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## Commentary on Freeman

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## RESPONSE TO FREEMAN

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My first response to the question whether there is some connection between a statement being a description or interpretation on the one hand and its acceptability or unacceptability as a premise on the other is, on the face of it, no. The first examples given are "There is a red apple on the window sill," which is called a description, and "The red apple on the window sill means that Horatio loves Ophelia." Clearly, as Freeman points out, there is a distinct air of controversiality about statement #2, and statement #1 seems unexceptionable. To complicate the picture somewhat, I would like to offer a different set of examples:

1. There are mountain lions in Pennsylvania.
2. The cross and steeple on that building mean that it is a church.

These two statements resemble the descriptions and interpretations quoted above, but the first is a highly controversial statement, perhaps even a false one, while the second would be considered plausible by most readers. To support an argument about the continued existence of mountain lions in Pennsylvania, we would have to gather some convincing evidence: some spottings by honest and well-informed observers not likely to confuse a bobcat with a lion, perhaps some pawprints, some droppings, some bones or bodies of dead lions, an easily identified photograph, some evidence that some creatures bear the signs of having been attacked by a lion rather than some other predator. Because the current presumption is that there are no longer mountain lions in Pennsylvania, we would require verifiable evidence to back such a claim—and if we got it, the statement would become unproblematical. But statement #2, though superficially resembling the sentence about apples as symbols of love, would not require corroboration because in our culture we presume that crosses and steeples are the outward signs that a building is a church, even though such signs may be absent in some cases. The difference in comparative controversiality arises because some symbols are private and arbitrary (apples on window sills as signs of love), while others are widely shared and public in their meaning (crosses and steeples as signs of churches). The issue, on the face of it, seems to be one of presumption rather than the essential arguability of certain kinds of statements based on the form they take. My position is that the acceptability of a statement depends on the conventions and meanings that people bring to the understanding of signs.

The next question complicates the puzzle: can stasis theory advance the problem of premise acceptability? That is, will recognizing the category to which a statement belongs advance our understanding of whether the statement is acceptable? To that question I offer as an answer an unequivocal "maybe." The category to which a statement belongs tells us what *kind* of evidence would be needed to support it, but it does not tell us *whether* we need to support it. It seems to me that there is a gradient of controversiality in all kinds of statements, perhaps varying more widely in descriptions and interpretations and clustering more at the controversial end in evaluations and the policy recommendations that follow from them. Another way of putting my point is to say that stasis theory is more rhetorical than philosophical. It is rhetorical rather than circumstantial because it arises out of the ancient trial situation. It tells us where and how to make arguments and what kinds of agreements need to be in place before we can build on them with other arguments, but it does not determine *when* we need to make them. In other words, its taxonomy of kinds of statements is pragmatic rather than absolute, directing rhetors to

disentangle and organize the kinds of assumptions about facts, definitions, and values that lie behind complex arguments. It seems more concerned with the invention and elaboration of arguments than with the acceptability of premises.

Perhaps an example will clarify. Let's look at arguments about "facts." I think Freeman is right about the arguability of facts, and this is a point that the next edition of *Rhetoric of Argument*<sup>1</sup> needs to clarify: we most certainly do argue for facts, and the line between fact and definition (or description and interpretation) can be very wavy indeed. Here's a case. If I want to argue that there has been life on Mars, I have to assume that my audience agrees that the presence of life is signified or defined by the presence of certain carbon-based molecular compounds. Then I may have to argue that my detection of these compounds in this rock is accurate and not a consequence of error or contamination. Arguer and audience have to agree on what signs of life are, how they are measured, and whether they have been accurately measured. Thus issues of interpretation are distinguishable from issues of fact in the statement "There is life on Mars," but the two are difficult to disentangle.

As for causal claims, they are indeed interpretations, as Freeman points out. In classical stasis theory they are subsumed under questions of definition because in the courtroom, where human agents are the causes of the issues under dispute, that is where questions of cause or motive get raised. If, for instance, I were to accuse you of stealing the urn that sits outside my front door rather than simply borrowing it, as you claim, I would argue my interpretation of your actions from certain signs that suggested your motivation. Let's say my urn showed up on sale at the local flea market: that would suggest that your act was motivated by the desire for profit rather than momentary, impulsive, and temporary need that resulted in unauthorized but benign borrowing. Or my act of killing my neighbour would be considered murder rather than self-defense if letters turned up in which I said I wanted blood vengeance for his putting his lawn furniture on my side of our property line. I think the reason for distinguishing causal statements as special kinds of interpretations is more disciplinary or situational than anything else, accounted for by the rise of modern science, with its concern for causal explanation and intervention in the process. If you want to clean up a polluted river, it is important to determine the causes of the contamination; if you want to cure a disease, it helps to identify the cause.

Similarly, I agree that policy statements are special types of evaluations: if a claim is evaluated positively, that evaluation is normally an argument for its implementation. In fact, not all classical theorists separate out a category for policy or procedure. Quintilian, for instance, alternates between claiming that there are three or four stasis questions. In classical theory, the question of where or when an argument should be made is called, variously, the procedural, translative, or interruptive stasis, and it is recognized as different from the other questions because it can disrupt the normal orderly progression from agreement about whether something is, to what it is, to what its value is. Raising the procedural issue—is this the right place to have this trial, and is this the right person to make the charge—can challenge and request that the whole case be thrown out of court at any time. Its modern day forensic equivalent is the request for a change of venue or a charge of entrapment or a demand that a charge be dismissed because of procedural irregularity. Its less formal counterpart in ordinary verbal argumentation or the deliberative forum of policy debate is the question of feasibility or cost benefit or, more personally, the challenge that the person making the argument really isn't the one to make it. These are indeed value arguments and, on a gradient of controversiality, usually the most demanding of support. Many a good suggestion has been defeated by such argument, so there may be reason, rhetorically if not philosophically, to identify them separately.

As I think through the problems of stasis classification, it seems to me that the imprecision of common linguistic usage often confuses the issues we are faced with in trying to separate out different kinds of statements. As

Freeman points out, we often make statements like "It is a fact that cigarette smoking causes lung cancer" and "that stealing, except in very exceptional circumstances, is wrong is a fact." In my view such statements are not wrong, but they often muddy the issue of what's at stake for both the rhetorician and the philosopher. There is a difference between the technical examination of such statements, whether by linguist, rhetorician, or philosopher, undertaken in order to determine what a statement commits its speaker to defend or the kind of argument it would take to support, and loose common usage, which often over— or understates the modality of a claim. The choice between "rational agreement" and "mere expression of opinion, taste, or emotion" may be too starkly framed. We can have "more or less" rational agreement without committing ourselves to strict standards for identifying the truth or falsity of claims. As we have seen earlier, facts depend on a system of verification, and in cases of sensory experience or direct observation, this usually poses no problem. But standards of verification and even what constitutes "rational agreement" can change. Thus the identification of extensionality and contingency as the defining conditions of descriptions—and I am convinced that they are—does not exempt such statements from challenge. My husband considers our house brown, while I am positive it is gray; despite the observational nature of the statement, no rational agreement seems possible. I am also convinced that interpretations—whether definitional or causal—can best be understood as subjunctive or counterfactual conditionals and that they are similarly nonexempt from challenge.

If we agree that premise acceptability amounts to there being a presumption in favour of the premise and we agree that presumption is dependent on the sources which have been vouched for a statement, then we are left evaluating the strength of different kinds of presumptions, such as contingent extensional beliefs (facts), introspective beliefs, and contingent, intensional statements. Freeman mentions feeling and intuition as involved in the generation of the beliefs behind interpretations and evaluations, and indeed there is an "air of controversiality" about such statements. But again I am not wholly convinced that these are less reliable than other kinds of statements because of the kinds of statements they are. It all depends on how secure the community of shared beliefs and values is. If I offer the statement that my neighbour's dog Tiggy is a very fine whippet as measured against the ideal of the breed, I am certainly making an evaluative statement, though one that would be widely shared in the community of knowledgeable dog owners. Similarly, the claims that Tiger Woods is a superb golfer or Big Blue a magnificent chess player are evaluations (though comparatively noncontroversial) that presumption would support. I might say that the comparative extension of the community of those holding a presumption is greater for descriptions (where the standards of verification cut across fields of expertise and embrace a wide spectrum) than it is for interpretations and evaluations. What Freeman's very shrewd and patient analysis offers is a philosophical template to be laid on top of the rhetorical one offered by stasis theory.

### *Notes*

1. Jeanne Fahnestock and Marie Secor, *A Rhetoric of Argument*. New York: Random House, 1982. 

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