The dialectic of ambiguity
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CHAPTER 4: THE RELEVANCE ASPECT AND THE WAY TO ASSESS ACTIVE AMBIGUITY

INTRODUCTION

According to the definition in chapter 2, an expression can only be actively ambiguous if its use may plausibly influence the course of the discussion. So, what are the possible interactive consequences? Because the assessment of active ambiguity cannot be separated from these consequences, the issue of assessment will also be examined in this chapter. First, it will be explored how dialectical theorists take care of the relevance aspect. Second, a comprehensive classification of the consequences of active ambiguity and of the ways to assess these consequences will be provided. This will result in requirements that a normative procedure for dealing with active ambiguities must satisfy.

1. NAESS: PSEUDO-AGREEMENT AND PSEUDODISAGREEMENT

Naess gives a detailed account of two kinds of conversational effect that may arise from the use of insufficiently precise expressions. Using an ambiguous expression may produce two kinds of misunderstanding; it may bring about a *pseudo-agreement* or a *pseudodisagreement*.\(^6^8\) Moreover, Naess deals, in less detail, with the consequences of ambiguity in reasoning.

In order to examine his definitions of these concepts, several other notions must be explained first. There is *verbal agreement* between two persons with respect to a sentence \(S\), if one of them asserts \(S\) while the other expresses assent to \(S\). Next, there is *verbal disagreement* between them with respect to \(S\) if the one asserts \(S\) while the other expresses that he is, for whatever reason,\(^6^9\) not willing to assent to \(S\).

If an agreement with respect to \(S\) is verbal and both interlocutors understand \(S\) to mean the same, then there is an *expressed interpersonal and propositional agreement* between them with respect to \(S\). However, if an agreement with respect to \(S\) is verbal, whereas both interlocutors understand \(S\) to mean something else then there is an *pseudo-expressed agreement* between them as regards \(S\). If a disagreement with respect to \(S\) is verbal and both interlocutors understand \(S\) to mean the same then there is an *expressed interpersonal and propositional disagreement* between them with respect to \(S\). But, again, if a disagreement with respect to \(S\) is verbal while both interlocutors understand \(S\) to mean something different then there is an *pseudo-expressed disagreement* between them.

Still, if there is *pseudo-expressed agreement* between two parties they may agree substantially. Suppose White utters sentence \(S\) and Black expresses his assent to \(S\). Suppose further that the agreement is pseudo-expressed, for the reason that \(S\) expresses the same as \(S_1\) for White and \(S_2\) for Black. Even then, it can be the case that Black believes the proposition expressed by \(S_1\), the proposition that White intends to express, to be true. In such a case, the agreement is called a *pseudo-expressed*

\(^{68}\) This analysis of misunderstanding is closely related to analyses in terms of pseudoproblems known from early analytic philosophy.

\(^{69}\) According to Naess, he may consider the sentence false, devoid of meaning or too ambiguous. I would add that he could also be in doubt whether it is acceptable.
propositional agreement. However, if Black believes \( S_1 \) to be false, then the agreement is called a pseudo-agreement. Similarly, when there is a pseudo-expressed disagreement between Black and White, while they disagree substantially, their disagreement is a pseudo-expressed propositional disagreement. If they agree substantially, their disagreement is a pseudodisagreement.

Do Black and White express agreement or disagreement with respect to \( S \)?

<table>
<thead>
<tr>
<th>Agreement</th>
<th>Disagreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>( S ) for Black and White interpersonally synonymous?</td>
<td>( S ) for Black and White interpersonally synonymous?</td>
</tr>
<tr>
<td>yes: expressed interpersonal and propositional agreement, or real agreement</td>
<td>yes: expressed interpersonal and propositional disagreement, or real disagreement</td>
</tr>
<tr>
<td>no: pseudo-expressed agreement</td>
<td>no: pseudo-disagreement</td>
</tr>
<tr>
<td>Does Black believe the proposition that ( S ) expressed for White to be true?</td>
<td>Does Black believe the proposition that ( S ) expressed for White to be true?</td>
</tr>
<tr>
<td>yes: pseudo-expressed propositional agreement</td>
<td>yes: pseudo-expressed propositional disagreement</td>
</tr>
<tr>
<td>no: pseudo-agreement</td>
<td>no: pseudo-agreed propositional disagreement</td>
</tr>
</tbody>
</table>

Figure 1. Classification of several communicative situations distinguished by Naess

Naess starts from the presumption that interlocutors usually misinterpret each other to a certain extent. Thus, we should distinguish between misunderstandings that are, and those that are not of practical significance for the communicative situation. A misunderstanding that causes pseudo-agreement or pseudodisagreement has the effect that one party wrongly attributes a cognitive weight such as ‘is acceptable’ or ‘is unacceptable’ to a sentence. Misunderstanding that causes pseudo-agreement or pseudodisagreement is called a misunderstanding with weight effects (1953, 133). A question that causes a misunderstanding with weight effects is called a merely terminological question. It will be shown in section 6 of this chapter that a third kind of misunderstanding with practical importance must be distinguished. Communication that is hindered by one of these three types of failures will be called pseudocommunication in this study.

Naess discusses a version of pseudo-agreement that is connected to reasoning and argument. An expression may express different statements, some of which are easy to support, but trivial, and some of which are interesting, but difficult to justify. “It is then very tempting to argue for the exciting but unconfirmable assertion by conflating it with the dull but confirmable one. We can argue for \( U \) by asserting \( T \), and for \( V \) by asserting \( U \), but either obscure, or fail to see, that in the first stage of the argument we have given \( U \) the sense of \( U_1 \) and in the second stage the sense of \( U_2 \), although \( T \) may not be a valid argument for \( U_2 \), nor \( U_1 \) a valid argument for \( V \)” (1966).

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70 If the verbal agreement has not yet been expressed, the parties do have a disposition to agree to \( S \), \( S \) is not interpersonally synonymous and they disagree on the proposition the speaker attempts to express with \( S \), then there is said to be a latent pseudo-agreement.
Naess gives an example of water, where the term is ambiguous between chemically pure water and seawater:

T: Water has a specific gravity of 1.
U: The water in Oslo Fjord has a specific gravity of 1.
V: Anything that has a specific gravity of more than 1 will sink in Oslo Fjord.

U can be read as expressing that chemically pure water, \( \text{H}_2\text{O} \), as it can be found within the Oslo Fjord has a specific gravity of 1, or as expressing that the seawater that is contained in the Oslo Fjord has that gravity. In the terminology adopted in this book, \( T, \text{ so } U, \text{ so } V \) constitutes an instance of the fallacy of equivocation (for an analysis of the kind of equivocation that occurs in a chain of reasoning, see chapter 7, section 6, example 10).

This account of ambiguity in reasoning seems to mingle two different phenomena. First, a sentence can be actively ambiguous between a trivial and an informative reading without the sentence occurring in a chain of arguments. It might occur in the main thesis or in a basic reason. Second, an intermediate conclusion \( U \), as in \( T \text{ so } U, \text{ so } V \), can be obscure in a similar way, without being ambiguous between a trivial and an informative sense. It might be the case that both readings are informative, while one reading is supported by \( T \) but does not support \( V \) and the other reading supports \( V \) but is not supported by \( T \).

Van Eemeren and Grootendorst adopt Naess’s concepts of pseudodisagreement, which they call pseudodispute, and pseudo-agreement (1992, chapter 18). In the case of a pseudo-agreement, a real difference of opinions remains unexpressed. This can have the further effect that an issue that should be discussed is not subjected to a critical test. A pseudodisagreement may lead to a discussion that is superfluous (1992, 195).

Different from Naess, who does not examine the concept of a fallacy, Van Eemeren and Grootendorst provide an account of the fallacy of ambiguity. In section 7 of chapter 1 we observed that Van Eemeren and Grootendorst define ‘fallacy’ as a violation of a norm for critical discussion. This implies that a discussion move is fallacious if and only if it obstructs or hinders resolution of the dispute. One way in which the resolution of a dispute can be hindered, if not obstructed, is by having a superfluous discussion or by failing to have a discussion that is necessary for genuine
conflict resolution. Consequently, by putting expressions to use that lead to pseudo-agreement or pseudodispute, one transgresses a norm.

The norm at issue is part of a more complex norm, that is formulated as follows (Van Eemeren and Grootendorst 1992, 209): “Rule 10. A party must not use formulations that are insufficiently clear or confusingly ambiguous and he must interpret the other party’s formulations as carefully as possible.” We are primarily interested in the exclusion of confusingly ambiguous formulations. Van Eemeren and Grootendorst seem to use the following definition of the fallacy of ambiguity: if a discussant misuses an ambiguity he is guilty of a violation of Rule 10 that can be characterised as the fallacy of misusing ambiguity (1992, 202) or the fallacy of ambiguity (212).

3. WALTON: FALLACIES ARISING FROM AMBIGUITY

Walton gives a detailed account of a series of fallacies that arise from ambiguity (Walton 1996b). The central fallacies in this account are equivocation, amphiboly, accent, figure of speech and quibbling (1996b, 255). He conceives of amphiboly, figure of speech and, quite likely, also the fallacy of accent, as subtypes of the fallacy of equivocation (1996b, 273-5). The fallacy of quibbling is understood as a distinct kind of fallacy. Walton offers some reasons for thinking that we should not distinguish a separate fallacy of ambiguity.

Walton focuses his attention on the fallacy of equivocation. This fallacy has received little attention by Naess and is not explicitly discussed by Van Eemeren and Grootendorst (1984, 1992, 2000). Conversely, Walton pays little attention to the importance of pseudocommunication.

Walton’s general account of 'fallacy' has three main components: first, a fallacy is an obstacle to the main goal of the conversation, second, a fallacy has to be an argument, and third, a fallacy has to be a serious issue. The second and third ingredient need further clarification.

Walton asserts that fallacies have to be arguments. This condition for fallaciousness is called the argument requirement (Walton 1996b, 6). An argument, according to Walton, is a (structured) set of propositions, some of which are premises and (normally) one of which is the conclusion (Walton 1996b, 20). According to Walton, an argument consists of propositions, and not, as it is understood in this study, of formulated propositions. Thus, a collection of sentences is not an argument, but it may, according to this usage, express an argument. Walton notices that in order to accommodate fallacies arising from ambiguity, fallacy ought no longer be defined as an argument of some sort, but that it is either an argument or something that is supposed to be an argument of some sort. This constitutes an improved argument requirement: “A fallacy is an argument, or a move in dialogue that is supposed to be an argument, that has been put forward in such a way that it interferes with the goal of the dialogue, even though on the surface it appears to contribute to the goal of the dialogue” (Walton 1996b, 270).

But this is not yet a complete definition of fallacy as Walton views it, for he also holds that “[a] fallacy should be a serious, systematic, underlying error in an

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72 This last effect seems to be a real obstruction, while the former seems to be a mere hindrance. Accordingly, the occurrence of a pseudo-agreement seems to be worse for critical discussion than the occurrence of a pseudodispute.
The relevance aspect of active ambiguity and the way to assess active ambiguity

argument that contains defective reasoning, or an illicit use of reasoning in argumentation” (Walton 1996b, 24). Not any weak argument, or any error or blunder counts as fallacious. This restriction amounts to the requirement that a fallacy is open to strong refutation (Walton 1996b, 107).

The fallacy of equivocation

Walton illustrates the fallacy of equivocation with the following argument, derived from Beardsley (Walton 1996b, 17): “A planned society is evil. Therefore, planning is wrong.” The fallacy of equivocation in Walton's account satisfies six requirements (1996b, 65-6):
1. An argument or something that is supposed to be an argument is put forward in a context of dialogue.
2. A particular term occurs, twice at least, in the argument.
3. The term is pragmatically ambiguous.
4. There is a contextual shift from one premise to another (or to the conclusion), so that the term is used most plausibly one way in the one sentence and another way in the other sentence.
5. Once the ambiguous term is interpreted, in context, wherever it occurs, the result is a multiple set of three or more arguments.
6. The arguments in the one subset of the multiple set have bite, but not bearing. The arguments in the other subset have bearing, but not bite. These two subsets are nonempty, and together make up the whole of the original multiple set.

The third requirement states that a particular term allows for several readings within its context. In the example, the verb to plan admits of two readings. As occurring in planned society it means something like ‘decided by the government and imposed on its citizens’, as occurring in the conclusion it seems to mean something like ‘foreseeing and preparing for future contingencies’.

To plan is used twice, and, in principle, the term can be interpreted either way at both occurrences. However, what makes the example somewhat less suitable as an example of pragmatic ambiguity is that planned society has a fixed meaning. The interpretation a society based on foreseeing and preparing for future contingencies is extremely unusual and in order for that interpretation to be plausible we would have to make up a very unusual context of discourse. But let us suppose the argument was presented in such a context, then the argument admits of several (four) readings, as condition 5 requires. Walton gives three of them.

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73 The lexical item to plan here takes two different grammatical forms, so probably this argument is an instance of figure of speech, a subtype of equivocation according to Walton. However, Walton mentions the option of classifying it as an example of amphiboly (another kind of equivocation), for the reason that if planning is placed next to society its meaning changes somewhat.

74 The fourth disambiguation would be: "A society based on foreseeing and preparing for future contingencies is evil. Therefore, having things decided on by the government and imposed on its citizens is wrong."
The relevance aspect of active ambiguity and the way to assess active ambiguity

lacks a notion like 'bite', and it is applicable to arguments with only one occurrence of a contextually ambiguous expression

Walton points out that equivocation can result from the use of a vague expression. In such cases, a subtle shift of meaning is involved due to the use of a vague expression in two contexts where different standards of strictness are appropriate. The shift in context "brings with it such a sharp shift in the standard of strictness that there are grounds for judging that there is a shift in meaning of both terms" (Walton 1996b 57). That would make the vague expression pragmatically ambiguous. "All abstract terms, we could say, are inherently vague, or non-specific with regard to implementation. However, more than just vagueness can be involved here. If in two specific instances, to which an abstract term is applied, there is a definite, clearly definable shift from one quite different standard of precision to another, it can be proper to describe this as an instance of ambiguity" (1996b, 57). Walton gives the following example:

(1) Getting married involves promising to live with a person for the rest of one’s life.
(2) No one can safely predict compatibility with another person for life.
(3) One should not make a promise unless one can safely predict that one will keep it.
(4) If two people aren’t compatible, they can’t live together.
(5) One should not promise to do something one can’t do.
(6) Therefore, nobody should ever get married.

In order to interpret the premises in a way as to make them individually come out as plausible premises, one sometimes has to interpret safely predict with a low standard of strictness, and sometimes with a high standard of strictness. If we make this explicit by inserting the indexes $h$ for high standard and $l$ for low standard, this would be the resulting disambiguation.\footnote{According to Walton, there are also differences in standards of strictness with respect to the expression compatible, but all occurrences of that expression can be straightforwardly interpreted with a high standard of strictness, so there does not seem to be any pragmatic ambiguity there.}

(1) Getting married involves promising to live with a person for the rest of one’s life.
(2) No one can (safely predict)$_h$ compatibility with another person for life.
(3) One should not make a promise unless one can (safely predict)$_l$ that one will keep it.
(4) If two people aren’t compatible, they can’t live together.
(5) One should not promise to do something one can’t do.
(6) Therefore, nobody should ever get married.

The original (not yet disambiguated) argument can be analysed as an instance of the fallacy of equivocation, in accordance with Walton's view on this fallacy.

**Walton’s evaluation of the fallacy of equivocation**

Walton rejects the view that fallaciousness is constituted by the intent to deceive. Such sophistical use of ambiguity can result in a fallacy of equivocation, but the sophistical intent is not a necessary condition for equivocation. The intent to deceive
would provide a criterion that is too psychological for a critical theory of argumentation.

At one point, Walton suggests that the error of equivocation is that the “probative function [of argument] goes haywire” (Walton 1996b, 270): it may lead to a situation where the parties suppose that their conflict has been resolved, while this is not really the case, because none of the (disambiguated) arguments expressed has both bearing and bite. It is not that the proponent intents to deceive his respondent, but the argument itself has the ability to mislead the respondent into thinking that the conclusion is sufficiently supported. Still, this is not the real error underlying the fallacy, as Walton sees it.

Another possible reason, discussed by Walton, for judging equivocation fallacious is that the Gricean maxim 'be clear', having as a submaxim 'avoid ambiguity', is violated. However, Walton also rejects this as a ground for fallaciousness. Natural language is full of ambiguities, hence “following a submaxim to avoid ambiguity is impossible, given the practical realities of argumentation in everyday conversation” (1996b, 267). The very use of a pragmatically ambiguous expression does not constitute a fallacy, according Walton. A different perspective on this issue is developed in section 5 of this chapter and in section 7 of chapter 7.

Walton finds the real fault in the fact that several arguments (in the sense of univocal propositional structures) are wrapped up into something that looks like one (univocal) argument. In a discussion, a proponent is allowed to make one move at a time, presenting in such a move one argument. This rule is violated if a party presents several arguments in one move. If the violation is concealed by the ambiguity, the proponent appears to present exactly one argument. This is conceived as wrong, probably because either the respondent no longer knows what argument to react to, or an argument may escape her attention, or she may wrongly suppose the line of reasoning convincing. “[T]he fallacy [of equivocation] has to be seen as a failure to meet the argument requirement” (Walton 1996b, 270-1). Note that in this quote the argument requirement cannot refer to the requirement for fallaciousness that we already have discussed and that goes by the same name. Here, the requirement refers to a discussion rule that requires the parties to present one argument at a time.

Walton does not clarify the connection between his bite-bearing analysis, and the primacy of the rule against wrapping up several arguments into one seemingly univocal one. From the view adopted in this study, there are two different features that both belong to the fallacy of equivocation. It will be defended that the fallacy of equivocation is complex in that it consists of a fallacy of ambiguity that covers up a strategic weakness or a dialectical transgression.

Walton observes that in the beginning of a discussion, key terms are often quite ambiguous and vague, while during the conversation the expressions become sharper and less ambiguous (Walton 1987, 125-120; Walton 1996b, 62). He correctly suggests that this is a feature of a good discussion. A good discussion is either characterised by the use of expressions that are clear enough, or by the fact that the conversation moves towards clarity. The following question comes up but is, as far as I am aware, not dealt with by Walton: can a fallacy of equivocation occur in a discussion that is to be called good in the sense that it moves from obscurity towards clarity? In the account given in chapter 7, a good discussion is defined by constitutive rules that do not exclude all active ambiguities, although it does oblige the parties to disambiguate when an active ambiguity has been exposed by a party within the dialogue. Consequently, a fallacy of equivocation may occur within the confines of critical discussion.
Subtypes of equivocation

The fallacy of amphiboly, the fallacy of accent and figure of speech are considered by Walton to be subtypes of the fallacy of equivocation. These different types are distinguished by the linguistic source from which equivocation arises. In the case of amphiboly, the source is the option of interpreting a sentence as having several grammatical constructions. In the case of accent the source is the option of interpreting a sentence as conveying a message due to stress or suggestion or as lacking that message. Finally, in the case of figure of speech the source of ambiguity is said to be a confusion due to inflection.

The fallacy of amphiboly and the fallacy of accent

Walton’s account of amphiboly is particularly interesting, due to his discussion of the connection between equivocation and ‘plausible deniability’. Walton takes the following advertisement as his best example of amphiboly: ‘two pizzas for one special price’ (1996b, 117-120). This slogan is used by pizza outlets that sell two pizzas for a price that is higher than the regular price of one pizza alone. The truth of their catchphrase can be defended by reading it as (1) ‘two pizzas for a price lower than the usual one for two pizzas’, while the attractiveness of the slogan originates from interpretation (2) ‘two pizzas for the same prize that you usually pay for one’. It is possible to imagine a context in which the advertisement is part of a fallacy of equivocation. Imagine the pizza seller arguing as follows: ‘If you purchase your pizzas here you can halve your pizza expenses, because here you get two pizzas for one special price.’ The argument would have bite but no bearing in interpretation (1), while it would have bearing but no bite in interpretation (2).

Walton connects the fallacy of amphiboly to the phenomenon of plausible deniability. Suppose that the customer questions the argument of the pizza seller when he finds out that he has to pay a price for two pizzas that is higher than the price of just one pizza. The customer reacts: ‘That’s not fair, you said two pizzas for one special price!’ Now the proponent may react by saying, ‘wait, don’t get me wrong, I meant to say two pizzas for a price lower than the usual one for two pizzas!’. According to Walton, the pizza seller is plausibly denying the reading of the ambiguous sentence that is unwelcome for him, although he attempts to attract the attention of the customer by suggesting this reading.

However, when an argument is an instance of the fallacy of equivocation then it is not very plausible that it also presents a convincing example of plausible deniability. In the case of equivocation, the denial of an interpretation that plays a role can never be very plausible, because with every interpretation, a dialectical weakness or fault is associated. In the present example, the customer is able to counter the seller’s denial in the following manner: ‘but only in the way I understood your argument you actually offer some reason for thinking that I can halve my pizza expenses’.

76 The situation outlined is not exactly the same as the one Walton uses.
77 In all given examples of the fallacy of amphiboly the ambiguous grammatical construction occurs just once, just as in the pizza-example. Categorizing these as examples of equivocation is ad odds with Walton’s theory that the fallacy of equivocation demands more than one occurrence.
The relevance aspect of active ambiguity and the way to assess active ambiguity

unreasonable to let Black take undue advantage of White’s mistake. Therefore, White
must have the option of criticising her own formulation and of disambiguating it.

\[
\begin{array}{cc}
S \text{ is actively ambiguous} & \\
\text{Consequences: harmful for Black and} & \text{Consequences: harmful for White and} \\
\text{profitable for White} & \text{profitable for Black} \\
\text{Black is responsible for } S & \text{Black is responsible for } S \\
\text{Black may criticise himself} & \text{White is responsible for } S \\
\text{Black may criticise White} & \text{White may criticise Black}\text{.} \\
\text{White may test the correctness of this criticism} & \text{White may test the correctness of this criticism} \\
\end{array}
\]

*Figure 5. A division of labour (1)*

These criticisms start a metadiscussion. The correctness of the criticism of active
ambiguity must be checked by the party who has something to lose by a successful
ambiguity criticism.

\[
\begin{array}{cccc}
\text{Black criticises himself} & \text{Black criticises White} & \text{White criticises Black} & \text{White criticises herself} \\
\text{White may test the correctness of this criticism} & \text{White may test the correctness of this criticism} & \text{Black may test the correctness of this criticism} & \text{Black may test the correctness of this criticism} \\
\end{array}
\]

*Figure 6. A division of labour (2)*

In order to implement this division of labour in an adequate way, we may construct a
model for persuasion dialogue that possesses the following features: there is a
presumption in force such that the participants suppose all terms to be contextually
univocal; this presumption is defeasible; a party can raise the issue of active
ambiguity by raising a point of order; raising a point of order starts a metadiscussion
about an alleged active ambiguity in the ground level discussion; raising the issue of
active ambiguity is connected with a clear burden of proof; the result of the
metadiscussion has reasonable consequences for continuing the ground level
discussion.

\[96\text{ In the procedure to be proposed in chapter 7, there will be no need for White to criticise Black for using an actively ambiguous expression.}\]
expenses. And you clearly wanted to make me think that. Thus, either you owe me two pizzas for the price of only one pizza or you should retract your thesis that I can halve my pizza expenses.’

pizza seller: If you purchase your pizzas here you can halve your pizza expenses, because here you get two pizzas for one special prize.
customer: Two pizzas please.
pizza seller: [Asks a price higher than that of only one pizza.]
customer: What you just said was false, I don’t get two pizzas for one special price.
pizza seller: Don’t get me wrong, I meant to say two pizzas for a price lower than the usual one for two pizzas
customer: Only in the way I understood your argument (two pizzas for the same prize that you usually pay for one) you actually offer some reason to think I can halve my pizza expenses. And you clearly wanted to make me think that. Thus, you owe me two pizzas for the price of only one pizza or you should retract your thesis.

However, the pizza seller may deny a reading in a really plausible way, before he has expressed his equivocal argument.

pizza seller: Here you get two pizzas for one special prize.
customer: Two pizzas please.
pizza seller: [Asks a price higher than that of only one pizza.]
customer: What you just said was untrue, You don’t give me two pizzas for one special price.
pizza seller: Don’t get me wrong, I meant to say two pizzas for a price lower than the usual one for two pizzas

Contrary to Walton’s analysis, we should analyse plausible deniability in terms of pseudodisagreement, rather than as being closely connected with equivocation. In his last move, the pizza seller analyses, in a somewhat implicit way, the disagreement between them as a pseudodisagreement.

The fallacy of accent

Aristotle introduces the fallacy of accent as a fallacy that arises from the different melodic accents (pitch) that characterise Greek. Because this is a problem only for languages with melodic accents, several attempts have been made in the history of dialectic to give an analysis of this fallacy in order to make it interesting for other languages as well. Walton contributes to this tradition, while trying to stay close to Aristotle’s original account.

The fallacy of accent has its source in the unclear use of accentuating a statement. A sentence \( S \) can be understood both in a straightforward manner, expressing a proposition \( P \), and in an accentuated way, expressing another proposition \( Q \) (Walton 1996b, 149). Walton gives an example by Michalos (Walton 1996b, 126): he’s a good football player. Suppose this statement is a professor's answer to the
The relevance aspect of active ambiguity and the way to assess active ambiguity

question *is he a good student?* \(^{78}\) Then the answer can be interpreted in a normal way, expressing ‘he is a good football player’, or in an accentuated way, expressing ‘he is a good football player but a lousy student’. This constitutes a fallacy, according to Walton’s analysis, if this ambiguity is exploited by a proponent to get the respondent to accept a conclusion \(R\) that does follow from \(S\) interpreted in the accentuated way (expressing \(Q\)), but does not follow from \(S\) normally understood (expressing \(P\)), and if the proponent tries to evade the burden of proof for \(Q\) (Walton 1996b, 150). Thus, let us also suppose that the proponent wants to persuade the respondent that the student will probably not pass this year. He tries to evade the burden of proof for the student’s being lousy by answering *he’s a good football player* to the question *is he a good student?* If the student is a good student as well as a good football player, then the bite-bearing analysis would apply, and this argument would be a special case of equivocation arising from ambiguity due to accent.

In order for the fallacy of accent to occur, there need to be at least two contextually admissible interpretations, an accentuated and a normal one, such that neither of them can be rejected out of hand. It seems plausible that the fallacy of accent occurs in situations where it is simply not clear whether or not the speaker has accentuated some part of speech.

Suggestion, irony, and ambiguity are not in themselves fallacious, but if they are used to escape commitment and burden of proof, then their use is fallacious (Walton 1996b, 147). According to Walton, accent is fallacious if it is used for plausible deniability. If the fallacy of accent is a kind of equivocation, then it cannot provide convincing examples of plausible deniability, for the same reason as with amphiboly. The example of the professor, however, can easily be adapted to provide a convincing case of plausible deniability. The professor is now not arguing for the conclusion that the student will not pass. His main standpoint is simply formulated as *He’s a good football player*. Observe that the bite-bearing analysis no longer applies. Now the dialogue continues:

interlocutor: But I've heard so many good thing about him.
professor: I didn’t say he’s a lousy student, I just meant to say that he performs well at football.

In Naess’s terms, the professor analyses the disagreement as a pseudodisagreement. Plausible deniability seems to be a strategy of hedging on the part of a proponent by which she utters a statement that is contextually ambiguous between a more and a less challenging reading, such that if the statement gets challenged, she alleges that she meant the less provocative reading.

**The fallacy of figure of speech**

Figure of speech originates from the changes that words undergo when they take different grammatical forms, such as case, gender, number or tense. \(^{79}\) Whately gives the following analysis: the meaning of a word is often constant, even if the word is presented in different grammatical forms. So, the following argument is a logically

\(^{78}\) This hypothetical situation is made up by myself.

\(^{79}\) Although the name suggests differently, figurative language is not what is denoted by *figure of speech* (Krabbe 1998, 281).
good argument: *Murder* should be punished with death; this man is a *murderer*; therefore he deserves to die. But sometimes the same meaning is not preserved in the grammatical shift. Therefore, the following is a bad argument: "*projectors* are unfit to be trusted; this man has formed a *project*; therefore he is unfit to be trusted" (Walton 1996b, 165-6).

The most famous example of figure of speech is an argument by Mill: "The only proof capable of being given that an object is visible is that people actually see it. The only proof that a sound is audible, is that people hear it; and so of the other sources of our experience. In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable, is that people do actually desire it" (Mill 1972, 32). According to Walton, this is also an example of equivocation, like other examples of figure of speech. Two words or phrases should be given a different meaning, but the difference in meaning is covered up by the circumstance that both words or phrases have the same root, even though they are inflected differently. In a figure of speech this superficial appearance of sameness of meaning is exploited (Walton 1996b, 180).

Krabbe points out a difference between fallacies of ambiguity and figure of speech. A characteristic of figure of speech is that it is based on a misconception of the logical form of a statement (Krabbe 1998, 291): it could be explained to the proponent that he attributes an interpretation to a statement that is actually incorrect from a linguistic point of view, even though it may be an excusable fault because it results from a *subtle* difference between logical form and linguistic appearance. Figure of speech does not always result from the possibility of interpreting a sentence in several linguistically admissible ways, but can also result from an inclination to give a sentence an inadmissible interpretation. Mill’s use of *desirable* does not admit of the interpretation ‘capable of being desired’. For this reason, figure of speech is not always a fallacy that arises from ambiguity.

**Quibbling**

A fallacy that arises from ambiguity, but that is not classified by Walton as a subtype of the fallacy of equivocation, is quibbling. The main example Walton gives is William James's story about a dispute: "The *corpus* of the dispute was a squirrel supposed to be clinging to one side of a tree-trunk; while over against the tree's opposite side a human being was imagined to stand. This human witness tries to get sight of the squirrel by moving rapidly round the tree, but no matter how fast he goes, the squirrel moves as fast in the opposite direction, and always keeps the tree between himself and the man, so that never a glimpse of him is caught. The resultant metaphysical problem now is this: *Does the man go round the squirrel or not?*" (James (1907) 1955, 41).

Quibbling resembles equivocation in some respects, while it differs in others. In quibbling, the parties misunderstand the nature of their conflict of opinions. It is merely a verbal dispute, while both sides take it to be a real and substantial dispute (Walton 1996b, 52, 450). It is a special kind of failure of communication in which both parties collaborate. It is not the case that the one party commits a fallacy while the other party gets trapped: the two parties are said to 'equivocate' against each other (Walton 1996b, 52). This break-down of communication is connected to the confrontation stage of a discussion, while real equivocation is connected to the argumentation stage (1996b, 73). It is not a local problem, like equivocation, but a
The relevance aspect of active ambiguity and the way to assess active ambiguity

global one, affecting longer stretches of the dialogue. A further characteristic is that one of the parties tries to defend his case by interpreting the thesis in a tautological way. If quibbling is to be a fallacy, then it is "the fallacy of taking a merely verbal dispute to be a ‘real’ dispute" (Walton 1996b, 52) and Walton does list a fallacy of quibbling in his final classification (Walton 1996b, 273).

In James's 'metaphysical' dispute one of the parties, party P, probably argues thus: 'The man goes round the tree; The squirrel is on the tree; Therefore, the man goes round the squirrel.' (Walton 1996b, 50). The other party, O, probably agrees to both reasons, but is still thinking that the man does not go round the squirrel. O does not think that P's reasons lead to P's conclusion. James supposes that both parties can be correct, depending on what you practically mean by going round. "If you mean passing from the north of him [the squirrel] to the east, then to the south, then to the west, and then to the north of him again, obviously the man does go round him, for he occupies these successive positions. But if on the contrary you mean being first in front of him, then on the right of him, then behind him, then on his left, and finally in front again, it is quite as obvious that the man fails to go round him, for by the compensating movements the squirrel makes, he keeps his belly turned towards the man all the way, and his back turned away" (James 1955, 42). O seems to interpret P's reasons correctly, but interprets P's thesis differently from P. They talk at cross purposes and their dispute can be characterised as a pseudodisagreement.

Quibbling can be very plausibly analysed as a pseudodisagreement, and less plausibly as a case of equivocation. The parties agree substantially on the main thesis, while verbally, they disagree. Walton's remark that the parties 'equivocate' against each other is confusing: P is able to disambiguate his argument in such a way as to give the argument both bite and bearing. Quibbling can better be taken to refer to the examples of pseudodisagreement that are not easy to dissolve.

The fallacy of ambiguity

Pragmatic ambiguity is, in itself, not fallacious, according to Walton. If one uses a pragmatically ambiguous expression, one violates the Gricean maxim 'be clear'. But that does not suffice to make the conversational contribution fallacious. Ambiguity is not a fallacy if it is not part of either quibbling or equivocation. One reason Walton offers is that the ambiguity itself does not satisfy the argument requirement for fallaciousness (Walton 1996b, 105). Moreover, natural language is full of ambiguities, and participants in a dialogue cannot be expected to avoid them.

However, there is a subclass of contextually ambiguous expressions that should be considered fallacious, although they are not part of quibbling or the fallacy of equivocation. If a party uses a sentence in order to express a standpoint, to offer a reason, or to elicit a concession, and the sentence is contextually ambiguous, then its use can result in either a pseudo-agreement or a pseudodispute. Contextual ambiguities that may produce these effects are active ambiguities and they are hindrances to the resolution of the dispute. According to the pragma-dialectical perspective on fallacy, the use of these expressions should be assessed as fallacious.

Parties in a discussion cannot oblige each other to ban every actively ambiguous expression. Sometimes a party cannot help using a sentence that leads to a pseudo-agreement or a pseudodispute. But this applies equally to equivocation: in

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80 Merely verbal disputes cannot be resolved, but should be dissolved (Walton 1996b, 53).
some situations, a party cannot really avoid an argument that instantiates the fallacy of equivocation. An example will be given in section 6 of this chapter. The impossibility of avoiding these fallacious moves can be accommodated by perceiving these fallacies as violations of regulative rules rather than violations of constitutive rules (see section 7 of chapter 1).

4. PERELMAN AND OLBRECHTS-TYTECA ON OBSCURATION

In section 2 of chapter 3, we have seen that Perelman and Olbrechts-Tyteca assess some uses of ambiguity and obscurity positively. Differences in interpretation are functional for the aim of persuasion: “Language is not only a means of communication: it is also an instrument for acting on minds, a means of persuasion. Now, the influence of the needs of argumentation on the malleability of notions has not received the emphasis it deserves.” (Perelman and Olbrechts-Tyteca 1969, 132). Two ways in which this malleability can be profited from in discussion will be examined here. The most important issue is whether these examples of obscuration provide examples of active ambiguities that are beneficial for resolving conflicts of opinion.

First, Perelman and Olbrechts-Tyteca point out the advantage of presenting a notion as rich and flexible. This enables a speaker to reconcile various needs. A speaker can be in need to resist “the assaults of new experiences” by showing that they are not real examples of the notion at issue (1969, 138). Moreover, he can be in need to include cases that support his case. His notions must be presented in such a way that they include some and exclude other cases. Presenting a notion as rich and flexible “will enable the speaker to maintain that he is keeping the same notion alive” (1969, 138).81 The notions used by one’s antagonist must, on the contrary, be presented as fixed and unchangeable. The fixedness of the opponent’s notions make them liable to refutation, and furthermore, they can be presented as annulled, rigid and outmoded. (1969, 139).

Obscuration does not seem to be a accurate epithet for this kind of phenomenon. Suppose a speaker is able to ward off criticisms by making it clear to the audience that she means an expression (or, the expressed notion) in such a way that it includes some cases while it excludes others. This fits the description of presenting a notion as rich and flexible while the intended meaning of the expression becomes clearer to the audience.82

81 Perelman anticipates an argument by Halsema that we will come across in chapter 8. According to this type of argument, the legislator is allowed to put into the formulation of laws vague formulations, like for instance equity, in order to give the judge room to make a verdict in difficult cases (cf. Perelman 1980, 98).
82 The term democracy can be interpreted very broadly, including communist varieties. In another way, it can be interpreted narrowly, excluding public participation at smaller scales, such as in companies or universities. This flexibility can be put to use by a proponent who defends that democracy is a way of pretending to give the masses influence. If the opponent questions the scope of this thesis are you also talking about the so-called people’s republics?, the proponent can answer yes. If the opponent objects But with our company we have real influence!, the proponent can answer I was not talking about participation in smaller institutions like companies. The flexibility of democracy is put to use, while its intended meaning is gradually getting more clear to the opponent.
A second example of obscuration can be found in discussions where abstract, undetermined and imprecise values are important: "[t]hese values are the object of a universal agreement as long as they remain undetermined. When one tries to make them precise, applying them to a situation or a concrete action, disagreements and the opposition of specific groups are not long in coming." (Perelman 1982, 27). Different parties are quite willing to agree on formulations that express undetermined values, because each party retains the option of presenting the agreement as an agreement on a specific interpretation of the values: “[c]onfused notions thus permit a reconciliation between agreement on the formulae and disagreement on their interpretation” (Perelman 1980, 99). The 1948 declaration of the rights of men, by UNESCO, contained many of these ‘confused’ notions. This left the participants room for choosing an opportune interpretation in the future (Perelman 1980, 99). "Its principal merit [of using these underdetermined values] is that it encourages a continuation of the dialogue" (Perelman and Olbrechts-Tyteca 1969, 134). Another advantage is that it enables the participants to show that they are making a real effort to create a common ground. Future disagreements are likely to be, not about the substantial issue what values are to be adopted, but about the minor interpretational issue whether a shared value applies to a certain situation. “It is not surprising, therefore, that the universal values, which are regarded as the instruments of persuasion par excellence, are designated by the notions which are most confused in our minds” (Perelman and Olbrechts-Tyteca 1969, 140).

The term obscuration (in French: obscurcissement) suggests a process in which something that is initially quite clear gets more obscure. We can imagine that some of the UNESCO negotiators had quite specific versions of the human rights in their mind. They probably had to abandon their attempts to get the specific interpretations of these rights accepted and had to satisfy themselves with a more abstract and less informative declaration. For example, the declaration states that every man has the right to work for a fair wage, provided the hours of work are reasonable. Suppose there was a disagreement on the issue how many hours of work would actually be reasonable, and that some were inclined to say maximally 8 hours, while others thought maximally 12. The resulting formulation can be said to be obscure in the sense that it is less informative than if they had specified a maximal amount of either 8 or 12 hours. But it is not obscure in the sense of being actively ambiguous. The phrase provided the hours of work are reasonable presumably admits of just one interpretation in this context. This reading however is unspecific, and might be reformulated as provided the hours of work are somewhere between 8 and 12 hours maximally.

Although the new rhetoric is concerned with effective ways of persuading an audience, it also contains a normative aspect. The aim of argumentation is to “elicit or increase the adherence of the members of an audience to theses that are presented for their consent” (Perelman 1982, 9) and “…all argumentation aims at gaining the adherence of minds…” (Perelman and Olbrechts-Tyteca 1969, 14). This adherence cannot be achieved by imposing one’s will through constraint or conditioning. It is the result of a meeting of minds (Perelman 1982, 11). This ‘meeting of minds’ strongly suggests a normative stance: within argumentation a speaker tries to gain real adherence of his or her audience where this audience has truly understood the speaker’s argument.
The audience of a speaker is “the ensemble of those whom the speaker wishes to influence by his argumentation” (Perelman and Olbrechts-Tyteca 1969, 19). Such an ensemble can consist of just one person, even of the speaker him or herself, but also of a larger group. The ensemble addressed can be a particular collection of persons, in which case the audience is called a particular audience. A speaker can also address the group of all reasonable persons. Perelman and Olbrechts-Tyteca stress that different speakers have different conceptions of this audience, and they are not clear on the issue whether the universal audience refers to the unique group of all possible qualified persons, or to the speaker’s image of this group. If a speaker attempts to gain the adherence of a particular audience, the speaker is said to try to persuade the audience. If the target is the universal audience, the speaker is attempting to convince (Perelman & Olbrechts-Tyteca 1969, 28).

In order for argumentation to be effective, the speaker should adapt himself to his audience (Perelman and Olbrechts-Tyteca 1969, 23). In argumentation one aims at procuring adherence to a conclusion by transferring the audience’s adherence to the premises to this conclusion (Perelman 1982, 21). Because argumentation works this way, the speaker must choose statements as points of departure that are accepted by the audience, and he must establish a bond (also referred to as a liaison) through which this transfer of adherence can be accomplished (Perelman 1982, 21). This criterion of effectiveness, understood as effectiveness for gaining the adherence of an audience, and for achieving a real meeting of minds, furnishes a normative stance.

Even though Perelman perceives positive aspects of the use of obscure notions, he also assigns rhetoric the task of arming us against their misuse. “Confused notions constitute, in the theory and practice of action, especially public action, instruments of communication and persuasion that cannot be eliminated. But it is necessary to handle them with caution. It is the role of rhetoric, as I conceive it, that is the role of a theory of argumentation, ..., to arm us against the abusive use of confused notions” (Perelman 1980, 105-106). Obscuration, according to Perelman, should not be used with the goal of leading one’s interlocutor into error, “for this would be to act in a manner similar to the counterfeiter, abusing the confidence that one accords to legal money” (Perelman 1980, 105). Deceiving someone is wrong, for one betrays someone’s confidence. Deceit, Perelman says, does not imply voluntariness: the speaker may lack a critical mind and may not be aware of the deceit.

The consequences of obscure notions that we have examined in this section do not lead to the conclusion that actively ambiguous expressions can be beneficial for argumentative discussion. Obscuration, in Perelman’s and Olbrechts-Tyteca’s view, does not refer to making things more obscure in the current context of discourse, but to introducing the possibility of interpreting an expression or notion in several ways.

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83 Influence does not seem to be an optimal choice of words, given the normative qualification that Perelman and Olbrechts-Tyteca have in mind.

84 Perelman and Olbrechts-Tyteca say within one and the same section that (italics are mine): “[e]veryone constitutes the universal audience from what he knows of his fellow men” as well as “[e]ach individual, each culture, has thus its own conception of the universal audience.” The first phrase suggests the existence of many universal audiences, the second the existence of exactly one.

85 This does not conform to the normal meaning of ‘deceive’. It could be a sketchy attempt to formulate a different criterion: whatever does obstruct the social institution of rhetoric is to be called abuse, whether it occurred voluntary or not. In this interpretation, Perelman’s normative stance resembles the pragma-dialectical one.
The relevance aspect of active ambiguity and the way to assess active ambiguity

whether within the current context of discourse or in different contexts. If we stick to expressions, *obscuration* refers to a process in which an expression becomes semantically ambiguous, while some instances of obscuration make things clearer in the context of discourse in which the alleged obscuration took place. The most important thing that is wrong with Perelman's and Olbrechts-Tyteca's account of what they call *obscuration*, is its name.\(^\text{86}\)

5. DE GROOT AND MEDENDORP ON UNDESIRABLE AND UNNECESSARY

De Groot and Medendorp examine two kinds of incorrect use of language: undesirable and unnecessary vagueness and ambiguity on the one hand and on the other, undesirable and unnecessary restrictions with respect to the meaning of a term. These two faults are characterised as opposites.

**Unnecessary and undesirable restrictions with respect to meaning**

By *restrictions with respect to meaning* De Groot and Medendorp refer to the use of a term in a very narrow or specific way. This way of using the term can be wrong if others use the term in order to express other concepts and if it is used in a restrictive way to obstruct communication with antagonists. For example, behaviourists who restrictively employ the term *scientific* for their own methods distort communication with scholars who employ broader concepts of science and with lay people who are not familiar with the narrow behaviourist conception. Using the term this way is parochial and blocks the interaction of schools of thought within a discipline. Moreover, *scientific* has a ‘nimbus’, that is, a positive emotional connotation. If the proponent contends that the other party's theory is unscientific she harms the antagonist's position.

The division of labour between disciplines is not evaluated negatively, but De Groot and Medendorp do reject specialisation with respect to models and languages among scholars within one and the same discipline. Social science should aim at producing generally acceptable knowledge, formulated in a generally acceptable language. Terms like *well-being* or *intelligence* must be clarified, but not in a way that each school has its own version of ‘well-being’ and ‘intelligence’.

**Undesirable and unnecessary vagueness or ambiguity**

De Groot and Medendorp do not classify all uses of complenda as undesirable. Complenda are efficient and their use is acceptable if the reader is able to fill in and complete it with the ‘obvious’ elements that have been omitted for brevity's sake.

Still, complenda can be used in such a way as to leave their meaning veiled and vague in ways that favour the speaker. This is called *darkening of meaning* (De Groot and Medendorp 1986, 18-22).\(^\text{87}\) If the meaning is obscure one can shift the apparently intended meaning without the hearer noticing it. A simple example of an

\(^{86}\) Seen from their own normative perspective, making things really more obscure would probably have led to an incoherent view of argumentation. The movement from more clear to more obscure formulations is by its very nature an obstacle for a meeting of minds.

\(^{87}\) *Darkening of meaning* is my translation of the Dutch neologism *zinsverduistering*.  

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inference in which the meanings of a complendum shifts is: “there are several methodologies, so it is nonsensical to speak of 'methodology' as though it uniquely refers”, where the first occurrence of methodology refers to specific theories while the second refers to the (unique) discipline in which methodological theories are studied (145). The presence of misunderstanding partly explains the lack of effective communication between schools within a scientific discipline.

**Given what perspective is ambiguity or vagueness undesirable or erroneous?**

De Groot and Medendorp evaluate a particular choice of words from the perspective of whether this choice serves the solution of scholarly problems and whether it enables scholars to persuade three kinds of audience: scholars within one’s own disciplinary field, people that will apply scholarly results (such as civil servants), and the interested lay public. The authors seem to strive for a balance between two desiderata. The first is that of being faithful to one’s own ideas about the proper solution of scientific problems. The other is that of communicating with people with other ideas, theories and concepts. The balance should be achieved by producing definitions for concept terms that are acceptable both to oneself as well as to one's antagonists. How these definitions can be constructed will be dealt with in section 1 of chapter 5.

Language that conforms to the means-end rationality of scholarly discourse is called goal-directed rational language. Language use is evaluated by considering whether or not it can be connected with goal-directed rational language. That a vague or ambiguous expression is unnecessary means that the expression can be deleted or substituted by something else; that it is undesirable means that there is a better alternative (De Groot and Medendorp 1986, 15). Hence, if an expression or concept has a feature that is both unnecessary as well as undesirable it should be evaluated negatively. If our terms and concepts obstruct the process of problem-solving or if they hinder communication we should adapt them.

**6. A CLASSIFICATION OF THE CONSEQUENCES OF CONTEXTUAL AMBIGUITY**

The systematic account that follows is partly based on the following hypothesis. There are two ways in which a contextual ambiguity may plausibly influence the course of the discussion if it goes unnoticed. It may either lead to a misunderstanding, or to a fallacy of equivocation such that at least one discussant is deceived by it. Consequently, there are two ways in which an active ambiguity can be relevant for the course of the discussion. In this section my views on both misunderstanding and equivocation as they arise from contextual ambiguity will be elucidated. Moreover, a special kind of consequence will be dealt with: a party confronted with contextual ambiguity may either raise the issue of misunderstanding or that of equivocation.

**Misunderstanding**

We have seen that whether or not an expression $E$ is contextually ambiguous depends partly on the listener’s perspective (see section 3 of chapter 3). Nevertheless, a listener may fail to notice that a certain expression $E$ happens to be contextually ambiguous
The relevance aspect of active ambiguity and the way to assess active ambiguity

with respect to him. The speaker might use obligatory in such a way that the listener would distinguish between a moral and a legal meaning if he reflected carefully on the speaker’s use of the term. Given also that the rules for the proper use of language do not disqualify either of these meanings, this term is contextually ambiguous between these readings. This might be the case, even in a situation where the listener lacks the resources to examine the formulations thoroughly. Because an ambiguity is often difficult to detect and because it is even more difficult to give an adequate analysis, there is a chance that the contextual ambiguity goes unnoticed. Misunderstandings are tied to contextual ambiguities that go unnoticed.

By misunderstanding we should not simply understand a situation where parties understand an utterance differently. With such a loose concept of misunderstanding, we would have to admit that all or almost all communication leads to misunderstanding. For the purpose of dialectic, misunderstanding must be understood as a divergence of interpretations that has some bearing on the course of the dialogue. Making a difference for mental processes alone is not enough. Still, misunderstanding is partly defined in terms of the intended meaning of the speaker and the interpretation entertained by the listener. As we have seen in section 1 of this chapter, Naess distinguishes between two ways in which misunderstanding can have such a ‘weight effect’: pseudo-agreement and pseudodisagreement. A third way should be added: a misunderstanding where the parties entertain diverging readings of one of the opponent's concessions.

There is a pseudo-agreement between Black and White in the following situation. Black concedes a statement $S$ that is uttered by White (when presenting his main standpoint or a reason for it). $S$ is contextually ambiguous between several more precise readings, expressed by $S_1, ..., S_n$. White herself interprets $S$ as expressing one of those more precise readings, $S_i$. Black would not grant $S_i$, if that formulation would have been used. However, Black interprets $S$ differently from $S_i$. The first option is that Black interprets $S$ as expressing the same as what is expressed by the more precise reading $S_j$ ($i \neq j$) and holds $S_j$ to be acceptable. The result could be called an intra-intentional pseudo-agreement (Naess 1953, 79). The second option is that Black interprets $S$ at a low level of comprehension, that is, without making any choice between $S_1, ..., S_n$, while holding $S$ (as it stands) acceptable. The result is a transintentional pseudo-agreement (Naess 1953, 79). In both cases, Black grants a sentence, wrongly thinking that White expresses something he agrees with.

A conversation that illustrates intra-intentional pseudo-agreement looks like this.

White (talking about golf sticks): I don’t think we will be able to find any golf club in the entire neighbourhood.
Black (owning a golf stick himself and thinking about golf associations): I suppose you’re right.

A conversation that could illustrate a transintentional pseudo-agreement is the following:

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88 Besides contextual ambiguity, there are other causes of misunderstanding, like adopting a linguistically inadmissible interpretation. I restrict attention to contextual ambiguity as a source.

89 The concept of misunderstanding is a partially externalized concept (however, the discussion procedure to be proposed to deal with misunderstanding will have to be completely externalized).
White (talking about the law): We have an obligation to vote.
Black (who does not, at this moment, distinguish between a legal, a moral or a social reading of obligation and who would challenge an explicitly legal standpoint): Yes, we have.

Another kind of transintentional pseudo-agreement takes place in the following situation. Suppose \( S \) is contextually ambiguous between \( S_1 \) and \( S_2 \). White herself interprets her assertion \( S \) at a lower level of comprehension than Black does. Black interprets \( S \) as, say \( S_1 \) and either concedes or challenges \( S \), while White does not have anything more precise, such as \( S_1 \) or \( S_2 \), in mind than \( S \). If Black concedes \( S \) while holding only \( S_1 \) to be acceptable, it is hard to say whether or not Black would have challenged \( S \) if White would have made her superficial interpretation completely explicit. But of course, if White deepens her understanding of \( S \), and makes it clear that she intends \( S \) to be understood as \( S_2 \), then the earlier agreement can be seen as a transintentional pseudo-agreement.

In order to argue ex concessis, White may use Black’s initial concessions, made at the opening stage of the dialogue. Alternatively, White may request Black to concede a sentence and use that to support her case. In both cases, there does not need to be an agreement with respect to Black’s concessions, for White does not need to commit herself to these sentences. This is especially pertinent in a situation where White alleges Black’s position to be inconsistent: ‘you are committed both to \( S \) and to its denial!’ In such a case White does not need to assert either \( S \) or its denial, while \( S \) may be actively ambiguous in such a way that the inconsistency is only apparent. We may introduce a notion of ‘diverging readings of a concession’, along the lines of a pseudo-agreement. Suppose Black has expressed a concession using \( S \). \( S \) is contextually ambiguous in the current context of use between \( S_1,...,S_n \). Black intended to express the same as \( S_i \) when he concedes \( S \), while White takes him to have expressed a different proposition, expressed by \( S_j, i \neq j \). Moreover, Black would not concede \( S_j \) if White would request him to concede that more precise sentence. White may use \( S \) in a different way than Black had intended, and White does not need to assert \( S \) herself. The following dialogue illustrates a concession with diverging readings: White uses a concession of Black, but she does not commit herself to the statement.

Black (talking about social obligations): I admit that we have an obligation to vote.
White: You said that we have an obligation to vote. Your wife didn’t vote. Thus, you are bound to admit that she broke the law.

A pseudo-agreement with respect to \( S \) is a case of diverging readings of a concession in the special dialogical situation in which Black has conceded \( S \), White has asserted \( S \), and where these parties disagree substantially.

In case of a pseudodispute, Black challenges an assertion that he would accept if he understood it in the way White meant it. Black challenges statement \( S \) that is asserted by White (as her main standpoint or as a reason). \( S \) is contextually ambiguous between several more precise readings expressed by \( S_1,...,S_n \). White herself interprets \( S \) as expressing one of those more precise reading, \( S_i \). Black would indeed grant \( S_i \) if that formulation would have been used. However, Black interprets \( S \) differently from \( S_i \). In case of an intra-intentional pseudodispute Black reads \( S \) as expressing the same
The relevance aspect of active ambiguity and the way to assess active ambiguity

as \( S_i \), such that \( i \neq j \). In case of a *transintentional pseudodispute* Black interprets \( S \) at a low level of comprehension and does not appreciate any more precise readings of \( S \).90

An example of an intra-intentional pseudodispute can be found in the dialogue below.

White (talking about associations): I don’t think we will be able to find any golf club in the entire neighbourhood.

Black (thinking about sticks): Of course we will, I own one myself!

An example of a transintentional pseudodispute is the following:

White (talking about social obligations): We have an obligation to vote.

Black (who does not, at this moment, distinguish between a legal, a social and a moral reading of obligation but who would grant a social reading): Why?

Another kind of transintentional pseudodispute occurs if White interprets \( S \) at a lower level of comprehension than Black does.

**Equivocation**

Equivocation is defined in terms of acceptable and unacceptable propositions, and the interpretations adopted by the listener do not play a role in its definition. A fallacy of equivocation may occur in a situation where Black is not aware of any ambiguity, but it may also occur in a situation where he is aware of the ambiguity, but not of the weaknesses that are covered up by the ambiguity, or it may occur in a situation where he is fully aware of the fallacy of equivocation being committed.

The following definition of the fallacy of equivocation is proposed as adequate. An argument \( \Delta \text{ so } T \), where \( \Delta \) is a set of reasons and \( T \) is a standpoint, offered by the proponent in a context of discussion \( C \) is an instance of the fallacy of equivocation if and only if it satisfies the following conditions.

1. An expression \( E \) occurs at least once in \( \Delta \) (and possibly also in \( T \)) that is contextually ambiguous in \( C \) between \( E_1, \ldots, E_n \).
2. \( \Delta \text{ so } T \) in \( C \) allows of a proper disambiguation91, where all occurrences of \( E \) are replaced by occurrences of \( E_1, \ldots, E_n \), such that the opponent in \( C \) would, after considering it, concede all reasons in \( \Delta \).
3. \( \Delta \text{ so } T \) in \( C \) allows of a proper disambiguation, where all occurrences of \( E \) are replaced by occurrences of \( E_1, \ldots, E_n \), such that the opponent in \( C \) would, after considering it, concede the warrant \( \text{If } \Delta \text{ then } T \).
4. There is no proper disambiguation of \( \Delta \text{ so } T \) in \( C \), where all occurrences of \( E \) are replaced by occurrences of \( E_1, \ldots, E_n \), such that the opponent in \( C \) would, after considering it, both concede all reasons in \( \Delta \) and also the warrant \( \text{If } \Delta \text{ then } T \).

90 Supposedly, transintentional pseudodispute is a rare phenomenon. Often, when we interpret a sentence superficially and if there is an acceptable reading, we are willing to grant it. However, Black may adopt a less charitable strategy: if an assertion seems to leave any room for disagreement, challenge it.

91 A proper disambiguation of an argument \( \Delta \text{ so } T \) is the result of replacing all occurrences of \( E \) by more precise expressions \( E_1, \ldots, E_n \) in a way that is linguistically admissible. Different occurrences may be disambiguated differently (see chapter 7).
Chapter 4

The fallacy of equivocation is a complex fallacy that consists of two elements. First, the fallacy is partly made up of the occurrence of an actively ambiguous expression. Second, the ambiguity covers up that there is no disambiguation by which the proponent may make the argument come out sound (having both acceptable reasons and an acceptable warrant). This second element can be understood in two ways. One might say that by covering up a reading with unacceptable reasons a fallacy of problematic premise (Johnson and Blair 1994, 75-80) has been covered up, and that by covering up a reading with an unacceptable warrant a fallacy of irrelevant reason or of hasty conclusion (1994, 65-75) has been covered up. However, because we do not need to commit ourselves to the fallaciousness of false premises or of badly supported conclusions, it suffices to perceive these drawbacks as dialectical weaknesses that can be, but need not be, fallacious. Thus, after disambiguation the argument is bound to fail, if Black does not make a fatal blunder in the execution of his criticism.

An unrealistic but clear example is given by the following argument, where it is to be presupposed that there are ten associations in Groningen that organise popular golf courses and matches.

Original argument
In Groningen, you can find no more than ten golf clubs, so golf is not very popular around there.

Disambiguation 1
In Groningen, you can find no more than ten golf sticks, so golf is not very popular around there.

In this disambiguation the warrant is acceptable (that is, the standpoint would be sufficiently supported by the reason if the reason would be acceptable), but the reason is not.

Disambiguation 2
In Groningen, you can find no more than ten golf associations, so golf is not very popular around there.

In this disambiguation, the reason is acceptable, but it does not support the standpoint and so the warrant is unacceptable.

Notice that equivocation is defined independently of the speaker’s intentions. It might be the case that the proponent has one particular disambiguation in mind. But it might also be the case that the proponent interprets her own argument at a low level of comprehension and fails to see any ambiguity in her own argument.

If Black discovers the contextual ambiguity of $E$ before he responds to the argument in which it occurs, then he finds himself manoeuvred into an interpretation dilemma. In an argumentative context two contextual clues are of central importance for determining a correct interpretation of a statement. If a reading makes a statement unacceptable, this tells strongly against that reading, while if a reading makes it acceptable, this tells in favour of that reading. This presumptive rule constitutes an application of Grice’s maxim of quality (Grice 1989). Similarly, we can apply Grice’s maxim of relevance. If, in a reading, a reason does not support the thesis, this tells strongly against that reading, while if it does support the thesis this tells in favour of that reading.
The relevance aspect of active ambiguity and the way to assess active ambiguity

Both applications of Grice’s maxims can be seen as part of a maximally dialectical analysis of an argumentative text (Van Eemeren et al 1993, 49). If we disregard other interpretational clues, like the naturalness of a reading, or the way in which the expressions have been used in the history of the dialogue, then the interpretational clues of an equivocal argument hold several readings of an argument $A \text{ so } T$ in balance. Let the equivocal argument be $A \text{ so } B$, then the interpretation dilemma looks as follows.

<table>
<thead>
<tr>
<th>reason A</th>
<th>warrant $A \rightarrow B$</th>
</tr>
</thead>
<tbody>
<tr>
<td>unacceptable</td>
<td>acceptable</td>
</tr>
<tr>
<td>acceptable</td>
<td>unacceptable</td>
</tr>
</tbody>
</table>

*Figure 2. An interpretation dilemma*

This pictures a dilemma for the reason that each choice has undesirable implications. If Black chooses reading 1, he attributes to White a violation of the maxim of quality, if he chooses reading 2, he attributes to her a violation of the maxim of relevance. White has made it impossible for Black to arrive at a charitable interpretation. Black can escape from the dilemma by pointing out the active ambiguity of $E$. He may complain that if he had not detected the ambiguity, then he would have failed to identify the weaknesses of the argument that are covered up by the ambiguity.

The dialectically dreadful feature of the fallacy of equivocation is that it easily misleads the opponent. Two misleading aspects can be distinguished. First, Black has a *prima facie* obligation to interpret White’s statements charitably, that is, as expressing acceptable reasons if possible, and as making up strong arguments if possible. Hence, there is a certain inclination to interpret the argument at a low level of comprehension where it appears to have both acceptable reasons as well as an acceptable warrant. Second, if the meanings of the ambiguous expression resemble each other to a sufficient degree, then it is easier to interpret it superficially and more difficult to detect the contextual ambiguity. In such a case, the fallacy of equivocation can be called *subtle* or *deep* (Hamblin 1970, 293). As we have seen, suitable sources for subtle equivocation can be found in semantically ambiguous expressions whose meanings are structurally related: expressions that are vague, multiple in use, or polysemous.

A realistic and subtle argument is derived from the following story, found in Dutch jurisdiction (Dutch jurisdiction: HR 12 juni 1990, *NJ* 1991, 29). An arrested person, W.B., describes the course of events of the night in which he was arrested for two offences. He supposedly drove a car, and did so while his license was suspended and while he had drunk too much beer: *That evening, I left home for a visit to an acquaintance. I asked a friend to drive me [in my own car], for the judge had suspended my license. During the evening, this friend left, so he couldn't drive me home. But my car wasn't safe there in front of the acquaintance’s house. I couldn't leave my car where it was. Thus, I decided to bring my car to a safe place - a parking lot a little further on. I wasn't allowed to drive, and because of that I pushed the car*.

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92 Such a maximally dialectical analysis is justified by the purpose of the analyst: reconstructing argumentative discourse in order to find out how the parties try to resolve their dispute. If a discussant is committed to resolving a dispute, we may require that he or she also interprets the utterances of the interlocutor in a maximal dialectical fashion.

93 What follows is my translation of W.B.’s own report. The dialogue fragments below are made up by me.
with its motor running, while walking, in the direction of the parking lot. I was arrested and I had drunk some beer.” A police officer writes: “W.B. pushed the car, walking next to it, while he operated the steering wheel through the open window of the left car door”.

We may imagine the following rather explicit, and therefore not very realistic discussions, taking place.

Discussion 1:

*Police officer, who had just arrived:* Your license please.

*W.B.*: Well, my license has been suspended. But I am not driving a car, so I don’t need a license.

*Officer:* When you’re right you’re right, good night.

Discussion 2:

*Police officer:* Your license please.

*W.B.*: Well, my license has been suspended. But I am not driving a car, so I don’t need a license.

*Officer:* You are right that you are not driving a car, but only in the stricter sense of *driving*. Your thesis however only follows from a premise that states that you are not driving a car in the legal sense, which is a wider sense.

Discussion 3:

*W.B.*: I wasn’t driving a car, so I didn’t need a license.

*Defending lawyer:* I agree.

In the first discussion, the police officer interprets *to drive a car* at a low level of comprehension (just like W.B. himself does). In discussion 2, the officer is better prepared for his job and points out the equivocal nature of W.B.’s argument. In this case there probably has been a moment at which the officer found himself in a dilemma. By pointing out the defect in W.B.’s wording he escapes from it. In the third discussion *to drive* is not actively ambiguous with respect to the position of the defending lawyer, because the defending lawyer, unlike the officer, interprets the relevant articles of the law in a strict sense.

The relations between misunderstanding and equivocation

Misunderstanding and the fallacy of equivocation are closely connected in several ways. Suppose an instance of the fallacy of equivocation has the form $A \text{ so } B$, such that $A$ is actively ambiguous between $A_1$ and $A_2$, and only basic reason $A_1$ and warrant $A_2 \rightarrow B$ are acceptable for Black. Suppose first Black routinely interprets $A$ as $A_1$ and concedes sentence $A$. If he finds out that White uses $A$ to get him to concede $B$, he might hypothesise that White meant to express $A_2$, and analyse his own concession of $A$ as part of a pseudo-agreement: “I mean, I admit that $A_1$, but not that $A_2$”. Again suppose second that Black interprets $A$ as $A_1$ and challenges the warrant $A_1 \rightarrow B$. Now White might analyse this challenge as part of a pseudodispute (saying “I meant $A_2 \rightarrow B$”) and see whether that pays off (for instance in case the opponent fails to challenge the acceptability of basic reason $A_2$). Similar scenario’s can be made up if Black interprets $A$ as $A_2$ and challenges $A$. White, if she finds out about this interpretation, might analyse this challenge as part of a pseudodispute by making clear that he intended to express the same as $A_1$ (after which the opponent may successfully challenge the warrant $A_1 \rightarrow B$).
The relevance aspect of active ambiguity and the way to assess active ambiguity

However, given the global disparity between misunderstanding and equivocation we may expect them to occur independently of each other. That an argument forms an instance of the fallacy of equivocation does not imply pseudocommunication at any point in the dialogue. The reason is that the opponent may see through the ambiguity and criticise the argument, without having conceded or challenged any element from it.

Alternatively, misunderstanding does not imply equivocation. That a disagreement on an assertion constitutes a pseudodispute does not imply there needs to be a fallacy of equivocation, because White might have an effective persuasion strategy for certain disambiguations.

White: Doctors should cure their patients.
Black: Nonsense, patients need not be sick.
White: I mean to say that doctors should cure ill persons.
Black: That’s correct.

A similar argument can be set up to show that pseudo-agreement or a concession with diverging readings does not imply equivocation. First, there may occur a pseudo-agreement with respect to the main standpoint, or there may be a concession with diverging readings, without there being any argument that has been put forward already. Second, a pseudo-agreement may occur with respect to a reason $S$, such that White can disambiguate her argument in such a way that all reasons as well as the warrant become acceptable to the opponent.

White: Doctors should never get drunk.
Black: Why not?
White: Because, doctors should always be fit in order to be able to cure their patients.
Black: That’s true.

...  
Black: I agree that doctors should always be fit in order to be able to cure ill persons, but I don’t agree that they should always be fit in order to be able to cure all persons who come to visit a doctor.
White: Yes, I should have said: doctors should always be fit in order to be able to cure ill persons, and so they should take care not to drink too much.
Black: I fully subscribe to that.

Possible consequences of contextual ambiguity at a metalevel

If expression $S$ is contextually ambiguous, this increases the likelihood that a party comes up with a point of order: he or she may raise the issue of active ambiguity within a metadialogue. More in particular, a party may attempt to analyse an agreement as a pseudo-agreement, a disagreement as a pseudodispute, a concession as having diverging readings, or an argument as an instance of the fallacy of equivocation. These possible consequences of contextual ambiguity are to be discussed independently of misunderstanding and equivocation as they may occur in a ground level discussion, because the parties may raise the issue of active ambiguity even if there is no genuine pseudocommunication nor an authentic equivocal argument.
Chapter 4

The issue of active ambiguity can be raised in an efficient and correct way: an active ambiguity is detected, analysed, and the responsible statements are disambiguated. Afterwards, the parties return to the ground level dialogue and resume exchanging topic points. Such a correct procedure will be discussed in detail in chapter 7. Here it suffices to point out that plausible deniability, that we dealt with when examining Walton’s ideas about equivocation, can be seen as a problematic way of raising the issue of active ambiguity.

Plausible deniability refers to a strategy where White attempts to profit from an active ambiguity in a dubious way. White puts forward a statement $S$ that is actively ambiguous between, say, $S_1$ and $S_2$. White suspects that Black is not willing to grant $S_2$, although he will be ready to concede $S_1$. White however, is in need of a concession of $S_2$. White speculates that the following sequence of events will take place: Black fails to notice the active ambiguity of $S$, concedes $S$ and does not start to protest if White puts $S$ to use as if it meant the same as $S_2$. If, however, Black should interpret $S$ as meaning the same as $S_2$ and if he should challenge $S$, then White can save face by pointing out a pseudodispute: “We do not disagree substantially: I just meant to say the same as $S_1$”. Of course, that would spoil the plan to use $S_2$.

A concrete example would be given by a mother saying $S = you took my car, didn't you!$, thereby suggesting that her son has been joy-riding, whereas the son thought he had accepted an (indirectly stated) offer to borrow the car. In a sense $S$ is true according to the son: $S_1 = you drove the car$, but in another it is not $S_2 = you removed the car without permission$. Her strategy to make him feel ashamed (the way $S$ is put to use) might work out if her brutal strategy takes the son by surprise and if he does not notice the ambiguity. The following profile of dialogue shows some relevant strategic considerations.

![Diagram of dialogue showing the strategy of plausible deniability. A bold font indicates that a move is part of a metadiscussion.](image.png)
The act in 1.1.1 of plausibly denying reading $S_2$ amounts to analysing the dispute about $S$ to be a pseudodispute. White takes cover by claiming that the opponent misunderstood her. White hopes that the dialogue will proceed towards node 1.2.1.2, but has, of course, no guarantee that Black fails to detect the ambiguity, and fails to make a move like 1.2.1.1. Move 1.1.1 shows that Black is in need of a way of testing the correctness of the alleged occurrence of a pseudodispute. Because misunderstanding is a partly unobservable phenomenon, his options are limited (section 5 of chapter 7).

Black may avail himself of a similar strategy when analysing a concession as having diverging readings. If there is a contextually ambiguous formulation by which he has committed himself to a proposition, then he may try to profit from the ambiguity to escape commitment to a proposition that White needs for her defence. Thus, if Black conceded *Voting is obligatory* then he may escape commitment to the proposition ‘Voting is legally obligatory’ if White needs that proposition. Black may do so by saying he intended it in a moral sense. And if White wants to use the proposition ‘Voting is one’s moral duty’, Black may allege further he meant it in a strictly utilitarian sense. A special case of plausibly denying commitment is where it is used to escape from a (seemingly or really) inconsistent set of commitments. This shows that White is in need of a way of testing the correctness of the alleged occurrence of a concession with diverging readings (section 6 of chapter 7).

It is often not very difficult to find a linguistically admissible reading in which $S$ is unacceptable as well as a reading in which it is acceptable. Even if White did mean to express the unsupportable reading she may pretend to have meant the other one. Similarly, even if Black did entertain the reading needed by White he may pretend to have entertained another reading. It is much harder for a critic to make believe that a certain argument of the proponent is equivocal, because this fallacy does not depend so heavily on imperceptible interpretations.

### 7. Assessing active ambiguity

In this section we will assess active ambiguity from the following perspectives. (1) How does it affect Black’s attempts to achieve his participant’s aim of maintaining a critical position with respect to the main thesis, and how does it affect White’s participant’s aim of getting her main standpoint conceded? (2) Who is accountable for the occurrence of an actively ambiguous expression? The answers to these question shall be used in order to formulate several restrictions on normative procedures for dealing effectively with (alleged) active ambiguity.

Allowing the use of actively ambiguous expressions in dialogue can be advantageous for both parties. If parties may use expressions that are actively ambiguous, they do not need to think up all possible scenario’s to check whether the use of an expression leads to misunderstanding or equivocation. If the parties would not have the option to formulate concessions, reasons, questions and standpoints somewhat carelessly and preliminary, the discussion would not be able to get started at all. The following argument contains such a risky use of *obligatory* (Hamblin 1970, 292):

Acts prescribed by law are obligatory, and nonperformance of obligatory acts are to be morally disapproved, therefore nonperformance of acts prescribed by law are to be morally disapproved.
If the proponent who offers this argument does not have information as to whether or not the opponent is a legal positivist (who identifies moral and legal obligations), we might say that this argument could work out fine. If the opponent appears to be such a positivist, he might become convinced of the standpoint. Proscribing the use of obligatory in this situation would prevent such a resolution. Thus, in order to get the process of critical testing started, it is better to leave room for the parties to use ambiguous formulations, provided that this freedom is constrained in an apposite way.

Constraints are needed, because active ambiguity can hinder a party in his or her attempt to achieve the participant’s aims, as will be shown now. If $S$ leads to pseudo-agreement, Black has failed to notice an opportunity to challenge an assertion, erroneously thinking that it expressed something he agrees with. This, in turn, has the effect of failing to put White’s position to a thorough critical test.

If $S$ is a concession with diverging readings, then White may use $S$ in a reading that Black does not think to be acceptable. Thus, White bases her defence on propositions that Black does not really subscribe to. This is disadvantageous for Black if it goes unnoticed.

If $S$ is a pseudodisagreement, Black challenges an assertion that he would have conceded if it were expressed less ambiguously. This facilitates Black’s attempts to achieve his participant’s aim: Black withholds White a concession that she could use to win Black over.

If $S$ is the source of a fallacy of equivocation that White has committed, and if in addition, Black does not detect the active ambiguity of $S$, then it is likely that Black gives in and ceases resistance. Black has failed to make use of his critical possibilities, and loses this part of the discussion even though he could have won it.

If a contextually ambiguous expression is potentially harmful for a party in the ground level discussion, this party may raise the issue of active ambiguity in a metadiscussion and see whether the damage can be undone. First, a contextually ambiguous expression may give a party the opportunity to analyse a former agreement as a pseudo-agreement or an initial concession as an instance of a concession with diverging readings. In these cases Black profits from the analysis, because it enables him to withhold from White a potentially useful concession. Second, the use of $S$, where $S$ contains a contextually ambiguous expression, may lead to a situation where a party analyses a former dispute with respect to $S$ as a pseudodispute. This is disadvantageous for Black, because it may result in an extra concession on his part that could be of use for White’s defence of the main issue. Third, the use of $S$ may lead to a situation where Black analyses an argument by White as an instance of the fallacy of equivocation. This is advantageous for Black, because it forces White to expose a weakness in her argument.

We can assess the effects on White’s prospects conversely. Pseudo-agreement and concessions with diverging readings, if they remain undetected, are in favour of White, because they provide concessions that could be of use for winning Black over. An undetected pseudodispute is disadvantageous for White for it implies a situation where Black has not conceded something that he would have been willing to concede. The fallacy of equivocation, if undetected, is in favour of White because it covers up weaknesses in her own position. If someone analyses a dispute as a pseudodispute,

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94 Even if we ourselves are not positivists of this nature, and would assess the expression as actively ambiguous between a moral and a strict legal sense, we should admit that the argument is sound in this discussion.
White profits from it. If someone analyses a former agreement as a pseudo-agreement or a concession as an instance of a concession with diverging readings, this is unfavourable for White, because this will deprive her of a concession by Black that could be useful. If someone analyses White’s argument as a fallacy of equivocation, this impedes White’s route to her aim.

<table>
<thead>
<tr>
<th>Event in the ground level discussion</th>
<th>the way it affects Black’s prospects</th>
<th>the way it affects White’s prospects</th>
</tr>
</thead>
<tbody>
<tr>
<td>pseudo-agreement</td>
<td>negatively</td>
<td>positively</td>
</tr>
<tr>
<td>concession with diverging readings</td>
<td>negatively</td>
<td>positively</td>
</tr>
<tr>
<td>pseudodisagreement</td>
<td>positively</td>
<td>negatively</td>
</tr>
<tr>
<td>fallacy of equivocation</td>
<td>negatively</td>
<td>positively</td>
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<thead>
<tr>
<th>Event in the metadiscussion</th>
<th>the way it affects Black’s prospects</th>
<th>the way it affects White’s prospects</th>
</tr>
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<tbody>
<tr>
<td>analysing pseudo-agreement</td>
<td>positively</td>
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<tr>
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<tr>
<td>analysing pseudodisagreement</td>
<td>negatively</td>
<td>positively</td>
</tr>
<tr>
<td>analysing fallacy of equivocation</td>
<td>positively</td>
<td>negatively</td>
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Figure 4. Assessing possible consequences of contextual ambiguity

The possible interactional consequences of active ambiguity - pseudodispute, pseudo-agreement, concessions with diverging readings and covering up dialectical weaknesses - are to be qualified negatively for the reason of hindering or even obstructing the process of conflict resolution. Pseudo-agreement may have as a further effect that an issue is not tested optimally, and the discussion is closed off too early (Van Eemeren en Grootendorst 1992, 195). The same may happen in case of concessions with diverging readings. Pseudodisputes have as an effect that a debate on an issue or subissue is superfluous (Van Eemeren en Grootendorst 1992, 195). Covering up dialectical weaknesses might lead, if it goes unnoticed by the opponent, to a needless loss of the opponent because he might overlook part of an argument that could be tested more thoroughly. And even if, after detection of the actively ambiguous nature of an expression, a metadiscussion starts on the adequacy of the formulations this does not constitute the most direct route towards resolution of the dispute. Therefore, in the ideal case parties in a critical discussion do not use any actively ambiguous sentences.

However, as we have seen, the parties cannot always require of each other that they avoid the use of actively ambiguous expressions. Moreover, the harmful effects of using ambiguous or equivocal arguments are not in all situations equally serious. Suppose the following sequence of events takes place. Party 1 asserts an actively
ambiguous sentence $S$, while party 2 had not yet made his semantic dispositions overt. Party 2 then points out the active ambiguity. Party 1 responds by disambiguating the ambiguous statements. In such a case, the parties are working towards resolution at every stage of the discussion. Although at some point an active ambiguity arose, this is cleared up during the discussion in an efficient manner. If no other obstacles arise every move brings the discussants closer towards resolution of their dispute. Such sequences of moves can, in my view, be part of a critical discussion. The resulting tension can be taken away by defining a critical discussion in the following way: there is no constitutive rule that proscribes the use of active ambiguities, while there is a regulative rule that disallows their usage (see section 7 of chapter 1).

Now suppose that it was already clear in the discussion that $S$ is actively ambiguous. In a way, $S$ is then disqualified in this discussion: it is an overt fact that the $S$ is actively ambiguous. If $S$ is used without making clear what reading is intended, this move brings discussants further away from conflict resolution. Such a move is, in my view, not a part of a critical discussion and should be proscribed by constitutive rules.

8. TOWARDS A DIALECTICAL DIVISION OF LABOUR

Who is accountable for what actively ambiguous formulations, and who may criticise whom for using an active ambiguity? We can adopt the straightforward rule that the party who first introduces an expression $E$ in the discussion is at least partly responsible for any possible active ambiguities of $E$.

In an asymmetrical kind of discussion, Black can be responsible only for the formulations by which he has committed himself to his initial concessions or by which he has spontaneously conceded propositions. By conceding these formulated propositions, he explains White his position. White can then decide whether or not she will go on to persuade him of her standpoint. If White uses such a concession $S$ to support her standpoint, and if $S$ is actively ambiguous, then White may try to profit from it. If the active ambiguity of $S$ is indeed advantageous for White, she will not be inclined to criticise the active ambiguity of $S$. It would be unreasonable for Black to blame White for the active ambiguity, because he himself is responsible for the defective formulation. But it would also be undesirable to give White all the freedom to misuse the actively ambiguous sentence and to take undue advantage of Black’s oversight. A solution is to enable Black to correct himself. He should be able to criticise his own formulation as actively ambiguous and to disambiguate it in order to prevent White from taking undue advantage of it.

If White uses an expression $E$ that does not occur in an initial concession of Black, then she is accountable for this formulation. Thus, if White’s use of $E$ is harmful to Black’s position, Black should be able to criticise the active ambiguity.

Just as Black needs the option of self-correction, so does White in some situations. White may assert something by uttering an actively ambiguous sentence $S$ that results in a pseudodispute. If she is herself responsible for the formulation $S$, White cannot criticise Black for it. Black has no incentive for criticising White for using an active ambiguity, for Black profits from the (pseudo)dispute. But it would be

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95 This could be part of the shared background knowledge of the discussants; the discussants could have achieved an agreement on it in the opening stage of the discussion; or the opponent could have expressed it during their present discussion.