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Mill's *On Liberty* and Argumentation Theory

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ABSTRACT: Chapter 2 of Mill's *On Liberty* is reconstructed as a complex argument for freedom of discussion; it consists of three subarguments, each possessing illative and dialectical components. The illative component is this: freedom of discussion is desirable because (1) it enables us to determine whether an opinion is true, whereas its denial amounts to an assumption of infallibility; (2) it improves our understanding and appreciation of the supporting reasons of true opinions, and our understanding and appreciation of their practical or emotional meaning; (3) it enables us to understand and appreciate every side of the truth, given that opinions tend to be partly true and partly false and people tend to be one-sided. The dialectical component consists of replies to ten objections, five in the first subargument, three in the second, one in the third, and one general. An analysis of Mill's argument suggests that (a) it is a contribution to argumentation theory; (b) it advocates and practices a dialectical approach; (c) its reconstruction and analysis are a contribution to argumentation theory; and (d) it raises in a striking manner the issue of the relationship between epistemology and argumentation theory.

KEY WORDS: Mill, argument, dialectics, epistemology, informal logic, fallibility, rationality, truth, impartiality

1. John Stuart Mill's essay *On Liberty* needs little introduction. Its classic status in moral, social, and political philosophy is well known. But its pertinence to argumentation theory is not, although this relevance has been suggested by at least one author (Hansen 2002, p. 271). Inspired by Hansen's suggestion, this paper aims to explore this connection.

The relevance stems from the second chapter of Mill's essay entitled 'of the liberty of thought and discussion.' The chapter consists of 44 paragraphs. Although these were not numbered by him and so do not bear numbers in any editions I have used, I suggest we number them sequentially in order to keep track of passages carefully and simplify references. In fact, in this paper quotations from Mill's text will be referenced by giving the paragraph number in parentheses. However, because of the large number of quotations, when I quote in close proximity several passages that come from the same Millian paragraph, I will reference only the first quotation and thus spare readers' eyes from redundant distractions.

The reconstruction below also utilizes a systematic numbering system for keeping track of various claims in argumentation and indicating their place in the network that makes up the macrostructure of arguments. The numbers are given in brackets at the beginning of the sentences or clauses expressing the various claims. Although this will add some encumbrance to parts of the exposition, I find it an efficient way of indicating explicitly what propositions relate to what and how, in the course of long and complex arguments. Here such numbers are usually inserted without comment and are intended to aid the reconstruction; but this is not meant to exclude more analysis later, for their analysis is intimately related to the justification of the accuracy of the reconstruction and to the understanding and evaluation of Mill's argument.

The full details of this numbering system cannot be even summarized here and must be

largely presupposed. Suffice it to say that it is a variation of the system presented by various authors when they discuss the representation of complex argument by means of structure diagrams in the shape of either tree branches or tree roots (e.g., Angell, 1964, pp. 369-93; Scriven, 1976, p. 41-43; Finocchiaro, 1980, pp. 311-31, 2006: chapter 2; Eemeren et al, 1984, pp. 17-36; Freeman, 1991). The key idea is that if a given claim is labeled [n], then the premises that directly support it are labeled [n.1], [n.2], [n.3], etc.; and if [n.m] is also part of another subargument, then the premises directly supporting it are labeled [n.m.1], [n.m.2], [n.m.3], etc. When [n] is directly supported by two or more *independent* sets of premises, then letters may be used to distinguish one set from another, e.g., [na1], [na2], [na3], etc., [nb1], [nb2], [nb3], etc., [nc1], [nc2], [nc3], etc. Another convention used below is that sometimes the propositions in a given subargument will be numbered by using first the number of the paragraph in which they occur, and then adding digits or letters to the various propositions of the macrostructure in accordance with the other rules.

In presenting my reconstruction of Mill's arguments, I also found useful to occasionally utilize without explanation the technical terminology of *illative* and *dialectical component* or *tier* of an argument. These terms are taken from Finocchiaro (2003), who adapted them from Johnson (2000), who in turn adapted them from Blair (1995). Briefly, the illative component of an argument consists of the network of premises that are intended to provide supporting reasons for the conclusion. The dialectical component of an argument refers to the arguer's defense of the conclusion or supporting reasons from objections, and consists of replies to objections (together with a statement of the objections).

2. The first strand (par. 1-20) of Mill's argument consists of an illative component of supporting reasons and a dialectical component of replies to five objections. The illative component is the following.

'[1] The peculiar evil of silencing the expression of an opinion is, that [1.1] it is robbing the human race' (par. 1) of the opportunity to determine for oneself whether the opinion is true or false; and [1.2] to deprive others of this opportunity amounts to 'an assumption of infallibility' (par. 3), for [1.2.1] 'assumption of infallibility ... is the undertaking to decide that question for *others*, without allowing them to hear what can be said on the contrary side' (par. 11); but [1.3] the assumption of infallibility is highly undesirable because [1.3a] it contradicts the principles of corrigibility, open-mindedness, and epistemological modesty. [1.3a1] The principle of corrigibility asserts that 'the source of everything respectable in man ... [is] that ... he is capable of rectifying his mistakes' (par. 7); [1.3a2] the principle of open-mindedness states that the capacity to rectify one's mistakes derives from the willingness and ability to seek for, listen to, and learn from criticism (par. 7); and [1.3a3] the principle of epistemological modesty claims that what is attainable is not absolute certainty but rather provisional knowledge or approximate truth, which consists of beliefs that are open to criticism and have survived criticism (par. 8). Finally, the assumption of infallibility is undesirable because [1.3b] it has produced serious errors, such as the [1.3b1] condemnation of Socrates and [1.3b2] of Jesus and [1.3b3] Marcus Aurelius's persecution of Christianity.

One objection claims that suppression of discussion does not assume infallibility but rather only the right and willingness to act upon one's own best judgment (par. 5). Mill's reply to this objection is that suppression of opinion presupposes that one is not permitting the potential refutation of one's own best judgment, i.e., that one has the right to prevent the potential refutation of one's own best judgment; this is much more than the right to act upon one's own

best judgment since the latter is merely the right to presume that one's own judgment is true until it has been refuted (par. 6).

Another objection (par. 9) is that the argument for free discussion should not be 'pushed to an extreme', i.e., applied to the case of doctrines that are certain; that is, doctrines that are certain need not be open to criticism. Mill replies that a doctrine which is regarded as certain is often a doctrine for which *we* are certain that it is true; but even if we are certain, the doctrine is not and we should not be certain, 'while there is any one who would deny its certainty if permitted, but is not permitted.'

A third objection (par. 10) argues that some opinions should be immune to criticism because they are highly socially-useful (not because they are true) and to question them would undermine social stability or peace (although it would not undermine intellectual honesty or rigor); hence, some suppression of opinion does not assume infallibility, and so it is right.

Mill replies to the third objection as follows (par. 10). This objection presupposes infallibility with regard to the proposition that the opinion under discussion is harmful, although admittedly not with regard to the proposition that this opinion is false; but we can never be absolutely certain of the proposition that the opinion is harmful; so this proposition should be open to criticism; but if this proposition is open to criticism, then it is wrong to suppress the proposition that the opinion is harmful; and so it is wrong to suppress discussion of the opinion. Moreover, there are connections between the truth and the usefulness of an opinion; 'the truth of an opinion is part of its utility ... no belief which is contrary to truth can be really useful'; thus, to question the truth of an opinion is to question its usefulness, and those who would not allow questioning of its usefulness would not allow questioning of its truth; hence, as long as one allows questioning of the truth of an opinion, one is allowing questioning of its usefulness.

Fourthly, one could object 'with Dr. Johnson ... that persecution is an ordeal through which truth ought to pass, and always passes successfully' (par. 15). One reply to this objection is that the persecution of truth does not mean the persecution of the propounders of new truths; these persons should not be treated 'as the vilest of criminals' (par. 16); thus, free discussion should be allowed; and so the persecution ordeal for truth does not imply the suppression of free discussion. A second reply is that it is false that 'truth always triumphs over persecution' (par. 17): for example, Protestant reformers were successfully suppressed some 20 times before Luther; then even after Luther, they were successfully suppressed 'wherever persecution continued ... in Spain, Italy, Flanders, the Austrian Empire' (par. 17); and 'Christianity might have been extirpated in the Roman Empire' (par. 17) if persecutions had been more constant; so, the correct thing to say is that truth triumphs sooner or later.

Fifthly, one could object (par. 18) that ...¹

3. After this examination of the harm which the suppression of discussion causes to the discovery of whether an opinion is true, 'let us now pass to the second division of the argument' (par. 21), which considers the harm done to an opinion that is known to be true (par. 21-33). Mill's key claim here is that 'however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth' (par. 21); in other words, 'unless it is suffered to be, and actually is, vigorously and earnestly contested, it will ... be held in the manner of a prejudice, with little comprehension of its rational grounds. And not only this, but ... the meaning of the doctrine itself will be in danger of being lost, or enfeebled, and deprived of its

¹ Here and in 19 other cases, ellipses in *my* exposition indicate that less important text has been cut from a longer version of this essay, to comply with the space limits of this venue; within quotations, they have the usual meaning.

vital effect on the character and conduct' (par. 43). In short, [2.1] without freedom of discussion, true opinions will be held without a proper understanding and appreciation of their supporting reasons and of their practical or emotional meaning. If this is so, it would obviously follow that [2] suppression of discussion is undesirable, although here Mill does not explicitly draw this conclusion. Instead he focuses on justifying his key claim. This justification advances two subarguments, corresponding respectively to the two main parts of the this key claim. ...

First, Mill claims that, 'assuming that the true opinion abides in the mind, but abides as a ... belief independent of ... argument—this is not the way in which truth ought to be held by a *rational* being. This is not *knowledge* of the truth. *Truth*, thus held, is but one superstition the more, accidentally clinging to the words which enunciate truth' (par. 22, my ital.). In short, we may say that [2.1a1] holding a true opinion without argument amounts to holding it without a proper understanding and appreciation ('knowledge') of the reasons why it is true. In fact, as Mill argues in the next paragraph, [2.1a1.1] 'truth depends on a balance to be struck between two sets of conflicting reasons' (par. 23), whereas for him [2.1a1.2] holding a true opinion without argument seems to mean that 'a person assents undoubtingly to what they think true, though he has no knowledge whatever of the grounds of the opinion, and could not make a tenable defence of it against the most superficial objections' (par. 22). Implicit in this last proposition is Mill's concept of argument; for if we ask why it is that holding a true opinion without argument means holding it without knowing its supporting reasons and without being able to defend it from objections, the answer is clearly that [2.1a1.2.1] an argument just is an attempt to justify a conclusion by giving reasons in support of it or defending it from objections. The connection with freedom of discussion is that obviously [2.1a2.1] without freedom of discussion people will not ask each other why they hold the opinions they do and will not advance objections when they happen to disagree, and hence [2.1a2] without freedom of discussion even true opinions will be held without argument, and therefore finally [2.1a] without freedom of discussion true opinions will be held without a proper understanding and appreciation of their supporting reasons.

As I shall discuss later, Mill is here obviously presupposing a dialectical conception of argument (cf. Johnson, 2000; Hansen, 2002; Finocchiaro, 2003). If this commitment to dialectics is implicit, his practice of it is explicit; for, as he did before in the first strand of his argument, he now goes on to defend the illative tier of his second strand from objections.

The first objection (par. 23) is that the example of geometrical demonstration shows that an understanding of supporting reasons is enough and there is no need to examine objections.

Mill replies (par. 23) that although this is true of mathematics, it is not so of other subjects ranging from natural philosophy and forensic oratory 'to morals, religion, politics, social relations, and the business of life'; in all such subjects, [23, or 2.1a1.1] 'truth depends on a balance to be struck between two sets of conflicting reasons.' This view of truth means partly that [23.1] 'he who knows only his own side, knows little of that'; for [23.1.1] 'if he is ... unable to refute the reasons on the opposite side; if he does not so much as know what they are, he has no ground for preferring either opinion.' That is, [23.1.1.1] the evaluation of supporting reasons is always comparative; good reasons for an opinion are always reasons that are better than the reasons for the opposite; the evaluation of supporting reasons presupposes the evaluation of objections. Besides this conception of reason assessment, Mill advances a view that amounts to a formulation and a justification of the principle of charity: [23.2] the arguer 'must know them [objections] in their most plausible and persuasive form; he must feel the whole force of the difficulty'; for [23.2.1] 'else he will never really possess himself of the portion of truth which meets and removes that difficulty'; that is, [23.2.1.1] 'that part of truth which turns the scale ...

is [n]ever really known, but to those who have attended equally and impartially to both sides, and endeavoured to see the reasons of both in the strongest light.'

Another objection (par. 24) goes like this. Knowledge of objections to a particular opinion may be important for experts and professional 'philosophers and theologians', but not for 'common men' and 'simple minds'; for these it is enough to know that *the experts* know, understand, and can answer the objections. This may be labeled the objection from the elite-mass distinction, especially since Mill himself uses these two terms in his reply (par. 25).

Mill replies to this second objection as follows (par. 25). If common people are to be in a position to know 'that all objections have been satisfactorily answered', then some experts must be free to present and defend objections, so that others can satisfactorily answer them; but if there is such a freedom of discussion among experts, 'in the present state of the world, it is practically impossible' to prevent this freedom from extending to the common people as well.

The second subargument of Mill's second strand of his overall argument tries to justify the conclusion that [2.1b] without freedom of discussion, which generates objections, a true opinion loses its practical or emotional meaning: in 'the absence of free discussion' (par. 26), a true opinion has no 'influence on the character'; it ceases being 'a vivid conception and a living belief'; and 'the shell and husk only of the meaning is retained, the finer essence being lost.'

This loss is shown by [2.1b1] the history of ethical and religious doctrines (par. 27): at the beginning their adherents hold their views with 'meaning and vitality' because these views constantly need to overcome objections and difficulties; but after a creed becomes established 'it almost ceases to connect itself with the inner life of the human being' because it does not have to overcome objections any longer. [2.1b1.1] The history of Christianity provides a good example (par. 28-29). ... Besides moral and religious doctrines, [2.1b2] 'the same thing holds true, generally speaking, of all traditional doctrines—those of prudence and knowledge of life' (par. 30) that have reached the status of truisms, proverbs, or common sayings. ...

However, it could be objected (par. 31) that Mill's argument seems to presuppose a conception of truth, knowledge, and rationality such that absence of consensus is a necessary condition for truth and knowledge; that 'as soon as mankind have unanimously accepted a truth, ... the truth perish[es] within them.'

Mill replies (par. 32) that it is inevitable, indispensable, and good that human progress should lead to an increase of uncontested doctrines, to an increase of consensus. But progress has some drawbacks, the key one of which is 'the loss of so important an aid to the intelligent and living apprehension of a truth, as is afforded by the necessity of explaining it to, and defending it against, opponents.' This drawback can and should be minimized if we 'provide a substitute for it; some contrivance ...', so to speak.

This substitute (par. 33) can be found partly by re-appropriating 'Socratic dialectics' and 'the school disputations of the Middle Ages', partly by cultivating the art of 'negative logic' and 'negative criticism', and partly by encouraging and respecting dissent when it happens to exist. For 'in any but the mathematical and physical departments of speculation ... no one's opinions deserve the name of knowledge, except so far as he has either had forced upon him by others, or gone through of himself, the same mental processes which could have been required of him in carrying on an active controversy with opponents.'

4. So far Mill has discussed the case when we are trying to discover whether an opinion is true and the case when it is believed to be true, and he has examined explicitly the harmful effects of suppressing discussion, and implicitly the beneficial effects of freedom of discussion. Next he

takes up the more usual case when an opinion is partly true and partly false (par. 34-39).

‘One of the principal causes which make [3] diversity of opinion advantageous’ (par. 34) is that [3.1] the most common case is ‘when the conflicting doctrines, instead of being one true and the other false, share the truth between them; and [3.2] the nonconforming opinion is needed to supply the remainder of the truth, of which the received doctrine embodies only a part.’ Now, the last case is the most common because ‘[3.1.1] in the human mind, one-sidedness has always been the rule, and many-sidedness the exception.’ On the other hand, the nonconforming opinion is needed because [3.2.1] ‘so long as popular truth is one-sided, it is more desirable than otherwise that unpopular truth should have one-sided assertors too; such being usually the most energetic, and the most likely to compel reluctant attention to the fragment of wisdom which they proclaim as if it were the whole.’

For example (par. 35), [3.2.1a1] in the eighteenth century, when elites and masses alike were infatuated with the refinements of civilization and modernity, Rousseau came along to extol the virtues of a simple life and of the state of nature and to bemoan ‘the enervating and demoralizing effect ... of artificial society.’ And [3.2.1a2] Rousseau’s doctrine was ‘salutary’ because [3.2.1a2.1] it corrected the one-sidedness of the prevailing views even though ‘they were nearer to [the truth]; they contained more of the positive truth, and very much less of error.’

Another example comes from politics (par. 36). [3.2.1b] In this domain a conservative and a progressive or reformist party ‘are both necessary elements of a healthy state of political life.’ For ...

It could be objected (par. 37) that ‘*some* received principles ... are more than half-truths. The Christian morality, for instance, is the whole truth on that subject.’ Mill replies (par. 37) by distinguishing several senses of this phrase. [37.1] If Christian morality means that of the New Testament, then it is not the whole truth because ... [37.2] If Christian morality means the theological morality articulated by the Church Fathers, then ‘it is, in many important points, incomplete and one-sided’ because ... [37.3] If Christian morality means ‘the doctrines and precepts of Christ himself’, then ‘many essential elements of the highest morality are among the things which are not provided for, nor intended to be provided for, in the recorded deliverances of the Founder of Christianity’ (par. 38). For example, ...

The final conclusion of Mill’s reply to this objection is implicit but obvious, namely that [37, or 3.2.1c1] Christian morality is only a partial truth. However, he does explicitly add (par. 38) that [3.2.1c2] ‘it is not necessary that in ceasing to ignore the moral truths not contained in Christianity men should ignore any of those which it does contain. Such prejudice, or oversight, when it occurs, is altogether an evil; but it is one from which we cannot hope to be always exempt, and must be regarded as the price to be paid for an inestimable good. [3.2.1c2.1] The exclusive pretension made by a part of the truth to be the whole, must and ought to be protested against; and if a reactionary impulse should make the protestors unjust in their turn, this one-sidedness, like the other, may be lamented, but must be tolerated.’ Thus, [3.2.1c] the example of Christian morality also supports the claim that [3.2.1] it is desirable to counteract one partial truth with another.

Mill ends his discussion (par. 39) of partial truth with considerations analogous to those with which he began it. ... The chapter ends with a discussion (par. 44) of a general objection. This final objection is that freedom of discussion is proper only if an opinion is expressed with temperance and fairness. Mill replies that, first, ... Second ... Third, ...

5. The numbering system mentioned in the introduction and used in my reconstruction has been

just an aid in the exposition of a long and complex series of arguments. The numbers assigned to the propositions are also the tip of an analytical iceberg that could be studied at length.

One general interpretive issue is how many distinct arguments or subarguments Mill is advancing in light of his replies to objections. ... There is also the question of whether Mill's overall argument subdivides into three main strands, with the second one in turn subdivided into two main substrands, or whether it is best to view it as consisting of four main strands; the former interpretation corresponds to the way Mill presents his argument in the course of his exposition and to my reconstruction above; the latter corresponds to a suggestion made by Mill himself when he summarizes his main argument at the end of the chapter (par. 40-43). ...

A similar question arises in regard to the main strands (whether three or four) of the overall argument. How do they relate? The reconstruction above indicates that the final conclusion of the first strand ... claims that [1] the suppression of discussion is evil. The final conclusion of the second strand, is ... that [2] suppression of discussion is undesirable. And the final conclusion of the third strand ... claims that [3] diversity of opinion is advantageous. Unless these three claims are plausibly interpreted as synonymous or equivalent, we would have three different arguments and not three strands of the same argument. But my reconstruction above has already ensured that they are seen as three strands, for the differences in these three propositions are essentially semantical or linguistic. ... All three propositions are saying, negatively formulated, that suppression of discussion is undesirable, or positively expressed, that freedom of discussion is desirable. On the other hand, ... the key reasons are different, in the sense that they provide independent support. ... Mill is really giving us a total of four main reasons why freedom of discussion is desirable; they pertain, respectively, to the appreciation of the fallibility, the supporting reasons, the practical meaning, and the partiality of one's opinions.

Much more could be done to continue the analysis of the reconstructed argument from the point of view of argumentation theory, for the argument is complex and full of theoretically interesting features, and the considerations just made barely scratch the surface. However, in this paper they will suffice because there are some other points I want to discuss. In fact, the substantive content of Mill's argument is as interesting as its inferential structure.

First of all, the main conclusion is itself a claim in argumentation theory for it could be construed as the claim that *freedom of argument* is desirable. We have already seen that the main conclusion is essentially the claim that freedom of discussion is desirable, and it is obvious that by discussion Mill means not only the mere expression of opinions (whether popular or unpopular), but their advocacy and justification, their support and defense, in short argument. Now, this move from discussion to argument is warranted if one defines an argument as an attempt to justify a conclusion by supporting it with reasons or defending it from objections. And we have seen that Mill presupposes this conception of argument; indeed it appears as a latent or tacit premise in the first part of the second strand of his main argument, specifically as proposition 2.1a1.2.1. Such an assumption represents a second substantively interesting feature of Mill's argument.

However, note that I am not saying that Mill is supporting, defending, or arguing for this conception of argument, for obviously this tacit proposition is unsupported in this chapter; rather he is merely assuming or utilizing it. What he is arguing *for* is freedom of argument, whereas this conception of argument is what he is arguing *from* (among other things). Nevertheless, the fact that Mill accepts such a conception of argument is important, and I would elaborate this importance as follows.

This conception of argument is a key theoretical definition in an approach to

argumentation that may be labeled dialectical. To be sure there are several varieties of dialectical approaches. For example, in regard to the definition of argument, the Millian conception may be called a ‘moderately’ dialectical definition, insofar as it makes the dialectical tier of defense from objections a sufficient but not necessary condition for argument; some recent scholars (Goldman, 1999, p. 131; Reed, 2000, p. 1; Finocchiaro, 2003, pp. 40-41) have advanced this type of definition. Others advance a ‘strongly’ dialectical definition that makes the reply to objections a necessary but not sufficient condition; for example, Johnson (2000, p. 168) defines an argument as an attempt to persuade someone of the truth of a conclusion by supporting it with reasons *and* defending it from objections. Some advocate a ‘hyper’ dialectical conception that makes the defense from objections both a necessary and a sufficient condition for an argument; for example, the pragma-dialectical school defines an argument as ‘an attempt to meet the critical reactions of an antagonist, that is, to take away anticipated objections and doubt’ (Rees, 2002, p. 233; cf. Finocchiaro, 1980, p. 419; Eemeren and Grootendorst, 1992, p. 73; Snoeck Henkemans, 1992, p. 179; Eemeren et al, 1993, p. 12, 14). And then there are the many ‘nondialectical’ definitions, for whom the dialectical tier is neither sufficient nor necessary; they define an argument in terms on only an illative core, namely a set of propositions whose purpose is that the premises are intended to provide support, evidence, or reasons for the conclusion.

There are at least two reasons for placing Mill in the moderately dialectical category of this taxonomy. First, at the beginning of the first part of the second strand of his argument (par. 22), Mill apparently equates believing something true *without* knowing supporting reasons *and without* knowing how to defend it from objections with believing it *without* argument; he does *not* equate lack of argument with lack of supporting reasons *or* lack of replies to objections; hence, believing with argument must be believing with *either* supporting reasons *or* replies to objections. Secondly, in the same context (par. 23), Mill asserts that in everyday life, ‘three-fourths of the arguments for every disputed opinion consist in dispelling the appearances which favor some opinion different from it.’

A third substantively relevant element of Mill’s discussion is his mention of ‘Socratic dialectics’ (par. 33). This is an explicit recognition that there exists a dialectical tradition in argumentation and that he regards himself to be part of that tradition. However, this reference is more than just a self-reflective dialectical pronouncement. For it occurs in the context of Mill’s reply (par. 33) to the objection that he seems to be committed to what might be called the dissensus theory of truth, namely the paradoxical and almost self-contradictory view that disagreement about the truth value of an opinion is a necessary condition of its truth. Mill’s reply (cf. proposition 2.2*d1* above) amounts to saying that dissensus is not part of the conception or meaning of truth or knowledge, but a key part of the way by which we arrive at the truth and acquire knowledge. Now, let us replace the talk of dissensus by talk of argument, which would be an easy thing to do in light of the dialectical definition of argument. Then we get the thesis that argument is a key method in the search for truth and the acquisition of knowledge. And this is another interesting and important claim in argumentation theory.

Again this sketch of this three-fold substantive relevance of Mill’s chapter to argumentation theory will have to suffice in this paper, but the third just-mentioned thesis brings up to one further issue worthy of discussion; that is, the relationship between epistemology and argumentation theory. Let us begin by focusing on the following aspect of Mill’s argument.

The first strand of Mill’s argument grounds the desirability of free discussion on what I have called the principles of [1.3a1] corrigibility, [1.3a2] open-mindedness, and [1.3a3] epistemological modesty. These three principles could be further subsumed under the principle

of fallibility since the 'assumption of infallibility' (as Mill phrases it) conflicts with those principles. That first argument reduces to claiming that free discussion is good because it is in accord with such principles, or that suppression of discussion is bad because it violates them.

In the second strand of Mill's argument, its main part grounds the desirability of free discussion on what I have called a conception of truth, knowledge, and rationality. The major elements of this conception are principles such as the following (par. 23): that [23, or 2.1a1.1] 'truth depends on a balance to be struck between two sets of conflicting reasons'; that [23.1, or 2.1a1.1.1] one 'who knows only his own side, knows little of that', which may be called the principle of comparative reason-assessment; and that [23.2, or 2.1a1.1.2] one 'must know them [objections] in their most plausible and persuasive form; he must feel the whole force of the difficulty', which I have called a principle of charity. This part of the second strand reduces to claiming that suppression of discussion violates these principles, or alternatively, that these principles require freedom of discussion.

The third strand of Mill's argument grounds the desirability of free discussion on principles such as the following. One is that '[3.1.1] in the human mind, one-sidedness has always been the rule, and many-sidedness the exception' (par. 34); this might be called the human predicament of partisanship. Another is that [39.1.2.1] 'truth has no chance but in proportion as every side of it ... not only finds advocates, but is so advocated as to be listened to' (par. 39); this principle might be called the dialectical antidote to partisanship. A third is the claim that [3.2.1c2.1] 'the exclusive pretension made by a part of the truth to be the whole, must and ought to be protested against; and if a reactionary impulse should make the protestors unjust in their turn, this one-sidedness, like the other, may be lamented, but must be tolerated' (par. 38). Again, Mill's argument reduces to claiming that these principles require freedom of discussion, or alternatively that the suppression of discussion disregards them.

Now such claims might be called epistemological principles, if we define epistemology as the study of the nature of knowledge and related concepts such as truth, rationality, reason assessment, fallibility, corrigibility, open-mindedness, and impartiality. Now, if in Mill's main conclusion we replace the talk of discussion by that of argument, and we rephrase it as the claim that freedom of argument is desirable, which is a claim in argumentation theory, then it seems that he is basing a conclusion in argumentation theory on epistemological principles, and this might be taken to suggest that argumentation theory has to be based on epistemology, and so perhaps that the latter has some kind of priority over the former. In turn this might be taken to lend support to those views that advocate an 'epistemic' approach to argumentation theory (Biro and Siegel, 1992; Feldman, 1994; Freeman, 2005; Goldman, 1986, p. 82, 2003; Govier, 1987, 1992; Pinto, 2001, pp. 21-31). Thus the next step in my investigation would be to study the details of these views to understand what they mean by an epistemic approach to argumentation theory; in particular whether they mean something similar to the claim that epistemology is prior to argumentation theory, in the sense just elaborated; and in any case to assess whether those epistemic views and approach are correct

Obviously that is a future task that is not fall within the scope of the present paper. However, to anticipate or preview that further investigation I would say this. The evaluation of such epistemic views would require that one look at the arguments advanced by these authors, and so it would be an exercise in argumentation theory. Indeed, even before evaluating them, one would want to make sure one understood them fairly, and such interpretation would be another exercise in argumentation theory. Thus to be in a position to say that the epistemic approach to argumentation theory is correct would in an important sense presuppose argumentation theory;

and this suggests some kind of priority of argumentation theory over the theory of knowledge.

This anticipation is similar to a point that would have to be made about Mill's argument after pointing out that its argument-theoretical conclusion was based on epistemological premises. How does Mill, or how could one, check the correctness of these premises? Is there any better way than to examine the arguments that can be advanced to justify them? In doing so, should we not use the dialectical conception of argument, and so ask for critical objections as well as supporting reasons? And in searching for, formulating, interpreting, and evaluating such justifying arguments, would not argumentation theory be immensely helpful? Is there any other discipline, field, or branch of learning that would be equally helpful? Could epistemology itself be such a field? If that were so, would we not be trying to justify epistemological principles by means of epistemological principles? Would there not be some circularity in that? Would such circularity not be vicious?

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