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# Agreement and Argumentation

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## ***I. Preliminaries***

Although they appeal to the notion of “public reason” with increasing frequency, social and political philosophers have devoted little attention to the notion that lay at its core, namely, that of “agreement.” As a result, many theories of public reason are incomplete and unhelpfully abstract, for without some insight into the difficulties we face in defining and securing “agreement,” those theories cannot show us how to translate their prescriptions into practical reality. Fortunately, argumentation theory has been home to some careful studies of agreement, and in this paper I develop some of its insights in ways which may be helpful to those concerned with public reason and related subjects.

The idea of agreement may appear to be uncomplicated, and this may account for its relative neglect. If you and I both assent to “The sky is blue,” then we agree. It is probably possible to cast *any* agreement as simple joint assent to a proposition. For example, if I decide to hand over my wallet to an armed robber, both the robber and I might be said to assent to the proposition, “Chris will hand over his wallet,” or “Chris will follow instructions,” or any number of other propositions which capture the gist of the situation. But this paradigm of joint assent to a proposition distorts the nature of the “agreement” in this example, and it belies the complexity and significance of agreement in everyday discourse and interaction. If we want to get a better picture of what agreement involves and why it can be so difficult to achieve, we need to keep in mind that many different things can count as agreement, and many motivations lead us to seek it. The multifaceted nature of agreement is evidenced by the way we talk about it. After all, one can “agree” a) *that* something is the case, b) *to do* so-and-so, c) *with* someone else or some statement, d) *on* a coordinated plan of action, and so on. When we reach an agreement we say that we “came to an understanding,” and when we are in agreement we say that we are “of one mind.” It certainly looks as if there’s more going on here than assent to propositions.

Agreement is sometimes an accident, sometimes a hard-won prize, but it is almost never a bad thing. We sometimes resign ourselves to disagreement, but we rarely aim for it. Agreement is both a social good and a theoretical ideal. So instead of examining the concept of agreement completely apart from any context, I will try to see what we can learn about it in the context of the struggles we experience in trying to achieve it.

## ***II. Frustrated Agreement***

Among the many ways that attempts to reach agreement can go wrong, I want to focus on two common kinds of situations. In the first kind of situation we ostensibly “agree,” yet we fail to enjoy some (or all) of the benefits which we expect agreement to bring. The second kind of case is a sort of converse of the first—we cannot bring ourselves to agree on something, even though we apparently agree on everything else that seems relevant. Consider two examples of the first sort:

- 1) Minutes after making each other's acquaintance in a dentist's waiting room, Jane and Sarah have a chance, disjointed, but sincere conversation in which they agree that it is wrong to be cruel to animals. A few moments later Jane is shocked and troubled to learn that Sarah is an avid duck hunter.
- 2) The faculty at a small college unanimously agrees to scrap its required core course called "Western Civilization" in favor of a more inclusive course to be called, "Foundations of World Civilizations." As the planning for the new course proceeds, however, the faculty cannot seem to reach any consensus at all about any of the specific content of the course. This continues to cause confusion and even contentious debates, for months after the initial decision.

And here are two examples of the second sort:

- 3) Mary and Sue cannot come to an agreement about the moral permissibility of abortion in cases of rape, even though they are both against abortion in other cases, both have strong and similar religious beliefs, and so on.
- 4) The five members of the Smith family cannot agree on a vacation site, even though they agree on how long their vacation should last, how much it should cost, even what activities it should include. Three Smiths want to go to Baja California, while the other two want to go to the Florida Keys. Whenever one of the Smiths offers a reason for going to the destination of her choice, no one objects, but on the other hand, no one sees anyone else's reasons as telling against her own choice.

When agreement doesn't seem to work out well in either of these two ways, it can be difficult to figure out what's wrong, much less how to overcome the problem. And no one diagnosis (or prescription) will fit every case. But we can begin to get a better handle on things if we recognize that the propositions on which we come to agree or disagree are only part, perhaps a small part, of what is usually at issue. Michael Gilbert (1999) suggests that the propositions or claims which are the objects of our attempts to reach agreement really represent whole complexes.

When we seek agreement it is typically with a *position and not a proposition*. That which is usually identified as the 'claim' or 'standpoint' is not so much what the argument is about as it is an icon or representative for a complex of beliefs, attitudes, and goals.

On Gilbert's view it is not at all unlikely that you and I assent to a particular claim even though our positions differ substantially. So it is useful to think of "agreement" as a measure of the degree to which our positions overlap. We can assent to the same proposition even though we disagree in important ways. By the same token, our positions may overlap quite a bit, evidencing significant agreement, even though we cannot come to settle on a related, particular claim. I suggest that these two scenarios account for the two sets of difficulties mentioned above, and I will say more about that below.

According to Gilbert, if argumentation theory wants to be able to account for these kinds of difficulties, then it needs to move away from the Claim-Reason Complex model towards "a much less linear, and much more subtle, notion of agreement that includes the multitude of shades and flavours the concept actually comes in."

I agree with Gilbert: we do need a much more subtle notion of agreement, and it is Gilbert himself who takes many steps in this direction in his *Coalescent Argumentation* (1997). But I want to focus in a slightly different way on the relationship between positions and the propositions we use to represent them, and I want to suggest that some parts of the Claim-Reason Complex model can help us when we get into trouble. It may be true that most theorists of argumentation concentrate too much on propositions, but it is also true that in everyday communicative and argumentative discourse we do indeed seek agreement on a position by *seeking assent* to a proposition. It's as if by getting you to accept the proposition that I employ to represent my position, I can be assured that you will hold the same position. My hope in getting you to agree to the proposition I'm championing is not merely to get you to think I'm right—it's to get you to feel, think, act, and even desire, just the way I do.

What's astonishing is that this very often works perfectly—our joint assent to a proposition really does ensure that our positions overlap, if not completely, then at least as much as we need and want them to. The proposition is a sort of bookmark, and by assenting to it we signal that we are indeed “on the same page.” For example: You and I agree that a particular local tavern isn't a safe hangout after a certain hour, and from then on neither one of us suggests going there at night. You get me to agree that we should go hiking this weekend, so I plan my whole week accordingly. I agree with you that the cat is acting strangely, so we prepare to bring him to the vet. We so often, and so effectively, use lone propositions to ensure that our positions overlap, that we can be genuinely hurt, puzzled, and angered when it doesn't work. But if we can figure out something about how it does work when it works, we can gain some insights about what to do when it doesn't.

It is never easy to figure out the precise relationships between a person, her position, and the proposition she uses to represent that proposition. It's all very sensitive to context, audience, changing background assumptions, and so on. (Even the basics are mysterious: How does one pick which proposition will stand for her position? Can one be mistaken in this selection?) But in a pinch it is often possible to come up with a rough sketch of someone's position, and that's very helpful when our attempts to reach agreement come to grief. I want to draw on Wright (1995, 2001) to suggest that, at least under normal circumstances, one's position is fairly structured, and that the proposition one uses to represent it is a kind of keystone in that structure. In other words, a position, though it may contain many different elements, is an essentially organized affair, and its organization can be discerned by snooping around the proposition it hangs on.

In very ordinary argumentative circumstances, when someone utters a proposition he is trying to match up his goals, desires, attitudes, his understanding of the world and the matter at hand, and a great deal more. Even without specifying each of the ingredients in this big soup, it is possible to think of it all as posing one big (but rarely articulated) question, usually some version of either “What's going on here?” or “What should we do now?” In other words, one's position can often be captured in a helpful way by thinking of it as presenting an “implicit question.” And we can think of the proposition someone utters as his shot at an answer to this question.

Armed with a grasp of someone's implicit question and the proposition he offers as an answer, we can identify and map some important elements in the structure of his position. Take a simple example: You and I are in a car heading to a restaurant for dinner. As we drive up to the “Bridge Out” sign on English Creek Road I say, “Well we can take Ocean Heights if you

want to go that far.” By asserting this proposition I answer a question which, though unarticulated, would serve perfectly well to sum up my hopes, goals, understanding of our surroundings, and so on, namely: “How should we get to the restaurant?” In response, you might just make a left, or you might say, “We could just take Route 9.” Your response offers a different answer to my implicit question, but so far it shows me that we are at least dealing with the *same* question—and that’s very important. If we have the same implicit question, then we share a great deal—good portions of our positions overlap. We rely on that overlap, that shared understanding, when we sort through answers to the implicit question. In the above case, you say “We could just take route 9,” and I might respond, “Sure, but I’ve got no change.” I understand you—Route 9 is quicker. And you understand me—the tollbooth on this stretch of Route 9 is automated, and it accepts only exact change.

Sorting through rival answers to the implicit question is a very common form of reasoning-- you support your answer, and then I support my answer, and with luck we eventually we come to agree about which answer is best. These answers are our competing conclusions.

Of course, if our positions don’t happen to overlap so perfectly, if we happen to have different goals, or a different understanding of the world, or a different sense of what’s possible, then all sorts of trouble can crop up. If when we get to the “Bridge Out” sign you say, “Well, we could always get spaghetti,” I may be at a complete loss. For I will suddenly realize that I *am*, and you’re apparently *not*, wondering “How should we get to the restaurant?” Your assertion isn’t an answer to that question. It could be an answer to “Where should we go instead?” or to “Do we really need to go out (instead of making pasta at home)?” or “What kinds of things can we eat?” or “When is spaghetti available?” or any number of others. After all, any statement can answer a great number of questions—it’s a bit like Jeopardy.

These sorts of difficulties can be approached methodically, given that we can preserve patience and good-will (And that’s a difficult and important feat on its own, one we won’t find easy to pull off if we are already offended by our interlocutor’s utterances.). If I suspect that we don’t have the same implicit question in mind, I can try to prompt you to respond to some alternatives to what you’ve suggested. This way I might be able to triangulate my way to the question you’re dealing with. You say, “Well, we could always get spaghetti,” and I could respond, “Do you mean you don’t want to go out?” To which you might respond, “Huh? No, I meant we could go to Mario’s.” Now the spaghetti remark makes more sense—you’re sorting through answers to “Where should we go instead?”, and I can begin to sort with you. Of course we make these kinds of conversational moves effortlessly, all the time.

It must be pointed out that our confidence that we’re dealing with the same implicit question is no protection against other related difficulties. We may both be working on the question “How should we get to the restaurant?”, when you say “Let’s just wade across and walk the rest of the way.” For me, that’s just not a rival answer worth considering. At this point in our conversation it could be useful to spend time listing what we each take to be the alternatives, and then seeing if we can agree on a single list before trying to rank them (though of course this may involve rallying some support for a particular rival just to show that it belongs on the list—sort of a preliminary hearing). But if our lists are different enough, we will be back to wondering about whether or not we have the same question in mind. This would definitely be the case, for example, if you started your list like this, “We could wade across and walk, or we could try to drive across and hope we make it, or we could find some way to float the car across, or get someone with a winch to pull us across...” It appears that when you ask “How should we get to

the restaurant?" you mean, "How should we get to the restaurant *on this same route*?" I was thinking of different routes. Until we realize that our positions are different in this crucial respect, we'll achieve nothing (except frustration) through our deliberations.

### ***III. Learning from Disagreement***

Now how does all of this about implicit questions and rival answers and rankings help when it comes to worries about what to do in the really difficult cases? It helps in two ways. In frustrating cases like the ones listed above it gives us a way to explain more about what's happening. And more generally, it tells us something about what it takes to get our positions to overlap as much as we need or want them to.

Consider again the first set of situations in which agreement on a proposition fails to bring with it the expected satisfactions. Jane and Sarah in the first example seem to agree on a proposition, but Jane ends up feeling extremely dissatisfied. It's not hard to see part of the trouble—Jane probably believes something that Sarah apparently doesn't believe, namely, that hunting ducks is a way of being cruel to animals. In Jane's eyes, Sarah is in a state of "performative contradiction," but that's not the whole source of her unsettlement. Part of the problem stems from the fact that there's a mismatch here between the form of the conversation and its content. Agreement on a proposition very often does bring about agreement on a position—but most bets are off when one discusses topics dear to one's heart in a casual way with a total stranger. Guided by her competent grasp of everyday unremarkable conversations, Jane expects their positions to overlap, and she finds out by accident that they definitely do not. For Jane, "I love duck hunting," really comes to the same thing as "I love being cruel to ducks." Her position, her worries, desires, beliefs, and motivations might be captured well by a question like: "Why is it wrong to hunt?" Her answer is the statement she agreed to: It is wrong to be cruel to animals. But when Sarah agreed to this same statement, she almost certainly was not operating with the same implicit question. Perhaps she was reminiscing about hunting the whole time, and the agreement about animal cruelty was her way of reaffirming the importance of good aim. The whole thing is even made a little worse by the fact that Jane feels bound by the politeness one owes a new acquaintance. Even if she knows something about how to sound out someone else's position, this is not the place or time for it.

The second example is different in important respects. There are many more than two interlocutors, they all know each other, they are especially skilled in argumentative exchange, they are unlikely to break off in the name of courtesy, and so on. They run into difficulties, but not the sort of difficulties faced by Jane and Sarah. Presumably, when they agree that "Western Civilization" should be replaced with "Foundations of World Civilizations," they are responding to a complex set of motivations we can capture like this: "What should we do about our core course?" We can imagine that they had no trouble assembling a list of three rival answers to the question: "Keep it as it is," "Replace it with Foundations," and "Drop the whole idea of a core course." And they even agreed unanimously on which answer was best. But when positions overlap smoothly and substantially, we expect the agreement to bring with it the end of deliberations. Talk ends, and concerted action begins, once we know that we are all "of one mind." If concerted action cannot get off the ground, and if deliberations break out anew at every turn, then something is very wrong. What's wrong in this case, is that the faculty failed to give enough specificity to the "Foundations" answer to their question. They left room for many

visions of how such a course would go. We might say that they settled on too coarse a division of the possibilities, so that a lot of people who had different things in mind were accidentally led to accept a sort of “umbrella” answer. If they’re lucky, the faculty might be able to backtrack just a bit to consider a new question with a new set of answers: “How should we design the Foundations course that we all agreed to implement?” But it is more likely that when some people see what others meant when championing the Foundations course, they will reconsider sticking with Western Civ., or dropping the core course altogether—in other words, they will re-open the original discussion, convinced that the first round of deliberations was too flawed to rely on.

We can also get a better grip on the second set of cases—those in which agreement on a proposition remains elusive even though, as we can now say, the arguers positions seem to overlap very well.

In the third example, Mary and Sue are troubled by the fact that they cannot agree on the permissibility of abortion in cases of rape. Their frustration is actually intensified by the fact that they agree on so much else that seems relevant to the issue. If they had dramatically different religious views or worldviews then their disagreement would be much easier to understand. But if Mary cannot let go of the claim that abortion is not permissible in cases of rape, and if Sue cannot let go of the claim that abortion is permissible in cases of rape, then it is at least possible that they’re trying to answer different questions. When Mary thinks about this issue she reflects on her belief that a fetus deserves moral consideration, her belief that a being with moral status should not have to pay with its life for the terrible crime of another, and her belief that God may sometimes choose to bring people into the world in this terrible way. And of course many other of her feelings and convictions will be involved. We can capture a lot of her position if we take her to be occupied with the question: “Can any good or justice come to humans, or any honor to God, by aborting a fetus brought into existence through rape?” Sue’s ruminations on these issues might revolve around a different set of points, including her belief that a proper respect for the sacredness of life sometimes dictates that one life should be sacrificed for another, her belief that a child born from rape and the mother to whom it was born might be too traumatized by the whole scenario to maintain religious faith, and her belief that it’s not consistent with God’s will to impose the religious values of one segment of the population upon others who do not share those views. We can capture many of the key points of Sue’s position here if we imagine her to be asking: “Can’t we hinder God’s plans by trying to impose them?” If it is fair to see Mary and Sue “asking” different questions, then we can see why it is so difficult for them to settle on the same proposition.

And to make matters even more complicated, it is possible that Mary and Sue would answer each other’s questions the same way, yet refuse to accept that the other’s proposition about abortion follows. Mary’s and Sue’s positions overlap a great deal, but they may have to step to a different plane of discourse if they want to get any further in agreeing on a proposition. For although they evidently hold all of the same views, they may disagree about the *degree* to which each of them is relevant to the question at hand. The difference in their implicit questions may show not a difference in the content of their positions, but a difference in the way those contents are arranged and weighted. To figure all of this out they will need to get into a another complicated conversation, not about abortion or religion *per se*, but about how one prioritizes and organizes one’s religious views.

The Smiths in the fourth example have a happier but equally puzzling situation on their hands. The question motivating them has been made explicit, and they have narrowed down their possible answers to two. But their two rivals have so much in common, and they meet the Smiths' desires in such similar ways, that the Smiths cannot tell how to rank one higher than another. Indeed, it might be best to flip a coin, the way we sometimes do when we cannot find a principled basis for decision between two options. But the troubling thing here is that the Smiths stick to their different preferences, even though they cannot say why. We argumentation theorists tend to place a great deal of emphasis on articulation, so a case like this may make us impatient. ("If the Smiths have reasons for their preferences, then let's hear them—and if they don't have anything to say, then let's flip the coin or roll the dice or use some other device to settle the matter.") But both Gilbert and Wright stress the importance of recognizing that the contents of one's position are not always, or completely, articulable. The Smiths feel a difference between the two destinations, and if it persists long enough and they mull it over long enough, they may figure out what it is. (Perhaps it involves a complicated set of quasi-aesthetic perceptions. Some of the Smiths long for the exoticness and adventure of travel in a foreign country, while some look forward to the laid-back yet rarefied air of the Keys.) Until then, though, they experience what looks like near total agreement as a source of confusion. Even in the best of circumstances we can run up against barriers to articulation, and when we do perseverance seems to be the only strategy.

The second way in which the question-answer model of the relationship between a position and proposition is useful is that it tells us something about what it takes to get our positions to overlap as much as we need or want them to. Agreement on a proposition brings about agreement on a position most effectively when the context is common, unexceptional, mundane—when the implicit question, in other words, is not a difficult, abstract, unclear, or trick question. It is in just these settings that we share the most in the way of goals, understandings, desires, needs, and so forth. Assent to the right proposition can flawlessly put us on track to get the leaves raked, the right subway routes selected, the furniture arranged in the most pleasing way in the living room. But when we get into conversations with strangers (about the treatment of animals, say) or when our topics grow esoteric and unfamiliar (like the "Foundations" course), or extremely abstract and intricate (the permissibility of abortion) or tied up with inarticulate aesthetic judgments (as in some vacation planning), then we are immediately deprived of the enormous shared background that makes our propositions such good bookmarks in less flashy or profound cases. And that's a reason to use caution when we try to bring about agreement on some of the issues and topics which move us most, including large scale moral and political issues. If Gilbert and Wright are correct, it won't help us much to get someone to utter a certain proposition, for unless that proposition hooks into their life the way it does into ours, we'll find that we get none of what we want.

Both of these points, about how agreement works and about the implications that has for our agreement-seeking ambitions, should be attended to by theorists who invoke or rely on the idea of agreement as if it were the easiest part of securing political legitimacy and justification, the validity of moral norms, and the like. Ironic though it seems, we can reach agreement easily only where we already share a great deal, and our skills drop off dramatically as we enter unfamiliar terrain. In tricky cases we can gain some traction by recognizing that the agreement-seeking reasoning we do has a discernible, structured, interrogative character.



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