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# Argumentation as an ethical and political choice

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**ABSTRACT:** The paper's two theses are: First, that the historical and philosophical roots of argumentation are in ethics and politics, and not in any formal ideal, be it mathematical, scientific or other. Furthermore, argumentation is a human invention, deeply tied up with the emergence of democracy in ancient Greece. Second, that argumentation presupposes and advances concurrently humanistic values, especially the autonomy of the individual to think and decide in a free and uncoerced manner.

**KEYWORDS:** argumentation theory, democracy, epistemology, humanism, scepticism, values

## 1. INTRODUCTION

The thesis of this paper in a nutshell is as follows: If truth was accessible to people and its truthfulness visible to everyone, then there was no real sense to the existence of essential disputes and disagreements. Furthermore, if truth was accessible to people but its meaning was concealed from most of them, then the task of those who know the truth was to interpret and teach the truth to everyone else. The existence of disputes and disagreements in this case will be the mark of stupidity in one case or a sin of arrogance in the other. This is the *Hermeneutical stance*, where there is a hierarchy of acknowledged and skilful masters along with schismatic but regulated disagreements regarding the proper interpretation of the truth. The task of those at the top of the hierarchy who know the truth would be to explain it to those who have difficulties in its understanding, and to punish those who refuse to accept it. If there is truth, then it has to be interpreted, explained and taught, and sometimes, those who deny its truthfulness would have to be punished.

*Truthfully*, however, not only that truth is not accessible to humans, its very existence is doubtful in the first place. The existence of substantial controversies and lack of common grounds for an accord in disputes is precisely one of the conspicuous marks of human reality. Yet, should we lament for this human reality and, thus, look desperately for the concealed and elusive source of truths? The *Humanistic stance's* answer is No, since the pretension to know about the existence of truth and its nature is nothing but a baseless feigning. Instead, we should resolutely dare to accept the fact that the existence of substantial controversies is precisely the distinctive mark of sound rationality and real understanding as to the nature of knowledge. Furthermore, the understanding that everyone can be wrong

is trivial, but that *I* can be wrong constitutes the right answer to the question of rationality. It is also the right answer to the question why argumentation theory should be understood to be based on humanistic values.

This paper, thus, does not assume to argue for something new. These ideas are rooted in the humanistic tradition as well as in the Analytic philosophy, such as David Hume's *Enquiry concerning Human Understanding*, Bertrand Russell's *A History of Western Philosophy*, Karl Popper's *The Open Society and Its Enemies*, Ludwig Wittgenstein's *Philosophical Investigations* and *On Certainty*, and Jürgen Habermas' *Theory of Communicative Action*. The purpose of this paper is to reemphasize these ideas with regard to argumentation, while stressing that these ideas are part of the broader ideological context of humanism. This approach proposes a solution to the problem of 'epistemological justification' as well.

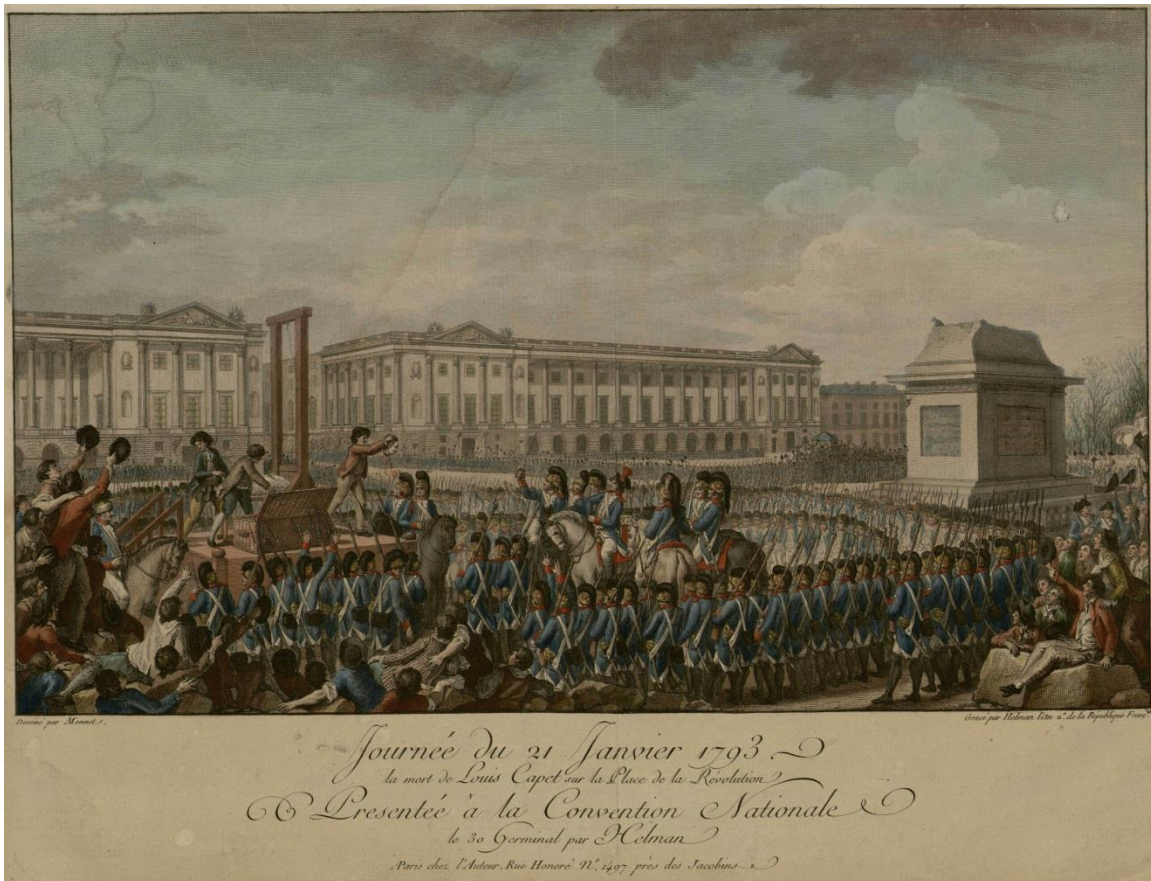


Figure 1: *The Execution of Louis XVI* by Henri Helman (1793-1794).<sup>1</sup>

Louis XVI was trialled and executed on Monday, 21 January 1793 on the Place de la Révolution. However, it was not only an execution of a person but and above all the execution of his political body. This royal execution had a ritual aspect,

<sup>1</sup> The caption reads: *La mort de Louis Capet sur la Place de la Révolution présentée à la Convention Nationale le 30 Germinal par Helman*. Etching and Engraving, 35 x 46 cm. Source: Institut national d'histoire de l'art. Retrieved: February 22, 2013: <http://www.purl.org/yoolib/inha/6004>.

which is symbolized by Helman in the above Figure 1: On the right, there is the empty pedestal that formerly supported Bouchardon's statue of Louis XV and was torn down on August 9, 1792, and is a compositional counterbalance to the guillotine on the left. These two events are together the embodiment of a symbolized monarchy and what it stands for that come to an end (Connerton, 1989, p. 9; de Baecque, 2001, pp. 86-119). Helman's print emphasizes the ritual of sacrifice by describing the moment in which the executioner holds the head up in front of the crowd while circling the scaffold.

Susan Dunn sees in the public beheading of Louis XVI a central event in the French collective memory for two centuries (Dunn, 1994). In her book, chapter one: "The Cult of Human Sacrifice," she examines the cultural and political meaning of the regicide and mentions the work of Marcel Mauss and Henri Hubert, *Sacrifice: Its Nature and Function*, 1898, (Hubert & Mauss, 1964). As Dunn describes, the humanistic freethinkers of the political left in French intellectual history politicized this act of regicide and were conscious to its ritual aspect: To signify a cultural and political revolution and change. For the Jacobins, the king's decapitation was the people's coronation. The event of the regicide is well rooted in Greek rituals and myths, as Walter Burkert states in his (Burkert, 1979, pp. 59-77), "Transformations of the Scapegoat": "The process can be brought into a nearly perfect Lévi-Straussian formula, the scapegoat being the mediator who brings about the reversal from common danger to common salvation: the situation 'community endangered' versus 'individual distinguished' is turned into 'individual doomed' versus 'community saved'...." (Burkert, 1979, p. 67). The crowd in the Place de la Révolution knew perfectly well what the ritual of sacrifice means, since it is told that the crowd has cried, "Long live the nation! Long live the Republic!" (de Baecque, 2001, p. 100). They were echoing the Jacobins' understanding regarding the regicide's significance.

These shouts of the crowd immediately following the execution show that the royal execution of Louis XVI was not just an act of vengeance. Dunn summarizes the symbolizing act in this royal execution when she writes: "the myth of a phoenix-like republic rising from the blood of the dead king." (Dunn, 1994, p. 20). The political debate between the Jacobins and the Girondins during the trial of Louis XVI emphasizes this point. The Girondins, who were against the execution, considered the execution unnecessary for the establishment of a republic and were repudiating the Jacobin exhortations. Joseph Guiter, one of the Girondins, viewed regicide as a "misguided form of human sacrifice" to freedom and equality (Dunn, 1994, pp. 21-23).

Yet, Helman's image shows a single moment of the royal execution, which has a distinctive symbolic value. Helman's image embodies a symbolic violence, the violence of a new regime against the *ancien régime*. It was a violent conflict for political and economic supremacy that resulted in exchange of social elites. But above all, it was supposed to signify the beginning of an old new culture in light of the ideas of the Enlightenment philosophers. It was the beginning of an era in which humanism has a leading role and argumentation as the mean for expressing rationality. It was the renewal of a culture, in which argumentation has a constitutive role.

## 2. THE HISTORICAL ASPECT

The reason why disagreements and controversies are the very nature of argumentation and the reason for its creation are rooted in the philosophical and political revolutions of the 5<sup>th</sup> century B.C. This is the peak of the transition in the *World Spirit* from an era in which truths regarding politics, ethics and nature were considered sacred by the gods and tradition to an era in which these long standing truths are subjected to critical disputes in the new political atmosphere of democracy. The new democracy is part of a crucial cultural process, in which everything is put into question and doubt. Moreover, citizens in general and leaders in particular are expected to form their opinions and engage in controversies with opposing views in order to convince others.

Democracy and philosophy of the 5<sup>th</sup> century B.C. are interconnected (Farrar, 1988), and the upshot of this interconnection is the importance of argumentation. The reason is that argumentation *can* have a significant role only in a democratic environment based on humanistic values and ideas. It is quite clear that the Greek awareness of cultural and religious diversity enabled the Greek philosophers to form what in the 18<sup>th</sup> century came to be known as humanism and secularism. These values can prosper only in a free political environment and argumentation is needed for executing these values.

One of the marks of this change in the *World Spirit* is the Sophists' concept of law and the difference between *nomus* and *physis*. It is the difference between the modern democratic definition of law (Weber, 1978, p. 671) and the non-democratic concept, which is based on *traditional authority* (Weber, 1978, p. 227). The creation of democracy made argumentation a necessary part public life and, consequently, of education, as clearly can be identified with the appearance of the Sophist philosophical movement at that time.

The Greek philosophers of the classical era were aware of two philosophical-social facts: First, that theories regarding nature, ethics, politics and so forth are mere opinions. It is the classical distinction between *epistêmê* and mere *doxa*; the distinction between genuine knowledge and mere confirmed belief, respectively. And it relates to the quality of the justification or evidence the confirmed belief in question is based upon. Nightingale describes how epistemic concepts, such as knowledge, *thea*, *theôria*, were conceptualized in the new tools of philosophy and what part did the cultural conditions played in this transformation (Nightingale, 2004). Second, opinions are constantly changing in time and place. Thus, the perpetual situation of controversies and, moreover, the need for political and social means for their resolution. The democratic Greeks came to the conclusion that the integration of *doxa* or conjectures with public and free critical discussion is the only reliable foundation to knowledge.

The story of Protagoras tells the story of Greek culture and politics of the 5<sup>th</sup> century B.C. His life as a wanderer teacher of philosophy gave him a unique and revolutionary point of view regarding human nature and society. The sophists saw disputes regarding the many aspects of human life, as moral and religious issues. The absence of centralized political power on the one hand and self-governing city-states on the other hand, as well as constant contacts with other cultures through

commerce, gave the Greeks this prevailing point of view to question truths and traditions. The outcome with which philosophers such as Protagoras had to deal with was the collapse of tradition and a wide social turmoil. Protagoras' philosophical relativism, but more important, his humanist and democratic inclinations, were shaped with these events in mind (Levi, 1940; Schiller, 1911; Scenters-Zapico, 1993).

His relativistic principle of the *man-measure* (Schiappa, 2003) is the key to a better understanding of his approach to logic and rhetoric (Mendelson, 2002). This principle constitutes philosophical relativism in its modern understanding. But more important is that, according to Protagoras, humanistic values, such as the autonomy of the individual, necessarily follows this principle. The relativist philosophical climate of the Sophist movement is interwoven with the political nature of the newly established democracy in Greek city-states.

In the absence of religious and traditional authorities to solve conflicts, there was the need for an alternative procedure for resolving conflicts. Protagoras and other pro-democratic philosophers thought that argumentation and critical discourse are part of the solution to this new situation. His relativism rejects the notion that all personal beliefs are equally accepted, and argues that some are 'better' than others. Critical discussion as an inter-subjective process is the basis for his position and, consequently, his emphasize on the need to teach rhetoric and logic. This process, however, has a meaning only in democratic environment with the proper education to its citizens (Aristotle, *Rhetoric*, 1422a). Here one can see the more decisive reason to the controversy between Protagoras and the sophist movement on the one hand and the anti-democratic philosophers, such as Plato and Aristophanes, on the other hand (Moore, 1988).

It all begins with the principle of the *man-measure* (DK80b1): "Of all things the measure is man, of the things that are, that [or "how"] they are, and of things that are not, that [or "how"] they are not." This principle can be understood on two levels: The *humanistic* level, in which every person is equal regarding all things and each person counts; and the *epistemological* level, in which knowledge is drastically different from person to person. However, Protagoras coincides with Parmenides when he assumes that people have the ability to judge for themselves what is and what is not: "on every issue there are two arguments opposed to each other (DK80A12), although without the hope for any certainty. This is the *Dissoi Logoi* statement of the ancient rhetorical practice of arguing both sides of an issue. Its epistemological justification is that knowledge is contingent upon circumstance and language (Mendelson, 2002, pp. 1-134). Richard Rorty summarizes the idea in modern terms as follows: "Truth cannot be out there - cannot exist independently of the human mind - because sentences cannot so exist or be out there. The world is out there, but descriptions of the world are not." (Rorty, 1989, p. 5).

This relativism, in which opposing arguments can be argued equally well from either side (DK80A20) is not mere rhetorical tricks, but an essential philosophical meaning of what democracy is. Protagoras was known for claiming that he can make the weaker argument appear the stronger (DK80A21), but he did so for a purpose (Farrar, 1988, pp. 63-64). Protagoras says that he can make and teach other to make the apparently less persuasive argument onto the more

persuasive, and this can be taught. If one can strengthen both sides of a question, then one can point out what was at stake in the controversy. The aim of this process of exploring opposing claims is to discover the more acceptable one. But what is important in this process is that no one disputant can trump the others by appealing to some privileged access to truth or authority, as is expected in the *Hermeneutical stance*. Furthermore, the man-measure principle endorses the democratic ideals, as it makes no reference to differences in people's status: every man is the measure equally.

### 3. THE PHILOSOPHICAL ASPECT

Argumentation derives its philosophical essence from the fact that every person can be mistaken – and me in particular – since every belief people have is flawed to begin with. The use of argumentation is the only rational way to deal with these facts (Popper, 2002, pp. 67-68). Beginning with the Greek philosophy of the classical era, the *Humanistic stance* is formed and with its creation also the solely reliance on human reason and knowledge. The only way to justify knowledge is in accordance with the ideal of free and public critical inquiry (Popper, 1966). There is no other way to justify knowledge which will accord with humanistic values. In particular, there is no divine revelation accessible only to elected people or some concealed procedure known only to holy men or wizards. These traits signify the *Hermeneutical stance*, in which any knowledge is legitimate only if it can be interpreted in view of the established absolute truths. Moreover, interpreting the truths is the prerogative of a well-defined élite, while most people are excluded from participating in this process (Weber, 1978, p. 227). The discussion of disputes and controversies in the *Hermeneutical stance* is reserved only to the élite members, while the existence of controversies is mostly denied or at least minimized.

The revolutionary insight of Greek philosophy is that beliefs cannot ever be rationally supported or justified in any conclusive way. However, fallible knowledge is possible in two senses: (1) Epistemological speaking, knowledge and gaining knowledge is an acceptable fact of human history, although it always involves fallibility. It is considered a more realistic conception of knowledge, which is based on tolerance regarding conflicting opinions. And (2) normatively speaking, not only science but culture, politics and ethics should also reflect this epistemological state of affairs. And this epistemological state of affairs is not a shortcoming of human knowledge but a moral value of tolerance and autonomy. This is the place where the tight connection between scepticism on the one hand and humanism and democracy on the other is located. The essence of argumentation begins with this tight connection and with the dispute regarding the justification of the democratic way of life. The revolutionary novelty of critical discussion is bound with the need for means to resolve controversies in the way of rational persuasion.

The *Hermeneutical stance* is a receptive stance, since it begins with the belief that necessary truths are in need of interpretation and teaching. The affinity between the Hermeneutical stance and a totalitarian regime of any sort is the need to believe in necessary truths. This affinity is the epistemological reason why there is no place for free and open discussion in any totalitarian regime, since there

always will be some absolute truths, dictated by some authority or élite. Coercion in totalitarian regimes can come in different forms and degrees. But all of them function, at least in part, as means for eliminating opposition to the institutional truth. This is the epistemological reason why there is an imbedded threat in philosophical Skepticism and humanistic values for totalitarian regimes (Arendt, 2004; Popper, 1966).

Logic was invented and shaped out of a tight connection with the humanistic basic rights, which is possible only in democracy. Logic makes sense only with personal and political freedom. From its beginning in Greek philosophy, these connections were the *raison d'être* that shaped logic in the following sense (Berti, 1978): Freedom of expression and the need to achieve collective decisions without coercion presuppose the need for open discussion and the use of reasoned persuasion. But it begins with anthropocentric convergence of the three Kantian questions humans must ask in order to cope with their existence: What can I know? What shall I do? What may I hope for? These questions become humanistic only when the way to answer them is bestowed with certain normative basic assumptions. Most importantly is the stipulation that every human being is always more than a means for the purpose of others, but rather, a purpose in him-herself (Kant, 2008, p. 33). In this respect, humanism opposes any form of non-democratic way of life.

How do argumentation, humanism and democracy come to be connected? Humanism is analyzed in different ways in view of the diversity of contexts in which it is done. The following *normative basic assumptions* conceptualize humanism according to the relevance of argumentation in the context of democracy:

- (a) *The ontological basic assumption:* Human reason comes to know nature without any supernatural arbiter(s). Knowledge in any known tradition in the human history is always depended on the existing of at least one arbiter supernatural being, whose judgment or knowledge is deemed authoritative. The *humanistic stance* leaves human beings as the solely source of knowledge. Extra or super-natural beings are excluded from the participant entities relevant to knowledge and, thus, transforming knowledge humanistic.
- (b) *The epistemological basic assumption:* Knowledge should avoid being ethno or cultural centered. Yet again, knowledge in any known tradition in the human history always tended to project its own cultural perspective on nature (Morris, 2006, pp. 1-26). The *humanistic stance* aspires to objectivity, at least as a regulative ideal which avoids ethnocentrism.
- (c) *The ethical-political basic assumption:* Human reason should be autonomous and unbiased in the sense that human beings are free from external and internal coercion. The *humanistic stance* sees the freedom of thought as universal, in the sense that every participant in a discussion is like everybody else, since no one has a particular authority for deciding debates.



Of course, these basic assumptions are only an ideal construction, functioning in a regulative manner. But these assumptions function as a moving force in the cultural history of knowledge, such as science, politics and more. These normative basic assumptions explain why certain meta-theoretical principles are chosen for constituting argumentation theories rather than others, such as the meta-theoretical principles of pragma-dialectics (van Eemeren, et al., 1996, p. ch.10).

They are normative in nature since they are contrary to human actuality and history. Needless to say that the common way to resolve controversies is by the use of force and violence, and probably it is also the most effective one. Some of the Sophist philosophers came to this conclusion, such as Callicles or Thrasymachus. Callicles argues that it is an anthropological and social fact regarding human nature as such. Thrasymachus goes even further and turns this observation into a moral statement by arguing that the ability to force something is the criterion for its being justified (Barney, 2004). See also (Bett, 2002; Dillon & Gergel, 2003). Political murder is an instance to such a view, in which the use of violence is intended to cause an important political change. Caesar's murder in the Roman senate hall is an instance to such an act and an ironic instance as well (Canfora, 2007), as is well dramatized in Shakespeare's *Julius Caesar* (Taylor, 1973).



Figure 2: , Jean-Léon Gérôme, *The Death of Caesar* (1867).<sup>2</sup>

Thrasymachus' moral philosophy is relevant to the present discussion since his insistence on justice being the prerogative of the strongest is also a critical

<sup>2</sup> Gérôme, Jean-Léon (1824-1904). *The Death of Caesar* (1867). Painting, oil on canvas. 85.5 x 145.5 cm. Walters Art Museum (United States). Retrieved: March, 2, 2013, [Wikimedia Commons: http://commons.wikimedia.org/wiki/File:Gerome\\_Death\\_of\\_Caesar.jpg](http://commons.wikimedia.org/wiki/File:Gerome_Death_of_Caesar.jpg) .

reflection on the modern view that moral values are the product of social constructivism. Furthermore, his cynical realism is an expected consequence to the skeptical inclinations of the sophist philosophy in general. However, given the basic relativist nature of humanism, pluralism and social heterogeneity are an expected social state of affairs, which *should* be addressed according the humanistic principles. Western countries have to cope with multicultural society, and the question nowadays is what the suitable solution is. The determination that the democratic political sphere is the right place for solving or settling disputes (Williams, 2005; Williams, 2006) makes its fullest sense only in humanism.

The very idea of 'social contract' is the decision to solve or settle disputes by using arguments, as in John Rawls' theory of justice as fairness (Rawls, 1999). His theory tries to avoid the use of violence, especially against people, and not from the abhorrence of the use of force in principle. His main procedure uses, as can be expected, the idea of argumentation as a preferable mean:

If the public forum is to be free and open to all, and in continuous session, everyone should be able to make use of it... Moreover, they should have a fair chance to add alternative proposals to the agenda for political discussion... (Rawls, 1999, p. 255)  
 Discussion is a way of combining information and enlarging the range of arguments. At least in the course of time, the effects of common deliberation seem bound to improve matters. Thus we arrive at the problem of trying to formulate an ideal constitution of public deliberation in matters of justice... (p. 358).

Argumentation is the means for critical discourse and the rational way to deal with controversies. The meaning of this assertion is that argumentation is a tool. It is not a discovery of something which pre-existed to its formulation. Argumentation exists as a philosophical, cultural and social artifact, just as the rules of chess or abstract art are. Part of its essence is that full and objective verification is unattainable; only conjectures or hypotheses, their confirmation and sometimes also their possible refutation.

#### 4. ARGUMENTATION HUMANIZED

In what sense does argumentation reflect or ought to reflect humanism? There is a philosophical tendency beginning with the sophist philosophy and currently central to Analytic oriented philosophy, which is expressed in the above mentioned citation form Richard Rorty: "Truth cannot be out there - cannot exist independently of the human mind - because sentences cannot so exist or be out there. The world is out there, but descriptions of the world are not." (Rorty, 1989, p. 5). The above *ontological basic assumption* compels us to accept scepticism giving the poor cognitive abilities of human beings

The last statement would be clearer in context of the old tension between discovering objective truths and forming conjectures. It is the old tension between two philosophical approaches to the understanding of the nature of mathematics and logic: Platonism and psychologism (or anti-Platonism). Although 'psychologism' has many variations (Balaguer, 1998), it is sufficient for the present purpose. Michael Dummett, one of the sever critics of Platonism, writes:

The extrusion of thoughts from the mind initiated by Bolzano led to what is often termed "Platonism," as exemplified by Frege's mythology of the "third realm": for, if thoughts are not contents of the mind, they must be located in a compartment of reality distinct both from the physical world and the inner world of private experience. This mythology served Frege and Husserl as a bulwark against the psychologism which they opposed. If, now, our capacity for thought is equated with, or at least explained in terms of, our ability to use language, no such bulwark is required: for language is a social phenomenon, in no way private to the individual, and its use is publicly observable (Dummett, 1994, p. 131).

This is the reason, Dummett argues, why the *Linguistic Turn* of the Analytic Philosophy is faithful to the empiricist tradition. This is, for example, the meta-theoretical principle of 'socializing' in pragma-dialectics (van Eemeren, et al., 1996, p. ch.10). The belief in objective truth entails the belief in objective entities, which are neither empirical nor mental. Platonism endorses a third possibility, which is an "ideal sphere" or "third realm" (Frege, 1893, p. 204). More importantly for the following is the consequential assertion regarding rules and methodology. The laws pertaining to reasoning do not depend upon neither psychology nor pragmatics and, thus, should exist independently; they are neither the product nor the content of mental states. They supposed to occupy an "ideal sphere" and, thus, are discovered rather than invented or created.

However, the linguistic turn in the philosophy of the 20<sup>th</sup> century preserves the objectivity of argumentation as a social phenomenon while avoiding ontological mythology by locating rules of 'verification' outside the mind (Dummett, 1994, p. 25). Argumentation should be located in the spatio-temporal world of inter-subjective reality. This does not mean that logic is grounded in *psychology* or renders it or its subject matter to pure "subjectivism" or "private". It does affirm that argumentation is grounded on an *empirical* basis. This does not rule out, however, the distinction between ideal or normative on the one hand and real or empirical on the other regarding logical entities and laws pertaining to them. They are ontologically dependent upon actually existing languages and their speakers. The knowledge of them is epistemologically grounded in knowledge of empirical observations about language, the rules of linguistic communities in the sense of *language game*, and the variety of the individual behavior of their members.

This anti-Platonist approach has its difficulties, as Willard shows (Willard, 1984). Still, there is nothing wrong in itself with laws of logic being contingent and that our knowledge of them is a posteriori as long as there is a substantial place for their being normative as well. The rules of argumentation are changing over time and this is verified on the basis of empirical study of cultures and linguistic communities. The normative dimension of argumentation is the projection of the ethical and political ideals. Humanism is both the historical source for its creation and the ideal argumentation is supposed to fulfill.

## 5. IN FAVOR OF MINIMAL EPISTEMOLOGY

The three normative basic assumptions have as advantage over more specific

approached to argumentation, which can be exemplified with regards to the known controversy over the issue of epistemological theory of argumentation.

Some theories of argumentation emphasize the epistemological standards of argumentation in the form of true justified beliefs, as Siegel and Biro (Biro & Siegel, 1992; Siegel & Biro, 1997; Biro & Siegel, 2006). However, these argumentation theories are epistemological in the sense of traditional philosophical understanding of normative epistemology. This epistemological approach to argumentation does not only focus on justified beliefs, but connects these justified beliefs to objective "truth conditions". Their rational standards would be truth-conditions oriented and will emphasize objectivity, which would be in accordance with some version of a correspondence theory of truth.

Non-epistemological theories of argumentation, on the other hand, would adhere to rational standards in argumentation, which are more discourse oriented, and would be sensitive to the fact that these standards are relative to communities. Although scientific communities might be regarded as a preferable model, the sensitivity to community would still be the key factor. They are inter-subjective or inter-personal standards, since philosophical relativism or scepticism in general would be incompatible with any real objective truth and truth conditions and, consequently, any full-fledged Correspondence Theory. Instead, standards of acceptability or reasonableness would be relative to a dialectical discourse in a given community.

The debate regarding epistemologically oriented argumentation theory is only one case in the more broad controversy regarding the correct methodology of argumentation theory. The diverse specifications for what would count as the correct criteria for sound or good argumentation are almost equal to the numbers of theoreticians in this field. The controversy regarding the proper justification criteria for epistemically good arguments misses the point of argumentation. Some given set of such criteria might be appropriate in some given field but not in another. This is a point well known from the works of Perelman and Olbrechts-Tyteca and to some degree also from the work of Hamblin. Furthermore, argumentation theories can be distinguished according to their preferred criteria of sound or good argumentation.

To begin with, an argumentation theory is not a philosophical theory, but a field-oriented theory with its background in a specific philosophical approach. Its methodology and aims are formed in light of its preferred philosophical and epistemological approach. For instance, pragma-dialect is a theory of argumentation that should be understood in light of the critical rationality approach in philosophy. Epistemological theories of argumentation should be understood in a similar manner. Thus, each argumentation theory suffers from all the known shortcomings of its philosophical approach.

The reference point to the whole discussion is that the issue of philosophical relativism in its fallibilist version is inevitable. Enormous but futile work has been done in trying to refute Fallibilism from variety of motivations. Thomas Nagel summed up the issue by saying that skepticism is both irrefutable and inescapable (Nagel, 1979). Thus, epistemological theories of argumentation will need to specify a positive concept of justification, while it is clear, to begin with, that no philosophical consensus can be attained on such an issue. Furthermore, even if a

controversy has been resolved to the satisfaction of its participants, it is still an open question whether it was a justified resolution in epistemological terms. However, an objective and obligatory answer to such a question is not possible in philosophical terms.

On the other hand, if such resolution has satisfied the above three normative basic assumptions, then the resolution can be termed 'argumentative'. Given the variety of possible resolutions, such as the use of violence, the justification for the distinction between argumentative resolution and any other kind of resolutions can be given in terms of these normative basic assumptions.

If argumentative theories are to be relevant to actual uses of arguments, they cannot deal with the lessons of skepticism by claiming that skepticism is unconvincing, counter-intuitive, or by disregarding the demands of our ordinary concept of knowledge. There is no way but to acknowledge that there is no 'objective' justification for knowledge-claims that will stand the counter-arguments of skepticism. However, by adopting the humanistic approach to argumentation as a necessary condition for any argumentation theory, two goals can be satisfied: First, a normative approach to argumentation, which acknowledge its origin and essence as a choice for a democratic form of life. Second, defining guiding rules for possible methodologies and aims that will be consider legitimate for argumentative theories, and will term these argumentative theories *humanistic*.



Figure 3: Jeens (1827–1879), *The Controversy*, 1868.<sup>3</sup>

<sup>3</sup> "The Controversy" (France in the time of Louis XIV) engraved by C. H. Jeens, published in *The Art Journal*, 1868. Steel engraved. It was made after an engraving by Alfred Elmore, "The Controversy" (1840-1879). Retrieved February 22, 2013: <http://www.mersc-prints.co.uk/The%20Controversy%20c.jpg>.

## 6. CONCLUSION

Logic is the mean to persuade in the absence of truth. Where there are only conjectures and beliefs, one can only speak about the better one. Persuasion can be achieved in many ways, but the humanistic decision is to cling to the ideal of argumentation as a mean for rational decision. Only in this way, the basic values of autonomy of the individual and his human dignity can be preserved. It is part of the historical background of constructing argumentation and its philosophical essence. The ideology of humanism prevails in the Western culture with the fall of the *ancien régime* in the French revolution, and the concept of controversy becomes fundamental in the public culture. In an engraving from 1868, Sir Jeens describes one of the more heated controversies of European Enlightenment, the controversy between Freethought and the various dogmatic ideologies. This and other controversies characterize the society in Western Europe of the 18<sup>th</sup> century with its turning secular. The public debates as an essential characteristic of liberal democracy is the meaning for me of the phrase "Virtues of Argumentation".

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