

# Précis of *The Concept of Argument, A Philosophical Foundation*

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**Abstract:** The theoretical labor carried out over the past half-century in the field of argumentation theory has become so rich, heterogenous, and controversial by now that there is an urgent need for a philosophically reflected foundation. The present book attempts to deliver such a basis using, in particular, elements of dialectics (Plato, Hegel) and pragmatism (Peirce, Dingler, Lorenzen). It approaches argumentation against the background of the *conditio humana*: as the medium of maintaining and improving orientation for all aspects of life. This perspective is more abstract than the usual way of addressing argument as a specific way of persuasive communication. However, that abstract philosophical perspective allows, on a concrete level, a more realistic theorization of the practice of argument. Thus, it exhibits some significant new traits, mainly concerning its subjective and its dynamic side.

**Résumé:** Le travail théorique réalisé au cours du dernier demi-siècle dans le domaine de la théorie de l'argumentation est devenu maintenant si riche, hétérogène et controversé qu'il existe un besoin urgent d'un fondement philosophique réfléchi. Le livre actuel tente de fournir une telle base en utilisant notamment des éléments de la dialectique (Platon, Hegel) et du pragmatisme (Peirce, Dingler, Lorenzen). Il s'approche de l'argumentation dans le contexte de la condition humaine: le moyen de maintenir et d'améliorer l'orientation dans tous les aspects de la vie. Cette perspective est plus abstraite que la façon habituelle de traiter l'argument comme moyen spécifique de communication persuasive. Cependant, cette perspective philosophique abstraite permet, sur un plan concret, une théorisation plus réaliste de la pratique de l'argumentation. Ainsi, elle présente des nouveaux traits importants, principalement en ce qui concerne l'aspect subjectif et dynamique de cette pratique.

**Keywords:** argument, frame, thetic theory, Wohlrapp

The primary goal of argumentation is to assess the *validity* of *theses*. The term 'validity' designates the epistemic quality of a sufficiently justified thesis. (The word 'validity' is a translation of the German 'Gültigkeit' and was chosen—despite its different

meaning in logic—because it had already been used in this sense in the English translation of Habermas’s works). *Theses* are primarily understood as candidates for *new orientations*. While it is true that they are also sentences, propositions, speech acts, proposals for communication, etc., these qualities are taken as secondary. Their essential function emerges only against the background of a seriously pragmatic conception of theory (Chapter 1.3). According to such a conception, theory is ultimately linked to *praxis*, viz. a practice that exhibits a know-how or *competence* in a sphere of connected actions. The achievement of theory in a practice is to provide *orientation*. “Orientation” is a basic concept of argumentation theory. The term refers to appropriate patterns of attentiveness on which we depend in all manifestations of life. The need for orientation is common among animals. We humans, however, settle it in symbolic forms, in language, thought, and theory, thus achieving our capacity for freedom of action.

An orientation is “new” if it exceeds previous orientations, especially if it compensates for existing gaps or deficiencies in orientation. The quest for new orientation is *research* (not only in a scientific sense, but also concerning the praxis of life). Raising a validity claim by presenting a thesis is equivalent to claiming that the thesis is suitable as a (new) orientation (Chapter 2). If that claim can be satisfied, i.e., if the thesis is found *valid*, it is going to be *realized* (at least by those who find it plausible). Realizing it means incorporating it into actions, which are then transformed by the new orientation into innovative research activities and, in consequence, cause changes in reality. The extent of the validity of a thesis becomes apparent only in realization.

The pragmatic concept of theory allows for the definition of two different theoretical modes, called *epistemic* and *thetic* theory (viz. old and new theory). “Epistemic theory” is the title for what is already “assumed” in arguing. The term refers to the stable, but nevertheless transitory and subjectively imprinted building blocks that regularly occur in arguments. Thus, epistemic theory appears in defined terms and valid inference schemes, but also in more or less established systems of propositions, norms, and rules.

Furthermore, this concept of epistemic theory can be used as a basis for constructing, by way of appropriate accentuations, pragmatic concepts of *knowledge* and *truth*, which are particularly apt for argumentation theory that is anxious to avoid any metaphysical or ontological presuppositions. Hence knowledge is defined as (provisionally) closed theory whose

acceptance shapes reality; and truth is what can be derived from knowledge. In the vein of these ideas a notion of knowledge as a mental state ( $x$  knows  $p$ ), which allows for a circumvention of the Gettier problems, is also available (Chapter 1.6).

“Thetic theory”, in turn, refers to theory which is not yet assumed or established but creatively constructed beyond epistemic theory in order to bridge existing gaps in orientation. At the top of such a thetic structure is the *thesis*. Arguing that is understood in a seriously pragmatic way is no mere speech activity aiming to make opinions acceptable to an audience; rather, it is the theoretical or theory-forming level that can be found in research of all kinds—whether triggered by the smallest irritations in everyday life or the largest and deepest questions ever posed by human beings (Chapter 2.4). A detailed example of how epistemic and thetic theory interact is presented in the very argument that Columbus had exposed to the committee of the Spanish kings for getting his expedition to India financed (Chapter 2.5).

Arguing is fundamentally dialogical, in the sense that its full performance requires critical attention. In solitary reasoning (viz., reading of argumentative texts) this attention is taken over by the arguer him- or herself, and in the usual communicative setting by a dialogue partner, whose task is the critical supervision of the steps of the thetic construction that surrounds the thesis. Two directions are pursued, “upwards” and “downwards”. In the upward direction the thesis is being supported, i.e., appropriate theory is built up and stabilized, whereas in the downward direction it is weakened, which amounts to a dismantling and breaking down of the thetic construction.

The practice of argumentation consists of numerous different verbal and non-verbal activities. The theorist must not be drowned in the varieties of occurring behavior (Chapter 4.6.1) and, at the same time, stay receptive to the salient action types, whose interacting and interlocking constitute the practice. Basically three types of operations are to be distinguished: Asserting, justifying, and criticizing (Chapter 4.2–4.4). An *assertion* is the positing of a thesis. Arguments that are meant to justify or to criticize a thesis (or another argument) are called *reasons* and *objections*. They will mobilize epistemic and/or thetic theory. However, any strength and stability of an argument that can be achieved refers back to epistemic theory. Ultimately, then, it is the link to practically experienced certainties that can furnish arguments with solidity and reliability.

The second basic operation is justifying. A *justification* attempts to demonstrate the thesis' ability to close the underlying orientation gap. This is done by reconstructing its content as far as possible with the help of epistemic theory. Formally, a justification is a sequence or network of beginnings, inferences and, frequently, also intermediate theses. It develops only partially in formal deductive steps. On the whole, the attempt to justify a thesis sets up a constructive, methodically-ordered system. The usual view of certain propositions, functioning as "premises" that are connected by logical or quasi-logical operators, enshrines the concept of justification into a logicistic frame. In real argument, justifications can start with references to practical competences and they can contain, besides the well-known formal and informal argument schemes, operative, reflective, and abstractive steps, whose appraisal requires a close understanding of the respective issues.

The role of the opponent consists in constantly controlling whether these steps build on each other and finally construct the overall thesis. Where appropriate, objections must be raised. Raising an objection deploys the third basic operation, called *criticizing*. Criticism can appear in a variety of guises. Its basic function is advancing the claim that the thesis is not attainable through the present step or that this step is not feasible at all. There are two main sorts of criticism, doubt (missing theoretical link) and contradiction (incompatibility with available theories).

Dialogical control has a second aspect, which is related to subjective contents. As a rule, arguments (or their theoretical bases) are usually shaped by subjectivity viz. subject-specific perspectives. Traditional argumentation theory widely ignores this trait. The present book, in applying again the concept of orientation, deploys subjectivity in the shape of an *orientation system* (Chapter 3.3). It consists of all kinds of theories that have been accepted or generated in the previous course of a person's life and that now shape their habitual ways of perceiving, thinking, wanting—and, of course, also of arguing. The usual notion of a "belief system" had to be differentiated and pragmatically accentuated in order to make its role in the practice of argument more transparent. The orientation system exhibits several layers of importance and it is a dynamic system whose evolution closely interacts with the development of the specific subject. This view offers an understanding of why certain persons may have difficulties in understanding and/or accepting certain arguments, whereas others do not. At the same time, the process character of the orientation system allows, in principle, for changes in people's point of view and thus for



their fundamental openness to arguments.

In order to theorize the appearance of subjectivity in argument the concept of a *frame structure* is taken up (from Bateson, Heidegger, and Wittgenstein). A frame is a (frequently latent) classification for seeing a certain issue. It determines the apparent options for describing it and very likely excludes other options. To see a car in the frame of ‘means of transportation’ prompts us to speak about it in terms of its capacity and ease of operation, maybe also regarding the cost of maintaining it. It does not suggest any talk about its ecological or even its aesthetic qualities. The difference of subjective views on issues are then theorized with the help of the concept of *frames* and frame differences. (Chapter 5.)

In argumentation, frame differences can lead to heterogenous constellations. In extreme cases an argument may be found to be right in one frame and wrong in another. Overcoming and reconciling frame differences is a major problem for which traditional argumentation theory offers no tools. The present book describes four strategies which might pave the way for tackling this problem. These are: criticizing frames, ranking frames, harmonizing frames, and synthesizing frames. Two extensive examples (an episode from Mark Twain’s tales about Tom Sawyer and a debate from the trial against the French king Louis XVI during the revolution) are provided to demonstrate the characteristics and the applicability of the concept of frames for the theorization of subjectivity in arguments. (Chapter 5.)

Argumentative processes can reach a considerable degree of complexity. In order to achieve some general transparency, two pairs of dimensions are distinguished: a subjective vs. a material dimension and a structural vs. a process dimension (Chapter 6.2). The first of these pairs has already been addressed in the considerations about subjectivity and frame. The second pair contains a theoretical novelty. Usually argumentation is grasped in a static manner, exposing structures of propositional relations, sometimes of dialogue games. The present book adds a dimension for representing the emergence and development of arguments. By contrast to the *inferential structure* (which refers to the structural dimension), this process dimension is called *discussion*. It allows for the development (and exemplification) of the concept of a *successor thesis*, which signifies a thesis that is modified in response to the contributions of the dialogue partner. With the help of these four dimensions, the usual *linear* pattern of argumentation can now be extended. *Retroflexive argumentation* is a pattern in which the theoretical basis of the

arguments is not stable (as in the usual derivations from premises and inference schemes to a conclusion) but is enriched and/or developed under the requirement of a justifiable conclusion. This leads to a more complex relation of support. Premises do not only support the conclusions, but the selection of conclusions also supports the selection of appropriate premises. The retroflexive pattern is able to elucidate some important traits of the Pro- and Contra Argumentation and is therefore a candidate for replacing the enigmatic conception of a “Conductive Argument”. This is shown with illustrations of some examples taken from the literature about that type of argument (Chapter 6.4).

The center of this approach is the concept of *argumentative validity* (Chapter 7). It has two sides, a subjective or motivational side and an objective or criterial one. The subjective side of validity consists in the *insight* which a justified thesis provides into how the underlying orientation gap is closed, the *quaestio* answered, the problem solved. Insight, however, is no more than a mental state of a subject. It can motivate someone to accept the thesis and its potential integration into an orientation system; but it implies no warranty of reliability or rationality (Chapter 7.2). Traditional rhetoric, attempting assent or acceptance of theses, deals (at best) with this subjective side of validity.

The criterial side refers to a specific *state of arguments* around the thesis, characterized by an *absence of open objections*. This criterion is independent of any audience’s assent. It mobilizes the theoretical basis, viz. the epistemological content of arguments (Chapter 7.3). Whether or not the criterion obtains is the result of an appraisal, performed in three steps: internal, advanced internal, and intervening determination (Chapter 7.4). Thus, validity, in this sense, is not an intrinsic quality of a certain thesis, but refers to a state of arguments for and/or against it. Hence its availability can change with the emergence of new arguments.

Despite this volatility, however, validity is not a relativistic concept. Rather it suggests a universalist tendency which is displayed in the *open forum of arguments* (Chapter 7.5). This theoretical construction combines the focus on the quality of arguments with the fact that relevant arguments can increase not only contingently but notably with the improvement of practical competences and experiences. The reference to the “open forum” bestows a characteristic midrange reliability—between futile opinion and established knowledge—on the results of argumentation. Finally, the concept of argumentative

validity as the kernel of this philosophical foundation is not simply proposed and explained but also scrutinizingly justified against other views of universality (such as the “Universal Audience”, the “Ultimate Opinion” and the “Ideal Speech Situation”) (Chapter 7.7).

The theoretical apparatus developed so far is then tested and exemplified through an elaborate analysis of a sample of real argumentative praxis, taken from a journal discussion about the status of the human embryo (Chapter 8). In preparation, the problem of interpretation is discussed and brought to the solution that argument analysis has to be performed not from an observer’s but from a participant’s perspective. (*Principle of reflected participant’s perspective*, Chapter 8.2.) The analysis that is delivered here, arranges the material (some three pages long) into five rounds, showing meticulously (in 30 pages) the interaction of acts of positing theses, of attempts to justify, to criticise, to modify theses, add connector theses, as well as the oscillation of the subjective perspectives that are epitomised in the submitted arguments. Even a final judgement about whose thesis is valid so far (i.e., assessed on the basis of the achieved state of arguments) is produced and justified (Chapter 8.3).

The final two chapters of the book (Chapters 9 and 10) are concerned with the philosophical grammar of argumentation. Argumentation has an intrinsically reflective structure. It is not only concerned with theses and arguments (on the ground-level) but simultaneously posits a certain theoretical design (on the meta-level). Anyone who presents an argument also makes the claim that it is—in a certain sense—a good or a valid argument, or at least that it is an argument at all. (Chapter 9). Even if this is frequently implicit, it becomes apparent as soon as controversies about the meaning of an utterance or of its argumentative function appear. On a general level, this concerns the *constitution problem* which has only very rarely been addressed in contemporary theories of argument (an exception is the Amsterdam “pragma-dialectic” approach).

“Constitution” is a term for the basic way in which something has become accessible at all, e.g., the spatio-temporal constitution of physical objects. Due to its reflective structure, argumentation is not constituted like any other empirical object in the social interactive sphere (e.g., acts of purchase or marriage rituals). It has to be approached and theorized in a self-reflective attitude (with reference to questions like: what do we do when we engage in arguments; which aims are we pursuing, and in what ways; how can we justify our views on argument with regard to its role and function in life?). As soon as

argumentation is recognized in its role of maintaining and improving orientation, the arguments' theoretical basis and its advancement become crucial. With regard to the epistemological qualities, it is apparent that argumentation can vary considerably in degrees of solidity and reliability. Three stages are described: natural, scientific, and philosophical argumentation (Chapter 9.6).

At the very end, the all-encompassing rationality or reasonableness of argumentation is addressed (Chapter 10). It is insisted that the concept of reason in argument must be always kept open for new reflection; and that arguers must be prepared for the advancement of their standpoints and positions, theories and worldviews—down to the most foregone metaphysical assumptions. The usual way of determining rationality via certain criteria is to be rejected. Criterial rationality is one-dimensional and cannot do justice to the reflective twofoldness, viz. the dialectical character of argumentation.

The idea of reason in argument is finally epitomised by way of Paul Lorenzen's *principle of transsubjectivity*. Transsubjectivity is different from intersubjectivity, the latter being either a disregard for any subjectivity at all or an acknowledgment of the actual states of subjectivity. Transsubjectivity, by contrast, is an attitude of willingness to put one's subjectivity (one's orientation system) always up for new consideration—in particular in the wake of an objection which has been brought forward by a dialogue partner. This comprises, on the one hand, the act of self-distanciation and, on the other hand, a very specific recognition of the other human being. The transsubjective attitude is ultimately grounded in *deep trust*, trust in human reason as being able to cope with the world. As deep trust is not rooted in knowledge but in faith, this conception of reason in argument is compatible with any (non-dogmatic) religious consciousness (Chapter 10.4).

Argumentation, thus construed, is obviously more than a particular kind of communicative activity. It is the medium of the always unfinished human struggle for reliable orientation and reasonable self-determination in all spheres, i.e., in ordinary life, in politics, business, law, science, art, religion, and philosophy. This medium deserves to be carefully thought through from the beginning, over and over again.