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Commentary on van Laar

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In Response to: Jan Albert van Laar's *Ambiguity in dialectical perspective*

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I have in the past raised some objections to van Eemeren and Grootendorst's handling of the fallacy of equivocation, mainly in their piece in Hansen and Pinto.¹ Here I shall be reflecting on the extent to which van Laar's presentation, basically from a van Eemeren-Grootendorst viewpoint, is improving things from my point of view.

I am a *definition* theorist on fallacies. I insist on the definition that a fallacy is an invalid argument that appears valid. For me, this means the only real fallacy is the fallacy of equivocation. Van Eemeren and Grootendorst are *list* theorists; they try to account in a unified way for all the things traditionally listed as fallacies and call all these things fallacies. Van Laar is working within their approach.

Historically the list and the definition grew very far apart. There were two main steps in this separation. Any fallacy of equivocation contains at least *three* faults. There is the *invalidity* of the principle reading, the inference being made to look valid. There is the *ambiguity* which conflates this invalid reading with other, valid, readings. And there are the faults, at least one, of these valid readings. Each is either from an unacceptable premise, that is, *question-begging*, or else it reaches an *irrelevant conclusion* or both. When Aristotle presented his *list* of fallacies, he unfortunately presented it as if these different faults were different *fallacies*, rather than parts of the one fallacy.

The second step of separation was the Port Royal Logic. This book put forward the idea of freedom of thought. But to defend themselves from Church retribution, the authors engaged in some forgivable subterfuges. Among others, they pretended to be discussing just the traditional and innocuous topic of *fallacies*. So such things as threatening to kill your opponents became treated as if they were on a par with, say, affirming the consequent.

In the rest of this comment, I will not – except for more or less involuntary occasional sideswipes – be contesting van Eemeren and Grootendorst's use of 'fallacy', or what I will call 'discussional faults.' My only question will be, can a theory like theirs, designed to cover so many things quite different from what I call fallacies, also adequately handle the fallacy of equivocation?

So I turn to specific objections.

One of my objections corresponds to the main point of van Laar's paper, so I start with that.

Van Eemeren and Grootendorst say that there are rules of rational discourse. Violations of these rules threaten to derail or stifle or destroy such discourse. Violations of these rules are fallacies. So fallacies are things that are forbidden because they threaten to derail rational discourse.

I object to this by considering the case of philosophy. In philosophy we try to prove our views. One side proves that universals exist; the other side that they don't. One side proves that

¹ "The pragma-dialectical approach to fallacies," in Hansen and Pinto, eds. *Fallacies: Classical and Contemporary Readings*. Penn State Press, 1995. pp. 130-44.

the world is our idea; the other side proves the world is beyond our ideas. One side proves we know nothing; the other side that we know lots of things. Obviously some of these proofs may be real proofs; but some of them must be fallacious pseudo-proofs. Unfortunately the whole point of philosophical debate is that we cannot tell which are which. Therefore we do not have a methodological rule forbidding the putting forward of fallacious proofs. We might have a rule saying “*try* not to be fallacious,” but we don’t have a rule against fallacies. Perhaps our rule says ‘put forward only arguments that appear to you to be real proofs,’ but since a fallacious pseudo-proof *does* possibly *appear* to be a real proof, this rule does not forbid someone’s innocently and unknowingly putting forth such an argument. After all, a fallacy *appears* to be a good argument, on the definitional approach, and so fallacies can’t really be forbidden. So I call apparent proofs, “allowable arguments.” The philosopher is required to put forth allowable arguments in my meta-philosophy.

Fallacious arguments, I mean equivocating ones of course, *do* of course violate *logical* rules or *validity* rules, but we are not required to obey such rules because the purpose of philosophy is to *find out* what these rules really are, and in the meantime we don’t know how to follow them. We do by contrast know how to follow the rule “don’t threaten to kill your opponents,” precisely because we know how to tell when we are violating this rule. Such threats are just what they appear to be. Such a rule is possible because such threats appear to be just what they are. In other words, it is because they *aren’t* what I call fallacies that we can have a rule against them.

And what I just said is basically exactly the main point of van Laar’s paper, except intended now as a friendly amendment rather than as an objection.

By a happy accident he actually uses the word ‘allowable’; I quote ‘My point is two sided, on the one hand I want to maintain that ambiguity is worthy of being criticized as fallacious. On the other hand I also want to maintain that, in a way, ambiguity is allowable in a critical discussion.’ End of quote.

His explanation of why ambiguity is allowable is also like mine. I quote ‘... it is very difficult if not impossible, for real and imperfect discussants to steer clear of using contextually ambiguous expressions. This is a reason for considering them a reasonable procedure (etc. etc.)’ I have omitted the rest of the sentence in my quoting.

He explains his idea by distinguishing between two kinds of rules. However, I shall hereafter change *my* term ‘rule’ into the term ‘injunction,’ since his two kinds of injunctions are called rules and norms. A rule is an injunction we are really required to follow, like “Don’t threaten to kill your opponents!” A norm is an injunction that we are not absolutely required to follow but which ideally we would follow. There is a *norm* ‘don’t equivocate’ but there isn’t a rule.

I said van Laar’s idea is the same as mine. Actually there is a certain ambivalence in van Laar’s idea of the norm against equivocation and when I reflect on this, I find the same ambivalence in my own thinking.

To really understand a norm, you have to translate it into *rules*. The norm ‘don’t equivocate’ might translate into ‘try to not equivocate’ or into something different, such as ‘try not to get caught equivocating.’ The former understanding of the norm allows only *innocent* equivocating, where the equivocator falls into his own fallacy and thinks he’s giving a good argument; the latter allows *sophistical* equivocation, where the arguer knows he’s equivocating

and exactly what the ambiguity is, but hopes his audience won't catch the fallacy and so he can fool everybody.

Both I and van Laar want to allow innocent equivocating as being fallacious but still allowable. But do we want to allow sophisticated equivocating?

In van Laar's analogy about indoor soccer, I get the impression that the opposing players think van Laar is supposed to be following the rule 'try as best you can to avoid bumping us' but van Laar himself is really following the rule 'try to bump as much as possible but not so much as to get into trouble.' It sounds like a lot of sophisticated bumping going on! And in his formal model the only relevant looking *rule* about equivocation forbids us from giving an equivocal argument if we know everyone *knows* its fallacious and sees right through it. No self-respecting sophist would want to violate *that* rule.

But I also am ambivalent on this point. It does seem that trying to fool people is contrary to the spirit of philosophy as a search for truth. But on the other hand, what if Socrates didn't really believe his argument that we never knowingly do wrong, or Plato didn't really believe his argument for forms, or Hume didn't really believe his doubts about induction? Still, their contributions to philosophy would be just the same. I tend to think; let the Fallacies Flow; a Good Fallacy is a joy forever! Of course, I mean what *I* call a fallacy, not death threats.

Returning to van Eemeren-Grootendorst, in their exposition of the fallacy of equivocation, we find an obviously inadequate suggestion: that the fallacy consists simply in violating a rule which says: be clear! Obviously not every unclarity is a fallacy of equivocation. A person might give a perfectly good argument but present it unclearly so it is less convincing than it ought to be. Most people would see no fallacy in this, since there is no deceptiveness involved, but it would be a discussional fault, and a failure to adequately communicate. Still, even if we call it a fallacy, it is certainly not yet what is traditionally called a fallacy of equivocation, since no invalidity is being covered up.

Van Laar clears this up in his paper by distinguishing the mere fallacy of ambiguity from a full-fledged fallacy of equivocation, in which invalidity is being covered up. Giving a good argument unclearly would be a fallacy of mere ambiguity.

Turning now to a more serious objection, I see that the passage in van Eemeren-Grootendorst is trying to explain why the fallacy of equivocation *is* after all, on their theory, a *fallacy*. The explanation is that equivocation violates a rule, but now for us really a norm, which says 'Be clear' and this rule or norm *is* a rule for them because clarity is necessary for communication and communication is necessary for a successful discussion. So they seem to be suggesting that equivocation involves a certain failure to communicate.

But this does not seem right. The case of the person giving a *good* argument unclearly, and thus failing to convince, *was* a case of failure to communicate a perfectly good argument. But a fallacy of equivocation, well executed, is a triumph of successful communication, *not* a failure to communicate. The fallacy communicates the idea that an actually invalid argument is valid, that an actually unproven conclusion is proven, and it communicates a confusion without revealing that that confusion *is* a confusion. A successful equivocator is a great communicator!

Traditionally, the norm violated by equivocation is not the norm 'be clear' but the norm 'be valid.'

Suppose someone disguises himself so that it is unclear who he is. He then takes a gun to a restaurant, shoots dead a patron, and escapes into the night. But he is caught by the van Eemeren-Grootendorst police force. And they charge him with a crime: the crime of disguising oneself in public!

Unclearness isn't really the crucial fault in equivocation; the unclearness merely covers up the crucial fault, which is the invalidity. I would say that the *ultimate* aim of *philosophical* discourse is to find out how to reason validly and that is why there is a norm 'be valid.'

Now I suspect that van Laar can't quite say this and be developing van Eemeren-Grootendorst in a friendly way. But the norm 'be clear' won't do. And something close to what I said above would almost work and would be compatible with van Laar's approach. We can hope that fallacies are ultimately found out and that real proofs ultimately prevail. If so, the latter but not the former will leave established conclusions behind them which can be used as premises in further reasoning. Thus the norm is suggested: Put forward arguments which will ultimately establish their conclusions, whose conclusions will in the long run be accepted. And this norm would encourage avoidance of equivocations.

But this brings me to my final objection: the problem of the completely successful fallacy. Traditionally a fallacy is bad because it might deceive. Worst would be if it deceived everyone forever.

Suppose I argue that rivers run; whatever runs has feet; therefore rivers have feet. Suppose *everybody* buys my argument. And centuries later people are still talking about it. "Boy! We've sent deep water divers down with high power underwater lights! We've tried sonar detectors. We can't find those feet. If it weren't for Powers' proof we wouldn't know rivers have feet. But they do, of course."

Now van Eemeren and Grootendorst say a fallacy is something that impedes the ultimate goal of what I've been calling rational discussion, but which they call critical discussion. The ultimate goal is *agreement*. But in the above example, the fallacy does not impede agreement, it brings it about. So they would have to say wrongly that in my example there is no fallacy.

In his paper, van Laar shows awareness of this problem, but he doesn't actually help us with it. He says (Top p. 13) that, on his approach, if an ambiguity is never detected then there simply *is* no ambiguity. Well, of course, that means his approach isn't right. There is, in my example, complete agreement in the use of the term 'runs' – everybody uses it in the same ambiguous way in accepting my argument. Still, it is an ambiguity. And the ambiguity is contextually relevant, for it is misleading everybody in the context.

Now with this objection, I may be in deeper philosophical waters than I realize.

My late brother Jerry once recommended to me a European philosopher, Habermas (I think) who I have never actually read. Jerry explained Habermas' program. There are lots of relativists in Europe, as there are in American English departments. Relativism, for me and my brother, is *bad*. But a relativist, not believing in *truth* may go on to an even worse conclusion; he won't believe in *rationality*, conceived of as the search for truth. So Habermas proposed to develop a relativist-proof and relativist-friendly canon of rationality, conceived as a search for *social* truth, which even a relativist can accept. And Jerry thought this was a worthy project, since if we can't talk them out of relativism, which is bad enough, we can at least talk them out of irrationalism, which is worse.

So while I was reading van Laar and thinking about van Eemeren and Grootendorst and about Krabbe-style formal dialogues, which van Laar has at the end of his paper, I imagined my brother talking to me. He said “What’s the matter with you, Larry? You never see the deeper implications. Isn’t it obvious that all these guys are involved in that very project I was telling you about? They’re developing a relativist-proof canon of rationality! That’s why they talk about agreement instead of truth, and audience-acceptability instead of actual validity.” And I imagined myself replying, as I often did in such discussions, “Oh...I never would have thought of *that* in a million years. You may be right.”

Well, now that I have thought of it, what shall I say?

I’m not a relativist. Relativist-proof sounds good. Relativist-friendly doesn’t sound so good.

Let us therefore put off to another day the no-doubt worthy project of fooling the relativists to be rational despite themselves. Let us now secretly, just between ourselves—we won’t tell the relativists--say what is really true here.

The real aim of rational discourse isn’t really agreement. It’s the truth, or at least *objectively* rational belief. And this includes the goal of not arguing *invalidly*. And that’s why equivocation, even completely successful equivocation, is a fallacy.

If van Eemeren and Grootendorst’s theory were modified in this way, it could give, with amendments already supplied by van Laar, an adequate account of the fallacy of equivocation.

It would still be a list theory. But I would have to quit arguing that it did not adequately handle equivocation and would have to go back to complaining that those *other* things aren’t fallacies.

But that’s a topic for another day!