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The Logic of Deep Disagreements

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The best evidence of the growing importance of the informal logic movement is the alarm it is causing in older and more conservative circles. Many think that something bad has happenned when truth tables, Gentzen rules for natural deduction, and multiply general propositions in prenex normal form are replaced by a mixed and inchoate system of techniques which, among other things, do not easily admit of machine grading.

Now the informal logic movement is certainly diverse and loose jointed, but one thing that holds it together is a strong pedagogical commitment. The fundamental task of logic in a college curriculum is to develop skills and techniques for the critical evaluation and coherent presentation of arguments. Negatively, it is held that formal logic, as it has commonly been taught, has not fulfilled this function. Of course, the disagreements here are not merely pedagogical. The philosophy of ordinary language still has its influence and, as a result, many still hold that the techniques of modern symbolic logic are inadequate to the richness, subtlety, and power of ordinary language. Its application distorts more than it illuminates. My own view, for what it is worth, is that the methods of formal logic can be profitably used to explicate such fundamental notions as validity, logical form, tautologies, contradictions, etc. These techniques are of little use in the direct evaluation of actual arguments beyond the simplest level of complexity. But this is not what I want to discuss.

At its most timid (and worst) informal logic amounts to little more than informal formal logic. It takes over the prejudices—usually the **deductivist** prejudices—of traditional logic and repeats them in a casual and inaccurate way. The idea persists, though people know better, that the only good argument is a good deductive argument. This is revealed in practice when it is assumed that an argument is no good if it resists our charitable efforts at recasting it as a sound deductive argument. Of course, given any argument that intuitively strikes us as sound, it's a snap to reconstruct it in a way that gives it the dignity of a deductively valid form. Simply introduce a conditional suppressed premise containing a conjunction of the stated premises as the antecedent and the conclusion as the consequent and **voilà** you have a deductively valid argument that can be no more objectionable than the argument you began with.

$$\begin{array}{l} r \\ \underline{s} \\ \therefore t \end{array} \qquad \text{becomes} \qquad \begin{array}{l} r \\ s \\ \underline{\text{If } r\&s, \text{ then } t} \\ t \end{array}$$

If the original argument strikes one as valid, there can, of course, be no objection to the truth of the introduced suppressed premise. (And you do not even get Lewis Carroll's problem of Achilles and the Tortoise, for having produced a valid argument, you can stop.)

Needless to say, a reconstruction of this kind is mere hand waving. Our goal in reconstruction is to ferret out those underlying principles that serve as the ground for our initial intuition that the argument is acceptable, and when the method of argumentative reconstruction is used in this way, there is much to be said in its favor. It often happens that when we surface those principles which seem to give an argument its backing, they turn out to be false, and we are thus forced to reject, or at least modify, our original argument. This is a useful procedure—the Socratic method applied to background principles rather than to definitions—but it is also a method that can easily be distorted by deductive chauvinism. To insist that any acceptable argument must admit of a reconstruction (free of the hand waving device noted above) revealing its deductive validity, presupposes the nonexistence of compelling inductive arguments. Again, to insist that our background principles be exceptionless—immune to all counterexamples however recherche—is to adopt a rationalist ideal and forget that many of our basic principles hold, not always, but, as Aristotle would say, only for the most part.

But I think that the chief danger of adopting a deductive model for all reasoning—even as an ideal—is that it yields skeptical consequences. The demand that in an acceptable argument the conclusion must be entailed by exceptionless premises yields the consequence that virtually all of those everyday arguments which seem perfectly adequate are, in fact, no good. In the short run, students find this discovery of almost universal irrationality arresting. Debunking has its charms. The long run effect is less salutary. If students become convinced that they can always find something wrong with any (non-trivial) argument presented to them, then the distinction between good arguments and bad arguments is subverted, and the whole enterprise of arguing seems to lose its point.

Indeed, a persistent problem in teaching logic is that we will turn our students into radical, if short-termed, skeptics. For example, students will often treat the notion of vagueness in such a way that all concepts without sharp boundaries are considered vague. I suppose that the notion can be used in this way, though I do not like it, but the upshot is often that the student dismisses as invalid all arguments employing concepts that admit of borderline cases. A similar problem arises with ambiguity, appeals to authority, slanting, and so on. Applied in an external and mechanical way, the standard fallacies do not do what they are supposed to do—distinguish good arguments from bad arguments—since all arguments turn out to be bad.

The answer to this, of course, is that the student must learn to analyze arguments in a way that is sensitive to the contexts in which they occur. A term in an argument may be vague, but the argument may not trade upon this vagueness. Or the vagueness may weaken the argument, though not in a serious way given its general intents and purposes. Finally, an argument may contain crucial terms that are **hopelessly** vague—a common and interesting expression which indicates that we really do not understand the range of application of such terms.

The above may sound like a platitude. I don't think that I have ever heard anyone come right out and say: "Ignore context; it doesn't matter." But turning to context represents an important departure from the standard way of looking at arguments. An argument is no longer thought of as merely a structure on propositions: one of which is designated as the conclusion, the others as premises presented in its behalf. An argument is produced by the activity of arguing and arguing is something people do. Furthermore, they do it for a wide variety of reasons, in an effort to achieve very different purposes. Toulmin was right in speaking about the **uses** of argument, not just the use of argument.

Here I want to examine a very simple case of using an argument (or giving reasons) to explain a bit of conduct. **A** is asked why he is taking a particular road and he responds, "I want to pick up the fish last." We can imagine this being a conclusive reply. On the other hand, it might be met with the rejoinder, "No, go to the Grand Union last; I don't want the ice cream to melt." This too might be conclusive. But things could also become complicated. **A** might point out that the traffic that way is horrible this time of day, and it would be better to wait a bit to let it clear out. And he might be crushed by the reply "Today is Saturday." People being what they are, we can even imagine this discussion becoming quite heated.

I wish to dignify this vignette drawn from suburban life with a Kantian question: how is such an argument possible? The answer (or part of the answer) is that the parties to the conversation share a great many beliefs and (if this is different) a great many preferences. They share a detailed knowledge of local geography, preferences for frozen ice cream over melted ice cream and fresh fish over stinking fish, etc. An important feature of these shared beliefs and preferences is that they lie in the background, unmentioned. They guide the discussion, but they are not the subject of it. (Except occasionally: "You don't want rotten fish, do you?") They provide the framework or the structure within which **reasons can be marshaled**, where marshaling reasons is typically a matter of citing facts that others already know or of arranging facts in a way that their significance becomes clear. This is a high level enterprise, one that rests upon the thick sedimentary layer of the unchallenged.

I shall say that an argument, or better, an **argumentative exchange** is **normal** when it takes place within a context of **broadly** shared beliefs and preferences. I shall further insist that for an argumentative exchange to be normal, there must exist shared procedures for resolving disagreements. People often disagree over simple questions of fact, but, in general, they agree on the method for resolving their disagreement. If you think that Rod Carew hit more triples last year than George Brett, we can simply look it up. If the record book does not convince you, then it's a waste of time talking to you.

This last point has sytematic importance. Record books have a privileged status in discussions of past athletic achievements. They can, of course, contain mistakes and it is possible to show this. But if someone raised general objections to relying on official record books ("What makes you think you can trust them?"), the challenge would be so bizarre that we would dismiss it rather than attempting to answer it. We can imagine a world where baseball record books are systematically distorted without the players themselves uttering a peep. There is, however, no reason to suppose that our world is anything like this imagined world. Indeed, the reliability of official record books is assumed as part of the framework in which discussions of this kind take place.

These reflections bring me to the following thesis: the language of argument, including the language of argumentative assessment, has its primary application in the context of a normal or near normal argumentative exchanges. A claim that something shows (or proves) something else is much like a knowledge claim. In **On Certainty**, Wittgenstein remarks that "one says 'I know' when one is ready to give compelling ground. 'I know' relates to a possibility of demonstrating the truth" (#243). Arguing is the process of producing these compelling grounds. But to be compelling, grounds must be true or at least thought to be true and, together with other accepted propositions, lend adequate support to the claim to be established. Thus arguing, i.e., engaging in an argumentative exchange, presupposes a background of shared commitments. More Wittgenstein:

> 341. That is to say, the **questions** that we raise and our **doubts** depend on the fact that some propositions are exempt from doubt, are as it were like hinges on which those turn.
> 342. That is to say, it belongs to the logic of our scientific investigations that certain things are **in deed** not doubted.

And more famously:

> 344. My **life** consists in my being content to accept many things.

The possibility of arguments, the possibility of a genuine argumentative exchange, depends, I am suggesting, on the fact that together **we** accept many things.

But if arguments presuppose this rich background of agreement, how does disagreement even arise, and what job is left for argument to do? One obvious answer is that people involved in an argumentative exchange often have an interest in the way the argument is resolved. Arguing, like other human activities, is subject to abuse. Arguing is also a complex activity. It is a skill, something that people can do well or badly. Indeed, as Hume saw long ago (in his discussion of "Unphilosophical Probability" in the **Treatise**) and as cognitive psychologists have recently rediscovered, 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. (This is particularly true of inductive inferences where, for example, the tendency for hasty and unfounded generalization seems to be hardwired into the human brain.)

Now, as Michael Scriven has insisted, our orindary non-technical language contains a rich system of critical tools for correcting and assessing arguments. I think that he is right, but he tends to concentrate upon the more civilized part of this vocabulary. I think that some of the cruder argumentative devices are also interesting. Suppose, for example, that I accuse someone of being pig-headed. This is not a generous thing to say, but it is not a free floating insult either. To call someone pig-headed is to make quite a specific charge: he continues to cling to a position despite the fact that compelling reasons have been brought against it. But compelling to whom? We are saying that they ought to be compelling for **him**, or else it wouldn't be right to call him pig-headed. He knows that they are true and in other, less interested, contexts would recognize their force.

Again, consider the claim that someone is biased. The person I accuse of bias has a right to ask "How am I biased?" Here the burden falls upon me to show that he has willfully suppressed certain facts that support the side of the issue he opposes or that he has suppressed facts that bear against his own position. Now the point that I am trying to make is that charges of bias and pig-headedness only make sense in a normal (or near normal) argumentative context, for in each case an appeal is made to common ground. And I want to make this claim generally: the significance of all of our argumentative devices is internal to normal (or near normal) argumentative contexts. To use a Wittgensteinian notion, our argumentative words are odd-job words; they have very special functions that come into existence only when words with regular functions are already in place.

II

These ruminations bring me, at last, to the central question of this paper: what happens to arguments when the context is neither normal nor nearly normal? The asnwer that seems forced upon us is this: to the extent that the argumentative context becomes less normal, argument, to that extent, become impossible. This is not the weak claim that in such contexts arguments cannot be settled. It is the stronger claim that the conditions for argument do not exist. The language of argument may persist, but it becomes pointless since it makes an appeal to something that does not exist: a shared background of beliefs and preferences. Here I wish to speak about **deep disagreements**. My thesis, or rather Wittgenstein's thesis, is that deep disagreements cannot be resolved through the use of argument, for they undercut the conditions essential to arguing.

What is a deep disagreement? First let me say what I don't mean by this notion. A disagreement can be intense without being deep. A disagreement can also be unresolvable without being deep. I can argue myself blue in the face trying to convince you of something without succeeding. The explanation might be that one of us is dense or pig-headed. And this is a matter that could be established beyond doubt to, say, an impartial spectator. But we get a very different sort of disagreement when it proceeds from a clash in underlying principles. Under these circumstances, the parties may be unbiased, free of prejudice, consistent, coherent, precise and rigorous, yet still disagree. And disagree profoundly, not just marginally. Now when I speak about underlying principles, I am thinking about what others (Putnam) have called framework propositions or what Wittgenstein was inclined to call rules. We get a deep disagreement when the argument is generated by a clash of framework propositions.

An example may help. A distinctive feature of the informal logic movement is the replacement of artificial cooked-up arguments by genuine arguments that are complex and pressing. The morality of abortion has been a favorite topic. First of all, arguments on both sides of this issue can be subjected to normal criticism, i.e., criticisms that ought to be accepted unless the arguer is biased, pig-headed, etc. An argument on any subject can be question begging, biased, slanted, vague, and so on. It is characteristic of deep disagreements that they persist even when normal criticisms have been answered. Another feature of deep disagreements is that they are immune to appeals to facts. Parties on opposite sides of the abortion debate can agree on a wide range of biological facts—when the heartbeat begins in the fetus, when brain waves first appear, when viability occurs, etc.—yet continue to disagree on the moral issue. Their disagreement can even survive a general agreement on moral issues: for example, on the sanctity of human life, for the central issue of the abortion debate is the moral status of the fetus and that cannot be settled by an appeal to biological facts or by citing moral principles already limited to moral agents or patients.

Here the following diagnosis of the situation is tempting. What I have called deep disagreements are generated by conflicts between framework propositions. They remain recalcitrant to adjudication because the sources of the disagreement—the framework propositions—are allowed to lie in the background, working at a distance. The way to put the debate on a rational basis is surface these background propositions and then discuss them directly.

This sounds attractive until we consider what such a discussion would look like in detail. On the one side someone will hold that at conception, or to be delicate, very shortly after conception, an immortal soul enters into the fertilized egg, and with this, personhood is attained. Why should one believe anything like this? Well, this is part of a wider tradition, grounded in revelation, and sustained and deepened by faith. I don't know how well I am doing in representing this position, my heart is not really in it, but the point that I am trying to make is that when we inquire into the source of a deep disagreement, we do not simply find isolated propositions ("The fetus is a person."), but instead a whole system of mutually supporting propositions (and paradigms, models, styles of acting and thinking) that constitute, if I may use the phrase, a form of life.

I think that the notion of a form of life is dangerous, especially when used in the singular. We do better to say that a person participates in a variety of forms of life that overlap and criss-cross in a variety of ways. Some of these forms of life have little to do with others. This explains why we can enter into discussions and reasonable arguments over a wide range of subjects with a person who believes, as we think, things that are perfectly mad, e.g., that concern with conserving natural resources is impious, since it denies the imminence of the second coming. But if a person believes that, can we trust him on any subject? The answer might be yes. He might, for example, be an expert on short-term lease options.

So I don't want to exaggerate. Claiming that deep disagreements exist does not mean that they are common. And again, a disagreement can be heated without being deep. But if deep disagreements can arise, what rational procedures can be used for their resolution? The drift of this discussion leads to the answer NONE. Since these ideas come from Wittgenstein, let me cite his very words. Toward the end of **On Certainty** the following series of paragraphs occurs:

> 608. Is it wrong for me to be guided in my actions by the propositions of physics? Am I to say I have no good ground for doing so? Isn't precisely this what we call a 'good ground'?
> 609. Suppose we met people who did not regard that as a telling reason. Now, how do we imagine this? Instead of the physicist, they consult an oracle. (And for that we consider them primitive.) Is it wrong for them to consult an oracle and be guided by it?—If we call this "wrong" aren't we using our language-game as a base from which to **combat** theirs?
> 610. And are we right or wrong to combat it? Of course there are all sorts of slogans which weill be used to support our proceedings.
> 611. Where two principles really do meet which cannot be reconciled with one another, then each man declares the other a fool and heretic.
> 612. I said I would 'combat' the other man—but wouldn't I give him **reasons**? Certainly; but how far do they go? At the end of reasons comes **persuasion.** (Think what happens when missionaries convert natives.)

If we turn back now to the informal logic movement, we will discover that it has not dodged deep disagreements. Indeed, it has seized upon them with zest. And sometimes, at least, works in informal logic give the impression that they possess the resources to resolve such disagreements. With Wittgenstein I am skeptical of such claims. To illustrate this, I shall consider one case of a deep disagreement, the dispute over affirmative action quotas, so-called 'reverse discrimination' quotas.

As informal logicians, we can say a great deal about the surface features of this debate. We can point out, for example, that the phrase 'reverse discrimination' is tendentious. Indeed, there may be any number of things that we might say about the coherence and forcefulness of arguments on each side of the issue. Down deep, however, those who are opposed to affirmative action quotas have a very strong argument on their side. It is a fairness argument. Affirmative action quotas are both overinclusive and underinclusive with respect to their distribution of benefits. Many who profit from such quotas have not themselves been subjected to prejudice, nor are they placed at any disadvantage because of prejudice. At the same time, many who have suffered from prejudice and are disadvantaged because of this will not receive similar benefits simply because they are not in the class covered by the affirmative action program. More troublesome still, affirmative action quotas are both underinclusive and overinclusive with respect to the burdens they impose. Many who have benefited from past discrimination are not burdened with the costs of rectification and, worse yet, many individuals who demonstrably have not profited from past discrimination are so burdened. Finally, these bad fits, as they are called, cannot be written off as minor and unavoidable administrative slippage. Not only are affirmative action quotas unfair, they are significantly and avoidably unfair.

Of course, the above argument could be made stronger, for example by citing appropriate statistics, and, needless to say, certain of its factual premises can be challenged. Here I wish to consider quite a different response that does not, or at least need not, challenge any of the factual claims in the above argument. It takes the following form. The prejudice we are considering, for example, against minorities, was not directed against them as individuals, but as members of a particular group. It isn't this way: as it turns out, a great many people who have been subjected to racial prejudice happen to be black; rather people were subjected to prejudice **because** they were black. Furthermore, they were subjected to prejudice by an identifiable group: the ruling white majority. Prejudice, and its attendant disadvantages, has been a group phenomenon. The demand for rectification, then, is not the claim of one individual against another, but the claim of one group against another. That the black minority has a just claim against the white majority is amply born out by an historical record and by statistics that no one denies.

I want to say that we are here dealing with a deep disagreement because the parties on both sides might agree on all historical and statistical matters, but still disagree. The dispute is, in fact, one concerning **moral standing**. (In this way it is like disputes concerning abortion, and this may explain, at least in part, its intractability.) The anti-quota argument rests on the assumption that only individuals have moral claims. The pro-quota argument rests upon the assumption that social groups can have moral claims against other social groups. But the word 'assumption' is too weak. The arguments on each side are carried on within the framework of such commitments. Is there any way of adjudicating a clash of this kind? I confess that I do not see how.

III

When the Pythagoreans discovered the irrationality of the square root of two, they swore themselves to secrecy —or so the story goes. Perhaps we should adopt the same strategy, with respect to deep disagreements. Our enterprise depends, at least in part, on the assumption that earnest clear thinking can resolve fundamental issues. But if in the end, and sometimes the end is very near, we have to fall back on persuasion, what's so bad about using these techniques right from the start? There is an answer to this. In the context of a normal argument, people claim to be invoking mutually acceptable grounds, and they can be held responsible for this claim. Still, what shall we say about deep disagreements? We can insist that not every disagreement is deep, that even with deep disagreements, people can argue well or badly. In the end, however, we should tell the truth: there are disagreements, sometimes on important issues, which by their nature, are not subject to rational resolution.

Note

The passages from Wittgenstein's **On Certainty**, are from the edition edited by G.E.M. Anscombe and G.H. von Wright, translated by Denis Paul and G.E.M. Anscombe, J & J Harper, New York and Evanston, 1969.

It has been my experience that everyone sees some force in those arguments against affirmative action quotas that appeal to the rights of individuals. Many, however, see little force in the counter-argument with its appeal to the rights of groups. For an articulate presentation of this second standpoint, see Owen M. Fiss's "Groups and the Equal Protection Clause", in **Equality and Preferential Treatment**, edited by Marshal Cohen, Thomas Nagel, and Thomas Scanlon, Princeton University Press, Princeton, 1977. This reader presents a collection of forceful statements on both sides of this issue.

In this essay I have concentrated on the deep disagreements that arise because of conflicts between belief structures. Deep disagreements can also arise because of differences in preference scales. Needless to say, belief structures and preference scales are interrelated in important ways and for this reason deep disagreements are certainly more complex (and perhaps even more intractable) than here indicated. □

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