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ARGUMENTATION AND DISTORTION

ABSTRACT

Why is there so much misrepresentation of arguments in public forums? Standard explanations, such as self-interested biases, are insufficient. An additional part of the explanation is our commitment to, or belief in, norms that disallow responses that amount to no firm judgment, as contrasted with definite agreement or disagreement. In disallowing no-firm-judgment responses, these norms deny not only degrees of support or dissent and a variety of ways of suspending judgment, but also indifference. Since these norms leave us with only constricted options that are very intellectually demanding, in accepting these norms we impose on ourselves a pressure to justify our judgment that lends itself to relief through misrepresentation or distortion.

1. HYPOTHESIS: EXCLUDED-MIDDLE NORMS CONTRIBUTE TO EXPLAINING DISTORTION

When the PTA for my daughter's elementary school sent out notice of an upcoming fur fashion show, I took the unprecedented step of writing a letter to their newsletter. In arguing against the show, I tried to be extremely tactful because of the potential negative impact on my daughter. I presented mild forms of rudimentary arguments against trapping and slaughtering these non-human animals for gratuitous purposes. A specific point I made was that the PTA should avoid trespassing on sensitive matters, drawing a regretted analogy: The PTA would not sponsor a fund-raiser at the local abortion clinic.

Subsequently, in the reports I received verbally and a bit in print, the flaw most often cited as egregious and infuriating was the ethical comparison between those who wear furs and those who perform abortions. No other real objection was raised. The distortion is evident enough: my comparison was limited to the value of the PTA remaining neutral on sensitive, controversial issues.

You can offer plenty of better examples of distortion. My impression is that there is a great deal of distortion in everyday argument, though most of what I go on is anecdotal evidence and casual observation. (For exceptions, see discussion below that draws on the work of Deanna Kuhn's (1991) and Cass Sunstein (2003).) We frequently hear comments about our polarized, extremist, and simplistic political

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debates. There is a marked contrast between argumentation in popular and political forums, and that in respected ones like the *New York Times* op-ed pages, the *Wall Street Journal*, the *Economist*, *New York Review of Books*, or even the better radio and TV commentaries (PBS, NPR).

Distortion has an element of willfulness or intellectual neglect, which excludes innocent misconstrual or misapprehension like that in the game of 'telephone.' Yet I'm considering only sincere presentations, where the distorter is taken in, though the misrepresentation is evident. The distortion is motivated by an interest in making the argument appear weaker, but the motivation operates outside of awareness. In order to have an element of willfulness or neglect, distortion must be sustained, not merely a one-shot lapse or fallacy. Still, even when we observe only brief instances of misrepresentation, a vivid and typical enough instance can indicate a pattern of distortion over time, as we expect of the members of the PTA who misrepresented my argument. To sum up: distortion in argument is sustained, motivated, and marked misrepresentation toward rendering the argument more vulnerable to refutation or rejection. (There is also misrepresentation in the positive – toward credulity – but this is less usual, though briefly treated below.)

The means of distortion individually or in combination are familiar: dismissal without real evaluation, emphasis on weaknesses in inessential or minor premises (as in my example), ad hominem and genetic fallacies, disparagement by innuendo, sarcasm, or ridicule, and related strawman fallacies. Misrepresentation of an argument is often the product of demands to simplify the presentation either to comply with space limitation or to reduce complexity so that the content is accessible to an intended audience. Distortion is misrepresentation that renders the argument more vulnerable to refutation beyond what is required to simplify it. An example is the recent (2007) description of the immigration bill, which was defeated in the U.S. Congress, as granting 'amnesty' to illegal foreign workers, when 'partial' or 'conditional' amnesty would be far more accurate and only slightly wordier.

Nevertheless, we should be puzzled by the extent of distortion, taking it to *call for explanation*, though I doubt that anyone is actually puzzled or surprised. First, it is difficult to be surprised with what you expect, something almost commonplace. Second, we are well acquainted with a variety of plausible explanations for the extent and persistence of distortion (e.g. self-defensive biases as well as the various means already noted).

However, I argue that there is a missing ingredient. The *excluded-middle norm* hypothesis holds that:

> An essential component of the explanation for the extent, nature, and persistence of distortion is that we regularly take ourselves to participate in practices, like argumentation, where our participation and responses are governed by *norms to exclude 'middles' of no firm judgment*.

An excluded-middle norm to govern argumentation would require a hearer either to refute or rebut an argument presented to him or else to accept it. Would the

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pressure to distort my letter be as great if the PTA members did not take themselves to be committed to accepting my argument (conclusion) or at least according it a high credence, unless they successfully refuted it? The norm I call "refute-or-accept" holds that if a hearer or interlocutor cannot refute an argument presented to him, which he judges prima facie cogent, he represents himself as accepting it.[1] This norm excludes non-acceptance, despite a failure to refute.

The hypothesis presupposes that distortion constitutes, roughly, a natural kind, rather than a heterogeneous collection. The wide diversity of settings, content, and forms of distortion still display sufficient unity to call for and to invite explanation as a group. The hypothesis divides in two: excluded-middle norms are actually involved in distortion; and in their absence or when their grip weakens, distortion would diminish.

I pursue only the second, and the pursuit does not venture beyond attempting to establish the plausibility of the hypothesis, which ultimately calls for empirical testing. Most of this paper is devoted to developing the background to the excluded-middle hypothesis and only at the end do I directly argue for my hypothesis.

As the examples throughout illustrate, the distortions of argument that I focus on are not the products of extended revision and research. However, if distortion is much less prevalent in the latter settings and if, accordingly, the grip of excluded-middle norms loosens, that correlation would confirm the hypothesis. Ordinary settings are practically constrained to be brief and limited in available resources. The topics for which arguments are produced are ones that typical adults within that community would be competent to evaluate. Nevertheless, even ordinary arguments claim to *establish* their conclusions (e.g. capital punishment should be banned because it will lead to the execution of innocents), not merely defend them as viable hypotheses, which is all I attempt for excluded-middle norms.

For purposes of this paper, I do not claim that any of the excluded-middle norms discussed are rightly endorsed. No wonder: speaking figuratively, where an excluded-middle norm applies, silence is assent or taken as assent; omission, effectively commission. Refute-or-accept, in particular, confronts Locke's forceful objection

> It proves not another man to be in the right way, nor that I ought to take the same with him, because I know not a better. (Locke 1690/1975, 686–7)

Along with providing other reasons not to endorse these norms, I offer reasons why we tend to believe them. However, I cannot deny all validity to these norms. Without some minimal credibility, it's doubtful that we would conform to them.

2. CHARACTERIZING EXCLUDED-MIDDLE NORMS

A standard form for excluded-middle norms is: "You [should, ought, must …] either Op or O$'p$ or O$''p$ or O$'''p$ or … or O$''^{\cdots}{}'p$ (exhaustively)" where the

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O's imply contrary belief-like judgments, e.g. "You ought to either refute Jones' argument [i.e. show that it is not cogent] or accept it". Typically, the alternatives are only two – a restrictive 'either-or.' There are two components to these norms. First, there is a normative component (a 'should' or 'ought') that governs the alternatives, requiring a reasoned response. Second, the limited alternatives that remain open place greater demands on a reasoned response than the alternatives excluded.

The most prominent exclusion of an excluded-middle norm is 'suspension of judgment.' No decisive opinion is formed. In the standard case, one *judges* that the evidence is either incomplete (unrepresentative) or that it yields only a weight in favor of one position, but inconclusively. Suspension as a judgment is still demanding, amounting to a refutation of the cogency of the argument, since the argument claims to establish its conclusion.

However, the excluded-middle also contains a non-judgmental way to suspend judgment, which is better viewed as a separate part of the middle, which I call *indifference*. Indifference implies no judgment, so that it is least demanding on reason and mental effort. Standard suspension of judgment calls for justification, as it enters a claim to the indecisiveness of the evidence. Indifference enters no claim. Just as we hold no beliefs on a vast number of propositions (e.g. on May 16, 2005, between 1:00 and 3:15 pm, Nicole Kidman blinked an odd number of times), so too we are indifferent to a vast number of propositions and arguments for them. Because we take notice only of the positions each of us holds or their explicit denial, the huge number to which we are indifferent remain hidden, lending credibility to excluded-middle norms. "Either you ought to believe p or believe $\sim p$ or suspend judgment" is itself an excluded-middle norm.

3. REASONS THAT ENCOURAGE OR EXPLAIN BELIEF IN EXCLUDED-MIDDLE NORMS

Four reasons, in addition to the one just mentioned, are presented next that support (or explain) our believing in, or thinking we should conform to, excluded-middle norms like refute-or-accept. These will clearly be seen not to be good reasons to endorse the putative norms. Another reason is highlighted in section 5. In extended examination of the last of these four, I clarify the structure and range of excluded-middle norms.

First, excluded-middle norms may appear innocent and familiar as *defaults*. Defaults eliminate deliberation, as well as a 'middle' response. They move a process ahead, unless a participant intervenes. The default typeface size is a 12-point font (in the U.S.). Assuming that what the process moves forward to is desirable, defaults effect an extremely helpful economy. The default eliminates the burden on you to assign the font, and it diminishes the risk of either your ignorance of how to set the font or your error in trying to do so. The economy is only a weak threat to reliability, since 12-point is standard. If correction is needed, it is easily made and at little cost.

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Second, and an extension of the reason noted at the close of the previous section, the most visible positions are a narrow segment of the possibilities. They are restricted mainly to stark and unqualified oppositions. No visible position is of the form "I have no position on A". Nuanced positions and suspension of judgement receive far less publicity than definite stands, even if cautiously expressed to avoid offense.

In social gatherings, we quickly conceptualize discussion narrowly. Someone expresses a familiar opinionated position. Another member comments or raises questions. Even without affirming any position, the latter participant is taken as holding one of the usual opposed views, which obscures the diversity.

Politicians (in the U.S.) largely refuse to even acknowledge, or they greatly understate, the costs, losses, or dangers of policies that they advocate, rather than admit them and argue that these costs are outweighed by prospective benefits. (Conversely, for positions to which one is opposed.)[2] Advice to politicians to adopt this tolerated ethical compromise is, presumably, due to expectations of how one's opponents will operate and to the paternalistic assumption that voters and citizens will not factor in these pros and cons properly in their evaluation. Some politicians undoubtedly say things here and there like "For details, please see my website." But if the politician says that as regularly as it applies, he undermines the commitment he must display in political speech. The qualified response becomes hollow and ritualistic, as would be the case if politicians responded "I'm not going to answer your exact question directly, but …" each time they effectively respond to questioning in that way.

But why does this restricted landscape of positions reinforce belief in governance by excluded-middle norms, rather than just serving as evidence for a merely descriptive view that this is the landscape or that this is the landscape given the constraints on politicians? The answer has already been implied. The politicians must commit to these positions pretty much in their stated, unqualified forms, even if the statement is the product of restrictive norms on public expression. Citizens and commentators will hold them to it, and the politician must represent himself as standing behind the positions advocated as right, not merely as a compromise of political expediency or exigency, however common.

The third reason that we are inclined to accept excluded-middle norms is that we generally do well in following them, which encourages and reinforces belief. Typically, and for refute-or-accept specifically, the arguments that are presented to us are ones for which we either can refute them and so do reject them or we are unable to refute them because, for the predominant cases, they are cogent and so we should, and usually do, accept them.

Appreciation of this third reason requires, however, that we clarify the opening claim of the large extent of distorted argument. Most arguments, particularly very simple ones, are, I expect, cogent e.g. "You should hurry, your train leaves in 5 minutes." "John's running a B+ in biology. So he will certainly get at least a B in the course." The analogous claim holds – and more strongly – for testimony. The

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reference class intended when it is held that there are a lot of lies and deception in communication is a tiny subset of the totality.

Now let us think of an excluded-middle norm like refute-or-accept formulated in a much weaker way: a hearer (interlocutor) *should try* to refute an argument or if he cannot, accept it. As only an initial stance, the reformulated norms attract endorsement. Objections, like Locke's, drop off. Next, add the premise indicated above: argument and, much more so, testimonial productions are reliable, and when they fail, we are fairly good detectors of the flaws. We revolt and produce counterexamples to an argument like "If you don't practice, you won't be invited to perform at Carnegie Hall. So if you do practice, you will be invited."

Consequently, the bulk of arguments we confront are ones in which refute-or-accept does, in fact, succeed (i.e. yielding true conclusions; rejecting bad arguments). Since, then, we do not usually need to go beyond an initial stance, in order to learn from good arguments and to reject bad ones, it is an easy step for us to take the excluded-middle norms minus the qualification (to an initial stance) as holding generally.

Fourth, there is a common fallacy of misunderstanding the scope of negation. The scope of negation fallacy treats contraries, which cannot both be true, as contradictories, which are exhaustive, yielding the illusion of an instance of the *law of excluded middle* (LEM) that

> for any proposition p, either p or not-p.

(Controversies over the validity of LEM are not germane, since LEM generally holds and it at least appears to be a logical truth.) For LEM, the negation is a full or external negation, generating the contradictory, for which the propositions have opposed truth values, not a contrary, for which both can be false, e.g. Jim is rich or poor[3] (Adler 2000). (The implications are then unaffected if the 'or' is read 'or else'. But this conflation probably spreads psychologically to when the terms are only contraries or, worse, sub-contraries: "Jim is either sometimes friendly or sometimes not friendly.")

One pragmatic source for the fallacy is focus.[4] Joe asserts p (e.g. pro-choice) and Tom asserts the standard opposed position (e.g. pro-life). The question to you is whether *you agree* with Joe or with Tom. Since the content of the respective positions is contradictory, it looks like an instance of LEM. The crucial preface 'you agree' (or 'you believe,' 'you judge') is not taken as a substantive claim itself, but rather as a mere stylistically or grammatically mandated way of introducing the crucial issue.[5] Our focus is on the content ($p/\sim p$). In bypassing the seemingly innocent preface ('whether you agree … '), we place ourselves in an excluded-middle bind that one must agree to p or else agree to $\sim p$.[6]

Excluded-middle norms exclude what is not epistemically or logically excludable. Epistemically, one can recognize an opposed argument without thereby generating reason to suspend judgment on one's contrary belief. Otherwise we would lose stability among our many forefront beliefs, which we know are readily

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subject to credible challenge. From one's point of view, one cannot rule out the possibility that the argument is cogent, but it does not follow that the cogency is genuinely possible. There is no incompatibility, only awkwardness, in maintaining a belief and admitting unexamined contrary arguments whose cogency one is committed to denying.

Logically, 'Either you are pro-choice or pro-life' is not an instance of LEM. One may be neither because, say, one suspends judgment, finding the evidence insufficient to determine a position. And one may be either without joining in correlative actions with those of shared commitment, but at the extremes. However, those at the extremes can apply excluded-middle pressure on those of more moderate positions through accusations of inconsistency, weak commitment, or hypocrisy.

A complementary excluded-middle pressure is to place so high a demand for practical consistency – to live perfectly up to one's ideals – that anything short of it acquires the same taint of inconsistency as massive violation. Consequently, it is as pointless to try to approximate one's ideals, generating an excuse for indifference (doing nothing):

> Either I am a vegetarian, and never eat meat, or if I expect to fail at all, I will be no better than any unrepentant carnivore. There are those disciplined few who never eat meat or else there are the rest of us, who either cannot live up fully to our concern for the treatment of non-human animals or who do not have ideals for that treatment. So, since I am certainly not going to be a perfectly disciplined vegetarian, why sacrifice at all: I'll be with the latter, who don't burden themselves to even try.

The movement away from LEM enters when a formal operator U, e.g. "ought", is introduced on exhaustive contradictories. A 'middle' arises between Up and U$\sim p$: $\sim Up$. The disjunction Up or U$\sim p$ is not an instance of LEM. An instance of LEM for belief is:

> for every proposition p, either X believes that p or X does not believe that p.

But it is not an instance of LEM that

> for every proposition p, X either believes that p or believes that $\sim p$.

The 'middle' that is left out is that 'X does not believe that p'. The result is very close to refute-or-accept (add a prefacing 'should' and $p =$ A's argument that q is cogent.)

The most familiar off-spring of this fallacy, already suggested, are false alternatives, dichotomies, and dilemmas (e.g., "My country. Love it or leave it."). Many ad hominems tacitly implicate the false alternative that either X's argument aims at truth and it is to be evaluated on its merits or X's argument is motivated by a self-interested reason and so it is not worth evaluating on its merits. We are all familiar with the distinction between atheism and agnosticism, though primarily as alternative views about religious claims, or between a politician's denying having

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done D and affirming that he fails to remember having done D. But we are far less familiar with the distinction as an instance of a general one, which includes the vast terrain of non-belief. (Agnosticism is a suspension of judgment, not indifference.) As already noted, for an unlimited number of propositions you occupy neither position (of belief or disbelief).

Now it may be objected that no false alternative or fallacious slide from contraries to the contradictory is involved because what is tacit is a missing premise or assumption. So when one gang member tells another, "Either you rob the store or you go hungry," there is no false alternative because it is a shared, even if dubious, assumption that there is no other option. Although here and there a viable premise is assumed, the objection fails as a general defense. Were the 'no other option' assumption stated explicitly, as often as it is required, it would appear dubious, as in the previous case, and so woefully in need of backing, which is not provided. Instead, as tacitly assumed, the hearer is invited to draw it himself. The hearer is thus manipulated, even if unintentionally, to commit himself without recognition.

4. THE PERVASIVENESS OF EXCLUDED-MIDDLE NORMS

In this section, I'll offer further examples of excluded-middle norms (or circumstances). The purpose is to clarify and to support the premise of the pervasiveness of these norms. In the following section, I raise and try to allay some doubts about whether excluded-middle norms are even prima facie rational to believe or to adopt.

Assertion or testimony operate by defaults or presumptions, partly derivative from social norms of civility, courtesy, and the like, which exclude one's unresponsive reaction to the overtures of another. If someone invites you to a dinner party, you are default-obliged to return the call, responding positively or declining (with apologies). The much stronger analogue for testimony is that if you, as hearer, do not challenge an assertion directed to you, you are default represented as accepting it.

Clearly, this excluded-middle norm of testimony resembles refute-or-accept, though distortion is more of a threat to argument than to its parent, testimony. Argument involves the defense of conclusions that are not default-acceptable as assertions, mandating that reasons for one's assertions be explicitly provided. Argument evaluation is a difficult task, and much more so than detecting tell-tale signs of a speaker's untrustworthiness. Arguments are typically offered for complex and controversial claims, where speakers have self-interested reasons to persuade. Yet, while all that it takes to overrule the norm for testimony is a specific possibility that the speaker is not positioned to know, refute-or-accept imposes the much more demanding requirement of a refutation.

A closely related norm to refute-or-accept is implied by 'how else' explanatory challenges, whereby unless you can offer an alternative or better explanation for

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a surprising phenomena than the challenger, you are taken to be duty bound to accept his.[7] If you cannot explain it better (e.g. the supposed additional shot heard on a tape of the JFK assassination), reason demands that you accept the explanation offered (a second gunman conspiracy theory). In "Mr. Skeptic Goes to Esalen", Michael Shermer writes, "Once it become known that Mr. Skeptic was there [at Esalen Institute], for example, I heard one after another 'How do you explain *this*?' story, mostly involving angels, aliens, and the usual paranormal fare." (2005, 38) The request for an explanation is really a challenge: If Shermer cannot supply a better explanation, he is rationally bound to endorse the one offered. So understood, the 'how else' challenge shares with refute-or-accept susceptibility to Locke's objection, noted above.

Excluded-middle confusions of resistance to taking a stance with taking an opposed stance (section 3) are facilitated by demands for belief as of largely all-or-nothing form.[8] Evidence that we do, in fact, hold beliefs on opinionated, complex matters in this way, besides the evidence of observation and introspection, comes from Kuhn's (1991) research. She examines argumentation among ordinary citizens about three topics: "What causes prisoners to return to crime after they're released?", "What causes children to fail in school?", and "What causes unemployment?" (16). Despite these questions eliciting a wide range of possible explanations from subjects, many of which blatantly call for research, she observes

> All but a few participants quite readily offer their views on the topics they are asked about and exhibit little difficulty in expressing themselves. (21–2)

For a type of example also suggested by empirical research, think of one way that increasing polarization among meetings of a politically like-minded (e.g. liberal) group is facilitated.[9] Many of the group are familiar with an article or argument drawing an opposed – conservative – conclusion. Someone makes a dismissive comment on it. The comment strikes a few as too dismissive, dependent on cheap shots. Among the mild, alternatives that might be offered are "I'll have to read it myself" or "Let's talk about it after we've had a chance to examine it in more detail" or "This is a social occasion, not one to engage in extended analysis. So, let's wait." But if these are put down or not introduced, differences within the group lose salience. An opportunity for recognition of group diversity is lost, which encourages movement toward the extreme, since on such occasions diversity is expected to surface. The conjecture is that these mild delay proposals are put down or not introduced because members feel the pressure of an excluded-middle norm to respond decisively.[10]

5. SOURCES OF EXCLUDED-MIDDLE NORMATIVITY

Given that excluded-middles are never logically excludable and that excluded-middle norms place a heavy burden on participants by restricting their options, why accept that they are normative, specifically epistemically normative? Acceptance

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of an argument as cogent issues in belief in the conclusion, not actions that can be voluntarily guided to conform with norms. How could it be rational, or even possible, to overtly accept a conclusion under a norm which excludes an option that fits the evidence? Why do we even need excluded-middle norms over and above civility norms? Isn't our interest in truth and our correlative responsiveness to reasons sufficient to move us to a decisive judgment, as evidence or argument allows?

The main answer I offer is that these norms are necessary for the *practices* of conversation and argument to proceed fruitfully. I presuppose a notion of a norm-governed practice (roughly that of Rawls (1999)). Clearly, even if this line of defense works, it still has to confront those reasons in favor of our belief in excluded-middle norms – e.g., a constricted set of visible positions, fallacies of negation and scope – that are not defenses of the norms themselves. Excluded-middle norms are needed within these practices to render contributions manageable (beliefs or assertions that are largely unqualified, all-or-nothing), to secure reciprocal expectations of speaker (arguer) and hearer (interlocutor), and to generate and maintain participation (although suspension of judgment as a judgment is proper participation; suspension by aborting inquiry is improper participation; and indifference is non-participation.)

Placing the excluded-middle hypothesis within practices allows us to skip over a very uneven terrain. Excluded-middle norms vary in force across circumstances, cultures, and contexts (e.g. differences in intended audiences, differences in the importance of precision). These norms are implicit, not the product of any agreement. Were individuals asked directly about their support, the response would be, I expect, mainly puzzlement or denial. The practices of testimony and argument exhibit great resilience to numerous violations of such norms, due to their unique and huge informational benefits. Except for their suggesting ways to test out the excluded-middle norm hypothesis, I ignore these complications and variations.

Within the relevant practices, if you cannot provide a reasoned response, you feel embarrassment or intellectual discomfort, reflective of a sense of guilt, unlike an innocent invasion of your privacy ("How did you do on chemistry test?") where you are boxed in from a refusal to respond. The reaction is close to that which we imagine is characteristic of Socrates' interlocutors in the early dialogues. Although Socrates is a pesty intruder, Plato represents the interlocutor as taking Socrates to enter a rightful demand on him for a well reasoned response[11]. The unsatisfactoriness of the interlocutor's response is felt as a normative failing. The failing is greater when the interlocutor takes a 'middle' response of aborting inquiry or indifference.

Our susceptibility to a car salesman's offer of an on-the-spot-only deal highlights the kind of normative pressure involved. You judge the deal to be the best for the car you are interested in. However, you did not intend to buy now, though you did 'your homework'. The pressure to buy is accompanied by perplexity, since you sense something is wrong, given your knowledge of the salesman's

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motives and how much better skilled he is at selling than you are at buying. Yet there does not seem to be an opening to enter these as reasons pro or con for buying the car (i.e. excluding the middle of simply not buying). The deal is right before you. You represent yourself as competent to judge it. Your acquiescence or endorsement of the excluded-middle norm to buy-or-to-explain-why-not presses you to articulate a justification for your non-acceptance. Yet, though you have grounds for resistance to the 'deal', they may not be accessible to you or they may fall flat in the circumstances ("I have a policy of never agreeing to a deal on the spot").

For a contrasting case, in which 'middle'-responses are wide open, think of shopping in a department store for a shirt in which you soon start to walk away. If a salesman asks you, "can I help?", any number of casual responses are available, most usually, I assume, "No, just looking." There is slight or no discomfort. You do not even have to explain to the salesman why. There is no norm here, beyond that of civility and courtesy. No demand for reasons or justification is appropriate.

In the car-salesman case, pressure arises from the salesman's face-to-face confrontation, part of which is intellectual, taking an excluded-middle form for a reasoned denial that his deal is best or excellent if you do not accept his offer. If you did accept the offer and came to recognize that you were falsely persuaded, you blame yourself (that you were complicitous, rather than erring innocently or helplessly). Yet you also take yourself to have done no wrong (or less wrong than that for which you blame yourself). You were not able to find a flaw in his deal, so you are duty-bound to accept it.

Can the analogue of this intellectual pressure apply to epistemic excluded-middle norms? A positive answer requires defense along the following lines: argument functions as an epistemic practice because its aim is to establish a new or interesting conclusion, issuing in belief. Even though we are actually indifferent to many, if not most, arguments that we confront, excluded-middle norms fit with a demand of reason or belief to engage with arguments and criticism, as spurs to articulate one's reasons and as a mechanism of self-correction, given knowledge of our fallibility.

The pervasiveness of practices governed by these norms helps to reconcile our belief in them with the evident ways in which the 'middles' cannot conceptually be excluded and the extreme demands they impose upon us. Since the practices of testimony and argument are pervasive, we come to take the norms governing them for granted. We hardly notice them, and, of course, in most any particular case, we can easily violate them, discomfort aside.

Argument and testimonial practices thrive with the expression of predominantly all-or-nothing belief. Degrees of belief render inferences much more complex and burdensome, and less determinate in action or judgment implications (Harman 1986; Adler 2002, ch.8, 9.1). To assert that 'I am pretty sure that *p*' rather than just '*p*' does not succeed at the communicative goal of transferring information to the hearer. In argument, you are typically inspired to engage only with definite conclusions asserted. You engage with someone who claims that the U.S. should endorse

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the 'Kyoto Protocol' not someone who is only pretty sure that they should. The latter does not take a stance, and your very criticisms may be his reasons for unsurety.

This line of thought hints at an insight of James's (1951) failed argument for the 'will to believe'. James's claim is that since religious beliefs are essentially unsettled by evidence, the option of not-deciding is not practically different from a decisive, deciding-not. Agnosticism is assimilated to atheism because in the former case one still does not partake of those religious activities requiring beliefs, which is a necessary condition for discovering whether those beliefs are true. We cannot avoid a *forced choice* to either accept faith or reject it (at will).

Settings in which 'not to decide is to decide' typically call for action. If you do not decide to accept the admission to Yale Law School by the deadline that is not practically different from rejecting the offer. These familiar decision settings are represented as a seemingly explicit excluded-middle – either you accept the offer or you don't go to Yale. However, the second disjunct actually covers two very different ways of not accepting the offer.

Grounds for excluding suspension of judgment are stronger for excluding indifference. Epistemic practices like argumentation cannot work if indifference is always a free, open middle. The possibility, not even the actuality, of an indifferent response as a live option threatens argument and its coordinative expectation of uptake and correlative response. Excluded-middle norms generally enforce structured participation, including the valuable demand for explicitization of one's reasons. (I take the rationale for such norms to also exclude various forms of deference to others, although the topic requires extended treatment. Given a well-functioning division of cognitive labor (Kitcher 1993, ch.8), a participant can often expect that others are better able to respond to arguments and defend claims within their purview far better than oneself.)

If refute-or-accept governs and a hearer or interlocutor engages with it, he is bound to participate, since his lack of refutation amounts to a representation of himself as accepting the argument. If, when presented with an argument, one can simply respond, "Thanks, I'll think about it," the exchange is aborted, which is particularly unsatisfactory for the arguer. If you suspend judgment, as noted above, you imply that the argument does not succeed. The implication requires defense. With indifference, no defense is required.

Yet, the arguer has offered grounds that purport to establish a conclusion. He has a practice-grounded expectation that the hearer or interlocutor will respond reciprocally as a participant. The burden on the interlocutor to present reasons (criticism) in response drives argumentation, since one subjects one's claim to critical scrutiny by oneself and others. Thus, even when one confabulates or rationalizes, rather than say, "I do not know," one's justification is positioned to invite critical evaluation. In assuming that the interlocutor is not holding up his reciprocal duties to reach a verdict of either a reasoned refutation or acceptance, the arguer presupposes that some excluded-middle norm, like refute-or-accept, governs.

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6. EXPLAINING DISTORTION: THE EXCLUDED-MIDDLE NORM HYPOTHESIS ENGAGED

We are now poised to engage my primary claim and hypothesis that a belief in excluded-middle norms of reason-expecting practices contributes to explaining the extent, nature, and persistence of distortion. The claim and hypothesis presuppose that motivated distortion calls for explanation. First, the distorted representation is offered sincerely, but negligently, as accurate or fair. We are, though, disposed toward honesty. So, second, the distortion subjects one to ethical and intellectual criticism. Third, distortion is more effortful than straightforward reply. Fourth, genuine refutation is the most convincing basis for rejection, if available. Fifth, we inherently value, and must be rudimentarily skilled at, argument for the acquisition of true beliefs and as a source of correction for erroneous ones. Distortion undermines this value and it is typically evident upon reflection that the presentation is distorted, as with the response to my PTA letter. Sixth, the distortion is extensive and persistent, and there is a pattern to its occurrence that is broadly predictable.

The excluded-middle norm hypothesis is viable only if the call for explanation is not fully answered by the standard appeals: fallacies and faulty heuristics including 'groupthink,' economy and practical constraints (toward brevity/simplification and relaxed burdens on thought), and self-defensive or self-promotional biases. The first two do not account for either the extent and persistence of distortion, where contrary evidence or learning is available, or the motivational component of distortion.[12] When we add the last component – the 'hot' motivation – there remains a failure to account for the extent of distortion: distortion occurs without any *prior* investment, which could generate a motive to distort. Even when the motive is already in place, the distorter seeks success among audiences which do not share his investment or motivation. The excluded-middle hypothesis has most import or bite at the starting or entry points for distortion—initiating normative pressure. Finally, the above powerful explanatory mechanisms and drives do not account for the persistence of distortion.

In this last section, I develop this defense, which was initiated earlier. Excluded-middle norms are essential to central practices, shaping our responses to arguments and requests for reasons, fostering a social and public atmosphere in which evident distortions (e.g. 'amnesty') are tolerated and can anticipate success. The role of excluded-norms in explaining distortion will be different from the appeals above because we accept them as normative, and they structure participants' response.

I will begin with two related criticisms that quickly arise about the explanatory force of the excluded-middle norm hypothesis, though the second is restricted to cases in which a prior motive to distort exists.

First, isn't it circular to take practices in which we observe the absence of 'middles' as support for excluded-middle norms, when those norms are supposed to underlie our expectation for those absences? Well, is it circular or is it, as

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I want to spin it, mutual support? If we do believe these excluded-middle norms, then persistent motivated distortion is expected. To the extent that we find such distortion, that confirms the hypothesis. Commission of scope of negation fallacies encourages belief in excluded-middle norms (as instances of LEM). The belief facilitates the fallacy in turn. It restricts our options and we adapt to them by tending to miss those options. Premises that exclude a middle successfully reinforce the belief that opposed alternatives are exhaustive and that it is improper to respond with no firm judgment.

A simplified, oppositional intellectual atmosphere supports belief that excluded-norms dominate. The atmosphere increases excluded-middle norm pressure, which furthers that constricted atmosphere. Take my opening example: the pressure to respond to the challenge and the form that response should take is felt as normative, not just a way to better one's position. Among fellow promoters of the fur fashion show, my letter ought to have a clear refutation then and there, or my standing to offer criticism should be rejected outright. The norm is not refute-or-accept, but something like dismiss(for reason)-or-engage-with-fully (and so appear to treat me as trustworthy and my contribution as worthwhile). Given that I challenged their claim to rightness, they had sufficient reason to justify themselves. But their justification seemed to be constricted to take an excluded-middle, all-or-nothing, form. In this case, the 'nothing' wins out, as my letter is dismissed.

Second, when prior motivation and pressure to distort exist, what role do excluded-middle norms have left to explain? Isn't, for example, the distortive description of the immigration bill as 'amnesty' sufficiently explained as a persuasive move? Those whose support is sought will react strongly against legislative measures that fit that description. Isn't the presentation by politicians of their policies, which whitewashes their costs, well enough explained by their desire to win, the tolerated traditions of political simplification, the devious tactics anticipated by one's opponents, and the need for brevity?

But in these cases, when there is prior motivation and pressure, excluded-middle norms explain the narrow structure of options with which to satisfy the motivation and to relieve the pressure. Specifically, the options appear as only to respond via biased simplification and compete well or else respond through honest complexity and lose. The presentation of these alternatives as exhaustive presupposes that you must participate in the process and that no changes are feasible (in opponents' tactics or in the tolerance of the public for nuance).

This second problem applies, though, only under the assumption of a prior motive to distort. One argument for the excluded-middle norm hypothesis is, recall, that its scope extends beyond such assumptions. Participants in an exchange acquire motivation to distort when confronted with an argument on a topic of significance, yet without prior investment in a point of view that would engage self-defensive biases, e.g. whether you support your town's approving zoning for a parking garage; the significant, but personally distant, social-causal questions that

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Kuhn's (1991) raises. You are presented with an argument favoring a position on one of these issues. You are not convinced, though you have no specific objection, in good part because you are not yet prepared. Nevertheless, you tacitly represent yourself as competent to evaluate the argument in participating. (A lack of preparation is a failing of the hearer, unlike specific defects or shortcomings that the hearer cites with the research offered.) You take your failure to articulate a commensurately reasoned response as a failure to fulfill your intellectual duties both to yourself and to the arguer. Your resistance to acceptance you take as dogmatic or a refusal to follow where the argument leads.[13]

Even in the cases of a prior motivation, excluded-middle norms are needed, I observed, to explain why distortion that is entered publicly can hope to succeed among diverse audiences, which do not share the distorters 'hot' motivation. The distortion must be thought likely to succeed, and that seems to require a constricted, excluded-middle atmosphere.

Excluded-middle intellectual pressure is promised relief through distortion on the model of cognitive dissonance, which I attempt to capture in the following generalization:

> If a significant rule or norm of a practice, which one endorses, enjoins A (an excluded middle norm like refute-or-accept), and believing that *p* would lead one to recognize (admit) that one's act within that practice had freely violated A (neither refuted nor accepted), and there is a call to justify one's act, then there is internal discomfort ('dissonance arousal') that generates internal pressure ('dissonance motivation') to a contrary belief (e.g., that one had actually refuted; that the argument is cogent), and thereby not to believe that *p*, if this can be accomplished readily, outside of awareness.[14,15]

Excluded-middle norms demand a difficult achievement, as a condition on non-acceptance. An interlocutor might not be able to meet that demand, which, given the perceived violation of the applicable norm, generates dissonance under the above generalization. In the confrontation with the car salesman, you walk out discomforted. If you reject the offer, you can relieve the discomfort by coming to think the deal was worse than you had judged; and conversely, if you accept it, e.g., focusing on ads for the car.[16]

Confabulation is a prominent form of dissonance reducing distortion, though usually not so understood. In Nisbett and Wilson's (1977) famous study, subjects select for purchase a particular pair of nylon panty hose. Unbeknownst to them the pairs are indistinguishable and their selections favor the right-most. Yet when asked why they purchased a particular pair, subjects confabulate reasons like its 'superior elasticity.' Wilson comments:

> We have been struck by the fact that people have no difficulty in coming up with a list of reasons for their feelings. Almost never has anyone said, 'Sorry, I just don't know why I feel the way I do.' Instead, people freely and readily write quite detailed reasons for their feelings. (Wilson 2002, 168).

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Wilson observes that the source of the confabulation is our inability to access our reasons and our failure to appreciate that inability. Wilson neglects, however, a normative pressure to respond. The pressure is both for an articulate account of their choice of the particular panty-hose, in response to the 'why'-question, and to restrict the form their response takes to exclude reasons akin to what they take to be a bizarre answer that right-most position might make a difference. Confabulation of an overt reason of merit like elasticity or price is necessary to satisfy these pressures.

Examples like this one reveal how regularly we participate in practices that we take to call on us to justify our acts and judgments. (For a contrast, akin to the shopper in the department store, no pressure arises for "Why did you select the vanilla rather than the chocolate ice-cream cone?" which, as a reason-seeking question, is easily dismissed.)[17] The 'violation' in the original cognitive dissonance studies that raised the pressure for one of the groups was simply low pay for their efforts. That 'insufficient justification' was enough to kick-start confabulation. Admitting the why-question as legitimate is an admission that subjects should be able to justify their choice, whether of their participation in the study or in their choice of panty-hose. The innocent 'why' or 'what causes' questions seem to be the stimulus as well for the formation of the strong views expressed by Kuhn's ordinary subjects. It seems incredible that they would antecedently hold definite beliefs as to the causes of prisoner recidivism, children's failure in schools, or unemployment.

On a Gricean view of conversation, a speaker is presumed to follow the cooperative principle, a presumption hard to overrule without threat to communicative success. Think of your answering a hearer's question "When did World War I begin?" with "1914". The hearer asks you how you know. You recall it from memory, but not its original source. It is not the kind of information you have used subsequently. Rather than admitting "I do not know," you reasonably take the hearer's challenge as legitimate. You find yourself flummoxed. You should know why you believe it, but you don't. Reporting that you don't seems incompatible with having properly asserted it.

The questions appear innocent, but viewed through excluded-middle norms, the response required is very demanding. The unfortunate, but natural, line of thought is that since I ought to justify my selection, I ought to have reasons for the selection. Since the reasons are mine, I should be able to access and articulate them. (Otherwise, how could my selection be on that reasoned basis?) The resulting norm is: I ought either to have reasons to justify my claim (action, activity) and so I can articulate them when justification is called for, or else, I have to admit that I acted irrationally (rashly, irresponsibly …).

The norm itself cannot be used to help satisfy the demand for justification. When you accept an argument, you represent yourself as accepting it because you judge it cogent, not because you did not refute it and a norm blocks a middle course. The problem is not, or not just, that the norms are habitual, which in any case would yield only a 'do not' not a 'can not'. Norms of tactfulness and politeness are habitual, yet we readily understand our action – a speech-act – as complying

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with a norm of civility and sociality. But excluded-middle norms cannot work overtly. After all, they are governing belief or judgment, not just action, and they are largely invisible. To stretch for an illustration: major social-cognitive studies impose forced choices. Yet, as far as I know, subjects do not complain and commentators neither criticize the experiments on these grounds nor qualify how they describe the findings as, e.g., a proneness to commit the 'conjunction fallacy', *under* a forced choice condition.

The bind arises from the seemingly innocent act of participation in an exchange or a practice, which represents itself as leaving it wide open how one responds. But one's actual normative circumstances impose a barrier to a relaxed occupation of the vast, undemanding 'middle' options. The pressure to distort arises within practices which are non-optional in our social and epistemic lives. The excluded-middle norm hypothesis predicts the distortion phenomena to be common and persistent, although, again, there is much variation across contexts and liability to overriding. Since there is no recognition while participating in the role of these norms, the distortion cannot appear as such to the distorter. Thus the pressure toward distortion is compatible with the distorter maintaining sincerity and a facade of innocence, which are other key features sought for an explanation.

The intellectual pressure or discomfort that can be relieved by distortion can also go unrelieved as an expression of *intellectual honesty*. In the political realm, when confronted by an excluded-middle 'either-or,' honesty and imagination will have a politician introduce 'middles' that risk losing favorable votes or political support, or which attempt to change how the electorate judges candidates (i.e. oppose the 'either-or').

More generally, dissonance that results from one's lack of a fully satisfactory answer to oneself or to one's interlocutor for one's resistance to acceptance is then tolerated with discomfort, not fully resolved. If the hypothesis is correct, the opportunities to express intellectual honesty are frequent, since we frequently face conflicts in which we cannot live up to the demands that we endorse for reasons, justification, refutation, or articulate defense.

To sum up: excluded-middle norms are pervasive and we do not recognize them as operative (and could not satisfy their demands by appeal to their very exclusions), yet we have facility with mechanisms for (non-conscious) belief modifications. Given this, it would be an explanatory chasm if the extent, nature, and persistence of distorted argument were not due in good part to our acceptance of excluded-middle norms with their great demands for justification and correlative intellectual pressure on us in practically constrained activities within a wide range of human practices.

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NOTES

1 I critically discuss this norm at length in "Resisting the force of argument" (unpublished), and specifically the qualification, largely ignored here, 'represents himself as'.

2 I expect that this kind of distortion is less a feature of parliamentary democracies.

3 The confusion underlies a number of fallacies related to false alternatives or dilemmas. Arguments from ignorance imply that if the evidence cannot refute a claim, it is permissible to believe it. Woods and Walton observe that the fallacy in one form can be "exhibited as confusion between the pair:

$$\sim \mathrm{K}a \sim p / p \text{ with } \mathrm{K}a \sim\sim p / p.\text{" (1978, 92)}$$

From left to right, the confusion is again, like that of non-belief with disbelief. If the confusion extends to $\sim \mathrm{K}ap/\sim p$ with (the impeccable) $\mathrm{K}a \sim p/\sim p$, then, assuming double-negation laws, the result is to exclude middles of $\sim \mathrm{K}ap$ and $\sim \mathrm{K}a \sim p$, full stop.

4 Evnine (2001) argues that rationality in *deliberation* involves treating alternatives as exclusive and so the canonical rule for the concept of disjunction is exclusive. (The

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absence of a corresponding demand for inclusive-or does not settle the dispute as to whether 'or' of English is inclusive or exclusive.)

5 Think of constructive dilemmas: Given your position F, either you accept p and then such-and-such bad consequence follows or you accept $\sim p$ and this-and-that bad consequence follows. So F is no good in either case.

6 The negation-scope fallacy is one kind of scope of modality fallacy. We naturally say, e.g. "If John gets an A in the final, he must get an A in the course." The small scope placement of the modal encourages the fallacious conclusion that if John does get an A in the final, it is a necessary truth that John gets an A in the course.

7 Elliot Sober rejects related reasoning which he calls the "Only game in town" fallacy (2001, 33–4).

8 Conversationally, except in unusual circumstances, it is not of informational value to introduce that you do not hold a belief, since this is expected (true of a vast number of propositions). A lack of belief becomes informative in denying an assertion that expresses someone's belief. See Adler (2000).

9 On polarization as an outcome of meetings of the like-minded see Sunstein (2003).

10 Normally, the work of a committee on a well defined project, e.g. whether a town should approve a permit for construction of a department store, where the committee meets regularly over a good stretch of time would not fall within excluded-middle norm explanation of distortion. However, it will so fall or encourage belief in such norms when *sunk costs* intrude. Imagine that the committee after long study concludes that the weight of evidence favors the approval, but it is far from definite. Further study is needed. If that is their final report, some may think that their time has been wasted, since no recommendation has ensued. The desire to honor sunk costs may intrude to press them to come to a decisive judgment, rather than live with a 'middle' suspension of judgment.

11 Use of this example assumes that the Socratic setting of the interlocutor's prior claim to knowledge is not necessary.

12 Scope of negation fallacies render excluded-middle inferences or claims generally plausible, but do not capture the grip or persistence that resides specifically in norms. Norms require other influences, like their role in the coordination of reason-governed practices.

13 For a test in the realm of choice: Dhar and Simonson (2003). Here's an obvious proposal. Divide subjects randomly. Both groups will read extended argumentative passages, related to positions for which their own position is stated or known. One group is told that they must evaluate the arguments, as cogent or not. The other group is divided further: they are to evaluate the argument, and they can come to a judgment that is pro, con, or a weighted judgment (e.g. 'pretty good'); the other group is told they can pass on evaluating the argument. Subsequently, each subject is asked to summarize the argument.

One problem: the third group, who can pass on judgment altogether, must be provided with some other task to keep the efforts comparable. But what task will allow indifference to be indifference and yet not force them close to an excluded middle?

Excluded-middle norms will have less force when probabilities are made salient and in gambling situations where there are direct incentives for correct judgment, and abstention from gambling is counted as participation. James Surowiecki contrasts prediction markets, which "function like futures markets, except that, instead of betting

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on the future performance of a company or a commodity, people can bet … on things like election outcomes, current events, and product sales," with the far less accurate focus groups, which

> tend to be dominated by the loudest and most opinionated people, to be driven toward consensus decision, and to discourage disagreement, making them of limited usefulness …. Predictive markets, by contrast, are competitive environments, and so they encourage diversity of opinion, minimize people's influence on one another, and force people to think not only about their own tastes but about those of consumers as a body. (Surowiecki 2007, 40)

14 I offer just a sufficient condition. Cognitive dissonance occurs, more broadly, when one's desires and beliefs adjust so that activities or goals easily achieved or rewarded are valued less than activities or goals hard to achieve or which involve no external reward.

15 As far as I know there is no formulation of dissonance theory as a generalization. See Cooper and Fazio's 1984 review essay. On the role of forced choice and the illusion of freedom in a cognitive dissonance framework see Festinger 1964. In the most famous cognitive dissonance experiments, subjects in the 'insufficient justification' condition take themselves to be under a norm to either intrinsically justify their efforts or to extrinsically justify them.

16 In choice situations, consumers determine their selections by anticipatory regret, since some alternatives have to be foregone. Since there is more to regret in opting for an opposed position that fails, rather than sticking to one's own, the resolution would favor the argument closest to one's antecedent view.

17 For a different, and very familiar, contrast consider strong expressions of a point of view followed by words to the effect that "it's just my opinion." The combination is a backhanded compliment to excluded-middle norms in the very attempt to evade their demands. I owe the example to Richard Brown.

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