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### Commentary on Freeman

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Author: Hans Vilhelm Hansen  
Commentary on: J. B. Freeman's "Progress Without Regress on the Dialectical Tier"

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Aristotle bequeathed us an ambiguous dialectical tradition. For him a dialectical argument was just a plain old syllogism with either of two kinds of restrictions. One kind of restriction was that the premises had to be *endoxa*, or reputable or widely accepted propositions; the other restriction was that the premises had to be admitted by one's interlocutor. Let us call dialectical argumentation based on reputable propositions *broad*, or *objective dialectics* and dialectical argumentation based on an interlocutor's agreement *narrow*, or *subjective dialectics*. Broad and narrow dialectics are independent of one another (although they could be combined) and in our time they have given rise to two competing ideals of dialectical argumentation. If we substitute our term "presumption" for the Greek term "*endoxa*" -- which is not too much of a stretch -- we get a broad, Rescher-style approach to dialectical argumentation. If, taking the narrow, second option, stressing the interlocutors' acceptance of the premises as an identifying mark of dialectics, we find ourselves sharing an important tenet with the Amsterdammers.

When Nicholas Rescher published his book, *Dialectics, A Controversy Oriented Approach to the Theory of Knowledge*, in 1977, he gave an important boost to the rigorous study of argumentation, especially to its dialectical features. Professor Freeman has availed himself of Rescher's important insights before today, notably in his own book, *Dialectics and the Macrostructure of Argument* (1991). Ralph Johnson's book, *Manifest Rationality* (2000) doesn't have the word 'dialectics' in the title at all but, nevertheless, it is very concerned with dialectical theory. The fourth member of this *dramatis personae* is Trudy Govier. It is Govier's remarks in her book, *The Philosophy of Argument* (1999), about Johnson's views which have prompted Freeman to bring Rescher's thought back to our attention.

The original cause of the present investigation appears to be Johnson's unusual sense of argument. Contrary to tradition, he defines an argument as a combination of an illative core *and* a dialectical tier.

An argument is a type of discourse or text – the distillate of the practice of argumentation – in which the arguer seeks to persuade the Other(s) of the truth of a thesis by producing the reasons that support it. In addition to this illative core, an argument possesses a dialectical tier in which the arguer discharges his dialectical obligations (Johnson 2000: 168).

The dialectical tier deals with objections to the illative core and alternative conclusions. Many of us agree with Johnson that we should be prepared to give further support for the premises of the arguments we advance, and that rationality requires us to show how our conclusion compares favourably with alternative points of view. That is, the direction Johnson is pointing us in is, on the whole, right, we think. But some, including me (Hansen 2002), have wondered whether this new sense of 'argument' doesn't really cause more trouble than it's worth because it seems to

give rise to a whole nest of problems that we didn't have before. But this is a mistaken view of the matter. For, notice what Govier, says:

The regress problem seems to arise for Johnson's account because of his claim that every argument is incomplete without a dialectical tier. In my [i.e., Govier's terminology] this means that every arguer has a dialectical obligation to buttress his or her main argument with supplementary arguments responding to alternative positions and objections. Supplementary arguments, being also arguments, would appear to require supplementary arguments responding to alternative positions and objections. Those supplementary-to-the-supplementary arguments, being again arguments, would appear to require the same. And this line of reasoning can be clearly continued. Thus Johnson's view seems to imply an infinite regress (Govier 1999: 232-3).

This paragraph summarizes 'the problems' with J-arguments very well, the problems that Professor Freeman is addressing in his present paper. But Govier's clear summary also suggests that the problem of dialectical obligations is not really owed to J-arguments. We have been aware all along that an argument is a weak one if it has a problematic undefended premise, and that it is a mark of irrationality to adopt a point of view without reviewing the apparent objections to it. So, whether or not we like Johnson's sense of 'argument', we seem to be stuck with dialectical responsibilities, and these work out much the same whether you agree with Irving Copi or Ralph Johnson on the definition of 'argument'. Johnson's sense of argument doesn't *create* dialectical obligations and their attendant difficulties but it performs the invaluable service of reminding us of their existence and importance.

Hence, the two problems for J-arguments discussed by Professor Freeman are really two problems about dialectical obligations which exist independently of J-arguments (and his wondering about whether Govier has understood Johnson rightly, is not terribly relevant).

### *The two problems*

The two problems are the Regress Problem and the Discrimination Problem. Freeman's solution is claimed to be a partial answer to both problems at once, so it is important that we see exactly what the problems are.

The Discrimination Problem at first falls into two parts: it is (i) the problem of which of an indefinite number of objections to the illative core should be answered, and (ii) the problem of which of an indefinite number of alternative conclusions must be discounted. This discrimination of which of the objections and alternatives must be answered should be decided in a principled, non-arbitrary way, and such a way Freeman tries to show us in this paper.

But, it seems to me, that even if the Discrimination Problem were solved, the Regress Problem will remain. For, suppose we have a criterion that solves the Discrimination Problem and that, on a given occasion, this leaves us with a manageable number of objections to answer. Answering those objections, by way of J-arguments, will create a new dialectical tier. Here again the discrimination problem will arise and, this time, our criterion may limit the number of significant objections to five again. This calls for more J-arguments, etc. So, even though the number of objections to be dealt with at any given dialectical tier-level can be circumscribed to a manageable number, it is entirely possible still to have an infinite regress of tiers. – or, as I think

we should say, an infinite regress of dialectical obligations. This is the Regress Problem. But since *ought* implies *can*, as Govier reminds us (Govier, 232), it cannot be the case that we do have an infinite series of obligations for they could not be met. So, we must again find a non-arbitrary way to stop the regress at a point that makes it possible to satisfy our dialectical obligations.

I think of the regress problem as *the vertical problem*, and the discrimination problem as *the horizontal problem*.

### *Freeman's solution*

Now, Freeman proposes a solution to both these problems, and it may be seen as having two parts. The first part is that he distinguishes between J-arguments and giving reasons, the second is that he introduces presumptions to help him deal with both the vertical and the horizontal problems.

It would be difficult to endorse a distinction between giving reasons and giving an argument for the pre-Johnsonian sense of 'argument.' But to distinguish giving reasons from J-arguments does seem like a real distinction because there is much more to a J-argument than giving reasons. So, this distinction seems safe enough.

But how can giving reasons be taken to be a rational practice that does not come saddled with a dialectical tier? How, all things being equal, can one give reasons and be done with it? And how will just giving reasons be consistent with Johnson's program for *rational persuasion made manifest*? The answer is that a certain class of reasons -- called presumptions -- have a special status which is such that if an interlocutor raises an objection which is inconsistent with these reasons, then the proponent does not have to answer that objection. See Freeman's example: there is a presumption that the witness is not lying, so to object that the witness is lying is to make a challenge that the proponent does not have to answer unless the challenger can support his accusation that the witness is lying.

Secondly, Freeman imagines that all objections can be divided into two classes: in the first class are propositions which have a presumption against them; in the second class are all other objections (those with the presumption, and those which have neither a presumption for or against them). Freeman's solution to the discrimination problem is that we are only required to answer those objections which belong to the second class.

Finally, Freeman writes,

By investigating the discrimination problem through the objections which may be introduced in formal dialectic, we also address the infinite regress problem. At each stage there are a small number of moves open to proponent or challenger – whosever turn it is to contribute at that stage – and each of these moves can be completed in a finite number of steps.

It is not clear to me why a solution to the discrimination problem is also a solution to the regress problem. But Freeman is not the only one to think that it is. For, recall Rescher's observation that the burden of proof rule is idle unless there are propositions – which are themselves exempt from the burden of proof – from whence a proof can begin. These propositions at the end of the line are presumptions. So, Freeman is not the first to suggest that presumptions are a way to stop

what we are identifying as the Regress Problem. But why should we think that we will always run into presumptions later if not sooner? It is not obvious to me that this must be so. Unless, we can show that we always will run into presumptions, eventually, then we will not be free from the need for subjective, or narrow dialectics.

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