Feminist Perspectives on Argumentation

Unpublished draft

The noun "argument" and verb "to argue" can describe various things in ordinary language and in different academic disciplines (Wenzel 1992). "Argument" may identify a logical premise-conclusion complex, a speech act, or a dialogical exchange. Arguments play off other arguments or may support each other, even nesting with smaller arguments serving as sub-arguments inside and contributing to larger arguments. Expressing an argument and evaluating an argument using logical rules often take the goal of arguing to be persuasion. Following the practice of anglophone philosophers, this entry uses the term "argument" only to indicate a premise-conclusion complex that may involve sub-arguments. "Argumentation" also includes the larger context and all the non-logical aspects that belong to the activity of "arguing" understood as the offering of reasons.

Feminists note an association of arguing with aggression and masculinity and question the necessity of this connection. Arguing also seems to some to identify a central method of philosophical reasoning, and gendered assumptions and standards would pose problems for the discipline. Can feminine modes of reasoning provide an alternative or supplement? Can overarching epistemological standards account for the benefits of different approaches to arguing? These are some of the prospects for argumentation inside and outside of philosophy that feminists consider.

The further concern is that the academic study of argumentation — in philosophy and other disciplines — has failed to account for the type of reasoning needed for social justice movements. What resources for addressing these concerns can be found in informal logic and interdisciplinary argumentation theory? Since part of the perceived problem derives from assuming that arguing is a contest, are more collaborative epistemological frameworks better? Can regular politeness or civility hedge against undesirable tendencies of argumentation? Can "critical thinking" pedagogy involving argument educations answer the needs of social justice?

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1. Arguing as a contest and arguing to win

Theories about arguing generally assume that arguers disagree; and sometimes arguing operates as a type of battle among ideas that may be preferred over physical combat among people. Adversarial orientation among people arguing may however marginalize women's patterns of communication and discount social norms of "femininity" (that regularly attach to women and girls but vary across time and culture). The connection between "masculinity" (understood also as a social norm, ideal, or role) and adversarial processes for reasoning may be heightened and even become stylized as a disciplinary method in contemporary Euro-American philosophy (Moulton 1983; Burrow 2010; Hundleby 2010; Rooney 2010; 2012; Alcoff 2013). When reasoners treat arguing as a contest, each aiming to win by defeating the other's claim, it can become eristic as the goal of winning takes over from other purposes that arguing serves. In the same way as adversarial reasoning and eristics, other discursive norms can marginalize other groups of people, including men, and complicate the ways that women may be marginalized. Little attention has been given in Euro-American philosophy to the gendered dimensions of arguing in other cultures. However, feminists regularly suggest that where adversarial arguing dominates, subordinated styles of reasoning can provide productive alternatives or complements to it, and this often involves styles gendered as "feminine."

Some feminist philosophers suggest that an aggressive culture associated with masculinity poorly serves processes of reasoning and hinders the discipline of philosophy insofar as it sidelines, downgrades, and even excludes people's non-adversarial engagement with each other and with each other's reasoning. Evidence for this problem emerges in various places, beginning with the prevalence of military and aggressive language to describe philosophical discourse and rational arguing more generally (Lakoff and Johnson 1980; Ayim 1988; Cohen 1995).

Janice Moulton (1983) argues that a particular style she calls "the Adversary Method" dominates the discipline of philosophy, and this goes beyond a set of attitudes or styles of interaction to include prioritizing a particular discursive logic. Further evidence for Moulton's characterization of disciplinary practices in philosophy comes from Phyllis Rooney (2012) and Catherine Hundleby (2010).

1. 1. Metaphors and norms of masculine aggression

The metaphor of argument-as-war provides a central example for the landmark book, *Metaphors We Live By* (1980), by George Lakoff and Mark Johnson. War can operate as "structural

¹ I use the term "Euro-American" in regard to philosophy instead of "Western" which is a vestige of the Cold War or the more contemporary "Northern" which describes economic relationships. Noting the origin of philosophical traditions in Europe and their independent growth in the Americas (perhaps especially North America or even just Canada and the US) is maximally specific and descriptively accurate while it also distinguishes these traditions from the indigenous philosophies of the Americas.

metaphor" for arguing: "Though there is no physical battle, there is a verbal battle, and the structure of an argument—attack, defense, counterattack, etc.—reflects this" (4). Without that structure, Lakoff and Johnson suggest that we could not even recognize a piece of discourse as an argument.

Prioritizing aggression in the practice of arguing and the association of aggression with certain forms of masculinity provides a general problem, Moulton (1983) observes. If people assume that success requires aggression, then discussants must appear aggressive in order to appear competent at arguing. Not only may the assumption be false, but it may entail a distinct disadvantage for women. Cultures that treat aggression as a natural quality in men encourage and advantage men in eristic modes of engagement. When success demands aggression, contributions to an exchange of reasons made in other styles—including those that read as feminine—will not measure up; and they may not even be noticed. At the same time, a woman can seem to be aggressive merely by asserting her own viewpoint or by showing competence in some other fashion. She may tend to stand out as behaving inappropriately, even as her actions become acknowledged, because of her feminine social identity (Moulton 1983, 150; Rancer and Stewart 1985; Hample et. al. 2005; Kukla 2012; Olberding 2014).

Moulton calls attention to ways in which philosophical approaches to arguing and reasoning in Euro-American culture take on a pronounced adversarial dynamic that reflects aggressive expectations. Her concern about the discipline and about models for argumentation is shared by many feminist philosophers (Ayim 1988; Burrow 2010; Gilbert 1994; 1997; Hundleby 2010; 2013b; Rooney 2004; 2010) and some who are not specifically feminist (Cohen 1995). Maryann Ayim observes that a culture of hostility can be viewed in the militaristic, violent, subjugating, and controlling language used to describe philosophical arguing, especially the metaphor of argument-as-war:

Philosophers tend to value their "sharper" students, whom they may openly praise for their "penetrating" insights. Occasionally they find students of "piercing" intelligence, one or two perhaps with minds like "steel traps." Philosophers regard such students as important: They require "tough-minded" opponents with whom they can "parry" in the classroom, so they can exhibit to the others what the "thrust" of philosophical argumentation is all about. This "battle of wits" is somewhat risky, however, and a "combatant" must take care always to "have the upper hand," to "win thumbs down," to "avoid being hoist by your own petard." If you find yourself pressed for time at the end of a lecture, with your "back to the wall," or as it is occasionally even more colorfully expressed, "between a rock and a hard place," you may have to resort to "strong arm tactics," to "barbed" comments, to "go for the jugular," to "cut an opponent's argument to pieces," or to "bring out the big guns or heavy artillery." If caught in the throes of a real dilemma, you many even have to "take the bull by the horns" or rebut the dilemma by advancing a "counter" dilemma." (Ayim, 1988, 188)

Martial metaphors and competitive evaluation foster the eristic goal of defeating others and their views (Cohen 1995), even perhaps for instructors in regard to their students. The range of such language suggests a general disciplinary culture that values aggression through conflating it with success (Moulton 1983).

Admittedly, aggressive interaction may be comfortable for many women and uncomfortable for some men, and also may be inflected with class and race biases with similarly variable effect. Yet these may be merely exceptions to the "masculine" homosocial culture of hostility that many feminists maintain prevails in philosophical arguing. Rooney argues that culture reinforces male status in the discipline and resonates with narratives of opposition against not *just* ideas but also against people who present them, especially women (Rooney 2010, 229). Common ideals of masculinity and rationality coincide with the association of aggression with success, power, effectiveness, and vitality; they contrast with rhetoric, unreason, body, sexuality, instinct, and nature, all notions that Euro-American cultures regularly associate with femininity.

In the history of Euro-American philosophy, Rooney (2010) observes, masculine reason regularly appears in battle against feminine elements of unreason, a battle that occurs both within the knower and among aspects of thought. "Embattled reason" constantly struggles to subordinate feminine elements of unreason, and the suppression of perceived negative qualities that are gendered as "feminine" provides a central means for achieving the ideals of reason and rationality central to the discipline. That the discipline functions this way can discourage women's participation. So Rooney argues "that a full feminist accounting of the general cultural problem with gender, adversariality, and authority must include consideration of philosophy's history and its lingering effects" (2010, 209, 217-219). Otherwise the discipline may continue to perpetuate sexist standards of reason from the larger culture and its history.

Daniel Cohen (1995) suggests that antagonistic attitudes may not actually enhance competition and the knowledge it is supposed to serve, and that imposing the goal of agreement can silence rational discourse and undermine the goal of philosophy to further inquiry. The value of information that challenges our own beliefs can always be hard to recognize, a difficulty described as "confirmation bias," and this problem can be exacerbated when the focus of arguing is winning rather than learning or ascertaining truth (Makau and Marty 2013, 39-40, 167; Linker 2015).

1. 2 The Adversary Paradigm and the discipline of philosophy

Norms of masculine aggression may help a particular reasoning method to dominate the discipline of philosophy, Janice Moulton argues in an early article (1983). She describes the process of competitive reasoning through deductive refutation—typically by counter-example—as the "Adversary Method." According to Moulton, the Method employs opposing views on a topic as tests for each other—the more severe the opposition, the better, and surviving the confrontation grants "objectivity" to a view. Winning at arguing in this fashion depends on defeating competing positions based on faults identified in them. Defeat of the opposite position becomes more decisive when the claims are very specific, as specificity aids deductive refutation.

² Retaining Moulton's capitalization helps to distinguish her model of the Adversary Method from many other forms of contest and opposition involved in arguing that may be ordinarily described as "adversarial" or involving "adversaries."

Philosophy, at least in Moulton's (1983) context of late 20th century US, may be so permeated by the combination of adversarial arguing and deductive logic that the Adversary Method operates as a disciplinary "paradigm." Moulton argues that the "paradigm" for Euro-American philosophy demands aggressive opposition to other people's opinions, in the same way that Thomas Kuhn observed mature scientific disciplines demand adherence to an overarching theory, an ideal, and a practice that together constitute a cultural paradigm. Philosophers' technique of aiming to falsify each other's claims adheres to Karl Popper's epistemology but adversarial reasoning in philosophy has taken many different forms and traces back at least to Aristotle. Descartes and Kant shifted the normative focus of the study of logic from dialogue to individual cognition, and the logic of opposition became internalized (Dutilh Novaes 2011; 2015). Yet, arguing as a dialogical form of reasoning retains the oppositional dynamic.

Moulton criticizes how the operation of the Adversary Method as a paradigm can hobble the progress of philosophical reasoning by narrowing the possibilities for discussion. Isolated claims that make the Method work maximize their vulnerability, force proponents to rely on *ad hoc* revisions, and prohibit them from the systematic reconsiderations that encourage theories to evolve. *Ad hoc* concessions "for the sake of argument" create common ground for discussion only by restricting the basis for disagreement; and so, Moulton maintains, they slow the development of philosophical thought (1983, 154–155).

Moulton makes two further related points: taking the purpose of arguing to be the defeat of a view limits the practical relevance of the argumentative exchange. Forcing narrow theories to compete can make philosophy look quite absurd. Moral arguments are directed at egoists and epistemology is offered to skeptics. Debates over the existence of the external world and the existence of God occupy philosophers at the expense of attention to the character of the world we live in or the role of God in our religions. Philosophers rarely question the assumption that there must be a supreme moral principle, Moulton explains, because otherwise there would be little sense to making different theories compete for recognized supremacy (1983, 157–158). Losing sight of other reasons for arguing may have even resulted in the misinterpretation of key figures in the history of philosophy and Moulton suggests that Socrates argued to suit various purposes that interpreters often miss in assuming that his only goal was refutation (155–157).

Moulton (1983) argues that the narrow discourse of the Adversary Method seriously limits the relevance of philosophy to feminist concerns. She takes the example of Judith Jarvis Thomson's classic philosophical defense of the moral permissibility of abortion that concedes a great deal (that the fetus is a full-fledged person with a right to life) to show that the right to life does not supersede the right to bodily autonomy. Moulton's concern is that even though Thomson's position supports feminist theoretical views, it employs reasoning so remote from the circumstances of pregnancy that it provides no guidance for people seeking to make decisions about actual abortions.

The Adversary Method's prevalence and constitution of a Kuhian paradigm may be seen in Rooney's observation that philosophers tend to engage each other from a "default skeptical stance." The skeptical stance challenges the quality of the components of another's arguments, including the basis for premises, the support premises provide for the conclusion, and the possibility of counterexamples. The skeptical stance operates as a default without consideration

of the appropriateness of the challenges for the topic under discussion. Rooney notes in particular, "skeptical argumentative responses that take necessary truths and valid arguments as the ideal poorly serve the variety of arguments and forms of argumentation that important philosophical works have presented and will continue to present" (2012, 321). Inappropriate standards undermine the general epistemic aims of truth and understanding. They create specific problems for discussion of social justice issues which depends extensively on testimony and therefore on deft employment of the epistemology of testimony and sensitivity to the danger of testimonial injustice (see section 4: *credibility and argument interpretation*). The unsuitability of the Adversary Method for discussions of social justice will stall social justice projects, Rooney concludes, including those within the discipline of philosophy.

Hundleby presents as evidence for the paradigmatic operation of the Adversary Method an analysis of critical thinking textbooks in philosophy. Twenty-four textbooks of the thirty examined – four-fifths – revealed in their presentation of fallacies the norms of the Adversary Method: narrow discourse and decisive refutation. Most of these textbooks exhibiting the Adversary Paradigm have authors with no research expertise in argumentation more specific than doctoral training in philosophy, whereas the much smaller number of textbooks (six out of thirty) authored by scholars of argumentation do not show the same signs of the Adversary Method. Since argumentation scholarship differently orients argument pedagogy, the prevalence of the Adversary Method in so many other textbooks seems to derive simply from the disciplinary culture of philosophy (Hundleby 2010).

Some empirical educational studies suggest, too, that while students learn a great deal from argument education in the eristic model, it undermines their progress as learners by emphasizing winning over gaining understanding (Makau and Marty 2013, 13). People—including feminists—Moulton (1983) suggests, might expect more relevant advice from the discipline of philosophy. More practical philosophies addressing mundane problems may be found outside Euro-American cultures (Olberding 2015).

2. Other goals for arguing

Feminist philosophical models of arguing sometimes aim to replace and other times to complement arguing practices and norms defined in terms of a contest between people or reasons. In addition to the goal of defeating an interlocutor or their reasons, arguments can serve many purposes. Explanation and explanatory argument (sometimes considered to be the same thing) already receive attention from argumentation theorists and <u>philosophers of science</u>. Other functions of arguing, such as educating the uninitiated or the undecided and discussing with likeminded people, remain neglected by theorists. None of the alternatives need to take over as a new "paradigm," but exploring various purposes, methods, and styles of arguing may help to scrutinize accepted procedures and purposes (Moulton 1983). Such questioning of methods deters their dogmatic acceptance.

More important for the role of arguing in philosophy and education than to praise or condemn any particular norms of arguing may be the exploration of multiple approaches, according to Cohen. Philosophers and arguers more generally might find means for innovation and

constructive questioning in many new models and metaphors. Traffic metaphors seem to work especially well, Cohen offers:

We can say that arguments are (i) conversational traffic jams — (ii) gridlock with a lot of honking and little movement; (iii) conversational traffic accidents; (iv) wrong turns, or (v) detours, or (vi) dead ends or (vii) roundabouts on the streets of discourse; or should we have said that they are (viii) short cuts to the truth at the end of the road; maybe (ix) they are long and winding roads to nowhere; or, instead, we can conceive of arguments as (x) intellectual one way roads to their conclusions although maybe they are really (xi) one-lane roads but with two-way traffic. More positively, they can be thought of as a case of (xii) a merging traffic of ideas or even better as (xiii) conceptual roads under construction. (Cohen 1995, 184)

The availability of so many traffic metaphors suggests something appropriate about this analogy, and yet no metaphor or analogy may suffice to capture all the shapes that arguments take and the purposes they serve (187).

Metaphors, models, and methods that tend to be "gendered" as feminine may carry connotations of subordination—and so they may *seem* inferior; yet they may be also especially useful for women and hence powerful for feminists. These approaches can provide a potent basis for generating alternatives to eristic standards and an understanding of the processes that may go alongside or support arguing as a contest. Metaphors and models based on collaboration fit with the work of physical and emotional care that regularly constitutes women's roles and responsibilities. Yet collaboration also proves quite apt for many other contexts and functions of arguing. Rooney suggests that because people converse *with* rather than *against* each other, and because arguing is a species of conversation, we should speak of arguing with rather than against people and their views (2010, 221). The argument-as-war metaphor may not be quite so overwhelming as to make alternatives unimaginable in the way Lakoff and Johnson suggest (1980, 4). Alternative structures for argument can be found in our ordinary language.

Patterns that might seem to distinguish how women argue may not express deep cognitive differences between the genders. A range of communicative styles including gendered norms of polite discourse that have people constrain their public reasoning may equally serve cognitive functions common to men and women. Gendered roles may even complement each other's epistemological operation. The most aggressive and disruptive behavior will not endure norms of politeness. However, some feminists consider that politeness can require conformity to structures of social authority that marginalize women, people of color, and others belonging to subordinated social categories.

2.1 Gendered reasoning

The gendered associations of different styles of reasoning suggest that a source for alternative models of arguing might be found in what have been seen as "feminine" styles of reasoning. Whether or not women reason differently from men depends on what we count as reasoning (Verbiest 1995), and the evidence from psychology and sociology reveals no significantly gendered differences in the mental processes of inference and cognition (Fine 2010). Yet

women's communication practices often reflect distinct "values of intimacy, connection, inclusion, and problem sharing" (Burrow 2010, 247).

Ayim argues that in order to avoid reinforcing patterns of subordination, we must detect and examine how values and presuppositions play into the ways that we interpret argumentation (1988, 185). Rooney adds that cooperative and collaborative inclinations may involve a tendency to defer, a reluctance to take responsibility for a position, or a lack of confidence in one's ideas (2010, 213–214). The need to appease those with greater power may explain why an open-ended and tentative quality sometimes distinguishes women's style of arguing and "feminine" communication more generally. Sylvia Burrow suggests that women may give others' interests priority over their own in order to secure cooperation and connection (2010). This may characterize subordinate roles more generally, sometimes extending to marginalized races and ethnicities.

While styles of "femininity" and "masculinity" are neither wholly good nor bad, they both have inherent dangers. A danger for masculinity arises from its association with activity and aggression as apparently natural features of maleness. As a result, these masculine ideals constrain women's communication, as has often been noted by feminist theorists, while feminine modes tend to be dismissed. Because masculine characteristics also operate as ideals of humanity or personhood (Hundleby 2016), men can over-identify with them and have no motivation to reflect on or problematize their gender identity (Bruner 1996).

The strategy of transgressing gender by adopting an aggressive masculine mode for arguing can seem useful to women. The temptation may be strongest in "masculine" discourses such as philosophical discussion or wherever listeners treat an authoritative *manner* as valuable. Yet, when women adopt masculine discursive styles and adversarial techniques, they can garner criticism for being selfish, cold, and mean, criticism that men would not receive (Burrow 2010). Further, such character challenges weaken women's authority and their ability to participate in argumentation (Burrow 2010, Hundleby 2013a). Even when those challenges are not interpreted as a character fault, the effect may be to present women as merely requesting permission to participate, whereas men are not taken to need permission (Kukla 2012; Olberding 2014). When women decline to offer explanations, they are considered incompetent, whereas the same behavior reads as strength in men. Women's attempts to defend their authority easily backfire because the very nature of authority depends on not always having to defend what one says (Hanrahan and Antony 2005).

2.2 Caring and coalescent argumentation

The consideration that women may have a "different voice" in moral reasoning (Gilligan 1983) gave rise to <u>care ethics</u> as a feminist alternative to traditional accounts of morality. Metaphors of nurturing could also replace violent ones describing arguing, Ayim suggests (1988), especially because arguing can help to foster community (Makau and Marty 2013). Approaches to reasoning that presume interest in the flourishing of other people, that attend to the needs of others, seem common among girls and women in cultures that press them into practices of motherhood and related caring labor, such as teaching, nursing, and food service. In some

cultures, arguing provides such an important form of sociability that superficial or even insincere arguing may be an essential part of interaction (Schiffrin 1984).

Attention to the unique audience and the speakers involved in a particular discussion forces consideration of its detailed situation. In one sense, this attention exhibits a bias toward certain sorts of evidence and that bias does not pretend to value-neutrality. Yet, Warren argues that a feminist sense of "open-mindedness" provides feminist reasoning with richn data that entails a type of impartiality (1988, 38). Reasoners operate from specific locations that cannot be adequately addressed by an epistemology of generic or uniform knowers, as feminist epistemologist Lorraine Code argues (1991). And as feminist communications scholars Josina M. Makau and Debian L. Marty observe, "taking other people's perspectives seriously is a basic requirement in peaceful coexistence" (2001, 11; 2013, 51).

Accounting for reasoners' social situations in the way that Warren and Code advise provides part of the goal for Maureen Linker's model of "intellectual empathy" (2015). This involves working to understand the history of social inequality and how it affects the reasoning and arguing of ourselves and others. Linker argues that "reason and understanding must be supplemented with emotion and experience so that we can *know* in the fullest possible sense" (13). Attention to specific personal experiences that historically have been ignored provides a feminist standpoint with particular empirical and scientific value, and marks a place where <u>feminist standpoint</u> theory and feminist empiricism coincide (Internann 2010; Hundleby 1997, 32–34).

The same feminist epistemological concerns motivate Michael Gilbert's model of "coalescent argumentation," which treats arguing as communication that involves much more than a generic expression of a premise-conclusion complex. In coalescent argumentation the views of speakers stand in opposition to each other without the people speaking being opposed to each other. Arguers' orientation to other people requires they account for their interconnection with those in conversation and how their decisions affect others. In this collaborative model, the defeat neither of ideas nor of an opponent provides the goal, but finding mutual ground among people, which requires a broad view of relevant considerations (1994; 1997). The processes of coalescent argumentation demand more information than required simply to find fault with others' arguments. The premise-conclusion complexes that logicians recognize as arguments become understood in coalescent arguing as standing in for "a position-cluster of attitudes, beliefs, feelings and intuitions" belonging to the arguer (Gilbert 1994, 96, original emphasis). Arguers' motivations offer a basis for interpretation that provides greater room for recognizing middle ground among people who seem to disagree. Exploring this common territory also suggests ways in which alternative solutions may be developed. By emphasizing how divergent positions involve agreement among the proponents' views and desires, points of disagreement can be distinguished from points of agreement and minimized. On Gilbert's model, "one asks not, 'What can I disagree with?' but, 'What must I disagree with?'" (1994, 109).

2.3 Criticism and knowledge

Despite some concerns about adversarial reasoning, feminists also recognize that it may advance the goal of attaining knowledge and understanding. Some feminist philosophers identify as adversarial arguers and some stress the value of adversarial arguing. Different forms of arguing have strengths and limitations regarding different purposes. Some efforts to build knowledge may benefit from the adversarial models, especially if arguers can avoid automatically slipping into hostile, "ancillary" modes of aggression (Govier 1999). Arguers may also need to avoid reinforcing other epistemic cultures and subcultures that prioritize men's interaction with each other (Rooney 2012).

Non-adversarial models of reasoning such as coalescent argumentation may aid people's understanding too, especially about others and their positions. Mutual understanding develops from coalescent arguing because it demands finding common ground. The remaining opposition among people and their beliefs constitutes a minimally adversarial orientation that Trudy Govier (1999) and Rooney (2010) argue may be sometimes valuable for the development of arguments and for the role of arguing in the processes that generate knowledge.

Arguers can aid each other in achieving knowledge, which we may hope provides the main goal in academic arguing, although academics can be side-tracked by mundane power play. Because of overarching epistemic purposes, Cohen suggests that the people whose ideas lose in eristic debate thus may benefit the most: they learn the most (1995, 182). People may also share an inquiry in common (Dutilh Novaes 2015, 598-99) and epistemic benefit may accrue to communities. The discursive practices in which individual scientists work together by testing each other's claims may exhibit certain characteristics that Helen Longino's (1990) model of scientific reasoning sees as supporting a form objectivity. Longino's account of objectivity addresses feminist concerns with gender bias in scientific theories.

Such shared epistemic projects among people might be understood as "arguing with" rather than "against" other reasoners (Rooney 2004). Phyllis Rooney argues that readily available logical terms such as "contradictory" and "contrary" can adequately describe differing opinions without implicating opposition among the people holding divergent views (2004; 2010, 222). Such language may help reasoners move away from the Adversary Method's dominance as a Paradigm and from eristic arguing that may be otherwise disfuntional. The negative connotations of "argument" and "arguing" in the English language may be part of the problem. Related words in other Indo-European languages carry no such implication of verbal fighting (Hitchcock 2017, 449). Avoiding the English-language connotation is part of the reason theorists often speak instead of "argumentation" but that can be unclear or unnecessarily abstract.

Criticism must be part of feminism, especially criticism of sexism, and feminists may be no more skilled than anyone else at avoiding the pitfalls of arguing such as its tendency to aggravate conflict. However, feminist models of arguing avoid levelling criticism against people and direct it toward the views they hold so as to better serve everyone's understanding. On feminist models of arguing and in some arguing practices by both feminists and non-feminists, a benevolent attentiveness to other arguers serves the processes of arguing by helping people acquire knowledge.

According to Govier, the characteristic explicitness of reasoning when people argue enables them to learn from disagreement and doubt (1999). Explicitness also promotes honesty with ourselves and each other and respect for interpersonal differences: "an arguer, in actually or

potentially addressing those who differ, is committed to the recognition that people may think differently and that what they think and why they think it matters" (1999, 8, 50).

Feminist criticism may often come with anger, an emotion also regularly associated with arguing. Anger can be a distracting or even destructive influence on reasoning and it can signify destructive arrogance (Tanesini 2018). Moira Howes and Catherine Hundleby make a case that arguing can help derive cognitive benefit from anger because arguing encourages reasoners to express and articulate their own reasons (2018). It can bring to awareness reasoning that otherwise would remain unconscious, a feature of arguing processes that Douglas Walton identifies as the "maieutic effect" (1992).

Styles for communicating and sharing reasons often distinguished as "feminine" also play roles in feminist epistemologies of argumentation: Gilbert gives a fundamental role in coalescent argumentation to the values of attention to the speaker and seeking agreement; and Linker characterizes empathetic intellectuals as having the skills of cooperation and accepting vulnerability. Feminist ethical goals of accountability to women thus can be served along with knowledge. For not only feminists but all reasoners, the ethical value of understanding other people can enhance the standard philosophical treatment of arguments as logical premise-conclusion complexes. Coalescent and intellectually empathic reasoning complement critical analysis once we distinguish criticism from the eristic culture of aggressive fault-finding (Miller 1995).

2.4 Politeness and civility

To remedy many of the problems that women and other arguers face, some feminists champion politeness and others stress that expecting etiquette to address abuses of power belies the realities of women and others who are socially marginalized. Norms of politeness function to minimize conflict and so can hold people in subordinate positions (Mayo 2001). Like "ideal theory" in philosophy (Mills 2005), politeness can exacerbate the oppression it ignores – in this case, discursive marginalization.

Govier argues that the discursive norm of politeness limits the problem of overt interpersonal aggression in arguing (1999). Respect for other people and careful consideration of their views ought to be part of persuasion, including rational persuasion, which scholars often take to be the central or even the sole purpose for arguing (1999, 58–59). On this view, aggressive styles of communication or "ancillary adversariality" can be dismissed as simple rudeness or hostility. These ought not to be tolerated in any context and may not impact much on the beliefs and attitudes of the audience (Govier 1999; Miller 1995).

The difficulty with this ideal arises because norms of politeness tend to be gendered in ways that undermine women's authority when people argue, affirming power and status for men but not for women. This dynamic can receive reinforcement when women adopt cooperative strategies that play into norms of "femininity," according to Burrow (2010) and Hundleby (2013a). Securing cooperation and connection with other people provides the very purpose for politeness and both "masculine" and "feminine" forms of politeness can reflect that purpose. However, the gendered dynamics of politeness in many cultures may entail that cooperative or collaborative

argumentation serves women poorly. It contributes to their subordination and perhaps also the subordination of other people with marginalized social identities. For women, cooperating and connecting with others may entail deferring one's interests and promoting dialogue through hedging, questioning intonation, and tag questions -- "You know?" "Right?" "Don't you think?" These strategies generally imply powerlessness and conflict avoidance. In contrast, masculine norms of polite connection facilitate shared competition and encourage joint autonomy along with regard for each other's needs (Burrow 2010).

Burrow argues that women often have no easy options to conforming with the etiquette demands that reinforce power differences among speakers. Deferential styles of dialogue are part of most subordinate positions and, for women, other aspects of social rank do not mitigate that much. Therefore, to negotiate politeness and argue effectively, women need complex strategies tailored to their circumstances (2010).

An alternative to politeness as a norm may lie in an inclusive practice and ethic of civility in dialogue. Civility tends to be understood as deeper than politeness, sometimes considered itself to be a virtue or as involving such virtues as respect for other people (Calhoun 2000, 253; Bone et. al. 2008; Laverty 2009; Reiheld 2013). Respecting others requires trying to understand them "as they wish to be known and understood" (69) in the cooperative argumentation model developed by Makau and Marty (2013). Others suggest that civil respect be parsed in ethical frameworks such as deontology or utilitarianism because simple deference to existing social standards may be oppressive in assigning more restrictive practices to certain groups of people. Ethically rich interpretations of civility must be shared among interlocutors in order that civility can fulfill its function to regulate disagreement. That sharing would allow norms of civility to articulate understandings that prejudiced and oppressive behavior are intolerable and to aid people's ability to challenge broader social problems (Calhoun 2000).

Civility may be distinguished from other virtues as "an essentially communicative form of moral conduct", a display and expression of how one regards others (Calhoun 2000, 260). However, this virtue has limits and incivility can also perform important argumentative functions. Uncivil communication can create space for new forms of meaning and value: "The disruption entailed by incivility provides room for concerted reconstruction of social practices, identities, and spaces" (Mayo 2001, 79). Uncivil communication and arguing even may be necessary for some social change (Lozano-Reich and Cloud 2009, 223-224). Certain practices viewed as "civil" may depoliticize disagreement and so incivility, in indicating political problems that cannot be ignored, can prove as necessary as civility to democratic decision making (Mayo 2001). Which moral and political demands justify incivility remains, however, a complicated question that demands analysis of the discursive norms in operation in a particular context for their ability to sustain interpersonal respect.

3. Informal logic and argument interpretation

Feminist philosophical work on argumentation as it emerged in the early 1980s coincides with the rise of <u>informal logic</u>, an approach that encompasses much of contemporary philosophical work done in argumentation theory (Johnson 2014, 12). Many feminists and informal logicians share both a resistance to the idealization by philosophers of formal deductive methods for

reasoning, and a desire to provide better tools for addressing real world contexts of reasoning and arguing (Govier 1999, 52).

Any interpretation or analysis of an argument omits some aspects of the reasoning involved in the surrounding discourse while it attends to others; and different forms of abstraction suit different purposes (Rooney 2001). Interpretations become problematic for feminists when they leave out salient details that would make possible other interpretations that allow social bias to be analyzed. So, interpreting an argument as a deductive inference may not allow for the sorts of analysis of social situation that a standard informal logic interpretation of *ad hominem* makes possible.

Even informal logicians may assume an equality among arguers that is more ideal than real and that may obstruct political progress. The problems that feminists find with assumed equality may be most visible in accounts of *ad hominem* arguing. Both feminist (Janack and Adams 1999; Yap 2013; 2015) and not-specifically feminist (Walton 1995) analysis recognizes that appeals to the person may or may not be fallacious. The difference is that the informal logic analysis may inform an audience about the irrelevance of a personal attack and yet Audrey Yap maintains that the line of reasoning may still succeed because of unconscious biases such as implicit sexism and racism that feminists find unacceptable. For this reason, feminist critiques of *ad hominem* arguments require more than logical analysis and also some epistemology of testimony (2013).

Addressing women's concerns about arguing and assessing feminist arguments about women's marginalization requires a richer and more diverse analysis than a logical analysis of inferences provides. Andrea Nye (1990) suggests ways that the language of logic, including both the artificial language of abstract ideals and the surrounding discourse of logicians, might distill and convey the interests and purposes of people who hold social power. Logical models for argument, on Nye's view, especially formal models, are developed to prioritize some people's interests over others and hide that priorization by claiming generality. Systematic misinterpretations of women's arguments can result from the dominance of such models.

Other feminists maintain that abstract interpretation causes trouble only when reasoners mistake it for a uniform authority. The trouble with abstract analysis, Maryann Ayim suggests, lies not in the models themselves, but in how people use them. Logical or argumentative ideals that involve abstract models may be partial in representing the preferred inference forms of some people without these models having an intrinsically universalizing character that makes them false. Any such problems in the disciplines of logic result from the practitioners' failure to be realistic and humble (Ayim 1995, 806), and Ayim advises that logic could be better: "It is only when logic is seen as the exclusive avenue to truth and reason that problems arise—not when it is seen as an avenue to truth and reason" (810).

Michael Gilbert suggests that the practical concerns and interdisciplinary considerations of informal logic must be expanded and become more attuned to the social situations from which arguments arise (2007). Neglected aspects of argumentation may include the identities of speakers (Code 1991) and the power relationships between speakers (Bondy 2010, Hundleby 2010, Linker 2011; 2015; Rooney 2012), but also the emotions involved (Nye 1990; Gilbert 1994; Linker 2015) and the social consequences of argumentation (Code 1991; Rooney 2012).

When feminine speech and writing styles are poorly received and misinterpreted, then women's arguments will be difficult to hear or to take seriously, nevermind to recognize as good reasoning. The demand from feminist philosophers to situate reasoning and evaluate it in the larger discursive contexts (Burrow 2010; Lang 2010) can be met at least in part by the recent revival of rhetorical accounts of argumentation that address the role of audience (Perelman and Olbrechts-Tyteca 1969; Perelman 1982; Tindale 1999; 2006; 2007).

3.1 Formal logic

Formal logic employs an artificial abstract language generally understood to address particular types of inference. Traditionally, with the exception of at least <u>Aristotle</u>, philosophers have often not distinguished argumentation from abstract formal logic – it's all "logic." Formal symbolism is also used to interpret arguments from natural language so as to assess the strength of an argument's inference, in particular whether the argument has deductive validity. So the argument "I'm not traveling today because it is icy outside" might fail to be translatable into a deductively valid form, although people easily recognize its good reasoning.³

The point of departure for many of the initial feminist philosophical discussions of argument and arguing is Nye's work on formal logic, especially *Words of Power: A Feminist Reading of the History of Logic* (1990). Nye suggests a variety of ways in which deductive logic's operation as the default interpretive mechanism for arguments may have an oppressive influence. She aims to avoid arguing the point. Her description of how different forms of logic may have been oppressive instead adopts a practice of "reading" that includes attention, listening, understanding, and responding (1990, 183), approaches which are traditionally associated with rhetoric (Keith 1993). Her feminist "reading" of episodes in the history of Euro-American logic suggests ways in which abstract logical systems may have helped to justify social dominance at different moments in time. This "reading" purposefully aims to consider the personal and political desires behind logic that might motivate its prescription of rules for thought (Nye 1990, 9).

Nye begins her study with <u>Parmenides'</u> logic of "what is," what exists beyond sensuous existence and human communities. The ensuing silence among the ancient Greeks was broken by <u>Plato</u> who addressed "what is not" through using rational discussion to reveal the existence of differences. For Aristotle, this discourse only involved men from the upper classes, making the exclusive nature of the logic most explicit. As a result, in Nye's view, a silence regarding a lot of reasoning surrounds logic. Nye observes that "once rationality is defined as what is not emotional and emotionality established as the characteristic of women, understood as what is only a body, there could be no discussion of institutions of slavery and sexism" (1990, 50). She traces through medieval logics ways in which the claims of logic's universal application may have discouraged criticism of social institutions that authorized this logic. These institutions include patriarchy in general, sometimes underwritten by God, the Roman Empire, and the Catholic Church.

The restriction of logic culminates, on Nye's reading, in <u>Gottlob Frege</u>'s move of it out of human discourse. Frege's functionalist notation promises to express all forms of truth. "The result is that

³ "Missing premises" might be added to make the argument deductive but that requires more than formal interpretation.

thought will be unified and logical errors in science, mathematics, and philosophy exposed" (Nye 1990, 131). Under this approach, the reference of a concept becomes "an objective fact: once an argument is inserted in a function, one cannot invent its value" (135). As a result, the institutions that render concepts meaningful, including the institutions of language, stand beyond question, creating a new form of muteness that harkens back to Parmenides. The silence breaks again when the <u>Vienna Circle</u> adds empirical input to the Fregean functions. Nye argues that moves science above meaningful criticism, and allows science to be co-opted by authoritarian regimes (163–171).

As an alternative to logic, Nye suggests building confidence for women and developing new concepts aided by a concrete (natural, not artificial) "women's language." Discourse that is for or about women might provide inclusion, bonding, and ways to share power. Women have relied historically on the skills needed for reading: "We have listened and read to survive, we have read to predict the maneuvers of those in power over us, to seduce those who might help us, to pacify bullies, to care for children, to nurse the sick and the wounded" (1990, 184). The next step lies in developing the language to respond.

Nye's experiment in avoiding argument falters in two ways observed by feminists and other scholars who have not been convinced by her socio-historical reading. Some cite errors in her historical interpretation (Keith 1993; Weiner 1994). Others find that Nye does argue, in *Words of Power*, but without succeeding to persuade, and so she fails to provide the alternative to logic she seeks (Gilbert 1994; Ayim 1995).

Gilbert offers a related but distinct criticism of formal logic for its role in the "Critical-Logical" approach that he characterizes as extracting text from utterances for the purposes of applying a competitive or eristic process to the stylized text (1994). He suggests, like Moulton (1983), that such abstraction serves the competitive functions and standard practice of Euro-American academic philosophy. Because arguing need not adhere to the Critical-Logical model, it remains possible that feminine styles of reasoning may ground effective interpretive practices for arguing. Arguing also may find natural corollaries in other styles of communication and other values that operate within communication.

It is in part because reasoners seek immunity from bias as they interpret natural language that they appeal to logic and other abstract accounts of what people say when they argue. Yet such abstract interpretation may play into forms of argument evaluation unsuited to the context of utterance. For instance, if the Critical-Logical model of argument evaluation provides the basis for legal procedures then it may compromise access to justice for people who are socially marginalized based on gender, race, class, and education. Gilbert (1994, 105) echoes Nye's concern that logical systems can reflect the *lingua franca* of the ruling class that captures their own interests. Applying it to other contexts risks distorting and disenfranchising other people and their modes of communication.

Nye concedes that a women's language cannot stand up to the power and authority of logic and perhaps reasoners may gain from Nye something different than a replacement for logic. It may be that "her notion of reading teaches that the circumstances in which something is said and the person who says it are relevant considerations" (Tindale 1999, 196). The appeal of Nye's

"reading" may be that "currently popular theories of reading, unlike traditional logic, highlight rather than diminish the interests, personality, and motives that the reader brings to the task of reading" (Ayim 1995, 807). Arguers can emphasize the moral goals behind an argument through their emotional language. Likewise, an explanatory purpose for an argument would mean that the speaker offers it up as a truthful description rather than as a subject for debate (Gilbert 1994). Such purposes and values can fall away with the abstraction of a premise-conclusion complex from its context of utterance. When the Critical-Logical model grounds decision-making processes, the authority it carries creates problems for anyone using other styles of reasoning and communication.

Note that Nye is the only feminist philosopher suggesting a substitute for arguing and logic. Ayim (1995) and Gilbert (1994) stress that different styles of communication and value-systems can be natural corollaries for each other. Govier (1993) suggests that the power of universal logic may be indispensable, and that feminist concerns can be addressed through a better understanding of the interpretation and application of logical norms.

3.2 Rhetorical approaches and power differences

Rhetoric's attention to audience can help to address feminist concerns about the emotional and embodied aspects of argument (Tindale 1999, 201). It may also help to resolve a dilemma of feminist arguing practice: advancing feminist affirmative projects, such as acknowledging the significance of women's experience, seems to require adversarial forms of argumentation associated with masculinity. Communication styles create both problematic and constructive aspects of social identity, including feminine identity. Rhetorical analysis of the situational specifics can reveal how communication helps to produce social identities and can suggest ways to address particular power differences among reasoners (Bruner 1996; Palczewski 2014).

M. Lane Bruner argues that some aspects of gender stereotypes make it harder to argue, while other aspects make it easier (1996). Distinguishing the empowering from the disempowering aspects of social identity depends on examining the ways in which "masculine" identity is tied up with ideals of arguing and the ways in which identity politics can counteract the power of dominant identities. Although each speaker must suppress her or his unique differences from others in order to communicate explicitly in regard to their own social position, the resulting feminine and masculine identifications are not stable. Because an identity is created, it must be maintained and remains subject to transformation. That flux in identity gives feminists strategic opportunities for developing and crediting women's argumentation.

Rooney observes that an artificial severing of arguing from narrative and rhetorical practices helps to dissociate arguments from femininity and frustrates feminist practices of philosophical arguing (1991; 2010; Le Doueff 1989). Research that attends to rhetoric and its influences may go under the name of "rhetorical studies" (often in in English or literature departments) but may also be found in communications studies, psychology, and interdisciplinary fields such as women's and gender studies and argumentation studies. Rhetoric attends to the perspective of a particular audience and that concern with the audience conflicts with the view—especially in the discipline of philosophy—that reasoning and argumentation must be a constant battle. Yet, Rooney argues that philosophical practice itself involves rhetoric and narrative through myths,

thought experiments, and metaphors. These rhetorical practices make theories more attractive to specific audiences. Philosophers commonly portray reason as in battle against feminine forces which "primarily makes sense to men among men in cultural contexts where sexism or misogyny is a cultural given" (2010, 227).

Rhetorical studies of speakers, audiences, their purposes, and their social contexts were revived in twentieth century argumentation theory by Chaim Perelman (Perelman and Olbrechts-Tyteca 1969). He advocates that instead of appealing to "the rational" as a standard for argumentation, scholars should consider a "reasonable" person in terms of the standards of a particular community (Perelman 1982).

The discipline of rhetorical studies typically takes persuasion to be the goal of arguing. Some feminists resist this assumption. Concern that persuasion may be intrinsically an act of domination of one person over another and an act of violence (Gearhart 1979) led feminist rhetoricians to develop an alternative "invitational rhetoric" that makes understanding the goal of arguing (Foss and Griffin 1995; Bone et. al., 2008). This approach resonates with rhetoric's Aristotelian history, Christopher Tindale observes, which does not involve intentions to change another person that some feminists consider violent, because Aristotle conceives change as an internal process. On Tindale's model of "rhetorical argumentation," "the audience, when persuaded, is persuaded by its own deliberations, after reflection on reasoning that it has understood in its own terms and may even have had a hand in completing" (1999, 191). However, at the same time, invitational rhetoric demands a civility that may presume social equality (Lozano-Reich and Cloud 2009) and thus face the same problems as politeness (addressed in Part 2).

Linker suggests that reasoning across power differences can be aided by speakers employing a process of "intellectual empathy:" other people's claims, especially if these people are relatively disadvantaged, can help reflect on one's own interpretive assumptions in order to move past unreflective bias (2011; 2015). Relatedly, an attitude of non-agonistic playfulness may facilitate consideration of another's perspective, that is, "travelling" to the person's "world" as described by Maria Lugones (1987). Perhaps this attitude will help philosophers appreciate the viewpoints presented in feminist epistemology (Lang 2010). However, the radical potential of playfulness, Mariana Ortega (2006) warns, demands a deep engagement with work by women of color. Superficial citation from white feminists only replicates oppressive gatekeeping in philosophical argumentation.

4. Credibility and argumentative injustice

Credibility granted to a speaker and their testimony affects processes of arguing and may adhere to social categories following lines of gender and other axes of oppression (Govier 1993). When a listener gives diminished credibility or <u>epistemic authority</u> to a speaker based on that speaker's social identity, Miranda Fricker (2007) describes it as <u>testimonial injustice</u>, <u>which is a species of epistemic injustice</u>. Patrick Bondy (2010) defines analogous "argumentative injustice" as consisting in a related harm done to the processes of arguing when we wrongly assess a person's credibility. We can underestimate or overestimate a person's credibility when we use social stereotypes to assess it (2010). Bondy explains that both overestimation and underestimation can

result from viewing testifiers through social stereotypes—typically men's credibility becomes overestimated whereas women's becomes underestimated. Additionally, testimony from people with social identities different from our own may be difficult to accept simply because their experiences contrast with our own and those experiences with which we identify. This second problem goes by the name of "provincialism" (Kahane 1995; Kahane and Cavender 2001) and is sometimes attributed to the psychology of in-group bias (Brewer 1979; Rudman and Goodman 2004). Whether due to stereotypes or in-group bias, being discounted as a participant in discussion amounts to an epistemic injustice that Christopher Hookway (2010) describes as "participant injustice."

Bondy argues that an underestimated testifier loses at least some capacity for critical engagement with other people. This capacity might progressively deteriorate, or the person might internalize its diminished form. Underestimating a testifier undermines the rationality of arguing processes, and the audience tends to lose potentially valuable information and insight. On the other hand, an overestimated testifier also can fail to gain valuable information from others, derailing the argumentative exchange by preventing the success of the better line of reasoning. After the particular discussion, the overestimated person can come to be viewed as beyond scrutiny, thus losing (at least on occasion) the benefits of engaging in discursive argumentation. By contrast, Fricker's conception of testimonial injustice accounts for the harmful effects on knowers only when their testimony is underestimated, and she argues that epistemic injustice does not accrue from overestimating credibility.

The solution to argumentative injustice might be simply for the listener to take care to treat arguers on their own terms. This would avoid viewing people in terms of group membership, a practice that leaves reasoners vulnerable to stereotype-thinking (Govier 1993; 1999). However, sometimes people's social identities are relevant to the credibility of what they say, when for instance it concerns their personal experience of discrimination. Also, social stereotypes influence our thinking unconsciously, in a way that earns the label "implicit bias." This bias differs from in-group bias but works alongside it, sometimes reinforcing it and sometimes conflicting with it. This means that women generally have prejudices against other women (and even themselves) just as men do, and people of colour may hold unconscious biases against their own ethnicity. When such bias persists despite conscious beliefs to the contrary, psychologists describe it as "aversive bias" (Greenwald and Banaji 1997; Jost, Banaji and Nosek 2004; Kay and Zanna 2009).

Implicit social biases along with other cognitive biases, such as those that encourage us to generalize from small samples and personal experience can undermine many of our best intentions in reasoning and argumentation. Because these biases undermine our ability to manage our own confidence, they frustrate the virtue of intellectual humility that otherwise might offset adversarial inclinations and momentum when people argue (Kidd 2016; Aberdein 2016). Ian James Kidd considers ways in which argumentation can foster humility, and suggests that ideally, argumentation "is also a route to other intellectual and ethical goods such as truth, knowledge, and enlightenment, as the ancient philosophers maintained" (2016, 399). The challenge remains to bridge the real and the ideal.

Bondy argues that because social bias may be inevitable in people's perception of speakers' credibility we need to counteract it actively. He recommends that we adopt a general attitude of "metadistrust" in which we exercise skepticism about our credibility judgments regarding testimony from people belonging to marginalized social groups.

Alternately, we might try "intellectual empathy" based on mutual compassion, the approach that Linker develops. She argues that compassion must involve consciousness of how oppression operates through specific intersecting social matrices, including social privileges that can be very difficult to recognize. Intellectual empathy may especially help us to reflect on the "maybe it's you" response of dismissing people's testimony by interpreting them as whining, complaining, or "playing the gender (or race, etc.) card" (Linker 2011; 2015).

Achieving epistemic justice when we argue requires some sort of accounting for the identities of arguers, and might include appeal to the "epistemic privilege" described in <u>feminist standpoint epistemology</u>. Some standpoint theorists maintain that epistemic privilege can accrue to people who oppose oppression. Their engagement with the lives of oppressed people and their resistance to the oppression structuring those lives provides a unique and valuable awareness of the social structures of power. Thus a "feminist standpoint" and those who achieve it may gain epistemic advantage from fighting the oppressed condition of women's lives, and women themselves may most easily achieve that advantage (Harding 1991; Hundleby 1997; Intemann 2010).

One way that arguers can address the effects of social position on arguing is through meta-debate: a background argument may address arguers' biases operating in the central discussion (Kotzee 2010). However, Linker (2013) argues that regardless of what the meta-debate yields, the person with social privilege will continue to benefit from debates that are adversarial. Arguers have difficulty recognizing when their biases reflect their own social privilege at any level of debate because social identity frequently affects testimonial authority unconsciously.

Linker suggests that we treat epistemic privilege as a form of expertise about arguing. This allows feminists and other anti-oppression advocates to set the bounds for ending inquiry (2013). Such advocates operate as the authority, they determine the place where explanation stops (Hanrahan and Antony 2005). This kind of expertise should be accorded to women philosophers whose lived experience tends to ground their feminist philosophy, Rooney argues. Arguers should recognize expertise in situations "where A's minority status relative to B (with respect to some locally salient status or power differential) makes it likely that A has insights and understandings relating to P that are less available to B" (2012, 322). Rooney says that speaking from personal experience becomes important for arguing because of the hermeneutical injustices facing women. According to Fricker's second form of epistemic injustice, women's experiences and may not receive adequate consideration because the language to describe them is underdeveloped. Men may therefore have trouble recognizing evidence that women provide, and they "are not in the same position as women to confidently assert whether they find it plausible or not because they do not have access to the evidence in the way women are likely to have" (Rooney 2012, 328).

5. The fallacies approach to argument evaluation

The type of error known as "<u>fallacy</u>" emerges from disparate histories and is subject to a range of disputes. Exploring the lack of theoretical consensus first recognized by Charles Hamblin (1970) leads many to the view that fallacy fails as an analytic category (Massey 1995) and a pedagogical tool (Hitchcock 1995). The scholarly controversy has not, however, ended the regular use of fallacies for teaching reasoning and evaluating arguments. To classify an argument as a fallacy is a way to find fault with it using the historically recognized names as a short-hand way to identify a problem. Feminists share the ambivalence of other philosophers regarding fallacies and add concerns about how the adversarial dynamic involved in fallacy analysis can disadvantage people who are already socially marginalized.

Using fallacies to identify problems in reasoning can be as helpful to feminists as anyone. Feminist concerns have special relevance to *ad hominem* and *ad verecundiam* reasoning associated with fallacies which aim to address questions of interpersonal and social bias. However, some philosophers have used fallacy labels to dismiss and silence feminist philosophers. Nye anticipates such criticism of her own work by pronouncing herself guilty of fallacies according to the traditional standards of logic (1990, 174). Feminist philosophers in general have been accused of the genetic fallacy and they respond using more scholarly and precise theories of fallacy (Levin 1988; Alcoff 1993; Hundleby 2010).

Feminist philosophers have been charged with committing the genetic fallacy because they consider how the development of theories—including philosophical theories—may affect the justification for those theories. The concept of the genetic fallacy was developed only in the early 20th century with the explicit intention of discounting the scientific status of Marxist and Freudian accounts. Given that Marxist and Freudian accounts have influenced a good deal of feminist theory, it is unsurprising that feminist accounts should seem at first glance to commit the genetic fallacy, Margaret Crouch argues (1991; 1993).

Moreover, employing the label of "genetic fallacy" against feminist criticisms of the historical sources for popular views in the discipline of philosophy relies on a misunderstanding of what constitutes a fallacy. Scholarship on the genetic fallacy recognizes that the development of a theory *can* affect the strength of the reasoning that supports it. The source of a piece of information affects its justification when testimony is the only source available, or when the topic actually involves the speaker, and whenever the source of information has an objective connection supporting the statement's truth or falsity (Crouch 1991; 1993). Feminists provide reasons to address certain generative considerations attention when they ask what aspects of a person or social milieu affect the standards for assessing that person's argument. Common assumptions about which aspects of character have or lack relevance to a line of reasoning can reflect gender dynamics and be unwarranted in specific contexts of reasoning. Crouch argues that gendered patterns of interpretation amplify the misunderstanding about what constitutes a fallacy and enforce male privilege.

The charge that feminist epistemology commits the genetic fallacy not only depends on a misunderstanding of that fallacy; the criticism also commits the fallacy of begging the question. Critics make the epistemological assumption that the origins of a belief are irrelevant to its justification, the very claim that feminists *offer reasons* for rejecting (Crouch 1991). For instance, <u>standpoint theorists</u> argue that women's material situation affects and can advantage the

types of understanding that women and feminists have (Harding 1991). More generally, criticisms of feminist epistemology may beg the question by appealing to an absolute and timeless truth, a standard that feminists often deny. Without that assumption, the common charge of relativism makes no sense (Lang 2010).

This exchange of feminists and their critics leveling fallacy accusations at each other illustrates how disagreement characterizes the employment of fallacy labels. Any claim that a fallacy has been committed involves at least a minimal level of adversariality (of the sort described by Govier 1999): another person's *view* must be opposed, Hundleby (2010) argues. This necessary adversariality may make the fallacies approach a form of argument analysis difficult to employ for members of subordinated classes because socialization and norms of politeness discourage subordinates taking an oppositional stance. Yet some individual women find success and even pleasure in the heightened opposition of playing adversaries, and opposition is necessary for feminist resistance, struggle, and change. Women, feminists, and others with related liberatory projects can find unique resources in the adversariality of the fallacies approach so long as adversarial engagement does not provide the only acceptable reason for presenting an argument. Better attention to fallacy scholarship and the adoption of textbooks supported by informal logic research may help instructors to resist the complicity of the fallacies approach in the Adversary Method common in Euro-American philosophy (Hundleby 2010; 2013b).

Among the traditionally recognized fallacies and a form of the genetic fallacy in appealing to the source of a line of reasoning, ad hominem fallacies may provide a framework to help address some feminist concerns with testimony, according to Marianne Janack and John Adams (1999). People's speech provides a source of evidence that is inherently ethotic, that is to say, it demonstrates character. Whether the character of the person, such as that demonstrated by their speech, is relevant to that person's line of reasoning currently under scrutiny depends on considering "critical questions." Critical questions are part of defeasible reasoning and belong to an "argumentation scheme" that characterizes the argument, according to Douglas Walton's influential A Pragmatic Theory of Fallacy (1995; formulated as a textbook by Tindale 2007). The usual set of critical questions in the schemes for ethotic appeals addresses the relevance of character to the issue at hand and whether the character considerations supplant discussion of the reasoning. In this way, the critical questions approach provides an advance on previous analysis of ethotic reasoning, but Janack and Adams observe that Walton's approach depends on formal rules for discourse that only operate in official institutions. The analysis must be extended to address the broad relevance of testimony to people's everyday knowledge-seeking practices (1999, 222). Janack and Adams argue that broader epistemological analysis such as Lorraine Code's (1995) can account for how reasoners consider each other's expertise and credibility, and how that depends on a larger social and political dynamic.

Janack and Adams' concerns about credibility receive support from recent research in implicit bias showing that stereotypes influence our confidence in speakers, including our own selves (Yap 2015). A general account that addresses testimony would help, but the effects on arguing and argument evaluation demand a distinct analysis, Audrey Yap argues. "Treating an opponent as though he had testified as to the truth of a statement instead of [having provided] an argument for it, allows for a greater variety of attacks against that opponent, some of which can be based on standing social prejudices" (Yap 2013, 104). Attention to an arguer's social identity lingers

with a person evaluating the arguer's reasoning by influencing the perception of expertise or credibility, even if the mistake of that attention receives explicit redress by being identified as committing an *ad hominem* fallacy. Addressing testimonial authority in arguing might seem to fall under the category of an *ad verecundiam* fallacy, which addresses appeals to authority. Yet the most nuanced theories of *ad verecundiam* reasoning attend only to third parties explicitly under discussion. They fail to address differential authority among speakers or how an audience receives an arguer's testimony and the implicit effects of testimonial credibility (Al Tamimi 2011). One possible solution is to address sexism, racism, and other social biases by adding further critical questions to the analysis of appeals to expertise (Ciurria and Al Tamimi 2014).

Feminists occasionally suggest that some new fallacy labels may help to address their concerns. Code suggests a counterpart for *ad hominem* be known as *ad feminam* to describe how listeners and audiences discount women's testimony (Code, 1995, 58–82), Androcentrism, the assumption of a masculine standard, can be named as a typical problem arising in argumentation by using the fallacies approach (Hundleby, 2011). More generally, Hundleby (2016) argues that assuming the desirability of stereotypic qualities of people who tend to be systematically granted social authority, such as men and white people, may be identified as the "status quo fallacy." Better education about fallacies in argumentation may help to address the implicit bias that may be behind the "status quo fallacy."

Some feminists have drawn on resources in informal logic accounts of fallacies to account for the problems they identify as connected to sexism and other forms of social prejudice, and other feminists have developed new fallacy categories. Although the adversarial nature of fallacies in general may make them difficult to wield for people who are socially marginalized, proficiency with this approach can also be empowering.

6. Critical thinking and argument pedagogy

Fallacies remain a popular way to teach reasoning, as does argument analysis more generally. They play central roles in the content of Canadian, US, and UK post-secondary education as part of the set of skills regularly taught under the name "critical thinking" in philosophy departments. Courses in critical thinking became standard requirements in the undergraduate curriculum during the late twentieth century and the standards for reasoning implicit in "critical thinking" as an educational goal for students has a direct impact on countless students every year (Hundleby 2010). The trickle down from the academy to ordinary reasoning practices may be rather indirect and slow. However, academic philosophy, especially in the epistemological assumptions conveyed through critical thinking pedagogy, is not merely one discourse among others but has a central role in validating or authorizing other discourses (Alcoff 1993).

Critical thinking can be observed operating as a specifically North American practice and ideal by seeking alternatives to patterns of thinking that enforce male dominance (Norris 1995). The appeals to rationality that we find in the critical thinking curriculum contrast with the appeals that other cultures and subcultures make to their traditions and the priority they give to maintaining personal relationships rather than defeating each other. (See Part 1.)

Systems of thinking such as theories or logics, and speech acts such as arguments, can hold authority that is not attached to a specific speaker or type of speaker, even though people may be paradigmatic holders of authority. The authority of social institutions, especially in their claims to be objective, Lorraine Code argues, may be likewise justified or not justified. Accepting or assuming the justification of depersonalized authorities including institutions of postsecondary education becomes second nature in a technological society, while those who lack social status and expertise have heightened dependence on the authority of expertise (1995, 21, 181). People who are socially marginalized therefore have a serious stake in the institutions that develop knowledge, from the legal system and the media to the pedagogy of argumentation in the form of "critical thinking" education (Hundleby 2013b).

Hundleby makes a case that critical thinking courses provided by philosophy departments currently reinforce disciplinary biases because they lack the monitoring and evaluation necessary to justify authority (Hanrahan and Antony 2005). The typical way that textbooks present fallacies exhibits ignorance of the current informal logic scholarship, an appropriate source of expertise. Textbooks written by scholars in the field who have published even one article in argumentation or logic are in a small minority among those available from textbook publishers. At the same time, texts not written by specialists evince the Adversary Method described by Moulton (1983). Unreflective dependence on that method suggests that it remains authoritative —as well as "paradigmatic"—in philosophy (Hundleby 2010; 2013b).

Gilbert suggests that critical thinking education ought to affirm a range of considerations that do not enter into traditional logic (Gilbert 1994, 111). Contemporary philosophical theorizing tends to treat arguments as premise-conclusion complexes, merely as products of the discourse that generates them (Wenzel 1992), without considering the processes that give rise to them. The focus on premise-conclusion complexes obscures factors relevant to the feminist goal of preventing harm (Lang 2010). Such a lack of appropriate "rhetorical spaces" or conceptual frameworks (Code 1995) impedes the education of people about the problems faced by women and addressed by feminists. Understanding feminist epistemology can be especially frustrating for those not otherwise familiar with feminist theory and practice, and for philosophers trained or immersed in the Adversary Paradigm or the Critical-Logical model. These standard Euro-American philosophical practices ignore important aspects of arguing that indicate the significance and cogency of feminist claims, such as the social identities of arguers. Argument has a testimonial dimension, as Yap has explained (2103; 2015). Consciousness of such situational aspects of reasoning and philosophical argumentation facilitates the appreciation of feminist perspectives. It also provides for more rigorous analysis and more critical thinking.

Linker (2015) follows in the tradition of informal logic textbooks that also provide original scholarly theorizing about argumentation (e.g., Govier 1995; Johnson and Blair 1977; Makau and Marty 2001; 2013). Her *Intellectual Empathy* aims to provide reasoners with skills for understanding how social inequalities affect people's lives and how those structures are maintained. The first three skills are: (i) understanding the invisibility of privilege; (ii) knowing that social identity is <u>intersectional</u>; and (iii) using models of cooperative reasoning. Linker argues that social identity lies at the center of each person's <u>Quinean "web of belief"</u> and is caught up with self-esteem. The personal stake people have in their social identities mean that discussion that engages our identities can be emotionally fraught. We "take it personally." When

people are arguing about aspects of social identity, they often fall into feelings of blame or guilt. Linker suggests that reasoners can find alternatives to such destructive responses by taking into consideration the complexities of everyone's individual situation regarding social privilege. Attending to the specificities of each other's perspective allows us to better understand each other and sets up reasoners for more cooperative and less adversarial argumentation (98).

According to Linker, intellectual empathy also requires that when encountering a view that seems biased or stereotypical, reasoners (iv) apply a principle of conditional trust, treating the person holding the view as reasonable and well-intentioned. This assumption allows us better to learn about the real reasons the person holds the view, and generally improves the reasoner's ability to gather and share evidence (156-58).

Finally, Linker advises (v) recognizing our mutual vulnerability to bias and stereotype, and at the same time allowing ourselves to be responsive and accommodating to new information. This demands courage and strength. Linker's five skills thus provide a way to address the testimonial dimensions of arguing with special attention to their operation when people argue from very different social locations.

Feminist perspectives on argumentation challenge broad social and epistemological norms. attend to how they play out in the culture of critical thinking education, academic philosophy, and other accepted standards for shared reasoning. Interdisciplinary vantage points on argumentation provide resources useful to feminist purposes, and yet other disciplines such as rhetoric carry their own problems. What remain to be developed are: accounts of the range and complexity of values that argumentation can serve, including both social justice and knowledge; and more thorough representations of argumentative practices that account for discursive norms coding power and privilege, such as politeness and testimonial authority.

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- The <u>Implicit Association Test</u> provides recent research evidence of implicit bias. The portal allows you to take classic versions of the test, e.g., regarding race and gender, or participate in new studies. The implications of the test have been subject to some controversy <u>explored at The Brains Blog</u>.
- <u>Proceedings</u> of conferences organized by the Ontario Society for the Study of Argumentation (OSSA).
- The American Philosophical Association Newsletter on Feminism and Philosophy.

[Please contact the author with additional suggestions.]

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