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### But why call it an Argument?: In Defense of the Linguistically Inexplicable

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Title: But why call it an Argument?: In Defense of the Linguistically  
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The late 1970s witnessed the birth of Argumentation Theory as such. If these things can be pinpointed at all, then the beginnings of this field can be identified with several key events and the presentation of certain central theories. One such event is being commemorated at this very conference, viz., the creation of the journal *Informal Logic* 25 years ago. One other major contributing stream was the appearance in the *Journal of the American Forensic Association* [JAFA], (now known as *Argumentation & Advocacy*,) of a series of articles specifically discussing issues of interpersonal argumentation. Such familiar names as Brockriede, Burleson, Wenzel, O'Keefe, Hample, and Willard among many others contributed to early discussions concerning the nature and structure of argumentation. Indeed, it was in the pages of JAFA that van Eemeren & Grootendorst first introduced themselves to the North American argumentation community.

My topic today begins with an issue that appeared in the pages of JAFA in the late 1970s. This is an issue that arose in discussions between Charles Willard, Brant Burleson, and Daniel O'Keefe concerning the relationship between arguments, premises in arguments, and the discursiveness of those premises. I will argue, with Willard, that discursiveness cannot be a requirement for something's being a premise in an argument, and that there are innumerable instances when we rely on non-discursive communications in order to put forward, respond to, and comprehend an argument. More specifically, I argue that the requirement that a non-discursive message, communication, event, or activity be linguistically explicable in order for it to be part of the argument is both too restrictive and impractical.

In various articles, but especially in "On the Utility of Descriptive Diagrams for the Analysis and Criticism of Arguments" (1976), Charles Willard mounts an attack on the idea that arguments and their premises must be linguistically explicable. The attack takes the form of a criticism of descriptive diagrams as models of argument, and has three fronts. First, the argument critic is encouraged, even forced, to change the argument to match the model. Secondly, all the components of the argument being analyzed must be linguistic. And, finally, the model one ends up with is isolated from the context in which it originally appears. Willard has discussed these issues at length and in detail (1976, 1978, 1978b, 1979, 1981, 1985, and 1989 among others,) and Gilbert, more recently, has continued the debate (1989, 2001, 2002 among others). Rather than repeat these arguments, I would like to address two underlying issues that are vital to understanding these matters. The first, already articulated, is the requirement that all components of an

argument be either discursive or linguistically explicable, and the second is the question of what exactly is the basic kind of argument with which we naturally deal.

Prof. Ralph Johnson is quite unequivocal that the epitome of argument is written; that when argument occurs in its most pristine form, it is not spoken, not an interactive undertaking between two or more social actors. Rather, it is something concrete, wholly linguistic, locatable in space/time, and not subject to immediate revision, correction, or withdrawal (2000, 156). While it is clear that all of this renders the argument most suitable for analysis, the question remains as to whether or not we learn most about argument by studying it in isolation from its natural interactive habitat or from examining it in laboratory like isolation. This view takes a narrow academic approach to argument and considers it clearest and most comprehensible when it is static and technical. This shall, therefore, be known as the Narrow Academic Static Technical or NAST view (pronounced NASTy). The alternative view relies on a more Natural, Interactive and Contextual approach, and shall be abbreviated the NIC view (pronounced NICe).

Let me now get more specific. At various times and in various conferences, I have been asked, especially by Prof. Johnson, a fierce proponent of the NASTy view, why I insist on labeling as arguments, the sorts of non-linear non-discursive examples with which I come up. These examples include such instances as Mrs. Burns giving Mr. Burns a neck massage, and thus bringing him to the realization that she was correct when she said he was tense. The massage, the NASTy view maintains, is not an argument because it is not a discursive entity and not linguistically explicable. It cannot be linguistically explicable because it is a complex interactive event, not something like a nod or an enthymematic premiss. It is, however, *linguistically describable*. In fact, I did so in reciting the example: Mrs. Burns gave Mr. Burns a massage. However, being linguistically describable is not sufficient for being an argument.

Johnson is not alone in his NASTy delineation of argument. Brant Burleson (1979, 1981) was a major progenitor and NASTy critic of Willard, a NICe proponent. Burleson argues at length in both papers that arguments must be such that all components are linguistically explicable, and that the non-discursive elements are extraneous, and not part of the argument except insofar as they are so translatable. In his 1979 SCA paper he cites as an example a perfectly fine argument, the sort he says that argumentation theorists ought study, a paradigm, if you will, of a real argument. The argument he cites is as follows.

#### Example 1: Women Cops

Mark: Women cops, you know, would lead to more violence. There's no question about it.

Krista: What? Why?

Mark: Well, men have always been the enforcement figures. It is easier for us to obey men since most of us were obedient to fathers. The cop on the beat has a whole historical tradition and psychology to back him up. That's why he survives as well as he does. Women don't have that tradition, so they are more likely to get attacked. When that happens they'll have to use force and guns more often themselves. See what I mean?

Krista: What sort of drugstore psychology is that? As soon as it is understood that women are not going to take crap when they're cops, they'll have all the respect they need.

Mark: But how many people will be hurt while they earn that respect? Anyway, it sounds more like fear to me.

Krista: Mark, that's just the point. Maybe it's necessary to hurt some people in order to get the idea across that women can do anything. It shouldn't be necessary to earn respect, but it is. Does that mean we have to stay home and cook? It's not our fault women aren't respected. Why should we suffer for it?

Mark: Well, I just hope you never have to arrest me, that's all.

This argument, Burleson says using O'Keefe's (1977) distinction, "clearly constitutes an argument-2" (970), and in his second set of statements Mark makes what "can be meaningfully construed as an 'argument-1'" (971).

So, what are the characteristics of this example that makes Burleson favour it? Well, first of all it is discursive, that is, it occurs in language. Secondly, it involves a discussion consisting of a claim put forward and then questioned, followed by reasons presented for that claim. We may also assume that Burleson chose the example because it has a natural feel, and seems like an argument that we might come across in real life. So, let us examine this paradigm argument closer. Burleson's NASTy view requires three criteria "that seem to establish the necessary and sufficient conditions for characterizing a piece of discourse as an argument-1" (1981, 142). These are that 1] an assertion is put forward for an interlocutor to believe; 2] the interaction is organized around the defense of the claim and specifically involves reasons being presented in support; and 3] the "*movement from support to assertion involves an inferential leap*" (1981, 142, italics in original).

Mark's claim that women being police officers would lead to more violence clearly meets Burleson's first criterion for being an argument-1 insofar as a claim is asserted for Krista to believe. The exemplar argument also meets criterion [2] which states that, "*Arguments are organized around the defense of the claim.*" This means that the claim must have "a statement or set of statements adduced in its support" (141). By using the term "statements" Burleson does not want to completely exclude non-discursive communications. He says: "The reasons given in support of a claim may not always be made explicit in discourse" (1981, 142). That is, looks or signals can express reasons, but, presumably, not *be* reasons. A mugger's desperate look may express a reason, but against Willard, Burleson states that a reason's being expressed non-discursively does not mean that a careful critic cannot pull it out.

Burleson's view is in concord with D. O'Keefe's views as also expressed in JAFA (1977) and especially in O'Keefe (1982). Here we are told that the *paradigm cases* of an argument-2 are those that demonstrate "overt extended disagreement between the interactants" (9). This broad explanation covers a wide range of examples that may well be broader than Burleson would like. Nonetheless, the NASTy view is saved by the introduction of a narrower paradigm for argument-1, wherein "both the claim and the overtly expressed reason(s) must be linguistically explicable-which is not to say linguistically explicit" (13). In order to explore this further, I would like to present

another section from the same argument that Burleson quoted in 1974, but that he did not include as an exemplar.

#### Example 2 The Proof

Krista: You think men would have an easier time arresting criminals than women would? Is that right?

Mark: Exactly, I just can't see how...

Krista: Wait. I want to get straight on this. If I can convince you that a woman can have as easy a time as a man in an arrest situation, then you'll agree?

Mark: Sure. You convince me that any woman will have as easy a time and you're in.

Krista: No. Not any woman. Any woman who wants to be a cop and meets the requirements. After all, there are lots of guys who would have trouble arresting a kid.

Mark: O.K., you're on.

$\alpha$  : [Krista reaches over to Mark, grabs his arm and flips him over. He ends up on the floor, unhurt but chagrined, and Krista has a firm hammer lock on him. Since this conversation is taking place in New York, no one else in the bar has noticed.]<sup>1</sup>

The question now arises whether or not the throwing of Mark by Krista, i.e.,  $\alpha$ , is an argument-1. I believe that for both Burleson and O'Keefe there are grounds for saying either that it is an argument-1 or is part of an argument-1, e.g., a premise in an argument-1. It is important to remember when considering O'Keefe's argument-1 that he is searching not for a definition that would exclude arguments that are not easily linguistically explicable, but rather he is searching for the paradigm cases we can use to study the more fringe or difficult situations. Thus he writes the following.

In saying that in paradigm cases of argument-making the overtly expressed reasons are linguistically explicit, I am *not* saying that a person's reasons for making a claim must be either linguistically explicit or explicable. There is nothing in my analysis that conflicts with Willard's (1979, 211) view that 'non-discursive elements often reside at the center of a person's reasons and reasonings,' so long as 'reasons' and 'reasonings' are understood as something different from *overtly expressed* reasons. (1982, 15, italics original.)

Thus  $\alpha$  may be a perfectly acceptable argument-1 or part of an argument-1, though not, perhaps, a paradigm case of one. In addition, one may object to it on the grounds that it crosses the boundaries of civil communication and introduces an untoward degree of violence. Similarly, Burleson's gun toting assailant who persuades by pointing his gun is also committing a fallacy *ad baculum*, but is, nonetheless, "expressing" his reasons. Still, I think it is important to be specific and clarify. The throw of Mark by Krista *is an argument or a premise in an argument*. The action itself, the very event is an argument, and, using my 1989 notation, we would say that the argument proceeds as follows.

### Example 3 The Proof – CRC

Krista: Some women can overpower some men.

Mark: No they can't.

Krista: [[Throws mark]]

In Example 3 the last line is marked by double braces indicating that the action itself is in the argument. Personally, I see nothing wrong with this, and, moreover, do not see how it can be avoided. The action of throwing a person cannot be made linguistically explicit, though it can be described. Actions such as  $\alpha$  are complex human interactions and cannot be reduced to something else. To attempt to do so is to commit the logocentric fallacy wherein one assumes without warrant that language is clearer and less ambiguous than actions (Gilbert 2002). To emphasize this point I want to compare Example 2 to Example 4 Talk Don't Show. In this case we imagine that instead of the action, labeled  $\alpha$  that Krista performs at the end of Example 2, the following ensued.

### Example 4 Talk Don't Show

Krista: No. Not any woman. Any woman who wants to be a cop and meets the requirements. After all, there are lots of guys who would have trouble arresting a kid.

Mark: O.K., you're on.

Krista: Well, now, you know I've studied karate a fair while, right?

Mark: Yeah, sure, so?

Krista: So, don't you think I could throw you?

Mark: (Looking suddenly nervous.) Uh, yeah, I suppose you could.

Krista: OK, then, so you agree some women can subdue some men?

Mark: Yes, I guess I do.

This bit of discourse results in a CRC as follows.

### Example 5 Talk Don't Show – CRC - $\beta$

Krista can throw Mark

Krista is a woman

Mark is a man

Therefore, Some women can throw some men.

This argument is a paradigm case of an argument-1, and one cannot imagine anyone denying it, or that it derives from Example 4 in a straightforward way. But there is a problem, and it is just what the NICE theorists are claiming. That is, *the movement from Example 4 to Example 5 is as laden with difficulty as is the move from Example 2 to Example 3*. All translation, in other words, is subject to error and mis- or re-interpretation. My rendition of Johnson's theory will be critiqued by him as in error even though I am appealing to the very language he uses in his book. Similarly, my description of an event as a component of an argument must also be subject to the parameters of

translation. I cannot, therefore, see why something that is non-discursive is not treated in precisely the same way as something discursive.  $\alpha$  is a part of the argument, even though it is an action. It does not *express* a premise, it *is* a premise.

The chief difficulty with the NASTy view is the claim that components of a *paradigm* argument must be linguistically explicit. The fact is, extremely few arguments ever occur without some parts being implicit. Even arguments in mathematics and logic are frequently ended with the terrifying tag line that the obvious proof is left to the reader. If this is the case, then what is it that makes arguments that are linguistically explicit paradigmatic? If almost all arguments, whether written or spoken, whether monological or dialogical contain components not linguistically explicit, then how do we come to say that only arguments that are linguistically explicable are paradigmatic? Put in other words, if arguments typically contain non-discursive elements, why would we want to point to an argument that does not have that characteristic as a prime example? That is the question the NICE people ask the NASTy people.

So, my conclusion, is that  $\alpha$ , the throwing of Mark by Krista is a part of the argument, and that it may be linguistically described, but that it is the action itself, [[Krista throws Mark]] that is a premise, and not the description. As a result, we must conclude that the throwing of Mark by Krista *in the context in which it took place* was an argument, every bit as much as the discursive analogue in Example 4. It is an argument because it is used to prove the point that women can be effective in subduing male culprits, and, therefore, serve as police officers.

I would like at this point to consider the position of a very nice person who is a card carrying NASTy theorist, viz., Ralph Johnson. In his recent book, *Manifest Rationality*, Johnson asserts that written argument is "a more suitable foundation for the practice" of argumentation, than oral argument (156). But for Johnson, the written remains fundamental because it is less changeable and more straightforwardly a product than its oral cousin.<sup>2</sup> Oddly enough, Johnson immediately moves on to speak as if oral argument was the basic form required. The *process* of arguing is an "interchange between two or more participants" (ibid). However, the object of NASTy veneration is not the process, but the product of the process: "At a certain point in the process, the arguer distils elements from what has transpired and encodes them in the form of an argument" (159). This product is the distillate that is the epitome of the practice of argument. But this seems to indicate that the process is ontologically more fundamental than the product, since without the process the product does not come into existence.

It is important to realize that the exclusion of certain factors as arguments seems to rely on the distinction between the process of arguing and the product produced by that process. This is a NASTy distinction that most NICE theorists would not really allow. Rather, the NICE theorist will, at best, see the written argument or speech as a snapshot of the process at a given moment in time, much as the inventory of a grocery store accounts for its contents at some specific moment: as soon as the inventory is complete, it changes with the first customer. I have no problem at all with there being such argument products, though, with Willard, I believe they cannot really be understood independent of the process used in arriving at them. Johnson could well agree with this, as it is important to him that the dialectical tier be rich and active. He even allows that the distillate might be provisional, and that the process may continue to make the argument stronger.

So, why does Johnson ask me why I want something like  $\alpha$ , the throwing of Mark by Krista, to be considered an argument? Clearly it is relevant to the argument, something Johnson would agree to,<sup>3</sup> and it is certainly part of the process going on between Mark and Krista. The issue then is that it is not linguistic, non-discursive. And, again, it is not that the *description* would not be a part of a description of the argument, but that the *act itself* is not part of the argument. But, and here I reiterate my argument, all descriptions of an argument require translation, modification, alteration, and that is just what is required of  $\alpha$ . So, why should  $\beta$  be a legitimate part of the argument, but not  $\alpha$ ? The answer is found in an application of the logocentric fallacy, wherein it is supposed that linguistic messages are more straightforward and less ambiguous than non-linguistic messages (Gilbert, 2002).

I believe that the NASTy view ultimately rests on an understanding of argument as *to one degree or another* a product.<sup>4</sup> And, this is not something I have a great difficulty with; arguments as products allow us to speak about them, analyze their informal logic, review their rhetorical components, and so on. The only difficulty I have is in supposing that the argument as product is, in fact, *The Argument*, and that the product has, thereby, a special status. The NASTy fear is that if there is no such differentiation, then the argument becomes a morass, a swamp full of all sorts of things that cannot be separated.

The slippery slope of allowing non-discursive entities into the idea of what is an argument needs to be avoided, but it cannot. It cannot because we have some instances where we have no doubt that the non-discursive elements are an integral part. These elements include enthymematic premises, accepted and standard gestures such as nods, shakes and certain hand movements, and contextual information that indicates how an ambiguous word or words should be understood. But if my nod is allowed in, then why not my grimace? If my enthymeme is all right, then why not my tears? How do we allow some messages to be components of an argument but not others. I do not understand, and, it seems to me the burden of proof falls to the NASTy theorists.

Having made the easy point, I move to a harder one. For, while I do not understand why the NASTy group is so opposed to an open definition of argument, what I do understand is that the NICE theorists may want to push things too far: the NICE guys may not know where to stop. This is true, as the following example demonstrates.

#### Example 6 A Cuppa

Ahmed and Lorraine are having a discussion, somewhat heated, about whether or not their son, Mohamed should go to a public school or a private school. The discussion has been going on for an hour and shows no signs of abating. At this point, Ahmed gets up and puts on a kettle. When it comes to a boil, he makes each of them a cup of tea. Then, with a smile, he places Lorraine's in front of her.

I want to claim that, *ceteris paribus*, Ahmed's making and serving Lorraine a cup of tea is part of the argument.<sup>5</sup> Exactly what part is open for discussion, but a part is. Perhaps, in Informal Logic terms, it might be construed as a sub-argument, wherein Ahmed is pointing out to Lorraine that they are in this together. Or, it might be, in

Pragma-Dialectic terms, a brief return to the opening stage of the argument in order to set the standards for cooperation and problem-solving. In any event, a proper understanding of the process that is their argument necessitates an examination of all its parts. Ahmed's making a kind gesture speaks volumes, even though it is non-discursive.

The NASTy theorists are correct to be suspicious of the NICE guys. There is an agenda to extend and open the meaning of 'argument' and to include within that rubric a great deal that some would consider foreign. Thus, the two misleading, albeit amusing, acronyms I introduced, 'NASTy' and 'NICE' are a part of my argument for the inclusion of non-discursive elements in the realm of argument. An obvious rhetorical device, it nonetheless makes the point that language shades meanings, and that calling the enemy a "terrorist" as opposed to a "freedom fighter" is a part of the argument.

While I admit it is useful to consider argument as product, especially for pedagogical purposes, and I happily announce my belief that Informal Logic is an important and vital subject of study and practice, I do feel that argument must be understood as a broad and open practice. I hope the arguments I presented above can help to demonstrate that a narrow understanding of argument as necessarily linguistically explicable is incorrect. For now, it just remains to be said that all the NASTy theorists I know are actually very nice, and even that some of the NICE ones can sometimes be nasty.

## Notes

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<sup>1</sup> I must confess that the reason I am aware of the missing parts of Burluson's argument is that it is taken from my book, *How to Win An Argument* (Gilbert 1979) now in a second edition (Gilbert 1996).

<sup>2</sup> Johnson claims that the importance of written argument is demonstrated by the fact that without it, Plato's arguments would not be with us today. I find this a strange sort of support since it is the invention of writing and not written arguments that is responsible, and it is, after all, the Socratic Dialogues, a series of oral arguments, that Plato captured. Moreover, in cultures without writing and prior to writing, mythology, legend and history are transmitted via story, a linguistic enterprise.

<sup>3</sup> This is made clear in email correspondence. Johnson has said that such things are relevant to the argument, but are not arguments.

<sup>4</sup> Another more recent proponent of the NASTy view is Scott Jacobs. In a recent article (Jacobs, 2000) he distinguishes between those things that are part of the argument, and numerous surrounding aspects that are not. Goodwin agrees with him in her response. (Goodwin, 2000).

<sup>5</sup> The *ceteris paribus* is meant to cover such possibilities as Ahmed's knowing that Lorraine despises tea, and so on. Also, there is no guarantee at all that the kind of gesture will be appreciated or accepted at face value.

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