

New Dialectical Rules For Ambiguity

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Abstract: A set of ten rules is proposed for dealing with problems of ambiguity when interpreting a text of argumentative discourse. The rules are based on Grice's pragmatic rules for a collaborative conversation and on principles and maxims used to deal with ambiguity in interpreting legal and religious writings. The rules are meant to be applied to a given argument used in a given case, and to resolve (or at least deal with) an ambiguity in the argument (or affecting the argument) by using evidence derived from the text and context of dialogue surrounding the argument in the case.

Résumé: Je propose des règles pour résoudre l'ambiguïté lorsqu'on interprète un argument. Elles se fondent sur les règles pragmatiques de conversation collaborative de Grice et sur les principes et les maximes employés pour résoudre l'ambiguïté dans les textes légaux et religieux. L'usage de ces règles s'appuie sur le texte et le contexte du dialogue entourant l'argument en question.

Keywords: principle of charity, equivocation, statutory interpretation, argument evaluation, conversation, dialogue, discourse, multiple arguments, fallacy.

One of the main problems in the identification, analysis and evaluation of arguments is that of trying to determine what the premises and the conclusion are supposed to be, as specific propositions that the arguer is asserting, or is committing herself to having asserted, in a given case. For interpreting a natural language text of discourse is notoriously tricky. One of the central problems of interpretation is posed by ambiguity. If an ambiguous term occurs in an argument, which of the possible meanings should the critic choose for purposes of interpreting the argument prior to venturing criticisms of it, if the original arguer cannot be consulted and made to commit to one meaning or another? Maybe the critic should not be entitled to make such presumptions at all, though in fact, as critics, we do often make them. And in at least some cases it can not only be justified to make them, based on good textual evidence, but it is also actually necessary to make them in order to support the claim that making the criticism is justifiable. In many cases, making a useful criticism requires the critic to venture hypotheses or presumptions, based on evidence from the given text of discourse, about which way a term in an argument should most plausibly be taken.

In some cases, the ambiguity just needs to be noted or recognized, and no hypothesis about which way the arguer meant the term in question to be taken is needed. In other cases, one interpretation may be more plausible than the other. In still other cases, although there is a genuine ambiguity, the textual evidence indicates that the one meaning should be chosen as the one that was plausibly meant. But what kind of evidence could support such a hypothesis concerning interpretation of an argumentative text? And if the evidence is there, what kind of method could be used to draw justifiable conclusions on how to interpret the argument, based on that evidence? Could there be any set of objective rules that could be used in informal logic to apply to a given text of discourse to give guidance on these questions of interpretation?

In this paper a set of ten rules for dealing with ambiguous terms in argumentation is proposed. These rules are shown to be conversational (dialectical) in nature. They presume a framework in which the critic is engaged in a kind of collaborative dialogue with the proponent whose argument is being criticized. In typical cases dealt with in informal logic, the proponent is not present to defend his argument, or say what she meant. But the ten rules are based on a kind of meta-dialectical assumption that the relation between critic and arguer can be seen as a kind of collaborative conversational interaction. The dialectical nature of the ten rules is brought out by showing how they are based on fundamental Gricean principles of collaborative conversation. The rules, and the Gricean principles, are also shown to be related to the principle of charity. According to Scriven (1976, p. 71), the principle of charity is a rule of fairness of criticism that requires picking the best, as opposed to the worst possible interpretation of what was likely to have been meant by a text of discourse you are criticizing. The Gricean principles of conversation require judging an argument, or a move made in argumentation, as a contribution to a goal-directed collaborative conversation.

1. The Nature of the Problem

Ambiguity has always been a central problem for informal logic, especially if, like Alfred Sidgwick (1901), you realize that often the most important task is trying to determine what the argument is.¹ The central problem, in so many cases of evaluating an argument in logic, is one of interpreting what is meant by a text of discourse. An example, of course, is the problem of enthymemes or "missing premises". But the ways of dealing with such problems in the past have been limited. Much of the literature has been on the principle of charity (Govier, 1987, Chapter 7). Because it is a general principle, and there are various problems about how it should be applied (Johnson, 1981), the principle of charity has not yielded specific guidance in the form of some useful method of dealing with problems of ambiguity.

Another approach has been to work on the traditional Aristotelian fallacies of ambiguity, like equivocation and amphiboly (Walton, 1996). But this approach too,

while useful, is somewhat narrow as a way of dealing with many interesting cases that do seem to fall within the domain of informal logic. Fallacies of ambiguity have to do with arguments containing an ambiguous term or premise, in cases where this ambiguity leads to confusion of multiple arguments. But the more everyday kinds of cases that are important to deal with for purposes of informal logic are ones where there is just an ambiguous word or phrase in a text of discourse.

Even if the ambiguity does not occur in a specific argument, it can lead to confusion that could be the source of problems. Some of the most spectacular cases have been ship and aircraft collisions due to ambiguous communications. For example, on March 27, 1977, 583 people died when two passenger jets collided on a foggy runway in Tenerife, on the Canary Islands (Cushing, 1994). The pilot radioed, "We are now at takeoff" to the air controller, meaning that the plane was now at the point of lifting off the runway. But the controller took the message to mean that the plane was waiting on the runway. The outcome was that 583 people died in the crash. Cases like this one show that problems posed by ambiguity are not trivial. Problems arising from ambiguity are also quite common. They affect significant questions of statute interpretation in legal cases, as well as many problematic cases of interpretation of contracts and agreements in business transactions.

A different approach that should be of interest to those working in informal logic has been taken by Miller (1990), by working with principles and maxims of textual interpretation that have already been in use for many years, and have proven their usefulness. One source used by Miller is a set of systematized principles for interpreting sacred Hindu texts that dates from 500 BC. Another source are Judaeo-Christian doctrines which contain principles of interpretation of religious writings. Another source is the legal literature on maxims of statutory interpretation that give guidance on how to deal with legal disputes on how to interpret a statute that contains an ambiguous word or phrase. For example, a Hindu principle (p. 1184) is: "An interpretation which makes a word or phrase meaningless should be avoided." The matching legal maxim of statutory interpretation is: "There is a strong presumption against interpreting a statute so as to render it ineffective" (p. 1184). A Judaeo-Christian principle is: "The meaning of an ambiguous word or passage should be understood as consistent with the preceding and following parts" (p. 1184). The matching legal maxim of statutory interpretation is: "The meaning of a statute is to be looked for, not in any single section, but in all the parts together" (p. 1184). The question is whether these principles, which show a broad generality in being useful as applied to the interpretation of different kinds of texts of discourse, could be applicable to the kind of problem of interpretation we so often face in informal logic.

Of course, these legal problems are somewhat different from the kinds of problems we face in using informal logic techniques to analyze and evaluate arguments. But Miller has shown that these legal maxims of interpretation fit in quite

well with the Gricean conversational postulates and rules for collaborative conversations (Grice, 1975). This fitting together of the two traditions by Miller suggests a whole new, much broader framework for dealing with problems posed by ambiguity.

A way of extending and deepening Grice's conversational framework to apply it to the analysis and evaluation of argumentation of the kind done for purpose of informal logic, is that of the new dialectic (Walton, 1998). In the new dialectic, arguments, and other moves in argumentation like the asking of questions, are analyzed and evaluated in light of how that argument or move has been used as part of a dialogue—a type of goal-directed collaborative conversational exchange. There are six basic types of dialogue in the new dialectic, and each has its characteristic goals and appropriate means of achieving these goals. The new dialectic has as its purpose that of providing a framework for the analysis and evaluation of all kinds of arguments (and other moves in argumentation). Such arguments occur not only in everyday conversational exchanges, but also in legal argumentation and in other special contexts, like those of scientific argumentation in specialized domains of knowledge. Can the new dialectic be of any use in dealing with the problem of ambiguity? In this investigation, it will be shown how the maxims of statutory interpretation and the principles for interpreting religious texts can be adapted to the needs of the new dialectic, by building on and extending the Gricean conversational theory. The result is a new set of rules for dealing with ambiguity that show promise of being useful for the purposes of informal logic. These rules are much more precise and specific than the principle of charity, in applying to problems of ambiguity. They provide a new and quite different direction for the part of informal logic that is concerned with matters of interpretation.

2. Approaches to Ambiguity in Logic

Probably the most widely used kind of example of equivocation given in the logic textbooks is represented by the following argument from (Creighton, 1904, p. 58). Many variants of this example can be found in the fallacies section of many logic textbooks.

Every good law should be obeyed.

The law of gravitation is a good law.

Therefore the law of gravitation should be obeyed.

The fallacy committed in this argument, often called the fallacy of ambiguous middle term in older textbooks, arises from the ambiguity of the term 'law'. In one sense, 'law' means a statutory ruling by a court or government. In another sense, 'law' means a physical uniformity represented, for example, by a scientific equation. The first premise is only plausible if 'law' is interpreted the first way. The second premise is only plausible if 'law' is interpreted the second way. Given these plausible but different interpretations the argument is not valid. But for any-

one unaware of the ambiguity, the argument may seem to be valid. Many other examples of the fallacy of equivocation are collected in (Walton, 1996, Chapter 2). But there are many problems in how equivocation, amphiboly, and ambiguity are dealt with in the logic textbooks (Walton, 1996).²

There are many different ways of dealing with ambiguity found in the current and traditional logic textbooks. Some, like Fischer (1970, p. 265), simply condemn ambiguity as fallacious. Some, like Black (1955, p. 56), distinguish between ambiguity and various fallacies, like the fallacy of equivocation, by ruling that equivocation occurs in fallacious arguments. This ruling makes equivocation different from ambiguity, because ambiguity can occur in a sentence that does not necessarily express an argument, nor is part of an argument. One of the most common traditional cases cited under the heading of fallacies of ambiguity is the case of the pronouncement of the Oracle at Delphi. When asked by King Croesus whether he should go to war against Persia, the Oracle replied that if Croesus went to war, he would destroy a mighty kingdom. The Oracle replied, "*Aio te romanos vincere posse.*" (You the Romans, I say, can defeat). When Croesus went to war and lost, the priests pointed out that he had destroyed a mighty kingdom—his own. This case is used by Copi and Cohen (1990, p. 115) among many other textbooks (see Walton, 1996, pp. 93-97). Copi and Cohen cite it as an instance of the fallacy of amphiboly, or grammatical ambiguity of the kind arising from sentence structure. The first basic problem with this case, and many supposed cases of equivocation and amphiboly cited in the logic textbooks, is that the argument requirement is not clearly met. That is, the problem is one of an ambiguous sentence rather than one of an ambiguity occurring in an argument in a way that makes the argument fallacious. The second basic problem is that the oracle sentence is not, in any ordinary sense, ambiguous (Walton, 1996, pp. 93-94).

At any rate, further discussion of the textbook treatments of fallacies arising from ambiguity (Walton, 1996) reveals various problems. One problem is that there appears to be little agreement on whether ambiguity is wrong in itself, or how it goes wrong when connected with arguments. Williams and Goss (1975) even see ambiguity as, in many cases, not a bad thing in argumentation, because it can contribute to collaborative communication by helping to preserve the credibility of a speaker. Another problem is that there is a reasonable presumption in favor of the thesis that ambiguity should not be seen as inherently wrong or fallacious. But since ambiguity can be a problem that needs to be dealt with in at least some cases, the question is how to deal with it.

Another approach is to have conversational maxims that direct participants to avoid ambiguity. For example, Grice (1975, p. 67) has "Avoid ambiguity" as a conversational maxim. The problem with this approach is that natural language argumentation is full of ambiguities. Consequently, it is not possible to follow this injunction and carry on with argumentation of a kind that is often necessary and valuable. As Sidgwick (1901) has shown, ambiguity is constantly present in natu-

ral language argumentation, and cannot be avoided. It is not possible therefore to avoid ambiguity. The best one can hope for is for the proponent of an argument to try to avoid troublesome ambiguity in advance, and for the respondent to deal helpfully with problems of ambiguity as they arise in the argument. The problems will inevitably arise in natural language argumentation.³

Yet another approach is to have principles, like the principle of charity, that help to determine which meaning is applicable in a case where ambiguity is a problem. The problem with this approach is that while a number of such principles have been propounded, they are not clear enough to indicate which one is applicable to a problematic case of ambiguity. Also, these principles are quite general and abstract. They fail to give exact guidance on what to do in real cases where an ambiguity in a text of discourse needs to be resolved.

Another problem is that of special contexts. Some of the most interesting cases of fallacies of ambiguity (like amphiboly) given by the textbooks are legal cases. For example, a case cited by Hurley (1991, p. 152) concerns a legal contract that reads, "In exchange for painting my house, I promise to pay David \$5,000 and give him my new Cadillac only if he finishes the job by May 1." David might argue that he is entitled to the \$5000 even though he did not finish the job by May 1, because the sentence should be read as having a comma between the expressions '5,000' and 'and'. Problematic legal cases of ambiguity of this sort are extremely common, and would appear to be extremely interesting from a viewpoint of informal logic. Interesting cases occur in wills, and in cases of commercial speech (Walton, 1996, 114-120). The problems are substantive, and neither the fallacies approach nor the conversational postulates approach seems to be of much practical use in dealing with them. What seems to be needed is a different approach that considers the argumentation in a text of discourse on a case-by-case basis, without making blanket pronouncements that try to ban ambiguity or declare it fallacious. Instead of such generalities, what is needed is an approach that gives helpful guidance on how to disambiguate a term that is ambiguous in a text of discourse, by looking at the evidence provided in the case by the given body of discourse.

Ambiguity is important to informal logic, because we must often evaluate an argument that has a premise or conclusion that can be interpreted in more than one way. If that premise (or conclusion) is ambiguous, we cannot determine whether the premise is acceptable as evidence for the conclusion. So ambiguity is important for informal logic, not just in cases of equivocation, amphiboly, and like fallacies. It can be important, in many cases, in its own right. What would be useful is a way of dealing with ambiguity that could also be used in cases of equivocation, and cases where fallacies arise from ambiguity. These fallacies have already been classified and analyzed (see Walton, 1996). The problem here is to find some method of disambiguating ambiguous terms that would be generally useful for informal logic.

Some very useful suggestions on how to go about setting up a method of this kind have been made by Miller (1990), in an article primarily designed to deal with legal problems of ambiguity in statutory interpretation. This kind of problem is very common in legal argumentation, which tends to be based on statutes that are general in nature, that may contain significant ambiguities, and that need to be interpreted in relation to specific issue and cases. Miller bases his analysis on Gricean conversational maxims. He sees ambiguity as pragmatic in nature, often depending on Gricean implicatures or inferences suggested by the context of a conversational exchange. Miller has also shown that principles used to disambiguate meanings in a text of discourse have also been expressed in religious writings—both in Hindu and Judaeo-Christian maxims for disambiguating scriptures. The similarity of many of the hermeneutic principles of scriptural interpretation to legal maxims of statutory interpretation is remarkable from a viewpoint of informal logic.

3. A New Dialectical Set of Rules for Disambiguation

Scanning through the various principles and maxims cited by Miller (1990), it is possible to reformulate a number of them so that they would be generally useful in argumentation theory, for the purpose of interpreting a text of discourse in informal logic. The result is the following set of rules. The use of the term ‘term’ in the rules must first of all be clarified. In these rules the word ‘term’ will be used to refer to a word or phrase as used in a given text of discourse. A term will be said to have a “meaning” or “sense,” in its various occurrences, so that when two (or more) occurrences of a term are found in a given text of discourse, this term can have one meaning in one occurrence and another meaning in another occurrence. When such multiple meaning occurrences are present in a text of discourse, the term is said to be “ambiguous.” Note that this definition of ambiguity is contextual, in that it essentially refers to the use of a term in a given text of discourse. The definition of ambiguity is not purely semantic, but pragmatic. Given this clarification about the meaning of ‘term’ and ‘ambiguous term,’ I now propose a set of ten rules for dealing with ambiguous terms.

New Dialectical Rules for Dealing with Ambiguous Terms

1. Evidence of how the term was used at a previous occurrence in a text of discourse should be relevant to interpreting an ambiguous term one way or another at any given point in the text of discourse.
2. When interpreting an ambiguous term in a text of discourse, the interpretation that makes sense of the discourse should be preferred. A meaning that makes the text absurd or meaningless should be avoided.
3. An interpretation of an ambiguous term should avoid making the text of discourse contradictory, if it is possible to assign meanings that avoid or reconcile the contradiction.

4. Given a choice, an ambiguous term should be interpreted in such a way that it contributes to the goal of the dialogue that the text of discourse is supposedly part of. Or if there is doubt, it should be interpreted in the way that best seems to support the goal of that type of dialogue.
5. If a term occurs twice in the same text of discourse, there should be a presumption that it has the same meaning at both occurrences.
6. If an ambiguous term has been explicitly defined at some prior point in the text of discourse, the meaning that conforms to this definition should be chosen.
7. If the discourse is part of some special context, like that of a scientific discipline or domain of expert knowledge, then the technical meaning appropriate for this discipline or domain should be presumed.
8. If a term first occurs in a non-ambiguous way that makes its meaning evident, then if it occurs later in an ambiguous way, it should be interpreted in line with the first occurrence.
9. If a later clear meaning of a term occurs, then it should be relevant evidence to determining an earlier ambiguous occurrence of the same term.
10. If the author or speaker of the text of discourse makes known a preference on how to interpret an ambiguous term at some occurrence, then some weight should be given to accepting that preference on what the term should be taken to mean, other things being equal.

Rule 5 and Rule 8 are sub-rules of Rule 1. Rule 1 is subject to exceptions, however, particularly if there is a conflict with Rules 2, 3 or 4. Rule 9 is the converse of Rule 8. Rule 9 is also a general rule, like Rule 8. But it is a somewhat weaker rule than Rule 8. The later rules tend to be subject to more qualifications than the earlier rules. The hierarchy of the rules is that the earlier rules tend to be more general. For example, with respect to Rule 10, suppose that the author of a document has evidently had a change of heart, once he sees that the meaning he earlier intended could get him into trouble. In such a case, the author's newly stated preference for some new interpretation might be taken with a grain of salt. From such observations, it is possible to see how the rules, especially the later ones, just give a general presumption, and need to be applied to specific cases in light of the details of the case, to the extent these are known, or have been clearly determined by the evidence.

4. The Principle of Charity and the Gricean Cooperative Principle

Rule 2 seems to express something very close to what was identified above as the principle of charity. Rule 3 seems to be a special case of Rule 2, and thereby also seems to fall under the principle of charity. Rule 4 sounds very similar to the Gricean Cooperative Principle (CP). What is suggested is an interesting link not only between the ten rules and the principle of charity, but a connection between both of these and the Gricean framework of collaborative rules for goal-directed

conversation. But how should the principle of charity be formulated? Govier (1987) has not only clarified the principle of charity, but has also shown how it is based on the Gricean framework.

Govier (1987, p. 150) drew a distinction between strong and moderate versions of the principle of charity. The strong version of the principle of charity interprets an arguer as making "true or well-warranted claims even in the face of empirical evidence to the contrary" (p. 151). The moderate version "directs us not to interpret others as having made implausible claims or faulty inferences unless there is good empirical reason to do so." Govier (p. 150) sees the principle of charity as being derived from Grice's Cooperative Principle (CP), which says, "Make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged" (Grice, 1975, p. 67). Normally, the CP would be applied to a case where two participants are engaged in a type of dialogue like a critical discussion, where they are taking turns making moves in the dialogue exchange. However, in informal logic, a critic is working with a text of discourse like a newspaper article, and the author cannot reply to the critic's analysis. So it is not a real dialogue. However, much of what Grice writes pertains to interpreting utterances made by another party. Can the Gricean framework be extended to the kinds of cases of argument interpretation typically dealt with in informal logic?

Govier (1987, p.150) sees the principle of charity as falling under the CP, and thereby creating a presumption that, other things being equal, a fellow participant in argumentation should be seen as operating within the purpose of a talk exchange. What would the implications of charity be, then, with respect to the interpretation of ambiguous discourse? Govier (p. 150) writes : "If there is ambiguity in the discourse, and we can interpret it either as badly or as poorly reasoned, we will opt for the more sensible interpretation." According to Govier's view then, the basis for the principle of charity is not to be found in ethics or epistemology, but in the nature and purpose of the kind of collaborative conversation two parties are engaged in when arguing with each other. Presumably then, we can see the critic as engaged in a kind of at least partly collaborative dialogue with the arguer. The critic should try to be constructive, even though criticism involves an adversarial element as well. In a critical discussion, a participant must balance an advocacy role with a collaborative role. Otherwise the critical discussion is nothing more than a quarrel. So, too, for the critic. She must look for the weak points in the argument criticized. But she must not pick the interpretation of the argument that makes it look weaker when there is another equally plausible, or more plausible interpretation of an ambiguous term that would make the argument look stronger. For these reasons, Govier is justified in seeing the principle of charity as falling under the CP.

5. How to Apply the Rules

In legal cases, applying rules of interpretation to specific cases is complicated by many factors. For example, in interpreting insurance policies in cases where there is perceived to be an ambiguity in the contract, the burden of disproof of an interpretation is normally held to fall on the insurer. The reason for this apparently one-sided ruling is that the insured parties often do not understand the complicated wording of the policy they are signing, and the ruling is designed to protect them from the more powerful insurer (Rappaport, 1995). Argumentation used in arriving at a contract, according to the new dialectic (Walton, 1998), takes place in a type of dialogue called negotiation. Critical discussion, in the new dialectic, is classified as a subtype of persuasion dialogue.

The typical kind of case in which ambiguity is a problem in critical thinking or informal logic is more likely to involve persuasion dialogue rather than negotiation. In this kind of case, a critic is analyzing or evaluating argumentation in a natural language text of discourse, in which the purpose is to rationally persuade the listener or reader to accept a conclusion. While trying to analyze and evaluate the argumentation, the critic encounters an ambiguous term. The biggest hurdle is probably overcome once the ambiguity is recognized. But still, there is a problem in knowing how to proceed with the analysis and evaluation. Should the term in question be interpreted the one way or the other? Which of the two possible arguments should be taken to be expressed? The outcome will turn on the choice of meanings of the key term posed by the ambiguity.

The first point to be recognized is that such a choice need not be absolute, in many cases. You can analyze the text by showing that it could be interpreted in two different ways, and then evaluate the argumentation both ways. The job of the critic has already been carried out successfully once the ambiguity has been discovered. Then the two interpretations can be analyzed separately. But in many cases, that may not be the end of the problem, because the critic may want to continue to analyze a longer sequence of argumentation as it moves towards some ultimate conclusion in a longer text of discourse. Now a choice needs to be made. Which line of argumentation should be pursued, as the more likely choice, or the one that the arguer was probably (or more plausibly) committed to? It is at this point that the new dialectical rules can be useful. The rules don't absolutely dictate which meaning was meant, or must be taken to apply. They only create a presumption that yields a hypothesis on how to proceed with the analysis and evaluation, on a tentative basis, subject to further evidence coming into a case. Suppose for example that the rules suggest one interpretation, but then at some later point, the original proponent of the argument plausibly argues that the term should be taken to have a different meaning. It could quite well turn out to be the case that the best decision is to go along with what the proponent says is the interpretation that should be used. The key to applying the new dialectical rules successfully then is to recognize that none of them is absolute. In some cases, the interpretation

indicated by one rule may be different from the interpretation indicated by another rule. The rules only provide guidance as a way of proceeding with the analysis and evaluation of argumentation in a case by suggesting a plausible but tentative hypothesis on how to disambiguate.

The rules are also sensitive to the purpose of a type of dialogue in which the argumentation is supposed to be embedded. In dealing with ambiguity in a legal case, the problem of interpreting an ambiguous term in a legislative statute could be different from the kind of problem posed by a contract between a buyer and a seller containing an ambiguous term. In cases of interpreting a philosophical text, the purpose of the dialogue could be quite different from that of a legal case. In the case of a philosophical text, presumably the purpose of the discourse is to rationally persuade a reader of the text to accept a conclusion by offering rational arguments for that conclusion, based on premises the reader either accepts or can be gotten to accept by a sequence of reasoning. If the writer of the text is not present to dispute any interpretations that may be imposed on her writings, then the critic can only proceed by working with tentative hypotheses. Although the hypothesis is an abductive guess, or inference to the best explanation, it can nevertheless be a reasonable basis for proceeding with a particular line of explication.

6. Uses of the Rules

The new dialectical rules have many uses. They can be applied to legal argumentation, as well as many other kinds of argumentation in special contexts, like scientific and philosophical argumentation. As noted above, some of the cases cited in informal logic textbooks are in fact legal cases. But other interesting applications pertain to arguments of the kind often cited as cases for analysis and evaluation in informal logic textbooks. As applied to such cases, the rules offer a way of justifying tentative choices of interpretation when confronted with an ambiguous term, by citing evidence of the kind that is available from the text and context of discourse in a given case. In very short cases of examples of problematic or fallacious argumentation, where very little context is provided, and where the example is isolated from the larger text in which it appeared, the rules may be of less use, and the hypotheses they suggest will be more tentative and iffy. That should not be a surprise, however. Nor does it indicate a defect of the rules. The rules are contextual, and more of the rules will be applicable to the text of discourse in a given case when quite a bit about the context of the given argument is presented as part of the case. Even so, the rules are useful as applied to short cases, because they can be used to raise questions about a case, indicating that an evaluation of the argumentation in the case needs to be seen as hypothetical. What is shown is that many of the short examples used in logic textbooks are expressly picked out to illustrate some point. But such short examples often conceal many background factors that would need to be taken into account in any attempt to evaluate more realistic cases of argumentation.

Another application is to cases of interpretation of argumentation in a philosophical text. Here a particular argument allegedly containing an ambiguity may be singled out as the focus of analysis of the case. But typically in such cases, there are two sides to the case. The philosopher accused of equivocation can argue that either there is no real ambiguity, or that even if there is an ambiguity, it is not a basis for a charge of equivocation. Philosophers typically make stipulative and theoretical definitions of the terms they use in their arguments. They sometimes use abstruse language that is hard to interpret with any confidence. And a good deal of the surrounding context of the argument may be relevant to its interpretation and assessment. For example, the philosopher may have written several texts, and his use of words may be consistent from one text to the other, or may not be. It can be suggested that with analyses of longer case studies of this sort where ambiguity in philosophical argumentation is a problem, the ten rules would be useful for meta-philosophical studies of argumentation. But to try to apply the ten rules to this sort of case is too lengthy a project for this short paper. The project can be suggested for historians of philosophy and those engaged in work of analyzing and evaluating argumentation in philosophical texts.

There is one case that illustrates the extent and difficulty of tackling the analysis of cases of real philosophical argumentation. Frapolli (1992), in a closely argued paper, charged that a famous philosophical argument by Kripke, commits the fallacy of equivocation. Kripke argued, in two papers cited by Frapolli, that there are necessary *a posteriori* and contingent *a priori* truths. According to Frapolli (1992, p. 91), Kripke's arguments can be shown to rest on ambiguity in the terms used, and once these ambiguities have been recognized, Kripke's theses "turn out to be new and revolutionary but false, or else bland and trivial but true." Frapolli charged (p. 91) that the fallacy of equivocation occurs not just once in Kripke's argumentation, but "over and over again in Kripke's use of technical notions such as 'necessary' or '*a priori*,' and sometimes there are several equivocations interfering with one another." The evidence Frapolli uses to support this charge of equivocation comes not only from a close analysis and comparison of Kripke's writings, but also from what are taken to be the traditional meanings of these key terms in philosophy before Kripke. Frapolli's method is to compare evidence of how each of these key terms was used in different occurrences in the texts of Kripke's writings. In using this method, it can be argued that Frapolli is following Rule 1, which makes a previous occurrence of a term relevant. It can also be argued that at many places where Frapolli interprets the meaning of a term used in Kripkean text, he is following one of the ten dialectical rules for dealing with ambiguous terms.

Frapolli's argumentation in support of his claim that Kripke committed the fallacy of equivocation can be cited as one among many possibly interesting cases. Undoubtedly there are many other philosophical criticisms of equivocation turning on interpretation of a philosophical text that could be analyzed and evaluated to see whether and how the ten dialectical rules for dealing with ambiguous terms are

applicable. After searching through the *Philosopher's Index*, however, I found that many of the cases of this sort that can be identified by the key word 'ambiguity' are so complex and difficult in their own right, that they are not of much use to clearly indicate what rules for dealing with ambiguity are supposedly being used by the critic. For purpose of evaluating the ten rules, what seems to be best is a good balance between simple but not very realistic cases and complex but realistic cases where there are fairly strong arguments on both sides.

The short examples traditionally used to illustrate informal fallacies and other aspects of argumentation in the logic texts often do serve a legitimate explanatory function. But they often also leave a lot of questions open—especially questions about the context in which the selected argument was supposedly used. It has been argued that to get a better grasp of these matters, it would be good to complement the short examples with analyses of longer and more difficult passages of discourse (Walton, 1996). Some of the textbooks are now in fact doing this sort of thing (see, for example, Hurley, 1991, pp.164-182), but as one might expect, picking lengthy and difficult cases full of abstruse technical terminology would hardly serve the purpose of a critical thinking textbook that must be used with beginners. What we seem to need are more mid-range cases that are fairly realistic, but that are not so complex and controversial that we lose track of the forest for the trees. It is with this sort of mid-range case that the ten rules will probably prove to be most useful and straightforwardly applicable. When more cases of this sort become available, the ten rules can be tested and refined. For the moment, the ten rules provide a rallying point to serve as an incentive to collect and study cases of this sort.⁴

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Notes

- ¹ Not everyone will agree that ambiguity is a central problem for informal logic. But Powers (1995) has argued that equivocation, which arises from ambiguity, is the only real fallacy.
- ² These problems are dealt with throughout the whole of the book (Walton, 1996).
- ³ Further discussion of the conversational maxims required to deal with ambiguity in argumentation can be found in (Walton, 1996, pp. 265-269). A maxim of clarity is proposed.
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