Informal Logic

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Particularism About Arguments

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Article abstract

The aim of this paper is to develop the notions of particularism and generalism in argumentation theory. Generalism is the claim that to argue we need general rules that specify which data support which conclusions, while particularism denies it. The problem is that it is not always clear what these rules consist of, and in what sense argumentation depend on them. To clarify this, I will first introduce the discussion in moral philosophy and show how it has been adapted to argumentation theory. Then I will distinguish some ways of understanding rules and contend that their alleged necessity might be supported in at least three ways. This will allow me to identify some variants of generalism and, on this basis, to outline what I consider to be the most promising reading of particularism.

Particularism About Arguments

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Abstract: The aim of this paper is to develop the notions of particularism and generalism in argumentation theory. Generalism is the claim that to argue we need general rules that specify which data support which conclusions, while particularism denies it. The problem is that it is not always clear what these rules consist of, and in what sense argumentation depend on them. To clarify this, I will first introduce the discussion in moral philosophy and show how it has been adapted to argumentation theory. Then I will distinguish some ways of understanding rules and contend that their alleged necessity might be supported in at least three ways. This will allow me to identify some variants of generalism and, on this basis, to outline what I consider to be the most promising reading of particularism.

Résumé: L'objectif de cet article est de développer les notions de particularisme et de généralisme en théorie de l'argumentation. Le généralisme est l'affirmation selon laquelle pour argumenter, nous avons besoin de règles générales qui précisent quelles données soutiennent quelles conclusions, alors que le particularisme le nie. Le problème est qu'il n'est pas toujours clair en quoi consistent ces règles et dans quel sens l'argumentation en dépend. Pour clarifier cela, je commencerai par introduire la discussion en philosophie morale et montrerai comment elle a été adaptée à la théorie de l'argumentation. Ensuite, je distinguerai quelques façons de comprendre les règles et soutiendrai que leur prétendue nécessité pourrait être soutenue d'au moins trois façons. Cela me permettra d'identifier certaines variantes du généralisme et, sur cette base, d'esquisser ce que je considère comme la lecture la plus prometteuse du particularisme.

Keywords: atomism, argumentative rules, generalism, holism of reasons, particularism

1. Introduction.

In several articles, Hubert Marraud has adapted the discussion between particularism and generalism to argumentation theory, specifically to logic or theory of argument (Marraud 2020a, 2021, 2022b, 2023a, 2023b).

> Here, generalism [...] claims that the very possibility of arguing depends on a suitable supply of general rules that specify what kinds of conclusions can be drawn from what kinds of data, while particularism denies this (Marraud 2022b, p. 1).

This definition, while not wrong, leaves open two important questions: what do these 'general rules' consist of? And in what sense does argumentation depend on them? My aim here is to clarify these issues.

First, I will introduce the discussion in moral philosophy and show some attempts to adapt it to argumentation theory. This will allow me to explain how Marraud's definition arises and what its advantages and limitations are. Second, I will show that, to support their position, generalists may adopt at least three strategies and argue:

(1) that most argumentative practices are generalist, in the sense that they rely on general rules,

(2) that it is better to argue by appealing to general rules than on a case-by-case basis, and

(3) that it is not possible to distinguish between good and bad arguments without general rules.

I will contend that particularists can accept (1) and (2), but not (3). The challenge for generalists is to propose a conception of rules that allows them to defend (3). In this respect, I will distinguish four ways of understanding rules using the criteria of "logical function" and "scope": defeasible rules of reason, absolute rules of reason, defeasible rules of weighing, and absolute rules of weighing. This will allow me to show that there are different versions of generalism and thus of particularism. In the last section I will present three ways of defending particularism: holism, reasonism and argumentation by analogy.

2. The origin of a dispute.

The debate between particularists and generalists –also called "universalists" or "principalists"– arose in moral philosophy. One of the first to

bring it up was Richard Hare. In Chapter 2 of *Freedom and Reason* (1963), Hare argues that descriptive judgements are "universalizable":

> if a person says that a thing is red, he is committed to the view that anything which was like it in the relevant respects would likewise be red. The relevant respects are those which, he thought, entitled him to call the first thing red (Hare 1963, p. 11).

Hare extends this idea to moral judgements, which –according to pre-scriptivism– are partially descriptive. Thus, one who claims that an action is right (or wrong) by virtue of having certain non-moral properties is committed to the claim that any action that has such properties will also be right (or wrong). This understanding of moral judgements is clearly principalist, since it presupposes –and requires– the existence of universal principles that link the moral status of an action to certain non-moral properties. However, Hare considers that it is possible to reduce this thesis to a triviality by postulating the existence of particular moral properties. If this is so, then "we have to examine every object in its uniqueness for the property *goodness* and other moral properties; and [...] by attributing a moral property to one object we are not committed to attributing it to any other object, however similar in other respects" (Ibid., p. 19). Hare calls this "particularism" but dismisses it as implausible (Hare 1952, pp. 79-93).

To find an advocate of particularism we have to go to the work of John McDowell. In (McDowell 1979), he criticises the idea that "the primary topic of ethics is the concept of right conduct, and the nature and justification of principles of behaviour" (Ibid., p. 331). To this view, which subordinates morality to the existence of universal principles of behaviour, McDowell opposes a virtue ethics. His position is articulated in two lines of argument: an attack on the principalist position and a defence of a pragmatic theory of virtues. The former is based on Ludwig Wittgenstein's remarks on the concept of following a rule. McDowell shows that the attempt to reduce morality to the application of principles is part of the philosophical prejudice that a practice cannot be rational unless it consists in the application of rules independent of the practice itself. Wittgenstein's thesis that the application of a rule presupposes a practice, and not the other way around, serves McDowell to highlight the weakness of principalism. And the same applies to Hare's universalizability thesis (see McDowell 1981). The second aspect of his position is a pragmatic conception of virtues. The knowledge the agent has

when judging an action as right or wrong is a practical knowledge that resists codification:

> If one attempted to reduce one's conception of what virtue requires to a set of rules, then, however subtle and thoughtful one was in drawing up the code, cases would inevitably turn up in which a mechanical application of the rules would strike one as wrong and not necessarily because one had changed one's mind; rather, one's mind on the matter was not susceptible of capture in any universal formula (McDowell 1979, p. 336).

Ultimately, a pragmatic conception of morality and rationality leads McDowell to particularism: "Occasion by occasion, one knows what to do, if one does, not by applying universal principles but by being a certain kind of person: one who sees situations in a certain distinctive way" (McDowell 1979, p. 347).

The same idea that morality is about seeing things in a certain way is at the core of David McNaughton's proposal in *Moral Vision* (1988). McNaughton argues that there are moral truths and that we can justify them without appealing to universal principles. To explain this, he uses an analogy: in the same way that we learn to recognise the aesthetic value of an improvisation in jazz, we can learn to grasp the moral relevance of certain properties in a given situation. In both cases we assess something, and we do so on the basis of experience gained in similar situations, without recourse to principles of any kind. However, the generalist might reply that what we do in these cases is to recognise reasons, and reasons are always general. But McNaughton goes ahead: "whether or not one particular property is morally relevant, and in what way, may depend on the precise nature of the other properties of the action" (McNaughton 1988, p.193). Thus, there is no choice but to proceed on a case-by-case basis and rely on knowledge acquired through practice. But still, one might insist: what about principles such as "thou shalt not kill" or "promises must be kept"? McNaughton suggests that in practice these maxims function as guides to action rather than proper standards: "such remarks appear to be to serve to indicate areas of general moral concern, leaving us to work out how, or if, they may have a bearing on any particular case" (Ibid., p. 202).

With this we can draw a fairly faithful picture of particularism in moral philosophy. First, particularists reject the thesis that the

rationality of a practice depends on the application of rules independent to the practice itself. A rule is something that makes sense only in the context of a practice, so it cannot ground it. Second, particularists argue that competence in moral matters is a practical knowledge that resists codification. A morally competent agent is able to recognise the significance of certain properties because she has been trained in similar situations, not because she has privileged access to some set of universal moral principles. Third, particularists interpret moral maxims as guides to action that at best facilitate, but do not ground, the justification of moral judgements. And finally, particularists defend a holistic conception of normative reasons. The question of what a reason is and how much weight it has is contextual.

This is precisely the main point of Jonathan Dancy, the particularist advocate *par excellence*. Given the significance of his work, it is worth dwelling on it. Dancy elaborates his view in several texts (Dancy, 1981, 1983, 1993, 2000, 2005), but the most important is *Ethics without Principles* (2004). The thesis is that moral thinking does not depend on the existence of moral principles of any kind. Dancy calls this "particularism" and opposes it to "generalism," which argues that "the very possibility of moral thought and judgement depends on the provision of a suitable supply of moral principles" (Dancy 2004, p. 7). In this context, a moral principle is a statement that specifies the features in virtue of which an action merits a particular moral evaluation. As we have just seen, principles can be construed as the specification of a reason that justify a given judgement. If we admit some kind of pluralism, then the same situation can give rise to more than one reason, and even to reasons that favour incompatible judgements. This makes the notion of reason a contributory and not a determinative one: "a contributory reason for action is a feature whose presence makes something of a case for acting, but in such a way that the overall case for doing that action can be improved or strengthened by the addition of a second feature playing a similar role" (Ibid., p. 15).

But generalists might insist that even contributory reasons are universal. If someone claims that a consideration contributes for or against an action, she commits herself to the claim that, if in another situation the same consideration is given, then there will be an equivalent, contributory reason to act in the same way. This, however, ignores that a consideration can be relevant to the moral status of an action in several

ways. Dancy explains it by resorting to examples. Let us imagine that I reason as follows:

    (1) I promised to help Julia with the house move,
    (2) My promise was not made under duress,
    (3) I have the afternoon off,
    (4) So, I ought to help Julia.

Dancy argues that, although (1)-(3) are relevant to (4), they have very different functions. First, the fact that it is a promise seems to be the basis of my obligation. If someone were to ask me "why do you have to help Julia with the move?" the most natural answer would be "because I promised her," not "because my promise was freely made" or "because I can." That no one has forced me to do so or that I have enough time are not, in principle, reasons either to help her or not to do so. However, they are still relevant in this context. For example, if the promise had been made under duress, then (1) would no longer support (4). The moral is that two forms of relevance must be distinguished. Not only may a feature support a position or thesis, but also it may be a condition for another feature to support a position or thesis. Dancy calls the former "favourers" –or just reasons– and distinguishes two types of conditions: "enablers," which allow a consideration to favour a position, and "disablers," which preclude it (see Dancy 2004, pp. 39-41). Incidentally, it should be noted that nothing prevents a condition from becoming part of a reason. For example, if the practice of forcing others to make promises were widespread, it might be reasonable to rephrase (1) as "I freely promised to help Julia with the move." But this should not make us forget that conditions are fundamentally contextual. What is a reason in one context may not be a reason in another.[1]

And this contextual character also extends to the weight of reasons. Let us imagine that I argue as follows:

    (1) Julia is in trouble and needs help.
    (2) I am the only person around.
    (3) So, I ought to help Julia.

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[1] Stephen Toulmin, Richard Rieke and Allan Janik make a similar point in relation to considering exceptions as part of the warrant: "where the 'exceptions' are not truly exceptional, we cannot present the conclusions of our arguments as being 'presumably' sound, subject only to a possible rebuttal. Instead we do better to restate our warrants, explicitly, as holding good only *on condition that* certain specific conditions are satisfied" (Toulmin, Rieke and Janik 1984 [1979], p. 99). In the next section I will elaborate on these similarities between the notions of condition and exception.

As before, (1) and (2) are relevant to (3), but they do not serve the same function. That Julia is in trouble and needs help seems a reason to help her, but in what sense is (2) relevant? First, it is not a favourer: my being the only person around is not a reason to help her unless she needs help. Second, it is not a condition either, because the fact that Julia needs help is a reason to help her even if I am not the only person around. However, my being the only person around seems relevant to the case, in the sense that it reinforces the reason I already have to help her. Let us imagine that instead of (2) we had

(2*) it's all her fault, Julia got herself into this mess by trying to trick Olga.

This, if true, does not remove the reason I already had for helping Julia, as indeed a disabler would, but it does weaken it. Dancy calls them "intensifiers" and "attenuators" (see Dancy 2004, p. 42). Following (Bader 2016) we can call both of them "modifiers." Modifiers, like conditions, are contextual considerations that, without being reasons in themselves, affect a reason. Although a modifier, like a condition, may end up being part of a reason, the attempt to codify them to make reasons context-independent is less plausible in the case of modifiers. After all, Julia needing help is a reason to help her, regardless of whether I am the only person around or Julia is to blame for all her troubles. If this is so, it may be the case that what is a reason in one context is not a reason in another, or it has a different weight. This is what Dancy calls "holism in the theory of reasons." Holism is opposed to "atomism," which is the claim that "a feature that is a reason in one case must remain a reason, and retain the same polarity, in any other" (Dancy 2004, p. 7).

If holism is true, as Dancy tries to show by giving examples of moral, epistemic o aesthetic reasons, generalism loses its grip. The thesis of universalizability of moral judgements is just false. Whoever claims that a consideration contributes for or against an action does not commit themselves to the assumption that, if in another situation that consideration is given, then there will be an equivalent reason to act in the same way, for there could be a disabler or a modifier that prevent it or alters its weight. It is true that from holism does not follow that moral principles or invariant reasons are impossible, but it is also true that holism makes principled ethics impracticable: "given the holism of reasons, it

would be a sort of cosmic accident if it were to turn out that a morality could be captured in a set of holistic contributory principles of the sort that is here suggested" (Dancy 2004, p. 82).[2]

In any case, the notion of contributory reasons, the distinction between favourers, conditions, and modifiers, and the relationship between holism and particularism, and atomism and generalism, are central to understanding the debate in argumentation theory.

3. Particularism and generalism in argumentation theory.

One of the first to use this terminology is Mark Vorobej. Vorobej proposes a reinterpretation of the types of relevance introduced by Dancy in his defence of particularism (Vorobej 2012). As said, for Dancy a morally relevant feature may fulfil at least three functions: it may favour a certain position, it may be a condition for another feature to favour a position, or it may strengthen or weaken a feature that, in fact, favours a position. Vorobej's thesis is that these forms of relevance can be reduced to two: favouring and what he calls supplementing. "Supplementation" is defined as follows:

> A premise *P supplements* a premise *Q*, within an argument *A*, if (i) *P* on its own is irrelevant to *A*'s conclusion *C*, (ii) *Q* on its own is relevant to *C*, and (iii) *P* and *Q* together provide a stronger reason in support of *C* than *Q* alone provides (Vorobej 2012, p. 308).

Vorobej calls "hybrid arguments" those that contain at least one supplementary premise. If we interpret Dancy's examples as arguments, intensifiers fit this definition quite well. That I am the only person around is irrelevant to the conclusion that I ought to help Julia; that Julia needs help, on the other hand, is relevant to that conclusion, and that I am the only person around reinforces the reason that I already have to help her. To explain attenuators, Vorobej just alters the third clause of his definition: "*P* and *Q* together provide a weaker reason in support of *C* than *Q* alone provides" (Ibid., pp. 308-309). This is called "negative supplementation" and gives rise to a second type of arguments called "negative hybrid arguments."

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[2] Margaret Little points out the same idea: "The claim is not that such generalities are impossible, but that we have reason not to expect any: any we might come across would be, as it were, philosophically serendipitous'" (Little 2000, p. 277).

The last step in Vorobej's argument is to equate conditions to modifiers. On the one hand, enablers would reinforce a reason by showing that it resists criticism, and on the other, disablers would reduce its strength to zero by rebutting it. In short, according to Vorobej, conditions and modifiers are essentially the same thing, so both can be construed as supplementary premises in a hybrid argument. The moral is that there are not three, but two forms of relevance: favouring and supplementation.

The problem is that this distorts Dancy's position. As we have seen, for Dancy reasons are contributory, in the sense that they can be combine and even conflict. The function of conditions is to allow or prevent a given reason from making its contribution, while modifiers alter the weight of a reason *with respect to* other reasons. That is, modifiers, unlike conditions, presuppose the weighing of the contributions made by different reasons. The strategy of construing them as supplementary premises blurs this distinction. Moreover, Vorobej tells us nothing about particularism: "I remain neutral, in this paper, about the extent, if any, to which these insights help to build a case in support of moral particularism" (Ibid., p. 307). In fact, the way of framing the issue suggests that Vorobej is not really adapting the notion to argumentation theory. To put in another way: my aim here is not so much to make a case for *moral* particularism, as Vorobej puts it, but to explain *argumentative* particularism, as it were.

To find something like this, we must turn to the work of Jan Albert van Laar. In "Connexion Premises" (2017), van Laar addresses the question of what kind of connection between premises and conclusion we are entitled to attribute to an arguer when presenting an argument. Let us consider the following example:

The economic crisis will be over before the end of the year because stock markets are rising.

Whoever argues in this way commits themselves, first, that it is true that stock markets are rising and, second, that this is a reason to believe that the economic crisis will be over before the end of the year. The second commitment can be expressed by resorting to a conditional such as "if it is the case that stock markets are rising, then the economic crisis will be over before the end of the year." Van Laar calls this a

"connection proposition" –or, alternatively, a "connection premise" if the proponent has made it explicit, for instance, after an attack.[3]

Now imagine that the opponent does not accept the connection proposition. What options are available to the proponent? Van Laar argues that there are at least two strategies. On the one hand, the proponent may resort to some kind of general principle or rule that justifies the connection proposition. For example, she could say "whenever stock markets rise, economic crises tend to end," or could even go further and say, "whenever the cause is given, the effect shall be given." Van Laar calls this a "generalist defence" and relates it to the notions of "warrant" and "argumentation scheme." But the proponent has another option available. She may defend the connection proposition by elaborating on the details of the case at issue. For example, she could say: "if in these circumstances stock markets rise, then firms in this sector will be able to make additional investments, and if they do so, unemployment will fall, and people will start spending, so the crisis will be over before the end of the year." Van Laar calls this a "particularist defence," as the proponent justifies the connection by appealing to the particular circumstances of the case at hand. The argument is that, since there is the possibility of a particularist defence, it makes no sense to claim that the proponent of an argument is committed to something more general than the connection proposition:

> Whether or not the proponent is committed to more than the connection proposition is the outcome of a choice by the proponent. For the reason that some reasonable dialogue sequences do not lead to a proponent's commitment to a general warrant or argumentation scheme, even though the opponent has been critically exploring the connection adequacy of the proponent's argument, my position is [a] particularist one (van Laar 2017, p. 41).

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[3] It should be noted that the connection proposition is not a material conditional like, e.g., David Hitchcock's negaconjunction. Van Laar argues that whoever argues "P, so C" commits themselves to the fact that the acceptance of P entails an obligation to accept C on the basis of the support that P provides for C, and not just because it cannot be the case that C is false when P is true. In (Alhambra 2022) I have argued that this can be expressed by interpreting the conditional in terms of reasons. Whoever argues "P, so C" commits themselves to the fact that if it were the case that P, then there would be a (*pro tanto*) reason for C.

Here we already have what we could call "a particularist theory of argumentation." The discussion goes beyond the justification of moral judgements; it is related to the practice of arguing itself. Consequently, the principles or rules that matters are not –or are not only– moral principles; they have to do with the connection between the premises and the conclusion of any arguments.

This is an advance over Vorobej, but there are also some difficulties. The first is that van Laar adopts a dialectical approach to argumentation. What matters are the moves that a proponent and an opponent make, or can make, in the context of an argumentative exchange. This contrasts with Marraud's characterisation which, as we have seen, is from a logical point of view –i.e., it studies arguments and their relationships, leaving aside the purposes of arguers and the rules that govern their moves. Of course, both perspectives can be seen as complementary, but even so, it should not be forgotten that their focus is different. The second problem, however, is a bit more serious. When van Laar introduces generalism, he claims that the main reason for defending it is argumentation by analogy –or rather, argumentation by counter analogy: After all, the proponent's argument is susceptible to a refutation by parallel argument –"your reasoning R must be flawed, because R resembles reasoning R', which is evidently flawed"–, which suggests that the argument's particular connection must be underwritten by some acceptable general connection that covers the connection proposition as a special case (*Ibid.*, p. 40).

In (Alhambra 2023a) I have argued just the opposite: in arguing by analogy, we justify –or criticise– the connection between the premises and the conclusion of a given argument without appealing to general principles or rules of any kind (see below, Section 5). If I am right, van Laar's point about analogies is debatable to say the least.[4] In any case,

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[4] van Laar's statement is certainly surprising, since in a previous article he claimed: "I attempt to conceive of such an argument from parallel reasoning as an example of case-based reasoning, for the reason that it seems implausible and uncharitable to hold the proponent responsible for any universal principle" (van Laar 2014, p. 92). I suspect that (van Laar 2017) simply mentions the generalist reasons, as presented by scholars such as (Hitchcock 2007), but without subscribing to them. But I have to confess that this may be a self-serving reading, because the text is ambiguous in this respect.

here we already have what I am going to call "particularism about arguments."

Now we are in a better position to address Marraud's definition. As mentioned, he has proposed an adaptation of the pairs 'particularism-generalism' and 'holism-atomism' to argumentation theory. Let us start with the latter. As we have seen, for holism reasons are contextual: what a reason is, and its weight, depends on factors that are not part of the reason. Marraud works with Ralph Bader's terminology, who distinguishes between the ground of a reason, conditions, and modifiers. The main difference from Dancy is that Bader does have a definition of ground of a reason: it is both "that in virtue of which something is a reason" (Bader 2016, p. 282) and "the consideration that constitutes the reason" (Ibid., p. 306). Marraud points out that this resembles the Toulminian distinction between warrants and data. Toulmin says of warrants that they are "general, hypothetical statements, which can act as bridges, and authorise the sort of step to which our particular argument commits us" (Toulmin 2003, p. 91), while data are "the facts we appeal to as a foundation for the claim" (Ibid., p. 90). If this is so, Dancy's and Bader's conditions can be seen as exception or rebuttal conditions in Toulmin's sense. Disablers would be exceptions that prevent the application of a warrant/reason, while enablers would function as the negation of a disabler. Marraud incorporates this idea by distinguishing a specific type of counterargument, namely "rebuttals by exception," which consists of arguing that there are circumstances that prevent the application of the warrant to the case at hand (see Leal and Marraud 2022, pp. 313-314).[5]

Modifiers, on the other hand, are contextual considerations that affect the weight of a reason, increasing it (intensifiers) or decreasing it (attenuators). As we have seen, the main difference between conditions and modifiers is that the latter presuppose a weighing of reasons: a modifier alters the weight of a reason, not absolutely, but with respect to other reasons. Unlike Vorobej, Marraud does take this into account: "My hypothesis is that modifiers come into play when comparing,

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[5] This, however, poses a problem. If it is true, as van Laar points out, that warrants are not the only way to defend the connection between premises and conclusion, then we should not define conditions in terms of warrants. Marraud detects this problem and leaves the door open to direct rebuttals, that is, rebuttals that do not presuppose any kind of general principle or rule (Leal and Marraud 2022, p. 311).

implicitly or explicitly, the strength of two arguments, and that 'increased weight' should be understood in that context" (Marraud 2021, p. 36 –my translation).

Modifiers are then weighing factors related to another type of counterargument, "refutations." To refute an argument is to oppose it to another with an incompatible conclusion and to contend that the second one is as strong as –or even stronger than– the first one. This is usually marked by expressions such as "but," "although," "nevertheless," "though," and the like (see Leal and Marraud 2022, pp. 315-317). A modifier in this context is a consideration that explains or justifies the attribution of weight associated with a refutation. In Dancy's case, that Julia is in trouble and needs help is a reason for me to help her, and that I am the only person around, without being a reason in itself, reinforces the reason that I already have, not absolutely, but with respect to possible reasons to do something else –e.g., go for a drink, as I promised another friend (see below, Section 4.2., for an actual example).

In short, both conditions and modifiers have a specific function in argumentation: they are contextual factors that, without being part of the argument, are relevant for its evaluation. But this begs the question: why do we not do like Vorobej and construe them as premises? This question is all the more compelling given the predominance of Premise-Conclusion models in both formal and informal logic (see Levi 1995). Marraud argue that these models are based on three assumptions:

> [PC1] Binarism: an argument is a pair formed by a set of statements, called "premises," and a statement, called "conclusion."
> [PC2] Inferentism/consequencism: an argument is valid if and only if its conclusion is logically inferred/is a logical consequence of its premises.
> [PC3] Atomism: all information relevant to determining whether the conclusion can be drawn from an argument concerns its parts, explicit and implicit (Marraud 2021, p. 24 –my translation).

This one, which is related to Dancy's atomism, identifies the evaluation of an argument with its identity and makes logical properties –here validity, understood in a broad sense– intrinsic, i.e., context-independent.

The main problem with atomism is that it is false. But not only this; it is also unworkable. First, there is the problem of implicit premises (see Govier 2017; Levi 1995 or Hitchcock 1998). What premises are part of the argument "you promised Julia you would help her, so you

ought to do it?" There are quite a few candidates: "there is evidence that you made the promise," "the promise was not made under duress," "you are capable of doing what you promised," "promises must be kept," "one must be true to one's word," "not keeping promises would lead to chaos," "consequentialism in ethics is true," and so on. With time and imagination, the list can become quite long. In fact, implicit premises are very much like drugs: the hard part is not only to find them but to know when to give them up. Second, there is the problem of identity. By linking the identity of an argument with its evaluation, the atomistic principle leads to an unnecessary multiplication of arguments. "You promised Julia you would help her, so you ought to do it, because promises must be kept" would not be the same argument as "you promised Julia you would help her, so you ought to do it, because promises made to a loved one must be kept." In fact, if we do not have a clear idea of when an argument is complete, the very concept of 'identity of an argument' becomes fuzzy. Atomism has other problems, but this is enough to illustrate the opposite, i.e., holism about arguments.[6]

We already have an argumentative version, as it were, of atomism and holism. But what about particularism and generalism? To adapt these notions, Marraud combines Dancy's definition with Toulmin's terminology and van Laar's idea that what matters is the connection between premises and conclusions. Thus, as mentioned, we have that "generalism in the theory of argument claims that the very possibility of arguing depends on a suitable supply of general rules that specify what kinds of conclusions can be drawn from what kinds of data, while particularism denies this" (Marraud 2022b, p. 1).

4. An ambiguous discussion.

Simple though this definition may seem, my experience is that, when presented to other scholars, the discussion often goes astray. This may be because the approach is ambiguous at least in two aspects. On the one hand, the notion of "genera rule" is too broad. Both van Laar and Marraud relate it to Toulmin's warrants, but this, while clarifying to some extent, is not enough. First, there are several accounts of warrants

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[6] These problems are related to Premises-Conclusion models, but also apply, as we shall see, to attempts to codify conditions and modifiers as part of the warrant in a reduced Toulmin model, consisting of claim, data, and warrant.

and second, they, as we shall see, do not capture the complexity of the debate. On the other hand, the alleged necessity of rules can be understood in different ways. This tends to lead to misunderstandings and, quite often, turn the debate into a pointless exchange of accusations of extremism. In what follows I will try to clarify both issues.

4.1 The need for rules.

In a nutshell, generalism is the claim that to argue we need general rules. But this necessity can be understood in several ways. For example, one might argue that, as a matter of fact, most argumentative practices are generalist, in the sense that they require some kind of general rule to which the agent appeals to justify particular cases. Legal argumentation is a common example. In the simplest instances, judges justify their decision by appealing to a rule that, under certain assumptions, prescribes certain legal actions for all cases falling within its scope. Those rules, according to generalism, pre-exist and are independent of their application, i.e., their identity is not altered by their usage (see Redondo 2005, p. 57). This defence, which we can call empirical as it appeals to how argumentative practices actually are, although feasible, is not enough. Unless it is shown that every argumentative practice is like this, particularists could accept the point and still deny that argumentation, as such, depends on general rules.

To this, generalists might respond that it is not just that, in fact, most argumentative practices appeal to rules. It is that arguing on the basis of rules is better, because is more thorough, reliable, safe, and so on, than arguing on a case-by-case basis. This strategy is quite common in the literature on the *stare decisis* in the Common Law. Generalists argue that accounts of this doctrine in terms of subsumptive argumentation – i.e., as a case of applying general rules to particular cases– are better than accounts in terms of case-by-case argumentation. The reasons are typically that they promote transparency in the decision-making process, limit the discretion of legal agents, facilitate accountability, and make the legal process replicable and predictable (for a discussion of this topic see Lamond 2005 or Stevens 2018a). But again, this is not enough, because particularists may accept that generalist ways of arguing have advantages in certain circumstances and point out that it does not follow that general rules are necessary in any sense.

Generalists, though, have a third option; they may appeal to the constitutive character of general rules. For example, a hypothetical generalist might contend as follows: "it is not that we actually argue this way, or even that it is better, it is that we cannot do it otherwise. For to distinguish between good and bad reasons, between good and bad arguments, we need general rules that tell us which data support which conclusions –and argumentation would be meaningless if we could not make such a distinction." This is precisely the centre of the dispute. Particularists do not deny that there are, in fact, argumentative practices that require the use of general rules; nor do they claim that generalist ways of arguing may not have certain advantages. What particularists reject is the thesis that general rules are a necessary condition for argumentation. Not for nothing has Dancy's particularism been called "anti-transcendental particularism" (see McKeever and Ridge 2006, pp. 19-20). In short, the disagreement is not so much empirical or about the value of certain ways of arguing, but mainly conceptual.

4.2 Logical rules.

Now we can address the second question: what do these 'general rules' consist of? Before starting, some clarifications are in order. By 'rule' I shall understand a "rule of action," namely a directive that prohibits, prescribes, or permits the performance of an action by an agent in certain circumstances (see Marraud 2023, p. 1). Moral principles or maxims, such as "promises must be kept" or "thou shalt not kill," are clearly rules of action, because they prescribe or prohibit the performance of a certain action. *Modus ponens*-type rules, which have to do with abstract relations between propositional contents, are not –or they are not necessarily so.[7]

Rules, thus understood, may fulfil different functions in argumentation. For example, they may regulate argumentative exchanges, specifying roles, speaking turns and so on (see van Eemeren and Grootendorst 1984). They may also recommend certain strategies on the basis

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[7] This restriction obeys the idea, suggested already by van Laar and Marraud, that the discussion is about substantive rules (hence the use of the notion of warrant). This puts in brackets the question of whether the debate also applies to so-called "formal inferences" –assuming this notion were of any use for the study of argumentation. Here I shall leave aside these issues. For an example of particularism in the field of formal logic see (Wyatt and Payette 2019).

of their effectiveness with respect to an audience (see Perelman and Ol-brechts-Tyteca 1971 [1958]). Or they may even establish institutional values, such as equity, transparency, or respect for minorities (see Vega 2017). However, the rules that I am interested in are those that have to do with the assessment of arguments as products.[8] Following (Marraud 2023, p. 2) I will call them "logical rules." And to distinguish ways of construing these rules I will use the criteria of "logical function" and "scope."

By 'logical function' I mean the function that the rule plays in the set of considerations that are presented for or against a given position. For example, the logical function of the data in Toulmin's model is to support the claim, while the logical function of the warrant is to explain or justify the step from the data to the claim. To see how logical rules can serve several functions, let us consider an example. It is an excerpt from an opinion article about the reform of the Organic Law of the Judiciary proposed by the Spanish Socialist Workers Party (PSOE –according to its initial in Spanish) in 2022:

> Although [the reform of the Organic Law of the Judiciary] it is defended by its advocates as a means to overcome the unacceptable situation of constitutional abuse by those who fail to fulfil their duties (the Popular Party and the conservative members of the Council), it does not manage to avoid such an elementary requirement as that the legislative procedure must respect the established rules. In short, the end does not justify the means. (Ana Carmona Contreras, "El arte de legislar o cuando el fin no justifica los medios [The art of legislating or when the end does not justify the means]", *El País*, 13/12/22 –my translation)[9].

First of all, the arguer, Ana Carmona Contreras, seems to contend that the reform of the law is not appropriate. But why is so? It is because it does not respect the established rules. (What she is actually criticizing is that the reform had been made through an amendment and not through a new bill, given its legal implications, but for the sake of

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[8] The notion of argument as product is rather problematic (see Goddu 2011). Here I am using it in a broad sense to refer to the study of argumentation leaving aside the purposes of arguers and the rules governing their moves. For a more elaborated account see (Leal and Marraud 2022, pp. 35-38 and 281-351).

[9] https://elpais.com/opinion/2022-12-13/el-arte-de-legislar-o-cuando-el-fin-no-justifica-los-medios.html
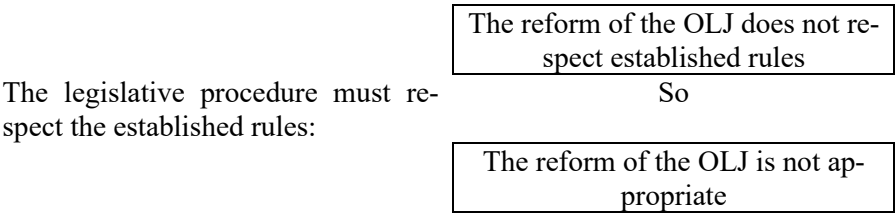
simplicity, we can put it this way). To represent it I will use the following diagram:

Diagram 1. Simple argument: respect for established rules.

The reform of the OLJ does not respect established rules
So
The reform of the OLJ is not appropriate
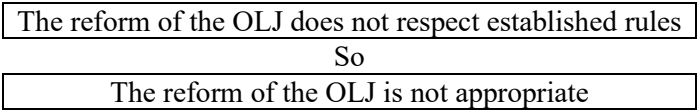
At this point, someone might ask: "right, let's assume that what you're saying is true, but what does it have to do with the adequacy of the reform?" And the answer is that "elementary requirement" that the legislative procedure must respect established rules. We can represent it by adding the rule next to what it explains or justifies, i.e., the 'so':

Diagram 2. Argument with warrant: respect for established rules.

	The reform of the OLJ does not respect established rules
The legislative procedure must respect the established rules:	So
	The reform of the OLJ is not appropriate

As said, Toulminian warrants fulfil this function. The problem is that they have given rise to a wide variety of interpretations. This is partly due to the fact that Toulmin does not have a definition of warrants but characterises them on the fly and often vaguely. In the *Uses of Argument* (2003), for example, he says of warrants:

> (UA1) that they are "rules, principles, inference-licence", "general, hypothetical statements, which can act as bridges, and authorise the sort of step to which our particular argument commits us" (Toulmin 2003, p. 91);
> (UA2) they are general, "certifying the soundness of all arguments of the appropriate type, and have accordingly to be established in quite a different way from the facts we produce as data" (Ibid., p. 92);
> (UA3) they represent "practical standards or canons of argument" (Ibid., p. 91);

(UA4) they can be formulated as "'Data such as D entitles one to draw conclusions, or make claims, such as C', or alternatively 'Given data D, one may take it that C.'" (Ibid., p. 91);

(UA5) in practice the arguer can leave them implicit: "data are appealed to explicitly, warrants implicitly" (Ibid., p. 92);

(UA6) they are related to the force of an argument: "warrants are of different kinds, and may confer different degrees of force on the conclusions they justify" (Ibid., p. 93), and

(UA7) they are necessary for the evaluation of arguments: "unless, in any particular field of argument, we are prepared to work with warrants of some kind, it will become impossible in that field to subject arguments to rational assessment" (Ibid., p. 93).

In *An Introduction to Reasoning* (1984), on the other hand, it is said:

(IR1) that they are "statements indicating how the facts on which we agree are connected to the claim or conclusion now being offered" (Toulmin, Rieke y Janik 1984, p. 45);

(IR2) they are general: "previously agreed general ways of arguing applied in the particular case" (Ibid., p. 45); or "general rule or procedure that the assertor, A, is relying on in presenting the step from G to C as a trustworthy step that we can safely follow him in taking" (Ibid., 46);

(IR3) they are distinguished by their function: "the difference between grounds and warrants (facts and rules) is a functional difference" (Ibid., p. 47);

(IR4) they are substantive: "to put the problem in a nutshell, warrants are not self-validating. Our warrants and the modes of reasoning they authorize normally draw their strength and solidity from further, substantial supporting considerations" (Ibid., p. 63), and
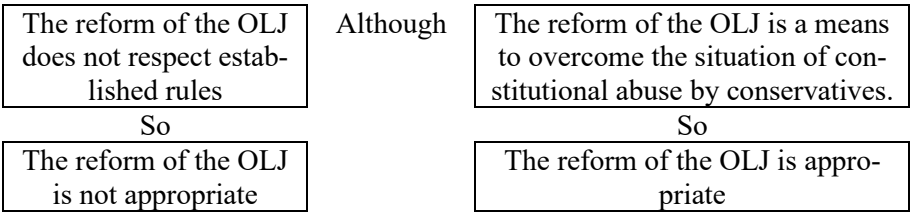
(IR5) they may be criticised in general or with regard to their application: "an argument will carry real weight and give its conclusions solid support only if the warrants relied on in the course of it are both sound (i.e., reliable or trustworthy) and also to the point (i.e., relevant to the particular case under examination)" (Ibid., p. 63).

Other remarks can be found in Toulmin's work, but this suffices to show the complexity of the notion. Moreover, I am not so much interested in finding *the* correct Toulminian interpretation –if there is such a thing– as in pointing out features of warrants that are useful for understanding the debate between particularists and generalists. First, warrants are rules of action. They authorise an agent to do something and are usually qualified as appropriate, acceptable, or correct, but not as true or false

(UA1, UA2 and UA4; IR2, IR3 and IR5). Second, they concern the connection between the data and the claim, i.e., they explain or justify that connection (UA1; IR1, IR2 and IR4). Third, they are general and substantial, in the sense that they can be applied to more than one case and are not "self-validating" as formal rules were supposed to be (AU2, UA3 and UA4; IR2 and IR4). And finally, they represent practical standards of arguing, that is, they have more to do with knowing-how than with knowing-what (AU3; IR2).

These general and substantive rules, which explain or justify the connection between the data and the claim and represent practical standards of argument, are the kind of rules that particularists and generalists argue about. But this is not the whole story. To see why, let us return to the example. As I said, Ana Carmona Contreras argues that the reform is not appropriate because it does not respect the established rules. But she also considers the reasons in favour of the reform, namely that it is a means to overcome the situation of constitutional abuse by the conservatives. She does not deny that this is a reason to defend the appropriateness of the reform. What she denies is that this is a sufficient reason –since there is a stronger reason to the opposite. This is expressed by the use of the connector "although." As we saw, Marraud calls this "refutation." The diagram is as follows (for the sake of simplicity I leave out the warrant):

Diagram 3. Refutation of respect for established rules' argument.

The reform of the OLJ does not respect established rules	Although	The reform of the OLJ is a means to overcome the situation of constitutional abuse by conservatives.
So		So
The reform of the OLJ is not appropriate		The reform of the OLJ is appropriate

In Toulmin's line, one could ask: "on what grounds do you attribute more weight to one reason than another?" And Ana Carmona Contreras, after a full stop, answers: since the end does not justify the means. This rule, which means that reasons that appeal to values have more weight than those that appeal to the ends of an action, account for the weighing of reasons in the refutation. To put it another way, if Toulminian

warrants explained or justified the relation between the data and the claim expressed by connectors such as "so," "therefore," "hence," etc., this rule explains or justifies the attribution of weight expressed by connectors such as "although," "but," "however", and so on.[10] The result is a weighting meta-argument that we can represent by adding the principle as a reason for the refutation:

Diagram 4. Weighting meta-argument: the end does not justify the means.

The end does not justify the means		
So		
The reform of the OLJ does not respect established rules	Although	The reform of the OLJ is a means to overcome the situation of constitutional abuse by conservatives.
So		So
The reform of the OLJ is inappropriate		The reform of the OLJ is appropriate

In short, by virtue of the logical function at least two types of rules can be distinguished:

Rules of reason: they specify which data support or favour which conclusions, and

Rules of weighing: they specify which conclusions can be drawn from which data.[11]

The second criterion for distinguishing logical rules is their scope. This is related to holism of reasons. As we have seen, for holism what a reason is, and its weight, depends on circumstances that are not part of the reason. If we accept that the statement of a rule can express a reason,

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[10] This attribution of weight can be justified in other ways. For example, modifiers may fulfil the same function. Let us imagine that, instead of appealing to that maxim, Ana Carmona Contreras had said: "with the war in Ukraine and domestic unrest, state institutions are undergoing unprecedented instability." This circumstance, without being a reason for or against the reform, might justify –or explain– the importance attached to respecting established rules over addressing the conservatives' abuse of power. In (Alhambra 2022 and 2023) I have shown that the same can be done by argumentation by analogy.

[11] This distinction is similar to that between contributory principles and overall principles in moral philosophy (*see* Lance and Little 2006, p. 306).

then the question also arises for rules: are logical rules context-sensitive? And, as before, we have two answers: a holistic one, which says that they are, and an atomistic one, which defend that they are not. Using Toulmin's terminology, we can distinguish between rules that admit exceptions and rules that do not –and by admitting exceptions I mean that there may be circumstances that prevent the application of the rule, not that the statement of the rule has to include them. In short, by virtue of the scope, two types of rules can be distinguished:

Defeasible rules: they allow for exceptions –and these are not part of the rule, and

Absolute rules: they do not admit exceptions –if there were any, that would be because the rule was in fact incomplete.[12]

In short, the discussion is about logical rules, understood as rules of action, which may or may not admit exceptions and function as rules of reason or rules of weighing.

4.3 Generalism is said in many ways.

On this basis, we can further refine Marraud's definition. Let us start with generalism. A possible reading is to see it as the claim that the very possibility of arguing depends on the provision of a suitable supply of *absolute rules of weighing*, which determine which conclusions can be drawn from which data. This is the strongest version of all. According to it, arguing is always –or, at least, must always be reconstructed as– applying universal principles or absolute rules to particular cases. Consequently, the only legitimate type of argument is the syllogism of the first figure, with a major premise representing the rule, and a minor premise introducing the case to which that rule applies. "All arguments are syllogisms, this is an argument, therefore this is a syllogism" would be an example. The problem with this view, which we can call "plain

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[12] Note that this question is independent of the discussion between particularism and generalism. Let us take as a reference Toulmin's reduced model that I mentioned in footnote 6. Generalists defend that the warrant is part of the argument, while particularists, as we saw with van Laar, contend that it is not. From here, four positions might be distinguished: a holistic generalism, which interprets warrants as defeasible; an atomistic generalism, which argues that all exceptions have to be encoded in the warrant; an atomistic particularism, which argues that all relevant information is part of the data and no warrant is needed; and a holistic particularism, which argues that rules are neither absolute nor necessary for argumentation.

deductivism," is that it is so strong that attributing it to generalists empties the discussion of interest.[13]

A second approach is to understand generalism as the claim that argumentation depends on the existence of *defeasible rules of reason,* which tell us –tentatively– which data favour which conclusions. This is the weakest version of all, and that is precisely its Achilles' heel. First, it tells us nothing about which reasons are conclusive and, second, what little it does tell us about what a reason is depends on the circumstances of the case at hand. It would be hard to argue that such rules alone enable us to distinguish between good and bad arguments, as generalism claims. Following McNaughton, we may see them as guides to action that allow us to identify and construct reasons rather than as logical standards in the sense that generalists are looking for. In any case, this seems too weak a position to be a candidate for generalism. In short, if we interpret generalism in the first way, then no one is a generalist, whereas if we do it in the second way, then everyone is. Both reading turn the discussion into a triviality.

Let us now turn to the most promising hypotheses. The first is to understand generalism as the claim that in order to argue we need *absolute rules of reason.* This seems more acceptable, because although the rules tell us nothing about the relative weight of reasons, they at least determine which data favour which conclusions. In moral philosophy this is the position of William David Ross. As is well known, Ross distinguishes between *prima facie* duties, which are universal and absolute, and proper duties, which depend on the circumstances of the case at hand. For example, that an action constitutes a lie is always, in any context, a reason not to do it, but it may be that in the case at issue the action also constitutes an act of politeness, which gives rise to a duty conflict –or, in our case, a conflict of reasons. According to Ross, there are no rules or principles to solve such conflicts, so there is no choice but to proceed on a case-by-case basis. The problem with this position, which we can call "argumentative Rossianism," is that it is unstable.

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[13] There is a problem here. To say that plain deductivism defends the need for rules *of weighting* is simply incorrect, because deductivism, by definition, does not consider the possibility of weighting reasons. Perhaps a more appropriate terminology would be to speak of "rules of conclusion." The problem is that I am not sure that this term captures the idea behind Ana Carmona Contreras' example. Thank you to Paula Olmos for bringing this problem to my attention.

Once we accept that there are no rules at the level of weighing, the particularist might defend the same about contributory reasons (see, e.g., Dancy 1983). Moreover, in argumentation theory it is hard to find an example of this position. (Guarini 2010) suggests something similar, but, like Vorobej, he seems to restrict it to the domain of moral argumentation.[14] In any case, this is a more plausible position than the previous ones, so it could make a suitable candidate for generalism.

The last hypothesis is by far the most common in argumentation theory. It is to claim that the very possibility of arguing depends on the provision of a suitable supply of *defeasible rules of weighing –or conclusion–*, which specify which conclusions can be drawn from which data tentatively. If the problem with argumentative Rossianism was that nothing was said about the weighing of reasons, this position solves that problem by making it disappear. It is not that we have a reason for and a reason against and we have to tell their relative weight; it is that we simply have a rule that allows us to draw the conclusion but with exceptions. In other words, anything that prevents us from drawing the conclusion from the data are exceptions, including reasons against. This seems to be the case, for example, when Trudy Govier claims that "a strong reason is one where the range of exceptions is narrow. A weak reason is one in which the range of exceptions is large" (Govier, 1999, p. 171). Marraud calls this "inferentism" and opposes it to "reasonism" (see Marraud 2022a, p. 32).[15]

The problem with inferentism, apart from the above, is that it is also unstable, since by admitting the possibility of exceptions, we open the

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[14] Moreover, Guarini has a different conception of rules. He distinguishes between all-things-considered principles and contributory ones, but identifies them with absolute and defeasible principles, respectively (see Guarini 2010, p. 386). This makes defeasible all-things-considered principles impossible and that is a problem. For example, in the case of Ana Carmona Contreras the principle "the end does not justify the means" seems all-things-considered, but it seems wrong to suggest that she presents it as absolute.

[15] Inferentism and reasonism are two incompatible interpretations of the theory of argument. As we saw, for inferentism a good argument –*sensu logico*– is one which conclusion is inferred from its premises, while for reasonism is one that put forward a good reason. The main difference between inferences and reasons is the weighing factor: to know how good a reason is, it has to be weighed against the available reasons. For more on this see (Leal and Marraud 2022, pp. 287-290, and Alhambra 2022, pp. 763-768)

door to particularist attacks. For example, it could be argued that since exceptions are contextual, in order to determine whether the rule can be applied we have no choice but to proceed on a case-by-case basis. Generalists might respond that exceptions depend on the rule, in the sense that to know them we must know the rule first. But this is not entirely true: what the rule allows us to know is the *exceptionality* of the exception, so to say, but not the exception itself (see Dancy 2004, p. 115). If the rule were to tell us in advance what the exceptions are, it would be an absolute rule, and we have said that this is highly implausible. In any case, even if it is debatable, this interpretation also seems a plausible candidate for generalism –if only because of its popularity in the field. The above can be summarised as follows:

Table 1. (Some) Variants of generalism.

	Rules of Reason	Rules of Weighing/Conclusion
Defeasible	Weak generalism	Inferentism
Absolute	Rossianism	Plain deductivism

5. Particularism about arguments

Now, on this mirror we can obtain a more precise image of what particularism in argumentation theory is and, above all, what it is not. First, particularists do not deny that generalist argumentative practices may exist. One of the most common criticisms of this position is to give examples of practices that require the use of general rules, implying that particularism precludes this possibility. However, as we have seen, the disagreement is not empirical, but conceptual. Second, particularists do not deny the existence of general rules –always conceived as defeasible and context-sensitive. In the example of Ana Carmona Contreras, for instance, the arguer explicitly appeals to rules of this type. And, finally, particularists do not deny that generalist ways of arguing might have benefits in certain circumstances. What particularists reject is the idea that these rules are necessary for argumentation.

But one might ask: and what are the reasons for particularism? The core of generalism can be represented by the following argument:

1. General rules are necessary to distinguish between good and bad arguments;

2. Arguing would be pointless if we could not distinguish between good and bad arguments;

3. So, general rules are necessary to argue.

There are at least three ways of attacking this argument and thus of defending particularism: holism, reasonism and argumentation by analogy.

Holism about arguments, as we have seen, argues that the logical evaluation of an argument depends on considerations that are not part of the argument. Particularists may argue that the rules needed to defend premise (1) are implausible in view of holism. The generalist could try to solve this problem by including these contextual considerations as implicit premises or exceptions encoded in the statement of the rule. The problem, as we have seen, is that this would make arguments or logical rules impracticable, and thus argumentation itself. This is Dancy's main point in favour of moral particularism, and we have seen how Marraud adapts it to argumentation theory.

Reasonism, on the other hand, argues that a good argument –*sensu logico*– is not one whose conclusion follows, or can be inferred, from its premises, but one that put forward a good reason. Reasons, as Dancy shows, are contributory, in the sense that they can be combined and can even conflict, favouring incompatible positions. This forces us to distinguish two levels of evaluation: one in which we establish whether a consideration contributes for or against a position, and another in which we compare the contributions made by various considerations to determine whether, *all-things-considered*, a certain position is supported. The point is that, if we distinguish these levels in the evaluation of an argument, generalism loses its bite, since in order to defend premise (1) two types of rules are needed, and this multiplies the problems pointed out by holism. This is Marraud's position (see Marraud 2022a).

Finally, a third way is to show that premise (1) is false, because there are alternatives to general rules. We saw that this is van Laar's point: since a proponent can defend the connection between the premises and the conclusion of her argument without appealing to any general principle or rule, it makes no sense to attribute to her something beyond the connection proposition. This proposal, as we have seen, has two drawbacks: it is formulated from a dialectical perspective, and it considers analogy as a reason for generalism. My position, as I said, is just the

opposite, that argumentation by analogy is an alternative to general rules. The argument goes as follows:

1. Argumentation by analogy is a type of meta-argument in which it is defended that the reason posed by the target argument is good/bad because the reason posed by the source argument is good/bad, and both are similar (Alhambra 2022);

2. Argumentation by analogy does not presuppose any general principle or rule (Alhambra 2023);

3. So, argumentation by analogy is a way of justifying or criticising the reason posed by an argument without recourse to general principles or rules;

4. So, good and bad arguments can be distinguished without recourse to general rules.

There are proposals that separately defend premise (1) (see Perelman and Olbrechts-Tyteca 1971; Govier 1985b; Woods and Hudak 1989; Marraud 2007; Postema 2007; Juthe 2009 or Stevens 2018b) or premise (2) (see Wisdom 1991; Govier 1985a, 1989 and 2002; Guarini 2004; Bermejo-Luque 2012 and 2014, van Laar 2014, or Juthe 2005, 2016 and 2020), but it is difficult to find a combination of both.[16] If I am right, a case for particularism might be built on this basis.

6. Conclusions

The aim of the paper was to explain what particularism and generalism in argumentation theory may be. Generalism is the claim that the very possibility of arguing depends on the existence of general rules that specify which data support which conclusions, while particularism is the denial of this claim. This characterisation, while not wrong, is too general: both the rules and their alleged necessity can be understood in many ways.

After presenting the origin of these notions in moral philosophy and some adaptations to argumentation theory, I have showed that four ways of understanding rules and three strategies for defending their necessity can be distinguished. Regarding the latter, the most plausible reading of generalism is to argue that rules are necessary, because otherwise we

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[16] There are some exceptions. (Govier 1985b), (Juthe 2009 and 2016) and (Marraud 2021) defend particularist and metaargumentative accounts. The problem is that they either limit it to counteranalogies (Govier 1985b; Juthe 2009), or they do not develop the idea (Juthe 2016; Marraud 2021).

could not tell good arguments from bad arguments. As for the former, the most promising readings of generalism are those that conceive of rules either as absolute rules of reason or as defeasible rules of weighing. The moral is that particularists need not deny that there are argumentative practices that require general rules or that rule-based arguments may have advantages. What it is rejected is that rules, understood in these ways, are a necessary condition for argumentation. To back their position, particularists can argue that rules postulated by generalism are implausible given holism and weighing of reasons, and that it is possible to distinguish between good and bad arguments without general rules, just arguing by analogy.

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