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The Charge of Ambiguity

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      This paper deals with the fallacy of ambiguity. One of the requirements van Eemeren and Grootendorst mention for an adequate theory of fallacies is that "it should provide criteria for deciding when such a norm [for distinguishing between reasonable and unreasonable moves in argumentative discourse] is violated" (van Eemeren and Grootendorst 1992, 104). Recently, van Eemeren and Houtlosser proposed a research program for the development of such criteria (van Eemeren and Houtlosser 2003). In this paper, however, the issue of a proper criterion for the fallacy of ambiguity is approached from a slightly different perspective: the immanent dialectical one (Krabbe 1999).

      Starting from a pragma-dialectical perspective on fallacy, the question to be addressed is: how can we identify a fallacy of ambiguity committed by a participant of an argumentative discussion? First, an outline of some basic dialectical principles will be given. Second, an explication will be given of the kind of ambiguity that can be characterised as fallacious. Third, the dialectical principles will be applied in order to develop a criterion for the fallacy of ambiguity. Fourth, the applied method will be compared with the research program by van Eemeren and Houtlosser. Fifth, it will be shown that the resulting criterion will not always lead to clear results.

Dialectic

      Dialectic constitutes a method that helps discussants who disagree about the acceptability of a proposition to resolve their dispute. In this paper, attention will be restricted to a simple kind of dispute: the proponent holds a statement to be acceptable, while the opponent doubts whether it is correct. The dispute has been resolved if the parties have reached an agreement in favour of either the opponent's or the proponent's original position, provided that the agreement is the result of a systematic attempt to reflect on the merits of the case, as the parties perceive these merits. How does the method work? How can dialectic claim to help the parties to decide the issue on the (perceived) merits of the case? The method involves a critical discussion between the proponent of the main standpoint, referred to as *White*, and its opponent, *Black*. A critical discussion can provide some guarantee for the acceptability or unacceptability of a standpoint (and not for mere acceptance or lack thereof) due to a certain division of tasks, combined with certain restrictions on the ways these tasks may be performed (cf. Krabbe 2003b).

      White commits herself to persuade Black of the acceptability of the main standpoint by defending the standpoint against all criticisms that Black puts forward. To fulfil this task successfully is the *persuasive* (van Eemeren and Houtlosser 2003) or *participant's aim* (Walton and Krabbe 1995, 68) of White.[1] White's task has been

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accomplished when Black makes it clear that he has been persuaded of the acceptability of White's standpoint.

Black commits himself to cast doubt on the main standpoint and on the reasons offered in favour of it, in order to show White that she lacks the means to persuade him of the acceptability of the main standpoint. To fulfil this task successfully is the *persuasive* or *participant's aim of Black*. This aim has been achieved if White acknowledges the correctness of Black's stance and retracts her main standpoint.

The commitments to the participants' aims are instrumental to the shared commitment to *resolve* the dispute. The commitment to this *main goal* of the dialogue (Walton and Krabbe 1995, 68) also implies the obligation to abstain from hindering or obstructing one's interlocutor to achieve his or her participant's aim, except if one 'hinders' or 'obstructs' by offering genuine arguments or genuine argument criticisms. This shared commitment provides restrictions on the devices the parties are allowed to make use of in order to achieve their participant's aims. By specifying dialectical models we can study where the boundaries might be found between genuine argument and argument criticism on the one hand and undue hindering and obstruction on the other.

Van Eemeren and Houtlosser introduce the concept of *strategic manoeuvring* in order to study rhetorical considerations from a dialectical perspective, and to explicate fallacies as *derailed* strategic manoeuvres (van Eemeren and Houtlosser 2003). A strategic manoeuvre is an attempt by a discussant to reconcile his persuasive aims with his critical commitment to resolve the dispute.

If we apply this idea to the framework introduced above, we could say that Black should manoeuvre strategically in order to reconcile his attempts to get White to give up her standpoint, with his commitment not to hinder White by anything else than by genuine criticism. White should manoeuvre strategically in order to persuade Black of the acceptability of the standpoint, without using means that might distort Black's reflections on the case at issue. The rules for critical discussion should make the means available by which the discussants may try to achieve their participant's aims, and they should provide the restrictions generated by the commitment to resolve the dispute. Thus, if a strategic manoeuvre violates such a restriction for critical discussion the strategic manoeuvre is *derailed*.

The commitment to achieve one's participant's aim encourages the parties to put forward all considerations that might be *effective* to win over the other party. The commitment to the main goal encourages the parties to abstain from breaking down the process of conflict resolution. This arrangement provides some guarantee that *good* arguments and *good* criticisms will be put forward and stand firm, while *bad* arguments and *bad* criticisms will be retracted, if they are put forward at all. If Black and White live up to their commitments and if Black accepts White's standpoint, we have some guarantee that the standpoint really is worthy of acceptance (given Black's position). And if, conversely, White retracts her standpoint after considering Black's criticisms, we have some guarantee that the standpoint really is unacceptable (given Black's position). Dialectic helps the good and the effective to merge (cf. Johnson 2000, 193).

Active ambiguity

As Walton observes: the expression *ambiguity* itself is (in a sense) ambiguous (1996, 22). One way of showing its ambiguity is to present a fallacy of equivocation that might arise from its use (van Laar 2003).

> Almost all English expressions are ambiguous.
> If a discussant uses an expression that is ambiguous, we may object to the use of the expression.
> Therefore, we may object to the use of almost all English expressions by a discussant.

There is a sense of *ambiguity* that makes the second reason acceptable. This is the sense, called *active ambiguity*, that will be examined in this paper. In this reading the first reason is unacceptable. There is also a sense of the term that makes the first reason acceptable. However, this sense, called *semantic ambiguity*, is a much wider sense, as is shown in figure 1 below. In this reading the second reason is unacceptable. Moreover, the set of reasons only provides sufficient ground to concede the standpoint if both occurrences of *ambiguous* are disambiguated in the same way.[2]

The figure must be read in such a way that if an expression is contextually ambiguous, it is semantically ambiguous, etc.
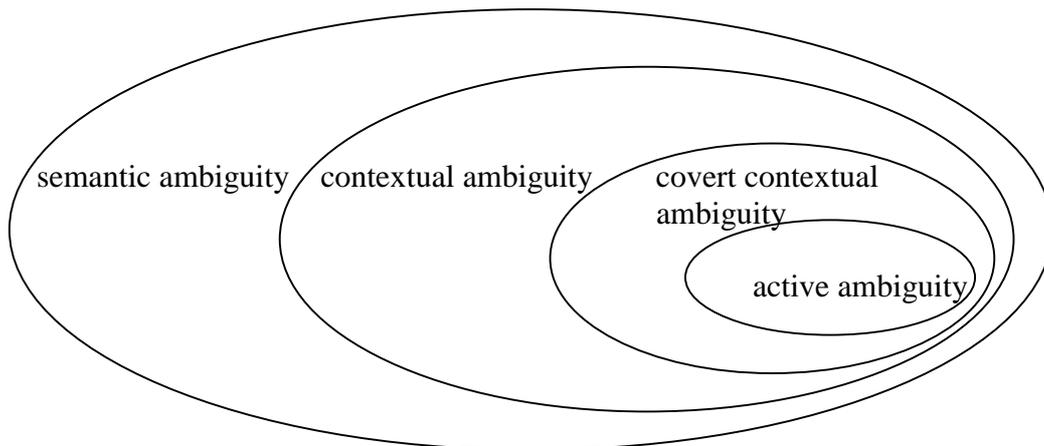

Figure 1.

An expression is *semantically ambiguous* when it may express different meanings in different contexts of utterance (*bank*, for instance). An expression is *contextually ambiguous* within a context of utterance when it expresses several possible meanings within that context (*bank*, in a conversation where it might equally refer to a river edge or to a financial institution). It is *covertly contextually ambiguous* when the contextually ambiguous expression is not presented in a way that makes it clear (directly or indirectly) to the intended audience that the ambiguity is intentional (so, the kind of ambiguity that is characteristic for either jokes or poems is not ambiguity in this particular sense).

In order for a contextually and covertly ambiguous expression to be objectionable from the perspective of dispute resolution, another requirement must be fulfilled: the distinctions between the contextually admissible meanings of the

expression must, in some way or other, be relevant for the discussion at hand. If this requirement has also been met the expression is *actively ambiguous* (a term adopted from Naess, 1953, 75-6).

There are at least two ways in which a contextually and covertly ambiguous expression can be relevant for the course of the discussion. First, the expression can be the source of a fallacy of equivocation, such as the argument discussed above. In such a case the actively ambiguous expression covers up a dialectical weakness or flaw: every disambiguation of the argument either contains unacceptable basic reasons, or it contains an (implicit) inference license that is unacceptable. Second, the expression may be a likely source of a misunderstanding, that is, of a pseudo-agreement or of a pseudodisagreement (Naess 1953, 122-141).

A discussant may come to use actively ambiguous expressions, without having any intention to do so. However, there are strategic incentives to use actively ambiguous statements. A discussant who has the role of proponent may profit from covered up flaws, in the sense that the interlocutor may fail to notice the flaws, and fail to criticise questionable elements in the argument. A pseudo-agreement that remains undetected is also *prima facie* profitable for the proponent, because it implies a situation where the opponent concedes a statement that, as read by the proponent, expresses something that the opponent really disagrees with: a pseudo-agreement provides the proponent with a possibly useful, but not really deserved, concession to base her argument on. However, a pseudodisagreement that goes unnoticed helps the opponent to win over the proponent, because it implies a situation where the opponent challenges a statement that, as read by the proponent, expresses something that the opponent really agrees with: the opponent, whether or not intentionally, withholds a concession from the proponent that could be used to support her standpoint.

Therefore, although the use of actively ambiguous expressions may serve the individual aim of a party, it hinders the other party from offering effective arguments or from criticising arguments in an effective manner. Moreover, the interlocutor's position is not weakened due to the force of argument or criticism, but due to the circumstance that relevant information remains hidden. Consequently, the use of active ambiguity is detrimental to the main goal of critical discussion.

As said before, in this paper the pragma-dialectical definition of fallacy will be adopted. Given that using an active ambiguity harms the prospects of dispute resolution, using active ambiguities is fallacious, and should be ruled out by a restrictive rule for critical discussion, such as 'do not use actively ambiguous expressions.' This rule, that I shall call the *rule for univocal language use*, resembles the part of the tenth pragma-dialectical rule (van Eemeren and Grootendorst 1992, 196) that prohibits the use of *confusingly* ambiguous expressions. The fallacy of ambiguity will thus be defined as a violation of the rule for the univocal use of language. Equivocation is considered as a subtype of the fallacy of ambiguity.

However, there are good reasons to consider the rule for the univocal use of language as a *regulative rule* only, expressing a regulative ideal. The rule is not part of the set of rules that *defines* and *constitutes* critical discussion. One reason is that there are situations where discussants cannot in fairness demand of each other to avoid active ambiguities: whether or not an expression is actively ambiguous can often not be determined before the discussion starts (van Laar 2001). Even though the rules for critical discussion should encourage the discussants to use formulations that are univocal within the context of utterance, the constitutive rules do not need to ban active ambiguities completely. The use of active ambiguities must, however, be seen

as violations of the regulative rule for the univocal use of language, and as fallacious in that particular sense.[3]

Towards a criterion for the fallacy of ambiguity

We are after a criterion that enables a discussant or an analyst to decide that someone has committed a fallacy of ambiguity. According to the immanent dialectical point of view "ultimately, the status of an argument must be decided in discussion, by the participants themselves. Dependent on that outcome the argument is reconstructed as valid, as doubtful, as erroneous, as a blunder, or even as a fallacy" (Krabbe 1999, 467). In this paper, attention will be restricted to situations where there is an issue of whether White, the proponent of the main thesis, has committed the fallacy of ambiguity.[4]

Whether an argument, or another kind of argumentative move, is fallacious due to a violation of the rule for the univocal use of language should be decided in a *metadiscussion* about the admissibility of a formulation in the *ground level discussion* (see Krabbe 2003a for a discussion about *metadialogue* and *ground level dialogue*). This metadiscussion should itself be a critical discussion about the acceptability of the standpoint that a particular expression is actively ambiguous. An immanent dialectical criterion for the fallacy of ambiguity, committed by White, can now be formulated in a skeletal form: White has committed the fallacy of ambiguity against Black if and only if Black wins a critical metadiscussion in which he defends the standpoint that White has used an expression that is actively ambiguous. (A similar criterion can be set up for a fallacy of ambiguity committed by Black.)

In order to elaborate this criterion, we can state the rules that are appropriate for such a metadiscussion. Because the kind of standpoint at issue in the metadiscussion is known, we can specify the rules for this kind of critical metadiscussion in further detail. Thus, we can apply the basic principles of dialectic to a metadiscussion about the issue whether or not White has committed a fallacy of ambiguity. In addition, we are in need of rules for shifting from the original ground level discussion to the metadiscussion and for shifting to the ground level discussion again.

A proper division of tasks is determined by the participants' aims. A fallacy by White is detrimental to Black's position, so Black should see to it that White does not get away with a fallacy. Therefore, Black will be the proponent of the charge of active ambiguity, while White will oppose it. In order to enable White to correct possible faults in Black's charge, she must dispose over devices to criticise Black's charge. In order to enable Black to sustain his charge, there must be means available to sustain the criticism.

Some appropriate rules will be illustrated with the following example (the dialectical model that contains these rules can be found in Van Laar 2003).

1. White: The Dutch bill *Termination of life on request* should be passed.
2. Black: Why?
3. White: Euthanasia, as a rule, is morally acceptable.
4. Black: The expression *euthanasia* is actively ambiguous!
5. White: Between what readings?
6. Black: The expression *euthanasia* is actively ambiguous between a broad reading 'termination of life on request' and a narrow reading 'termination, by a doctor, of the

life of a patient who is suffering unbearably, who has no prospects, and who has expressly and earnestly requested for this termination'.

At stage 4 Black raises a fallacy criticism. At stage 5 White requests Black to specify the charge in more detail. Stage 6 contains a complete fallacy criticism, that will be called *ambiguity criticism*. From stage 4 onwards the parties are engaged in a metadiscussion about the admissibility of White's use of the term *euthanasia* in the ground level discussion.

White must be able to criticise two components of the ambiguity criticism (in addition to acknowledging the ambiguity criticism by disambiguating her arguments). First she may challenge the *linguistic admissibility* of Black's charge: is the term *euthanasia*, as used in the current context, contextually ambiguous? If there is linguistic evidence that one of the readings of *euthanasia*, indicated by Black, is linguistically inadmissible in the current context of utterance, Black loses the metadiscussion and should retract his ambiguity criticism. If there is no such evidence available, Black's criticism must be regarded as sustained, White loses the metadiscussion, and White must disambiguate her arguments.

A second component of the ambiguity criticism that White may challenge is the relevance of the ambiguity. She should have a right to request Black to show in what way the distinction between the readings of *euthanasia* could be important for the continuation of their discussion. Black should then either point out that conceding the reason containing *euthanasia* would lead to a pseudo-agreement, or that this reason is part of a fallacy of equivocation. Note that pointing out pseudodisagreements helps White to achieve her participant's aim: consequently, the task of pointing out pseudodisagreements should not be assigned to Black.

Black may point out a pseudo-agreement by conceding White's reason in one disambiguation of *euthanasia*, while challenging it in the other sense: 'I concede that termination, by a doctor, of the life of a patient who is suffering unbearably, who has no prospects, and who has expressly and earnestly requested for this termination is, as a rule, morally acceptable, but I don't think that termination of life, generally, is normally morally acceptable.' If Black shows the relevance of the ambiguity in such a way he sustains his ambiguity criticism, and White loses the right to use *euthanasia* in the ground level discussion, except if she makes it clear in what sense it must be taken.

Black may respond to an alleged fallacy of equivocation by expressing that if White disambiguates her argument, in whatever way, she will not be able to persuade Black of the acceptability of the standpoint. If Black is correct, he will be able to point out either an unacceptable premise, or an unacceptable inference license. If, in the ensuing dialogue White fails to persuade Black, Black's ambiguity criticism becomes sustained. If, however, White succeeds, her success provides some guarantee for the incorrectness of Black's ambiguity criticism.

The discussant who loses the metadiscussion has to pay some sort of price in the ground level discussion (Krabbe 2003a). The price White has to pay if Black is able to sustain his ambiguity criticism is that she must disambiguate her argument, and that she should abstain from using the controversial expression again, except if she makes it clear what more precise reading she has in mind. The price Black has to pay if he is not able to sustain the ambiguity criticism is that he should retract his ambiguity criticism and that he should accept that White continues to use the disputed expression in the ground level discussion, without being obliged to specify a particular disambiguation.

Constitutive rules like these allow the discussants to argue about the issue at hand, to raise an ambiguity criticism, to argue critically about the correctness of the ambiguity criticism, and to return to the ground level discussion. The following (incomplete) profile of dialogue shows which sequences of moves should be allowed according to such a model for critical discussion:
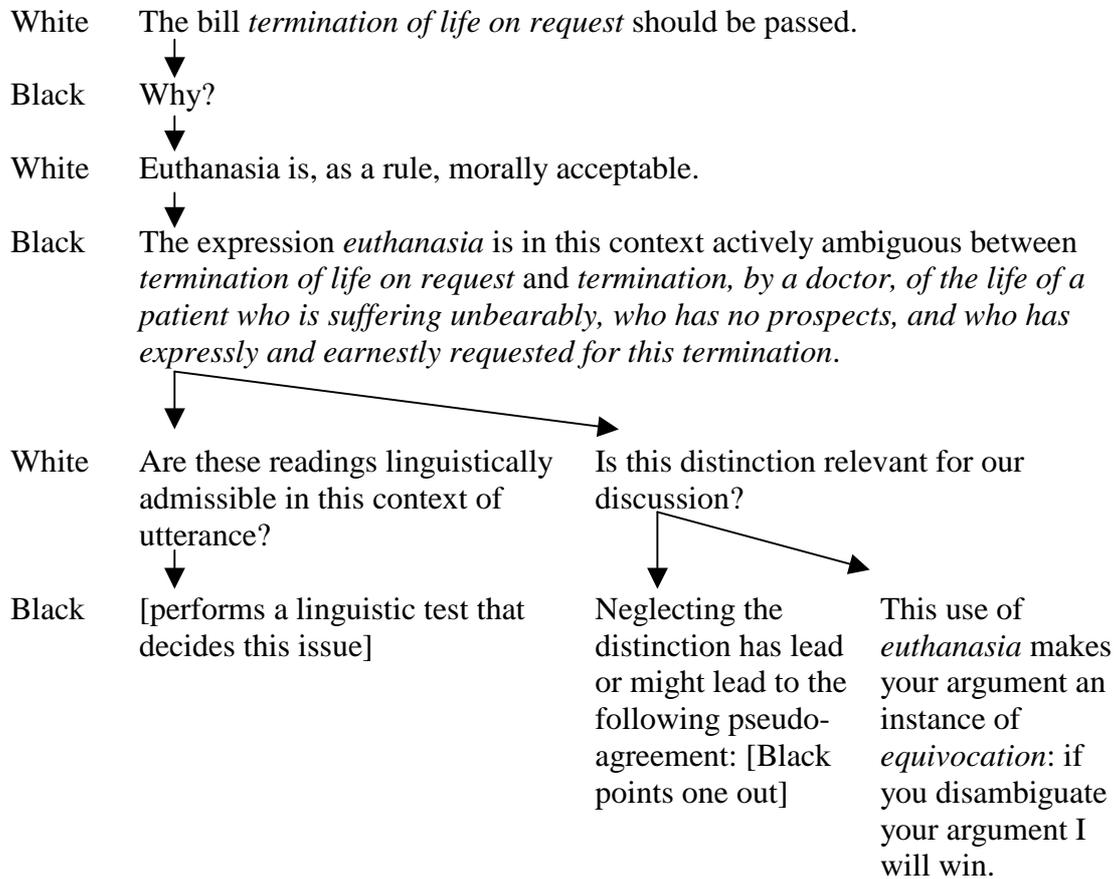
White   The bill *termination of life on request* should be passed.

Black   Why?

White   Euthanasia is, as a rule, morally acceptable.

Black   The expression *euthanasia* is in this context actively ambiguous between *termination of life on request* and *termination, by a doctor, of the life of a patient who is suffering unbearably, who has no prospects, and who has expressly and earnestly requested for this termination.*

White   Are these readings linguistically admissible in this context of utterance?   Is this distinction relevant for our discussion?

Black   [performs a linguistic test that decides this issue]   Neglecting the distinction has lead or might lead to the following pseudo-agreement: [Black points one out]   This use of *euthanasia* makes your argument an instance of *equivocation*: if you disambiguate your argument I will win.

Figure 2.

The fallacy of ambiguity has been defined as the violation of the rule for the univocal use of language by a participant of an argumentative discussion. An immanent dialectical criterion for White's having committed the fallacy of ambiguity is that Black can win a critical metadiscussion about the issue of whether or not White has used an actively ambiguous expression. According to this account, stating that White has committed the fallacy of ambiguity against Black amounts to expressing the *expectation* (Krabbe 1999, 467) that Black is able to win a metadiscussion of the kind examined in this section.[5]

The pragma-dialectical program

Recently, van Eemeren and Houtlosser have proposed a program for developing criteria for the identification of violations of the various norms for critical discussion (van Eemeren and Houtlosser 2003). The program is based on their concept of strategic manoeuvring. A starting point is that there are several types of strategic manoeuvring. A suitable typology can be derived from the distinction between persuasive and critical aims in the four stages of the model for critical

discussion. For every type of manoeuvre we can formulate correctness criteria, such that if a discussant's manoeuvre does not fulfil the criteria, he has not able to reconcile his persuasive with his critical aims due to giving priority to persuasive aims at the expense of critical aims. For instance, if a party puts forward argumentation from authority, and the argument fails to satisfy a criterion for correct manoeuvring with argumentation from authority, the argument may exemplify *argumentum ad verecundiam.*

How could such a program be applied to the fallacy of ambiguity? Presumably, active ambiguity may play a role in several types of strategic manoeuvring. Thus, for all these types there must be a correctness criterion to the effect that using an active ambiguity makes the strategic manoeuvre incorrect. Given my understanding of active ambiguity, the criterion should be something like: 'a strategic manoeuvre is correct, only if it does not make use of an expression that is contextually and covertly ambiguous such that the distinction between its meanings matters to the course of the discussion.'

There are some differences between the pragma-dialectical and the immanent dialectical approach. The first, more than the second, is concerned with strategic considerations that are rhetorical rather than dialectical. The second, more than the first, takes a participant's perspective on fallacies. However, we may expect the results of both approaches to converge. We may expect White to win a metadiscussion about the issue whether a certain expression in her argument is actively ambiguous if and only if her argument satisfies the correctness criterion stated above. We may expect Black to win the metadiscussion if and only if White's arguments fails to satisfy this correctness criterion.

Dialectical flaws in a metadiscussion

The dialectical criterion for the fallacy of ambiguity will not always lead to a clear result. In certain cases we may expect the metadiscussion to result in a draw. Moreover, we may sometimes expect disagreements to arise about the issue of whether a certain move in a metadiscussion is itself dialectically admissible. Such a disagreement would diminish our confidence in the discussion as providing a reliable indicator of the acceptability or unacceptability of the standpoint that White has committed the fallacy of ambiguity. The rules outlined above pretend to rule out fallacies and to present an explication of straightforwardly resolving a metadiscussion about the fallaciousness of White's choice of words. But real metadiscussions may contain fallacies. In order to reflect on a concept such as a fallacious fallacy criticism we may construct models in which discussants can raise fallacy criticisms within metadiscussions about alleged fallaciousness.

As we have seen, failing to specify the relevance of the alleged active ambiguity amounts to a certain kind of nit-picking.

Andy: I am good to animals, because my cat never ran away.
Barry: *Cat*, that's actively ambiguous between *Felis domesticus*, male or female, and *tom-cat*!
Andy: Nit-picker!!

Andy seems to start a metadiscussion about the appropriateness of a move in a metadiscussion. Barry's ambiguity criticism allegedly hinders conflict resolution in an

undue manner by starting a metadiscussion about the expression *cat*. This expression might, indeed, be contextually ambiguous, but the difference between the readings seems clearly irrelevant for their discussion about whether Andy is good to animals. Hence, from Andy's perspective, the metadiscussion is lost time, and leads to a needless postponement of resolution of the dispute.

Notes

[1] Van Eemeren and Houtlosser's concept of a persuasive aim is broader than Krabbe and Walton's concept of the aim of a participant. The latter refers only to dialectical objectives, while the former also includes aims that are rhetorical, rather than dialectical (Krabbe 2003b).

[2] So, whatever disambiguation the proponent of such an argument would choose, either the result contains at least one unacceptable basic reason, or it is based on an unacceptable inference license.

[3] There are also active ambiguities that go against the constitutive rules of critical discussion (van Laar 2003).

[4] The opponent of the main thesis may also misuse active ambiguities when putting his position in words. In addition to enabling discussants to raise fallacy criticisms, dialectical models should also provide both parties with devices to correct active ambiguities introduced by themselves, even when they are not characterised as inadmissible by the other party (for such a model, see van Laar 2003).

[5] If an analyst states that a certain proponent has committed the fallacy of ambiguity, this statement can be understood in at least two ways: either the analyst expects the proponent to lose a metadiscussion with her interlocutor, or the analyst expects the proponent to lose a metadiscussion with the analyst in the role of critic.

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