

## Arguing, Arguments, and Deep Disagreements<sup>1</sup>

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**Abstract:** In response to earlier papers in *Informal Logic* by Robert Fogelin and Andrew Lugg, this paper explores the issue of whether disagreement could ever be so deep that it defied rational resolution. Contra Lugg, I agree with Fogelin that such unresolvable disagreement is possible and, contra Fogelin, I suggest that the focus of such disagreement can be quite limited—a single proposition rather than a whole system of beliefs. I also suggest that emphasising arguing as a human practice rather than arguments as a structure of propositions is unhelpful to consideration of these issues.

A few years ago, two papers appeared in this journal on the topic of arguments between people whose disagreement is at a "deep level." Robert Fogelin suggested that disagreements could be so deep that they precluded rational resolution.<sup>2</sup> In reply, Andrew Lugg suggested that, once we ponder the construal of argument as a human practice, we ought be more optimistic about the rational resolvability of disagreement of even such a deep sort.<sup>3</sup> In what follows, I offer my own thoughts on the issues they address; this will, in part, be by way of critical commentary upon these papers. My conclusion is that disagreement of a rationally irreconcilable kind is more of a possibility than Lugg allows and even more of a possibility (in one way, though less in other ways) than Fogelin allows.

Fogelin's position contrasted what he called "a normal argumentative exchange," in which the discussion's participants share both a framework of beliefs and preferences and criteria for the resolution of disagreements, with what he called "deep disagreements" where the participants do

not share such commitments.<sup>4</sup> I take the framework of shared beliefs to comprise a framework of premises that might be explicitly manifest in the discussion but would more often constitute unstated assumptions. Fogelin is more concerned to stress the latter. Mind you, not *all* of one's beliefs and values framework might be relevant to the disagreement at hand, and it is only those propositions<sup>5</sup> that act as part of the web of reasons that relate to the topic at hand that are to be shared as a precondition for a normal argumentative exchange. These might not be many. The dispute resolution criteria constitute epistemic standards for the assessment of such premises. That is, if the propositions appealed to as premises in an argument are challenged,<sup>6</sup> then, in advancing further arguments in support of such premises,<sup>7</sup> appeal must be made to yet further propositions. The status of the inferential moves involved here (and in the original argument) must be agreed to (though not necessarily explicitly) and, on pain of regress, at some point epistemic standards must be similar enough to endorse without further support some epistemically fundamental propositions<sup>8</sup> or "ultimate" premises.

So, what happens if this broad basis of shared commitments is absent, if, that is, *deep*<sup>9</sup> disagreement is present? In Fogelin's view, in such a case, the basis for rational persuasion (as opposed to non-rational "conversion") is absent. In making this claim, Fogelin takes himself to be in opposition to some members of the informal logic movement whom he seems to construe as claiming to offer ways of rationally resolving even such deep

disagreements.<sup>10</sup> Lugg appears to be one such optimist, and I turn now to a brief summary of his response to Fogelin's remarks. Lugg says<sup>11</sup>:

[I]t is one thing to maintain that individuals may find themselves in the situation of being unable to resolve their differences on the basis of shared commitments, quite another to conclude that in such cases argument is pointless and non-rational persuasion unavoidable.

Generally, he contends that such a basis of shared commitments be construed *not* as the *precondition* for rational discussion but as a *product* of that discussion.<sup>12</sup> More specifically, the suggestion is that such a discussion might demonstrate to the other participant the hidden strengths of one's own views and elicit the hidden weaknesses of the other participant's views.<sup>13</sup> (And one might find the other person's points having a similar effect on one's own position). Lugg doesn't claim that rational discussion is guaranteed to resolve deep disagreement, just that it is, *pace* Fogelin, not doomed to impotence either<sup>14</sup>; and it is, at the very least, a conceivable practice even among the deeply disagreeing.

All of this is fine as far as it goes but, as it stands, it doesn't go very far and constitutes more of a promissory note than a rebuttal of Fogelin's views. Just how might such a consensus-building rational discussion go? Just how can we, for instance, rationally demonstrate a hidden weakness in someone's view without the sort of shared basis of which Fogelin speaks?

I find Lugg's paper unsatisfying in response to these queries. The main thrust of Lugg's remarks seems to be to suggest that it helps to emphasise that arguing is a practice of persons, that arguments are produced by people arguing and are not, *pace* the views of some logicians (informal as well as formal), a structure of propositions.<sup>15</sup> This doesn't seem, on the face of it, very helpful, for even if we admit that arguments are the product of

people arguing,<sup>16</sup> the other side of that is that people arguing *produce arguments*. Even with arguers in debate, the issue is still the assessment by one person (Jill, say) of an argument produced by another person (Jack, say). Of concern here is whether that argument, as uttered by Jack, could be the vehicle for the rational persuasion, of Jill, of the belief-worthiness of its conclusion. Despite seeming as enthusiastic as Lugg about emphasising argument as a practice of humans,<sup>17</sup> Fogelin suggests, as we've seen, that without common ground, arguing won't work, at least as *rational* persuasion. The fact that we have two people arguing and not just structures of propositions doesn't of itself make clear how rational discussion between them can generate assent from deep dissent. Lugg tries to clarify things further with the suggestions that, in arguing, "ideas are disentangled, coordinated and systematized, reasons are marshalled, suspect assumptions are isolated, alternative proposals are reviewed, and conflicting demands are negotiated."<sup>18</sup>

I will turn to the examination of these suggestions of Lugg's in due course but, prior to this, I ought go some way<sup>19</sup> down the track of outlining what I take to constitute rational (as opposed to non-rational) persuasion so that the conceptual framework in terms of which I'm responding to Lugg's ideas is more explicit.

I take it as uncontroversial among the participants in this dialogue that the core idea of *rational* persuasion is that it is persuasion by way of advancing reasons; that is, by argument.

First, let's consider the most clear-cut case of this, that in which whatever propositions were relevant to the argument's status as warranting its conclusion were explicitly stated by the author and accepted by both author and audience. I take these propositions to include both substantive premises and epistemic standards, including rules of inference and standards of primitive epistemic endorsement of propo-

sitions. Such conditions are rare but, contrary to what I think Lugg might say, are not "relatively trivial"<sup>20</sup> unless the argument involved is simple. However explicit and shared these propositions are, persuading someone, even oneself, of the conclusion of a *complex* argument is a exercise in description of which "trivial" is the last adjective that comes to mind!

I take the above to constitute some sort of ideal and further take it that much of philosophers' dialogues is spent trying to approach this ideal. It is, though, rare.

There are, perhaps, a number of other processes which could, without too much dissimilarity to this central case, be deemed to constitute other legitimate variations of rational persuasion.<sup>21</sup> For present purposes, I shan't explore them. For now, I will confine myself to mentioning one further persuasive exercise, one where some of the premise-set constituting the case, and/or the 'body of epistemic standards employed in that case, is left unsaid by the author. It constitutes the context within which the explicit argument is presented and upon which the warranting of its conclusion rests. Now it might be left unsaid for various reasons<sup>22</sup> but Fogelin's main interest is in when it is assumed by the author that it is *shared* context, not worth making explicit because it is taken for granted that it is taken for granted by the audience. His interest is in cases where too much is taken for granted! In such a case one's argument founders, at least initially, as a persuasive exercise.

Let's return to Lugg's suggestions as to how rational discussion might nonetheless proceed.

His first point—that ideas are disentangled, coordinated and systematised during argument—I take to speak of several things. *Disentangling* is presumably the process whereby Jack rationally persuades Jill that she has muddled two ideas together which ought be disentangled or distinguished. For instance, in a discussion within the sub-discipline of political phi-

losophy, Jill might be equivocating with the sentence "People should be treated as equal" between having it express the proposition "People should be treated as having equal rights before the law" and "People should be treated as if they had equal capacities, knowledge, etc." Now, assume that Jill wasn't being a scoundrel and had not equivocated out of fraudulent intent.<sup>23</sup> What is going on when Jack persuades her that she has erred? Is it *rational* persuasion?

Let's say that, in the context of a discussion about legal rights, Jill had advanced the argument: "People shouldn't be treated as equal before the law *because* they're not equal, some are smart, some not, some literate, some not and so on."

Jack, suspecting merely careless equivocation,<sup>24</sup> might respond: "But don't you see that there are two notions of equality operating in your argument; in your premise you're speaking of equality of capacities, etc. but in your conclusion you're speaking of equal legal rights. Because of this 'slide' in meaning your conclusion doesn't follow." What might be going on here? It is not an exercise in rational persuasion in the sense that Jack has begun with premises antecedently explicitly endorsed by Jill<sup>25</sup> and teased out a logical consequence of her views that she might not have been aware of. In some cases it might be "first cousin" to this where Jill implicitly accepted Jack's premises antecedently and just needed to be helped to realise her own beliefs. That is, she might say something like: "Oh dear, silly me, I do realise that; I was just being sloppy in my thinking there for a while." In such a case, the persuasion *is* rational and the argumentative exchange normal as Jack is able to appeal to Jill's antecedent (though implicit) acceptance of the premise that there are two such senses of "equality"<sup>26</sup> and argue on from that point. The more interesting case, however, is the one where neither implicitly nor explicitly does Jill have such a distinction in her

prior conceptual repertoire, and the argument fails.

Even here, two possibilities obtain. Although, at that stage of the discussion, she in no way makes the distinction, Jill might be able to be persuaded of it by appeal to premises about her use of language, about the differing logical relationships of various propositions employing the term "equality" to other propositions in her web of beliefs and ideas and so forth. I see this as also rational persuasion; and it depends on a good deal of antecedent assent between Jack and Jill. That is, although Jack's original argument to Jill might fail because it appeals to unendorsed premises about the ambiguity of "equality," a back-up argument establishing that ambiguity as a conclusion by appealing to other shared propositions might succeed and, were it to, the foundations for Jack's success in rationally persuading Jill of the fallaciousness of her reasoning would have been laid. Shallow and not deep disagreement would have obtained.

So far, so rational, but it might also be that *no* elements of Jill's existing repertoire of endorsed propositions (explicitly held or otherwise) suffices to establish to her the equivocation in her thought. I take this to mean that deep disagreement obtains. What can Jack do? He might be able to create the conditions for an act of primitive epistemic assent somehow; that is, create circumstances in which a proposition is warranted to/by Jill, but not in virtue of any argument or the provision of reasons. Once some such new propositions are in place, the business of arguing can begin anew. Jill might thereby be brought to disentangle ideas which she earlier conflated but the initial move in this persuasive process I take to be non-rational. It might be construed as akin to conversion<sup>27</sup> (religious conversions and Kuhnian paradigm shifts being exemplary of this) or it might be construed as akin to persuading someone to accept that it's raining by opening a blind so that he can see that it is so. Either

way, it seems to me, what one is doing is putting the other cognitive agent into a situation where a primitive epistemic act occurs; assent is given without reasons for the assent. Of course, these attempts might fail<sup>28</sup> but my point is that, in the sense in which Fogelin seems to be using the word<sup>29</sup>, those of the above moves that seem to constitute rational persuasion appeal at some level to antecedently accepted propositions and when this doesn't obtain, one hasn't rational argument so much as non-rational groundwork for later argument. My exploration of Lugg's suggestion doesn't show that disentangling by *rational* discussion can generate assent from deep dissent.

Turning to the next suggested method, *coordinating and systematising someone's ideas*, I take it that this is the tracing of the interrelationships of a bunch of ideas, the tracking of entailments, the recognition of value priorities, the articulation of domains of application and so forth. But this task seems to me to again be one of either rational argument (appealing, directly or indirectly, to premises explicitly or implicitly antecedently endorsed by the other party) or else a matter of displaying claims for primitive epistemic assent.

*Reason marshalling* would seem to obviously involve appeal to reasons, the citing of claims that act as premises in arguments, and again these are either already accepted by the other party or are offered for assent (or the reasons are not yet down to that level and further argument chains are appealed to which end in one or other of the above).

Concerning *suspect assumptions*, two cases need considering: what I shall call "biographical assumptions" and what I shall call "logical assumptions." Say that Jack presents us with the argument that, as Mary had been found with Tom's wallet in her hand, she ought be punished, for stealing is against the law.

Now Jill might point out to Jack that he was consciously (or not so consciously) assuming that being found with the wallet

in her hand established that Mary had stolen it. That is, Jill is pointing out an implicit premise in Jack's argument, one he believes and is resting his argument on. Having made it explicit, Jill might then proceed to argue against it (by perhaps, pointing to other possible explanations of Mary having Tom's wallet). But presumably any such argument would either appeal (eventually) to premises accepted by Jack or to claims presented for assent.

It might be, however, that Jack's argument makes "logical assumptions" that Jack doesn't so far believe; that is, that its conclusion only follows given certain propositions but these propositions are not antecedently endorsed (implicitly or explicitly) by Jack.<sup>30</sup> Here the task is two-fold. First, to get Jack to see that without that claim (e.g. that what's illegal deserves punishment<sup>31</sup>) his conclusion won't follow. This will involve an argument involving, centrally, appeal to propositions about rules of inference, valid patterns, or what-not; and these propositions' status is as before. This done, the task is similar to before, the presenting of arguments intended to undermine such logically assumed propositions and these arguments' premises' status is as before. Here, then, we have yet again the situation where, in any successful attempt to *argue* with someone, the premises to which one, perforce, explicitly or otherwise, appeals, have to be already something to which the person assents or else something to which, upon presentation, s/he will give primitive epistemic assent.<sup>32</sup>

I trust that no more detail is needed, that I don't need to continue further down Lugg's list of specific tasks in debate for, it seems clear to me, any argument presented to anyone with the hope of persuading him/her about any of the listed matters must appeal to premises either already accepted or that will receive, upon presentation, primitive epistemic assent (or which will be considered by the audience to be warranted by appeal to deeper

premises that fall into one of these two categories).

This might seem to be of possible comfort to Lugg, for, though someone might not accept some premise claim antecedently, in the course of the discussion s/he might come to assent to it. Thus, Jack might rationally persuade Jill of the error of her ways by means of an argument which employed premises which, though accepted by Jack,<sup>33</sup> are not, implicitly or explicitly, antecedently accepted by Jill and only become common ground to them as, or after, Jack displays them to Jill and she gives them epistemically primitive assent. But, to repeat, that's hardly assent gained *by* rational argument, it's assent gained by non-rational "conversion," a response to mere assertion, and surely Fogelin expects this as a possibility.

If Lugg intends his list to better assist his case than I've tried to explore in the above, then further clarification is in order. Lugg seems, as I've noted earlier, to anticipate something like the above challenge and, attempts to defuse the suggestion that "spelled out in detail . . . [the above moves in discussion] . . . would . . . presuppose . . . Fogelin's conception of . . . argument-exchange based on shared assumptions."<sup>34</sup>

How, having anticipated the challenge, does he respond? He asks rhetorically: Why think this presupposition to obtain? Against so thinking, he notes that "it is not being assumed [by Lugg] that individuals genuinely engaged in debate can always force a decision one way or the other."<sup>35</sup> But how is this to the point? The only putative connection that I can postulate is that Lugg considers Fogelin's conception of a normal argument exchange to be assuming that a decision can always be forced (and Lugg isn't assuming this; thus Lugg isn't being surreptitiously Fogelinian). If I am right in this, the defence's weakness is that Fogelin seems to make no such assumption. Fogelin's assumption is not that a decision can be forced but that in trying to arrive rationally at a decision, assumptions

must be made about common ground.<sup>36</sup> Even if those assumptions are sound, and common ground shared, a decision may not be able to be forced because one or other of the disputants fails to be smart enough to follow through complex applications of simple enough starting points. I might, for instance, accept some axioms and some rules of inference but, due to the complexities of their application in a particular proof, be too stupid to be persuadable of some theorem as resulting from them.<sup>37</sup>

Lugg goes on to deny that he's claiming that in carrying out these tasks of disentangling someone's ideas, etc. one is to confine oneself to common ground, for he advocates introducing new reasons.<sup>38</sup> If by this is just meant that one might display new (to one's audience) propositions for non-rational assent (as per above) then I agree but so could Fogelin. If neither this nor presenting a reason appealing to one's audiences existing commitments is meant, then what is? One can, I suppose, present, in the spirit of the principle of total information,<sup>39</sup> some claims that one neither expects primitive epistemic assent to, nor rational assent, but this then seems to be more empty ritual than attempted persuasion. I don't therefore see this point as helping clarify his positive account of non-Fogelinian rational deliberation.

Just after the above passage, Lugg contends that, despite the fact that "logical considerations do certainly play an important role in debate," one ought not deem debates to be "rational only insofar as they conform to general logical principles . . . . [I]t is surely implausible to suppose that debates are governed by logical principles."<sup>40</sup> Fogelin might be seen to be committed to shared logical principles constituting part of the shared framework preconditional for rational persuasion.<sup>41</sup> It would seem to me to be plausible to read Lugg's claims here as denying Fogelin's claim and suggesting that one ought not expect conformity to general logical prin-

ciples to be a necessary condition of the rationality of a debate. Though it seems to me to be the initially most obvious way of interpreting Lugg's claim, some considerations count against that interpretation. First, it seems bizarre. If a debate can be deemed rational despite the participants arguing fallaciously then the concept seems to have lost all normative force. Moreover, if we take Lugg literally (as I interpret those passages anyway) his supporting case seems wildly off the mark, too wildly perhaps.

He observes that "logic does not determine whether conclusions should be accepted or premises rejected."<sup>42</sup> But this seems more an argument against construing logic as a sufficient condition for the rationality of a discussion. Yet, if we accordingly reconstrue Lugg's target as the sufficient condition and not the necessary condition claim, then it's hard to see who the target is. Fogelin doesn't qualify, for he, no more than most thinkers in the field, would deny, e.g., that though sound arguments must be logical, logical arguments might not be sound. Lugg continues on to remark that "[logic] provides no guidance concerning the appropriateness of continuing to defend a point of view, repudiating it or setting it aside pending further investigation."<sup>43</sup> This seems weaker than the preceding claim. Its target does not seem to be the sufficient condition claim but the weaker suggestion that logic is providing *some* epistemic guidance. This weaker claim is plausibly Fogelinian and thus Lugg's contrary suggestion, if meant as part of his critique against Fogelin, is back "on target." However, Lugg's assertion seems wrong to me. Though not the whole story in assessing a point of view, logic provides some guidance. If no logical arguments lead from premises one finds acceptable<sup>44</sup> to some point of view<sup>45</sup> then of course this doesn't constitute sufficient warrant for rejecting it but it does provide some guidance. Of course this is fallible; it may be that the point follows from some

other premises that one's not considered or that one has, but has illegitimately rejected. Maybe also, although no logical argument yields that point of view as conclusion from acceptable premises, it does from semi-acceptable premises<sup>46</sup> so that the point of view receives some support (and thus some guidance is provided to the effect that it is appropriate to continue to defend a point of view). So, although the weaker claim that logic provides some guidance is plausibly Fogelinian it doesn't seem open to Lugg's criticism. A final interpretation of this passage is suggested by one of this journal's referees<sup>47</sup> who suggests that what Lugg meant by denying that debates are governed by logical principles was that "there are often alternative ways of twisting and turning within the framework defined by such principles." But that sounds like granting the necessary condition claim and merely denying the sufficient condition claim—which no one, to my knowledge, makes.

The views of Lugg with which I have been wrestling in the previous paragraph are of course connected with Lugg's contention that arguing is best not thought of as subject to rule but instead as the exercise of a capacity, as a practice employing skills.<sup>48</sup> He wishes to go further than Fogelin's anti-deductivism and sees emphasizing arguing as a human practice that one can do well or badly as in opposition to it being subject to rule.

What remains obscure to me, despite my best efforts,<sup>49</sup> is why the criteria in terms of which one might judge someone to be arguing well wouldn't include assessing whether the structure of propositions they produce conform to general logical principles.<sup>50</sup> If, even after reconstruction, they don't, wouldn't this be a ground for suggesting that as the arguer's argument did not follow principle (or rule) it was *ipso facto* not as good an argument as it could be?

So far, I have been concerned to sug-

gest that Lugg has failed to make his case out against Fogelin and that nothing that I have been able to manage in attempted clarification and expansion of his points gives any ground for thinking it possible that deep disagreements are not "impervious to reason."<sup>51</sup> In particular, I have found it unhelpful to note that arguing is a human practice.

Am I then supporting Fogelin's position? Yes and no. Yes, in the sense that it seems to me that Fogelin is right to consider that dispute about the status of ultimate premises or about rules of inference (which I take to be a variant of dispute about ultimate premises) might preclude rational persuasion of the other party. No, in the sense that I see rationally unresolvable disagreement as not necessarily relying upon systemic, or framework, or whatever, disagreement; it might be isolated to one proposition.<sup>52</sup>

For instance, Jack and Jill might both be deontologists, share many normative ethical principles and share a metaethical semantic/ontological construal of those principles' status (as putative descriptions of a domain of moral non-natural features of the universe, putative moral laws if you like) and, importantly for Fogelin, share epistemic views in that each might subscribe to some sort of direct moral intuition as the route to these laws. Unfortunately, on just one matter, the propriety of eating meat, they disagree. Thus, in a debate about Mary's actions concerning lamb they reach contrary conclusions: Jack condemns and Jill condones. Exploring, they find intractable dispute at the level of deep principle despite general agreement on matters normative and metaethical. The problem is not disagreement on the method of solving disputes, for each subscribes to the method of human intuition. The problem lies *within* the method, that of telling which would-be intuiters are, so to speak, morally colour-blind. They may even agree about the failings of intuition, accept that no method of resolv-

ing their disagreement exists, agree on everything, indeed, except the propriety of eating meat. Yet, as primitive normative stances, as ultimate moral premises, each might stick to his/her principle<sup>53</sup>. If Fogelin did not mean to include this type of thing as a deep disagreement then I'd suggest an extension of his notion of deep disagreement to include it. Though not wide, it is, at least, deep in the sense of being at the level of bedrock or ultimate premise.<sup>54</sup>

Similar cases could be crafted about two scientists sharing a metascientific commitment to the Quine-Duhem under-determination thesis concerning the epistemic power of evidence in warranting theories, rejecting the claim to any epistemic power of criteria such as simplicity and, despite surprisingly widespread theoretical agreement on most matters, finding that they differ on just *some* issues. This disagreement is also deep, it seems to me, in that, despite agreement that the only epistemic route is *via* observation, such are the inadequacies of this route that it doesn't resolve disagreements. Yet, the two theorists might, as a "leap of faith," actually believe different hypotheses and use these as premises to warrant different claims as conclusions of arguments.

As is obvious, the common feature of each of these is that, if it is inadequate, even

an agreed "resolution" method won't assist in resolving some substantial disagreements.

My other hesitation with Fogelin's idea is, as was touched on *en passant* above, that one can, in a more extended sense, rationally persuade someone of something without the full expanse of common ground that Fogelin seems to insist upon. One might rationally persuade someone of the error of his/her ways by tracing distasteful consequences (to him/her but not to you). One is, so to speak, pointing out an inconsistency in the set of propositions s/he subscribes to. One of course shares with him/her the canons of logic by appeal to which such a demonstration is carried out (or else one would not deem it to be *rational* persuasion) and so there is *this* element of common ground but I took Fogelin to want more common ground than that, to want some substantive common ground. Similarly for more blatant contradictions within a web of belief. In all of this, note that the disagreement can be at as epistemically primitive a level as one wishes.

So, in summary, contra Lugg and in support of Fogelin, rational discussion might be futile and futile in more cases of disagreement than even Fogelin seems to allow in one way, yet rational persuasion might be more powerful in other ways than Fogelin allows.

## Notes

<sup>1</sup> I am grateful to two referees of this journal for their thoughtful and thought-provoking comments upon the initially-submitted version of this paper.

<sup>2</sup> Robert Fogelin, "The Logic of Deep Disagreements", *Informal Logic*, Vol. VII (1985), 1-8.

<sup>3</sup> Andrew Lugg, "Deep Disagreement and Informal Logic: No Cause for Alarm", *Informal Logic*, Vol. VIII (1986), 47-51.

<sup>4</sup> See Fogelin, p. 3 and p. 5.

<sup>5</sup> I shall speak as if value-judgemental claims are propositions, though that is metaethically controversial.

<sup>6</sup> As is familiar, there are two basic ways of challenging an argument, challenging its reasoning and challenging its premises.

<sup>7</sup> In which case that premise in the original argument acquires a new status as an interim conclusion in an expanded argument.

<sup>8</sup> I am speaking in language that smacks of epistemic "foundationalism." Nothing hangs on this as far as I can see and epistemic coherentists, or whatever, could revamp the argument without losing its main thrust.

<sup>9</sup> As Fogelin is concerned to note (see p. 5), deepness of disagreement is not to be equated with vehemence.

- <sup>10</sup> Fogelin, p. 6.
- <sup>11</sup> Lugg, p. 48.
- <sup>12</sup> Lugg, p. 49.
- <sup>13</sup> Lugg, p. 48.
- <sup>14</sup> Ibid.
- <sup>15</sup> Lugg, p. 50.
- <sup>16</sup> And this is not obvious. In a recent article ("Interpreting Arguments and Judging Issues", *Informal Logic*, Vol. IX (1989), 41-45), I suggested that in the process of trying to resolve a point one ought not just be considering possible grounds actually advanced by some arguers but grounds simply raised for consideration by the cognitive agent considering the issue at hand (see p. 43). That is, many of the arguments one might wish to look at might be advanced by no one!
- <sup>17</sup> See Fogelin, p.2, for instance.
- <sup>18</sup> Lugg, p. 49. Immediately after, Lugg goes on to note that it might be argued that were these to be spelt out in detail the debate involved would fit Fogelin's pattern of normal, non-deep disagreement argument; he goes on to indicate why he considers such a construal unsound. In what follows I try to fulfil his fears and indicate the weaknesses of his preemptive attacks.
- <sup>19</sup> I was persuaded by one of this journal's referees that some such further clarification was in order. He felt that the sense I seemed to be using (appeal to shared premises) was overly narrow, both in the sense that he wasn't sure that it was what was meant by Fogelin (I think it was but am not primarily concerned with exegesis) and was inclined, it seemed to me, to doubt the interest of such a narrow conception. I shall allow my paper as a whole to speak to this latter concern (and perhaps also the exegetical one). My remarks here are short of a disquisition upon rational persuasion—that would constitute a paper in itself—but are, I trust, of sufficient depth to be worth consideration as a contribution to the continuing dialogue on the topic. I am, in particular, not going to bother with issues like the significance of speaker intention, whether any absolute standards of rationality obtain and the status of persuasion by A of B by appeal to premises and epistemic standards, including rules of inference, that B alone endorses; much as I find these issues both related to the present paper and interesting in their own right.
- <sup>20</sup> Lugg, p.49.
- <sup>21</sup> For instance, what if one persuades someone using premises s/he accepts though one doesn't oneself? Best, perhaps, not to fuss too much about which similarities and differences to deem significant for classificatory purposes as, in my view at least, such classifications are parasitic upon our intellectual purposes at the time. Enough, in the absence of such context, to be witty concerning the parameters of variation.
- <sup>22</sup> For instance, the author simply might not realise that his/her case rests on any such "assumption," or, more sinisterly, might not mention it because s/he considers it to be a likely source of concern to the audience.
- <sup>23</sup> This might not strictly be potentially deep enough as a disagreement for Fogelin but it doesn't matter for the point at hand and I argue at the end of the paper that perhaps Fogelin conceives too narrowly of the sources of rationally intractable disagreement.
- <sup>24</sup> Which is not to say that other interpretations of Jill's remarks are not possible at this stage.
- <sup>25</sup> Unless *blatant* self-contradiction is occurring!
- <sup>26</sup> And on her acceptance of other relevant propositions like the judgement that equivocation constitutes fallacious reasoning.
- <sup>27</sup> In some cases it might not just be various propositions that are assented to in virtue of the combination of circumstance and criteria of primitive epistemic assent, it might be that new criteria are embraced. For instance, someone might come to accept mystical experience as one such primitive epistemic route as a result of having a mystical experience!
- <sup>28</sup> And, if Jill doesn't give assent, Jack is, in this line of argument at least, stymied. Jack can, of course, do other things like trace distasteful (to Jill) consequences of Jill's stance. I speak about this more at the end of the paper. It seems to me to constitute rational persuasion despite a lack of agreement on the premise being employed (a cousin of a *reductio*).
- <sup>29</sup> It's open to Lugg to use "rational" in some other way such that what I've deemed non-rational is, in such a sense, rational but, without considerably more being said, the move would be purely verbal.
- <sup>30</sup> We have a turn of phrase for this type of challenge: "But that's assuming that . . ." (as opposed to: "But *you're* assuming that . . .").

- <sup>31</sup> Actually, its status is more complex; gaps in premises can usually be filled in a variety of ways and what's necessary for the argument's validity is that the gap be filled in some one of those ways.
- <sup>32</sup> Again I speak in a quasi-foundationalist way but see note 8 above.
- <sup>33</sup> Indeed, they need not be accepted by Jack to work on Jill. More on such "*ad hominem*" arguments at the end of the paper.
- <sup>34</sup> Lugg, p. 49.
- <sup>35</sup> Ibid.
- <sup>36</sup> As hinted at earlier, and developed at the end of the paper, common ground might not be as important as Fogelin thinks for rational persuasion.
- <sup>37</sup> As noted already, it's important in these discussions to attend to the question of the extent of common ground/disagreement. On complexity, Fogelin notes pessimistically, on page 4, that "human beings seem to be endowed with innate capacities for messing things up as soon as argumentative structures rise above the simplest level of complexity."
- <sup>38</sup> Lugg, p. 49 and pp. 50-51, n.6.
- <sup>39</sup> Lugg, p. 50, n. 6.
- <sup>40</sup> Lugg, p. 49.
- <sup>41</sup> Though it's not quite clear what would count as general logical principles (Fogelin, at least, would not wish to be a deductivist here; see p. 2). Apart from anything else, pursuing this point leads to nice considerations about cognitive relativism but such matters go beyond this paper's limited brief. It is, however, worth noting that participants in a normal argumentative exchange would seem to be able to have shared *fallacious* principles. Also, it should be noted that, as I've construed Fogelin, it's more the rational *resolution* of debate than some more preliminary rational discussion that is of main concern in this paper.
- <sup>42</sup> Lugg, p. 49.
- <sup>43</sup> Ibid.
- <sup>44</sup> As some premises in some arguments are value-judgemental I shall speak of acceptability and not truth so that no metaethical questions are begged.
- <sup>45</sup> And that view is not endorsed by primitive epistemic assent.
- <sup>46</sup> Contra Fogelin and Lugg, I tend to agree with those who favour recrafting "raw" arguments into deductively valid form, even at the expense of implausibly strong premises. An assessment of how well that argument supports its conclusion can then be parasitic upon the degree of acceptability of the premises. This allows for the consideration that not all unsound arguments are equally bad. Of course, short of following deductively from certain premises, no conclusion claim's status as belief-worthy is going to be settled by examination of just one argument's fate.
- <sup>47</sup> Who claims good acquaintance with Lugg's views.
- <sup>48</sup> Lugg, pp. 49-50 and note 7.
- <sup>49</sup> To borrow from my earlier paper again (see p. 15).
- <sup>50</sup> What, for instance, could be going on if avoidance of contradiction was not a constraining rule?
- <sup>51</sup> Lugg, p. 50.
- <sup>52</sup> And thus, I take it, not be deep. Mind you, perhaps Fogelin merely meant deep disagreement to be a sufficient and not a necessary condition for a dispute's closure to rational resolution.
- <sup>53</sup> Such moral scepticism does not entail any acceptance of a right-for-me but not right-for-you relativisation of morals.
- <sup>54</sup> See note 8 again.

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