Jens Lemanski*

Discourse Ethics and Eristic

Abstract

Eristic has been studied more and more intensively in recent years in philosophy, law, communication theory, logic, proof theory, and A.I. Nevertheless, the modern origins of eristic, which almost all current researchers see in the philosopher Arthur Schopenhauer, are considered to be a theory of the illegitimate use of logical and rhetorical devices. Thus, eristic seems to violate the norms of discourse ethics. In this paper, I argue that this interpretation of eristic is based on prejudices that contradict the original intention of modern eristic. Eristic is not an art of being right or winning an argument, but an art of protecting oneself from the one who deliberately violates norms of discourse ethics to gain argumentative acceptance. For this reason, eristic must be seen as a discipline of Enlightenment philosophy and a correlate of discourse ethics. Especially in the age of alternative facts and post-factual politics, this makes eristic a valuable discipline.

Keywords

Discourse Ethics, Communication Ethics, Eristic, Argumentation Theory, Arthur Schopenhauer

Introduction

Discourse ethics aims to analyse forms of rational argumentation and find the ethical principles binding any discourse. Starting from the description of arguments, this kind of ethics develops norms, which serve, among other things, to preserve the righteousness and probity of discourse. Thus, discourse ethics establishes that there are obligatory norms for all speakers within a community of discourse. On the other hand, eristic is often portrayed as a discipline that deliberately violates these obligations since its aim

---

* FernUniversität in Hagen, Institut für Philosophie, Hagen, Germany
   Email: jens.lemanski@fernuni-hagen.de

_____

is not the probity of discourse but the success and victory of an argument, even by using irrational or unethical means. In short, discourse ethics is described as the art of ethical-rational argumentation but eristic as the art of being right.

In this paper, I will argue that eristic in its original modern form does not contradict discourse ethics. Instead, I will defend the thesis that eristic is a prohibitive technique that takes effect when the norms of discourse ethics are transgressed and violated. Therefore, both theories are particularly relevant in the age of post-factual politics and alternative facts. While the normative dimension of discourse ethics exhorts the reining-in of moral norms in communication, eristic intervenes in an enlightening way where the norms of discourse ethics are deliberately violated. I will thus argue that eristic is not an art of being right, but an art of defending oneself against the one who tries to be wrongfully right. In the following, I will first briefly present the essential basic ideas of discourse ethics (Section 1), then introduce eristic and refer to the seminal work by Arthur Schopenhauer (Section 2) and finally present the relationship between discourse ethics and eristic (Section 3).

1. Discourse Ethics

One of the main theses of the Frankfurt School, which was the primary home of communication and discourse ethics in the 20th century, is that rationality is fundamentally morally neutral or indifferent (Apel 2001, 40). This indifference means that rationality can be used to achieve morally good goals and morally evil ones. Simplified, one could say that descriptive ethics has the task of describing moral forms (about what there is), and normative ethics has the task of establishing the morally good goals as commanded (about what ought to be).

However, since goals can also be achieved through linguistic actions or speech acts (Apel 1994, 158), ethics must refer to physical actions and forms of discourse. Discourse in this sense is a narrowed concept of language since discourse ethics does not primarily look at language as a whole, nor at individual fragments of language, such as the use of certain words in isolation. Instead, discourse ethics refers to arguments put forward within a communication community in which a verbal dispute arises. Therefore, an argument can be understood as a series of interrelated statements (e.g., assertions or justifications) produced to convince an audience of a particular position or overall conclusion (Tindale 2004, chap. 1). Verbal disputes can be

_____

understood as a communication situation in which two or more speakers exchange arguments in contrariety or contradiction to each other (cf. Chalmers 2011).

In its original form, discourse ethics take up Kant's transcendental philosophy and asks about the conditions of the possibility of rational argumentation (Apel 1994, 83-175). In this sense, discourse ethics is initially descriptive ethics since it examines the forms and their conditions that occur in verbal disputes. However, since the question of the condition of the possibility of verbal disputes is a problem of the ultimate justification of the norms of these discourses, deontic ethics evolves from the description. Since the ought is thus already contained in the conditions of being, discourse ethics overcomes the distinction between descriptiveness and normativity expressed in the Humean is-ought problem (Apel 1996, 14ff.).

For discourse ethics, the ultimate justification constitutes a regulative moment: everyone who argues "must consciously affirm his participation in the transcendental language-game of the transcendental communication community at every moment of his life" (Apel 1980, 275). Therefore, one can say that whoever argues wants to be rational and bring about consensus. The decision to accept norms thus begins with the decision to partake in a discourse. For this reason, the arguer presupposes ethical norms, even when they pursue substantively immoral or even unlawful ends in their argumentation.

In the real argumentation community, participants do not always argue morally-rationally, after all, but often purpose-rationally. They pursue goals that are not motivated by the implementation of norms but by achieving specific goals. However, if these goals are to be achieved through linguistic actions, they must, in turn, accept norms that are already presupposed in any form of argumentation. The above-mentioned initial thesis of instrumental reason is thus transformed from the initial pessimistic situation, viz. rationality can also be instrumentalised for immoral purposes, into an optimistic theory. Everyone has to accept moral norms in their verbal disputes in order to be able to communicate meaningfully at all. "Said in another manner: whoever argues seriously has already also accepted a postulate of practical reason or a regulative idea, as is demanded […] and postulated by discourse ethics" (Apel 1994, 208).

From this transcendental philosophical insight into the foundations of argumentation, certain norms can now be derived, which discourse ethics states as normative ethics. Often this list of norms is divided into three areas: (L) a logical, (D) a dialectical, and (R) a rhetorical level. A long list of these

_____

norms and a discussion of some of them can be found in (Stansbury 2009). In the following, only three examples of these norms from the three areas are presented. Some of them will be taken up again in the further sections:

    (L1) No speaker may contradict themselves.
    (D1) Every speaker may only assert what they believe.
    (R1) Every speaker is allowed to question any assertion whatever.

As described above, the fact that argumentation takes place always indicates a possible or emerging verbal dispute. We can speak here of a 'real communication community' (Apel 1980, 280), which we can identify in every form of argumentation and verbal dispute. However, the implicit goal of this real communication community must have in mind an ideal communication community through the already implicit recognition of the norms of discourse ethics. If this ideal communication community has been achieved in the long run (Apel 1994, 208), the dissent of the real communication community has been transformed into a far-reaching consensus. This transformation also names the regulative principle of discourse ethics: the real communication community should become the ideal one, the dissent should become consensus through rational argumentation.

2. Eristic

Already in antiquity, those arts that did not aim at truth, validity, and the observance of norms but the pure success of the argument were called eristic.[1] Eristic gets its name from *Eris*, the Greek goddess of discord and strife. Plato refers to the technique of the sophists in this way (e.g., Soph. 225 c ff.), and Aristotle also speaks of a *syllogismos eristikos* (συλλογισμός ἐριστικός) as a particular case of a fallacy or sophism (e.g., Top. I, 1, 100 b 23-25). Over the centuries, different philosophers, especially Megarics, were repeatedly referred to pejoratively as Eristics. In post-Kantian transcendental philosophy, eristic (as a discipline) is again gaining interest and is presented there (e.g., together with sophistry and pirastic) as a form of dialectic (Herder II, 291). Today's approaches to eristic go back in particular to the classical texts of that time, and the most well-known classical study of eristic to date comes from the philosopher Arthur Schopenhauer (e.g., Nęcki 2019; Marciniak

_____

[1] For an overview of the history of eristic up to Schopenhauer, see Hodges & Read 2010 and Dietz (1994).

_____

2020; Hordecki 2021). Schopenhauer's eristic is frequently used in disciplines such as law (e.g., Rescher 1977, 2; Struck 2005, 521; Stelmach & Brozek 2006; Lübbig 2020), fuzzy logic (Tarrazo 2004), ludics, or Artificial Intelligence (e.g., Quatrini 2008; Fouqueré & Quatrini 2012).

Schopenhauer's original approach follows the above classification of transcendental philosophy. He dealt with eristic in several periods of his work. Schopenhauer's best-known treatise on eristic is a handwritten fragment that dates back to 1830/31. This fragment does not bear a clear title, but it was first published entitled *Dialectic* (Schopenhauer 1864), then *Eristic Dialectic* (Schopenhauer 1970), and finally there is the well-known *The Art of (Always) Being Right* or *The Art of Winning an Argument* (Schopenhauer 1983; Schopenhauer 2012). The last title, in particular, has led to many misunderstandings, resulting, among other things, from the fact that Schopenhauer was generally misinterpreted as a pessimistic and life-denying philosopher. However, before I try to clarify this misunderstanding or misinterpretation in the next section, I would like to outline this text's contents briefly .

The fragment offers a short historical-systematic part on logic and dialectics and about forty argumentative artifices, so-called *stratagems* or *strategemata* (cf. Chichi 2002, 169, note 29) partly with practical case studies. While the first part clarifies the status of eristic (esp. concerning logic and other philosophical disciplines), the actual eristic is found in the second part. This second part can also be divided into two sections: the first one (Schopenhauer 1970, 677f.) establishes a "basis" and thus provides "the basic framework, the skeleton of every disputation." This is followed (ibidem, 678-695) by the 38 artifices or strategemata, which can again be divided into three parts by subsuming the strategemata 7–18 under the *erotematic*, i.e., the Socratic or question-using method (Chichi 2002, 177). For an orderly presentation, we can therefore speak of pre-erotematic (No. 1–6), erotematic (No. 7–18), and post-erotematic (No. 19–38) strategemata. Chichi (2002, 177f.) offers further classification criteria and a well-elaborated table of all art that grasps with their function and their respective Aristotelian equivalents (ibidem, 171-175). Struck (2005) provides current case studies that prove the practical relevance of Schopenhauer's dialectic.

An excellent example of such an artifice is No. 20, called *fallacia non causae ut causae*. Speaker *A*, who applies this stratagem, first constructs a conclusion, which is the goal of their argumentation. *A* uses the above-given rule

_____

R1 for this[2] but violates D1 in the course of the argument since *A* knows that the conclusion does not necessarily follow from the premises. For this very reason, *A* also uses stratagem 20 and not a valid deduction. In other words, *A*'s intention is that the speaker *B* accepts the conclusion, 'no matter what the price.' First, *A* gradually gives premises to *B* in the form of questions. If *B* has then confirmed *A*'s questions, *A* now draws the conclusion themselves, which *A* assumed *B* would neither have accepted as a question nor put forward as a statement themselves (since the inference from the premise to the conclusion is not correct).

Stratagem 20 can be thought of as something like the following scheme. *A*: "You would say that p is the case, wouldn't you?"—*B*: "Yes, I think so."— *A*: "And you would also say that q is the case, wouldn't you?"—*B*: "Yes, q may be the case."—*A*: "Well, then we have r, because you know that r follows from p and q!"

Schopenhauer's eristic not only has the peculiarity of offering a list of strategemata constructed according to a similar scheme as trick 20 just presented. Some of his treatises on eristic also use Eulerian diagrams, often mapping the relation of more than 30 concepts, which can then be read as graphs (cf. Moktefi 2020; Moktefi/Lemanski 2018). These diagrammatic techniques appear above all in § 9 of his main work, *The World as Will and Representation* (1819), and in the so-called *Berlin Lectures* that Schopenhauer wrote in the 1820s (cf. Dobrzański/Lemanski 2020; Lemanski/Dobrzański 2020). Figure 1, for example, shows how the semantics of concepts can be constructed so that one of two contradictory outcomes can be chosen. In the case of Figure 1, the two contradictory argument goals are: (1) "travelling is something evil," (2) "travelling is something good." One starts from the concept of 'travelling' in the middle and constructs arguments using concepts that tend to be 'evil' (right side) or 'good' (left side of Fig. 1).

This technique can also be combined with the stratagem 20 given above. For example, if *A* wants to argue for (1), one can imagine the following scenario: *A*: "You would say that travelling is expensive, wouldn't you?"— *B*: "Yes, I think so."—*A*: "And you would also say that something expensive causes loss, wouldn't you?"—*B*: "Yes, you could say that."—*A*: "And you would also say that if you have a lot of loss, you become poor, right?"— *B*: "Right."—*A*: "And being poor is something bad or evil, right?"—*B*: "Yes, definitely."—*A*: "Well, then it's clear that travelling is something evil!"

_____

[2] Here, of course, it must be mentioned that R1 is not used as a request, but as a suggestive question.
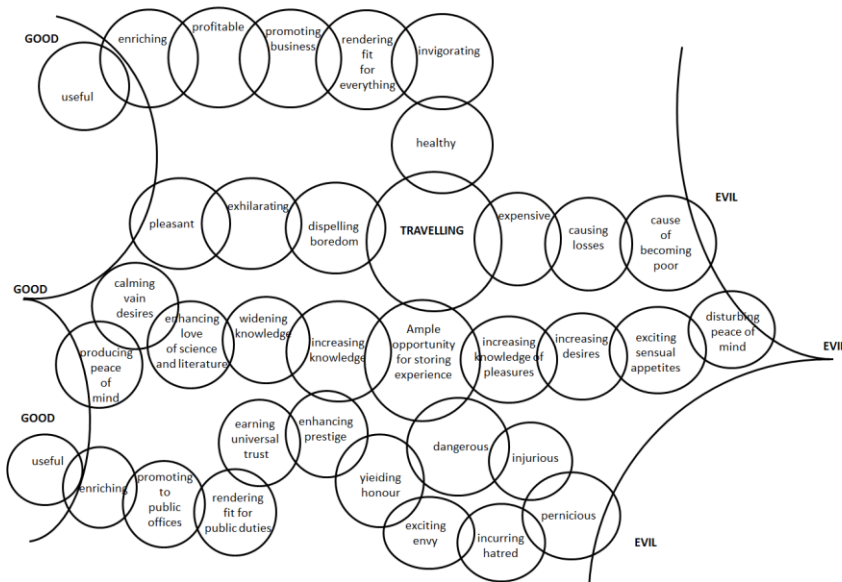
Fig. 1. Schopenhauer 2010, § 9

As Schopenhauer (1913, 364) says, many techniques in which discourse ethical norms are deliberately violated are based on conceptual shifts: for example, in the diagram, one sees only intersections of conceptual spheres, while in the verbal dispute, it is suggested that these are real subsets (e.g., $p \subseteq q$ instead of $p \cap q$). We must therefore assume that *A* chose stratagem 20 because *A* knew that there is actually no necessary conceptual or inferential relationship between travelling and something evil. Since *A* could not present the deductive derivation convincingly, *A* asks *B* to confirm the premises so that the conclusion appears more convincing. In doing so, however, *A* deliberately used R1 but violated D1.

3. Eristic as a Complement to Discourse Ethics

In this concluding section, I will argue for understanding eristic as a complement to discourse ethics. To this end, I will show that Schopenhauer did not understand eristic as an art of being right, but as an art of protecting oneself from the one who wants to win an argument (no matter what the cost). Thus, eristic already presupposes a violation of the norms of discourse ethics (such as D1 in the above-discussed example). In other words, as long as the real communication community has not been transformed into an

_____

ideal one, some speakers repeatedly violate the norms inherent in argumentation. So that interlocutors are not helplessly exposed to these moral violations, there must be a discipline to clear up such abuses. This means of elucidating a deliberate violation of norms is eristic.

Schopenhauer's eristic has long been misunderstood as the art of being right or winning an argument. Schopenhauer himself (Schopenhauer 1970, 668, 671, 675) introduced the wording of those titles (the art of being right, *et cetera*), which was meant as a translation of the Greek concept *eristike techne* (ἐριστικὴ τέχνη). However, a more direct translation would have been "the technique of verbal dispute." However, the title for Schopenhauer's writing only came into use in the late 20th century and gave the work a significant boost in popularity. Although Schopenhauer, as mentioned above, uses the expression "the art of being right" himself in the fragment, the idea of the modern title is probably borrowed from the best-selling book by Karl-Otto Erdmann (*Die Kunst Recht zu behalten*) and is, therefore, nothing more than a marketing strategy (Gutenberg et al. 2020). After all, these titles suggest a powerful tool that attracts renewed attention among lawyers, managers, or business people and attracts attention in the age of post-truth politics and alternative facts. Politicians and influencers who do not adhere to rational values but only want to achieve goals in a purposive rational way see this writing as a suitable means for their purposes.

Since Schopenhauer's late writings, in particular, have been misinterpreted since the late 19th century as pessimistic and life-denying (Beiser 2018), it is still evident to many recipients today to interpret Schopenhauer as an opponent of discourse-ethical norms. However, the opposite is the case. As can be seen especially in Schopenhauer's early work, his philosophy is not in the service of a pessimism turned away from the world and norms, but in the service of the Enlightenment. As he emphasises several times in his main work and also in connection with eristic, he writes for "the culture of a mature age" (Schopenhauer 2010, 298): "because this 19th century is a philosophical century", which means "that the century is ripe for philosophy" (ibidem, 70). For this reason, Schopenhauer even renounces normative ethics (such as discourse ethics) and instead restricts his philosophy to descriptive ethics:

> The perspective we have adopted and the method we have specified should discourage any expectation that this ethical book will contain precepts or a doctrine of duty; still less will there be any general moral principle, a universal formula, as it were, for generating virtue. There will be no talk of an 'unconditional ought' […]. We will not talk about 'oughts' at all: that is how you talk to children, or to nations in their infancy […] (ibidem, 298).

_____

For humankind, which has come of mature age, is not to be prescribed by philosophy or religion, since human beings themselves have a natural reason that enables them to recognise what is right and wrong. In ethics, philosophy should only provide a conceptual repertoire. Thus, the philosopher only offers the recipient a precise conceptual tool to classify facts and actions. On the other hand, evaluating these classified concepts is the responsibility of the person who has come of a mature age.

Despite these seemingly optimistic tendencies concerning the zeitgeist, Schopenhauer is well aware of the downside of the philosophy of reason. Schopenhauer shares some insights with the Frankfurt Institute for Social Research, which led to intensive research by Max Horkheimer, Theodor W. Adorno, and Alfred Schmidt (e.g., Birnbacher 2002; Jeske 2018): apparent anticipation of the theory of instrumental reason can be seen, for example, in Schopenhauer's repeatedly stated thesis "that rational action and virtuous action are two completely different things; that reason can find itself in alliance with great wickedness just as well as with great goodness" (Schopenhauer 2010, 112).

If reason (similar to critical theory) is a neutral instrument and can be used for good as well as for evil, and if, moreover, every human being possesses an individually strong capacity for reason, then it is helpful to establish a scientific discipline such as eristic or dialectics including "general strategemata" that protect against the dishonest use of rational arguments. "The main task of scientific dialectics in our sense is, therefore, to tabulate and analyse those tricks of dishonesty in discourse: so that in real debates, they may be recognised and defeated at once" (Schopenhauer 1970, 676; my transl.).

Schopenhauer's text is not always clear in his presentation of the strategemata. Several times in the examples of the strategemata, there is talk of an 'I,' which sometimes takes the place of the unethical arguer (the perpetrator), sometimes the place of the discussion partner (the victim). However, on the one hand, one must consider that Schopenhauer's most famous fragment on eristic was not intended for print (Hordecki 2021, Sect. 2). On the other hand, one repeatedly finds normative-seeming formulations in Schopenhauer's complete oeuvre, which the author himself did not intend to be normative but descriptive. The above quotation clearly shows that the aim of eristic is not to set up techniques for unethical argumentation but to protect oneself from unethical arguments.

Thus, eristic dialectics is the descriptive reverse of the normative forms of discourse ethics: if the norms of discourse are violated, the person who has come of mature age recognises the transgression of norms thanks to the

classified strategemata. They now have the conceptual repertoire to defend themselves against this violation of norms. This defence can be done, for example, by naming and pointing out the stratagems that contradict the norms of discourse ethics. So, in our example given in Section 3, *B* could point out to *A* that *A* is violating norms of discourse because *A* has committed a *fallacia non causae ut causae*. By using diagrammatic techniques, *B* also has a means of showing to third parties why argument (1) 'travelling is something evil' is not necessarily valid. Finally, using other premises, one could also argue for the opposite (2). However, if *A* were to concede this, they would have to revise or at least relativise their one-sided conclusion in order not to come into conflict with norm L1.

An eristic dialectic in the Schopenhauerian sense is thus not an 'art of being right,' but a descriptive catalogue of stratagemata and a diagrammatic tool for purely preventive purposes (cf. also Chichi 2002, 165, 170; Gutenberg et al. 2020). Strictly speaking, eristic thus conveys the art of defending oneself against those who want to be right by dishonest means. According to Schopenhauer, such an approach is an "uncultivated field" (Schopenhauer 1970, 676). He had only put together a few initial drafts for such a scientific eristic, which can be seen as a supplement to discourse ethics. If one were to elaborate on Schopenhauer's eristic further, it would thus make sense to analyse the strategemata and the norms of discourse ethics that are violated by these strategemata. Particularly in our day and age, when the norms of rational discourse are increasingly being violated, more intensive exploration of eristic seems once again to be a significant undertaking.

Acknowledgement

Bibliography

1. Apel Karl-Otto (1980), *Towards a Transformation of Philosophy*, trans. G. Adey & D. Fisby, London: Routledge & Kegan Paul.
2. Apel Karl-Otto (1994), *Selected Essays. Volume One. Towards a Transcendental Semiotics*, ed. Eduardo Mendieta, New Jersey: Humanities Press.
3. Apel Karl-Otto (1996), *Selected Essays. Volume One. Towards a Transcendental Semiotics*, ed. Eduardo Mendieta, New Jersey: Humanities Press.

_____

4. Apel Karl-Otto (2001), *The Response of Discourse Ethics: To the Moral Challenge of the Human Situation as such and Especially Today (Mercier lectures, Louvain-la-Neuve, March 1999)*, Leuven: Peeters.

5. Beiser F. (2018), *Weltschmerz. Pessimism in German Philosophy, 1860-1900*. Oxford: Oxford University Press, 2018.

6. Birnbacher Dieter (2002), "Schopenhauer und Adorno – philosophischer Expressionismus und Ideologiekritik", [in:] D. Birnbacher, A. Lorenz, L. Miodonski (eds.), *Schopenhauer im Kontext. Deutsch-polnisches-Symposium 2000*, Würzburg: Königshausen & Neumann, pp. 223-239.

7. Chalmers David (2011), "Verbal Disputes", *Philosophical Review*, 120 (4), pp. 515-566.

8. Chichi Graciela Marta (2002), "Die Schopenhauersche Eristik. Ein Blick auf ihr Aristotelisches Erbe", *Schopenhauer-Jahrbuch*, 83, pp. 163-183.

9. Dietz Richard (1994): "Eristik", [in:] G. Ueding (ed.), *Historisches Wörterbuch der Rhetorik. Band 2: Bie bis Eul. Berlin*, Boston: de Gruyter, pp. 1389-1414.

10. Dobrzański Michał & Lemanski Jens (2020), "Schopenhauer Diagrams for Conceptual Analysis", [in:] Ahti Veikko Pietarinen, P. Chapman, Leonie Bosveld-de Smet, Valeria Giardino, James Corter & Sven Linker (eds.), *Diagrammatic Representation and Inference. Diagrams 2020. Lecture Notes in Computer Science, vol 12169*, Cham: Springer, pp. 281-288.

11. Fouqueré Christophe & Quatrini Myriam (2012), "Un cadre formel issu de la théorie de la démonstration pour la théorie de l'argumentation.", *Mathématiques et sciences humaines*, 198 (2), pp. 49-83.

12. Fouqueré Christophe & Quatrini Myriam (2012), "Ludics and Natural Language: First Approaches", [in:] D. Béchet, A. Dikovsky (eds.), *Logical Aspects of Computational Linguistics. LACL 2012. Lecture Notes in Computer Science, vol 7351*. Berlin, Heidelberg: Springer, 21-44.

13. Gutenberg Norbert, Herberger Maximilian, Riemer Peter (2020), „Zur Einführung. Von den ‚sophistischen Widerlegungen' zur ‚Kunst, Recht zu behalten': Trugschlussanalyse und Manipulationskritik". [in:] *Aristoteles – Schopenhauer – Erdmann. Basistexte zur Eristik*, Berlin: Frank & Timme, pp. 7-15.

14. Herder Johann Gottfried (1799), *Eine Metakritik zur Kritik der reinen Vernunft Vernunft und Sprache: mit einer Zugabe, betreffend ein kritisches Tribunal aller Facultäten, Regierungen und Geschäfte*, 2 vols, Leipzig: Hartknoch.

15. Hodges Wilfrid & Read Stephen (2019), "Western Logic", *Journal of Indian Council of Philosophical Research*, 27 (1), pp. 13-47.

16. Hordecki Bartosz (2021) "Dialektyka erystyczna jako sztuka unikania rozmówców nieadekwatnych", *Res Rhetorica*, 8 (2), pp. 118-129.

17. Jeske Michael (2018), "Kritische Theorie", [in:] D. Schubbe & M. Koßler (eds.) *Schopenhauer-Handbuch*, 2nd ed., Stuttgart: Metzler, pp. 368-374.

18. Lemanski Jens & Dobrzański Michał (2020), "Reism, Concretism and Schopenhauer Diagrams", *Studia Humana*, 9 (3/4), pp. 104-119.

19. Lemanski Jens & Moktefi Amirouche (2018), "Making sense of Schopenhauer's Diagram of Good and Evil", [in:] G. Stapleton, P. Chapman et al. (eds.), *Diagrammatic Representation and Inference. 10th International Conference, Diagrams 2018, Edinburgh, UK, June 18-22, 2018, Proceedings*. Cham: Springer, 721-724.

_____

20. Lübbig Thomas (2020), *Rhetorik für Plädoyer und forensischen Streit. Mit Schopenhauer im Gerichtssaal*. München: Beck.

21. Marciniak Agata (2020), "Wprowadzenie do erystyki dla pedagogów – Logos. Poprawność materialna argumentu", *Studia z Teorii Wychowania*, 11:4 (33), pp. 59-85.

22. Moktefi Amirouche (2020), "Schopenhauer's Eulerian Diagrams", [in:] Jens Lemanski (ed.), *Language, Logic, and Mathematics in Schopenhauer*, Cham: Birkhäuser, pp. 111-127.

23. Nęcki Zbigniew (2019), "Chwyty negocjacyjne – przegląd zagadnień", *Acta Universitatis Lodziensis, Folia Litteraria Polonica*, 48 (2), pp. 129-146.

24. Rescher Nicholas (1977), *Dialectics. A Controversy-Oriented Approach to the Theory of Knowledge*, Albany, NY.

25. Schopenhauer Arthur (1864), "Dialektik", [in:] Arthur Schopenhauers handschriftlicher Nachlas, ed. by Julius Frauenstadt, Leipzig.

26. Schopenhauer Arthur (1913), *Philosophische Vorlesungen (Sämtliche Werke IX)*, ed. P. Deussen, F. Mockrauer, München: Piper & Co.

27. Schopenhauer Arthur (1970), "Eristische Dialektik", [in:] Der Handschriftliche Nachlaß, Vol. III: Berliner Manuskripte 1818-1830, ed. Arthur Hübscher, Frankfurt a.M.: Kramer, 1970, pp. 666-695.

28. Schopenhauer Arthur (1983), *Die Kunst, Recht zu behalten, in 38 Kunstgriffen dargestellt*, ed. G. Haffmans. Zürich.

29. Schopenhauer Arthur (2010), *The World as Will and Representation I*, eds. Judith Norman, Alistair Welchman & Christopher Janaway, Cambridge: Cambridge University Press.

30. Schopenhauer Arthur (2012), *The Art of Always Being Right: The 38 Subtle Ways to Win an Argument*, ed. A.C. Grayling, London: Gibson Square.

31. Stansbury Jason (2009), "Reasoned Moral Agreement: Applying Discourse Ethics within Organisations", *Business Ethics Quarterly*, 19 (1), pp. 33-56.

32. Stelmach Jerzy & Brozek Bartosz (2006), "Argumentation", *Methods of Legal Reasoning*, Springer, Dordrecht, pp. 111-165.

33. Struck Gerhard (2005), "Eristik für Juristen. Konzeptuelle Überlegungen und praktische Beispiele", [in:] Kent D. Lerch (ed.), *Die Sprache des Rechts. Bd. 2: Recht verhandeln. Argumentieren, Begründen und Entscheiden im Diskurs des Rechts*, Berlin et al., pp. 521-549.

34. Tarrazo Manuel (2004), "Schopenhauer's Prolegomenon to Fuzziness", *Fuzzy Optimization and Decision Making*, 3, pp. 227-254.

35. Tindale Christopher W. (2004), *Rhetorical Argumentation. Principles of Theory and Practice*, London et al.: Sage.

36. Quatrini Myriam (2013), "Une lecture ludique des stratagemes de Schopenhauer", *Influxus*, 2013, [online] http://www.influxus.eu/article615.html.