn.

4. The internal and the external assessment of argumentation

Arguing is a kind of doing, and as such, it is something that can be rational or irrational (or justified/unjustified or reasonable/unreasonable) to do depending on the circumstances and the goals that we pursue. Let me call this way of appraising argumentation its *external* assessment. From this external perspective, it makes sense to question whether or not arguing is a rational (reasonable or justified) thing to do in the circumstances, and even whether or not it is rational (or reasonable or justified) to pursue the goals that we characteristically pursue when we argue. When we externally assess a piece of argumentation, we consider things such as whether or not it was a good idea to adduce this and that to this particular audience, or even whether or not it was a good idea to argue at all in the circumstances. From such external perspective, the value of argumentation is a matter of its effectiveness as a means to a variety of possible ends.

On the other hand, arguing is also a means to determine the rationality (or reasonableness, or justification) of our claims, beliefs, decisions, attitudes, etc. From this *internal* perspective, the assessment of argumentation is the task of determining its intrinsic value. As it may become evident now, the problem of the criteriological theories described above is that they conflate the two types of assessments: by positing that argumentation goodness – that is, argumentation that has intrinsic value – is argumentation that serves to achieve one or another – allegedly characteristic – goal, these theories deal with the internal assessment of argumentation in terms of an external type of assessment. In the end, the criteriological conception of Argumentation Theory endorses an instrumental conception of argumentative value; and as a result, the normativity of its rules is cast in doubt, as they happen to be merely conditional on the goals that we may pursue when we argue.

Certainly, argumentation is a type of communication among others, and not necessarily the most efficient one as regards the achievement of the typical goals of communication –such as expressing mental states and influencing others. In principle, making promises or threats, rallying, sweet-talking, bargaining, etc. may be better means to our communicative goals. Nonetheless, argumentation is a very special type of communication because, in arguing for our claims, we can make them rational, we can justify them and, thus, we can persuade others of them “in a rational way.”

The fact that argumentation is not only a means of influence but also a means to determine the rationality (or reasonableness, or justification) of our claims, beliefs, decisions, attitudes, etc. explains that the external assessment of argumentation involves an intrinsic reference to legitimacy: by arguing well for our points of view (about what is the case or what

we should do), we show them to be correct. In this respect, argumentation is very different not only from mere assertions, but also from any other form of interaction in which elements external to the very elucidation of the matter could force the acquiescence of our hearers.

Thus, we can say that, in general, the external value of argumentation as a means of influence comes from its internal value as a means to show that what we say is as we say that it is: arguing happens to be a powerful tool for persuasion because we all know that it is also a powerful epistemic tool, a means to get true beliefs and right decisions. In the end, this is the reason why we trust in argumentation as, for example, a means to solve disagreements.

5. Revisiting the *wrong kind of reasons problem*: practical vs. epistemic reasons

Because of their instrumental conception of argumentation goodness, criteriological approaches to Argumentation Theory do not adequately deal with the difference between the external assessment of a piece of argumentation, i.e., the task of determining its value as a means to an end, and its internal assessment, i.e., the task of determining its intrinsic value, which, as pointed out before, is a matter of argumentation's ability to justify our beliefs and claims.

But what does it mean to say that argumentation is a means to justify our beliefs and claims? I would like to show now that the distinction between the external assessment of argumentation and its internal assessment mirrors the distinction between practical reasons and epistemic reasons, and that this correspondence explains why, in conflating the two types of assessment, epistemic approaches are bound to the problems pointed out in sec. 3.

In principle, we can have good reasons for beliefs and claims, and our beliefs and claims can be rational, reasonable or justified, not only on epistemic grounds, but also pragmatically: if I want my kids to be careful, I may have a good reason to tell them that the river is dangerous – whether it actually is or not; and if I want to calm my nerves in a presentation, I may have good reason to believe that I am not boring – whether I actually am or not. These are practical reasons in that they are reasons for doing something, and they are normally good or bad depending on the goals that we have. Believing and claiming can be seen as kinds of doings, and in principle, we can have practical reasons for them.

What is, then, a theoretical or epistemic reason? It cannot be just a consideration that counts in favour of asserting or holding a doxastic attitude, because, as we have seen, we can have practical reasons for that. Nor can it be a reason for an epistemic goal, such as having knowledge or true beliefs, because that would imply that when we pursue true beliefs, we have, not a practical, but an epistemic reason to take the magic pill of truth.

So, let me suggest this definition: if a practical (good) reason is a reason that justifies intentional things such as actions, decisions, etc, then an epistemic (good) reason is a reason that justifies representational things such as beliefs, assertions, etc. Thus, an epistemic reason for p would not justify (or make it rational or reasonable) believing or asserting that p but the belief or the assertion that p .

This account of epistemic reasons may sound a bit funny. Not in vain, the traditional characterization of reasons as “*considerations that count in favour of...*” has obscured the distinction between practical and epistemic reasons for centuries: for, what can it mean “counting in favour,” if not “counting in favour of *doing* something”? What can it mean “counting in favour of a representation”? And what can it mean “justifying a representation” or “rendering it rational or reasonable”? I am going to offer an answer to these qualms in the following section.

But by now, I would like just to point out that the expressions “consideration” and “counting in favour” are too vague to define the concept of reason.²

Actually, as pointed out before, from the perspective of a transcendental conception of Argumentation Theory, the ontogenesis of reasons is essentially argumentative, and this is something that the traditional definition does not quite get. Particularly, from this perspective epistemic reasons are, precisely, the sort of reasons that good argumentation provides for its conclusion: they justify the conclusion, not the “action” of believing or asserting it.

Neglecting the distinction between practical and epistemic reasons is the (explanatory) reason why, in contending that good argumentation is argumentation that gives us reason – or justifies or makes it rational – believing its conclusion, the epistemic approach is bounded to the problems mentioned in sec. 3: for, on the one hand, it makes it possible that bad argumentation gives us reason to believe the conclusion, and on the other hand, it makes it possible that good argumentation gives us reasons *of the wrong kind* to believe the conclusion. Why is this so? Because good argumentation does not give us (practical) reasons for believing, unless we pursue knowledge or rational beliefs. After all, at times, it may make perfect sense to refuse the good advice of a friend who tries to persuade us of not doing something, or the explanations of a physician about how poor our condition is. Yet, good argumentation necessarily gives us good reasons for our beliefs because, basically, good argumentation *consists* of good epistemic reasons. In other words, giving good reasons for believing that *p* is not the same as rendering justified the belief that *p*. Yet, this is precisely (all) what good argumentation is able to do.

6. A proposal within the transcendental conception of Argumentation Theory

As pointed out before, from a transcendental perspective, (good) reasons, justification, rationality and reasonableness are not semantic primitives, but concepts that spring from the very practice of arguing. Basically, the idea is that argumentation is constitutively normative: it is a practice with constitutive correctness conditions, like that of making assertions or holding beliefs. Thus, if the constitutive correctness conditions of asserting come from the fact that whatever counts as an assertion counts as an attempt at saying how things are, the constitutive correctness conditions of arguing come from the fact that whatever counts as argumentation counts as an attempt at justifying a claim. On this view, justification is not the idiosyncratic goal of argumentation, but its constitutive goal, because there is no argumentation if there is no attempt at justifying; and argumentation actually providing justification for its conclusion would be argumentation intrinsically good.³

From the perspective of the transcendental conception of Argumentation Theory, a normative model for argumentation is nothing but a description of argumentation as a practice with constitutive correctness conditions. In Bermejo-Luque (2011) I offered one such type of proposal: i.e., a *linguistic normative model of argumentation*. This model characterizes argumentation as a speech act that counts as an attempt at showing that a target-claim is correct. Correspondingly, in LNMA, (epistemically) justifying is adducing reasons showing a target-

² I have argued in more detail for an argumentative conception of reasons in Bermejo-Luque (2015).

³ That the normativity of argumentation is constitutive does not imply that we cannot argue badly: I count as arguing if I count as trying to justify a claim; yet, I may try it but not succeed in it. However, given the fact that in order to count as arguing I must count as trying to justify, I cannot argue (because I cannot count as arguing) if I argue badly in a deliberate and ostensible manner. In other words, in responding to a criticism “so what? I don’t care if it follows or not,” we make clear to our addressees that what we do is no longer argumentation.

claim to be correct – and this is something that involves semantic conditions determining the correctness of a claim and pragmatic conditions determining how good is an act of arguing as an act of showing.

In this account, the epistemic rationality, justification or reasonableness of a belief that p is a matter of there being good reasons for p , and this is, in turn, a matter of there being argumentation actually showing the claim that p to be correct. In turn, the practical rationality, justification or reasonableness of an action f would be a matter of there being good reasons for f -ing, and this is, in turn, a matter of there being argumentation actually showing that the claim that f must/should/could/etc. be done is correct. So understood, practical justification would stem from epistemic justification.

Remarkably, in this account things do not stand justified, rational or reasonable by their own, but they acquire this status if and only if there is good reasons – and therefore, good argumentation – for them. Of course, without argumentation we could still have true beliefs and make right decisions, but only argumentation enables us to justify them, in the sense of showing their correctness.

7. Conclusions: Argumentation Theory and the search for objectivity

Through this paper, I have tried to show that it is possible to think of Argumentation Theory either as a sort of “applied epistemology” or as a conceptual endeavour. The former is the option of those defending a criteriological conception of the discipline. Their goal is to offer criteria to warrant our assertions and beliefs. Contrastingly, the goal of a transcendental conception of Argumentation Theory is to characterize argumentation as a normative activity and, as a result, to give an account of the normative conditions that constitute it.

In a way, advocates of a criteriological perspective see themselves as fighting against scepticism. This is why they think that we cannot accept as a condition of argumentation goodness the semantic correctness of the claims that we put forward in arguing: that would be to beg the question against the sceptic. Instead of that, they put as criteria of good argumentation things such as the condition that “a speaker should assert a premise only if she is justified in believing it,” and that “a speaker should assert a premise only if she thinks she is justified in believing it”, or the condition that the arguer is virtuous, or the condition that parties do not impede each other to raise questions, etc.

Yet, for an advocate of the transcendental conception, this fight against scepticism is alien to a proper theory of argumentation. From this perspective, a theory of argumentation should not aim to be a *theory of all*: its goal is not to offer criteria to determine which claims are true, likely or close to truth. Actually, this is the business of argumentation itself. Rather, the goal of a theory of argumentation would be to explain what is arguing, and which concept of good argumentation underlies argumentation as a normative practice, in order to provide not only a normative model of argumentation, but also an account of normative concepts such as justification, rationality, reasons and reasonableness, as emanating from the very practice of arguing.

As regards truth attributions, an advocate of the transcendental conception just records that arguers behave all the time as if they had access to truth and knowledge: this is exactly what they do when they make assertions and hold beliefs. Maybe, in the end, we can never be sure of our truth attributions; but this doesn’t really matter. For we keep making assertions and holding

beliefs, and arguing for them by adducing reasons and rendering them rational and justified. Actually, regarding our epistemic goals, this is all that we can do.⁴

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⁴ Remarkably, from this point of view, it is possible to supersede the debate between advocates of a subjective epistemic approach and advocates of an objective epistemic approach. The idea would be, basically, to acknowledge that we argue as if we had access to truths and, thus, as if we could get at objectively justified beliefs; after all, this is what we do when we make any of the assertions that a piece of argumentation consists of: the “objective duty” is constitutive of arguing. Yet, we can only assess argumentation by assessing the correctness of such assertions; and this is always something that we do from a subjective point of view.