

# The system model of argumentation in a comparative study of texts by Kant and Solovyov

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**Abstract.** There is a noteworthy methodological approach which is based on the system model of argumentation (SMA) proposed by V.N. Bryushinkin. Argumentation theory is used to reconstruct the implicit presuppositions of philosophical systems or their fragments. The results of a comparative analysis of philosophical and legal texts by Immanuel Kant and Vladimir Solovyov are presented as well as the reconstruction of their world models performed by Bryushinkin using the SMA. A summary is given of Bryushinkin's reconstruction of Kant's and Solovyov's arguments concerning the law of retribution (the death penalty). The SMA methodology is shown to highlight differences between the views of the two philosophers on the death penalty, rooted in variations between their world models. Bryushinkin's reconstruction of the world models of Kant and Solovyov, based on fragments of their texts on specific problems of the philosophy of law (punishment and retribution, the death penalty), provides insights into their fundamental ideas on relations between society and the individual and the values underlying these relations. The SMA seems an elegant and rational methodological tool for philosophical text interpretation. We introduce the concepts of world model and philosophical thinking style to describe unique ways to express meanings in a text.

**Keywords:** Kant, Solovyov, world model, system model of argumentation, style of philosophical thinking, law of retribution, rationality

## 1 Introduction

There are argumentation structures in any philosophical text. Yet, historians of philosophy often confine themselves to terminological and content analysis of texts and overlook the potential of a logical-argumentative approach to text interpretation. We believe that reconstructing the logical structure of argumentation and looking at the rhetorical characteristics of a text is equally essential to historical-philosophical research, as this helps identify authors' philosophical ideas and world views, as well as the stylistic and cultural features of their philosophical thought. In this context, the work of Vladimir N. Bryushinkin

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is of significant methodological interest since it demonstrates the effectiveness of a system logical-argumentative approach. This article discusses the distinctive features of such an approach, describes its basic notions and shows how it can be applied to compare Kantian and Solovyovian texts and what results it can yield.

The system model rests on an original definition of argumentation, which we consider necessary to cite here and keep in mind when using Bryushinkin's methodology: "Argumentation is a set of persuasion processes manifested in sequences of statements, enclosed between two poles: the logical and mathematical proof in formal languages and the influence on the unconscious components of the addressee's psyche" (Bryushinkin, 2006, p. 13)

## 2 System model of argumentation

Since the beginning of the twenty first century, the Department of Philosophy and Logic of Kaliningrad State University (currently IKBFU) has been developing a *system model of argumentation* (SMA) proposed by Bryushinkin. The model combines logical, cognitive, and rhetorical approaches to argumentation. Their synthesis provides "the best approximation to the real processes of reasoning in a text" and, at the same time, makes it possible to abstract from "everything random and incidental found in any argumentative context" (Bryushinkin, 2000, pp. 140-141). According to Bryushinkin, working with philosophical text has two key components. The first is "building a model of argumentation which adequately reflects real argumentation processes in selected texts". And the second is "identifying implicit presuppositions in philosophical texts" (*ibid.*, p. 155). He emphasises that comparative philosophy uses philosophical texts to reveal the foundations of the national cultures of their authors.

These foundations can either be clearly expressed or implicit but amenable to reconstruction. In this regard, Bryushinkin (2004, pp. 68-69) writes: "The unlocking is done by comparing the structure and content of philosophical systems from different cultures. For example, the difference in basic premises, even when conclusions and reasoning are similar, tells a lot about the foundations of cultures. In this regard, comparative studies can provide essential information about the cultures to which authors of philosophical texts belong."

By highlighting logical-cognitive-rhetorical structures in texts, the SMA offers a specific set of tools for solving fundamental problems of cultural studies, such as identifying world images, archetypal ideas and the structure of a national mindset. The SMA also supplies a general framework for comparing different philosophical systems; it is a cross-cultural philosophical methodology providing a mechanism for comparing philosophical judgments. Such a methodology for analysing argumentative aspects of a text emphasises the cultural factor in the uniqueness of a philosophical system. And it does so without underestimating the contribution of an author's style of philosophising.

Since philosophical texts can differ stylistically, an accurate reconstruction should focus on one dominant subsystem in the three-component model. For science-like works which exhibit a high degree of rationality, this is the logical subsystem, whilst for fiction-like philosophical texts, this is the rhetorical subsystem.<sup>1</sup>

The concepts of thinking style and scientific thinking style appeared in Russian epistemology in the second half of the twentieth century. Liudmila Mikeskina considers the style of scientific thinking a system element of prior methodological structures in scientific cognition. The style of scientific thinking is a multi-component form of knowledge. Therefore, as Mikeskina (2005, p. 344) notes, the concept of the style of scientific thinking has both individual psychological meaning and normative meaning, the latter associated with

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<sup>1</sup> An example of the latter is Friedrich Nietzsche's *Thus Spoke Zarathustra* (see Bryushinkin, 2010).

the idea of a canon or a model and more applicable to a natural science picture of the world. Yet, these two approaches are one-sided. Mikeschina (2005, p. 345) defines the style of scientific thinking as “a historically established stable system of generally accepted methodological standards and philosophical principles that guide researchers in a given era”.

There is no doubt that the exteriorisation of philosophical ideas presupposes a specific style of philosophical thinking. We will use the term “epistemological style” to refer to a system of socio-culturally and psychologically rooted logical, methodological and rhetorical techniques, concepts and problems common to the cognitive experience of scientists of different worldviews and generations. The concept of epistemological style is synonymous with that of philosophical thinking (or philosophising) style. Yet, the former pays greater attention to the philosophical component of the intellectual *oeuvre* of a thinker. The style of philosophical thinking is a kind of “intellectual signature” of a philosopher.

Bryushinkin’s comparative study of the practical philosophy texts by Kant and Solovyov (Bryushinkin, 1993; 2002b) is of particular interest as it reconstructs the distinctive styles of the philosophical thinking of the two authors. He argues that the principal difference between the philosophical and legal views of Kant and Solovyov concerns proportionality between crime and punishment. Bryushinkin focuses on the law of retribution (the death penalty), reconstructing its content from “Metaphysical Principles of the Doctrine of Law” (section “On the Right to Punish and to Grant Clemency”) by Kant and *Justification of the Moral Good* (Chapter 15 “The Penal Question from the Moral Point of View”) by Solovyov.<sup>2</sup>

### 3 Kant’s argumentation vs Solovyov’s argumentation

This section summarises Bryushinkin’s reconstruction of Kant’s and Solovyov’s arguments concerning the law of retribution (the death penalty).

#### 3.1 Kant’s argumentation

1. The law of retribution arises as a rationale for the right to punish and for proportionality between crime and punishment.

2. The law of retribution is deduced as follows: “*Punishment by a court* [...] can never be inflicted merely as a means to promote some other good for the criminal himself or for civil society [...]. For a human being can never be treated merely as a means to the purposes of another” (MS, AA 06, 331; Kant, 1996, p. 473).

3. Postulating the value of strict justice: “...justice ceases to be justice if it can be bought for any price whatsoever” (MS, AA 06, 332; Kant, 1996, p. 473).

4. The value of justice is the only basis for the law of retribution: “But only the law of retribution... can specify definitely the quality and the quantity of punishment; all other principles are fluctuating and unsuited for a sentence of pure and strict justice because extraneous considerations are mixed into them” (*ibid.*).

5. The principle of proportionality of crime and punishment: “...whatever undeserved evil you inflict upon another within the people, that you inflict upon yourself” (*ibid.*).

In his analysis of this argumentation (point 2), Bryushinkin stresses that Kant’s deductive reasoning contains an inference whose conclusion does not follow from the premise because of the fallacy of equivocation. Further, a four-term fallacy occurs, precluding a correct deduction. The premise has the term “the purposes of another”, whilst the term used in the conclusion is “some other good” for the criminal or society. Logical fallacies prove to be yet another source of essential information for the text interpreter: “This gap in the reasoning

<sup>2</sup> For a more formal analysis of Solovyov’s arguments, using logical modelling and cognitive mapping, see Tokaeva (2006).

means that there are some implied premises significant for further deduction of the law of retribution. Kant seeks to prove that punishment is a purpose in itself. Therefore, no other purposes should be taken into account when determining the measure of punishment, not even the purposes of the criminal or society (for example, reformation or moral rebirth): ‘The law of punishment is a categorical imperative’” (Bryushinkin, 1993, p. 119).

The analysis of Kant’s argumentation leads Bryushinkin to conclude that the German philosopher formulates the principle of proportionality between crime and punishment based on reason alone. “Kant builds upon the only value of reason in this area, i.e. justice, which takes the form of retributive justice as far as the right to punish is concerned” (*ibid.*).

### **3.2 Solovyov’s argumentation**

1. The law of retribution is a “direct contradiction of the moral principle” (Solov’ëv, 2015, p. 269) and is incompatible “with even the slightest modicum of developed human sensibility (which, by the way, is expressed in the fact that the same people, or at least the Russian people, call criminals the unfortunate ones)” (*ibid.*) since it considers “offender or criminal [...] a passive object of retribution” (*ibid.*).

2. Retribution is “repaying evil with evil and suffering with more suffering” (*ibid.*, 273). But since the law is a “compulsory demand to realize a definite minimal moral good” according to Solovyov (*ibid.*, 331), such a principle should be completely excluded from the legal treatment of criminals.

3. The principle of retribution is not universal, and, as for the doctrine of retribution, “there is only one case in which it seems applicable: the death penalty for murder” (*ibid.*, 276).

4. The principle of retribution cannot restore the violated right. Firstly, the execution of the murderer does not resurrect the victim, and taking the life of the murderer does not reinstate the victim's right to life. Secondly, the state is interested in the rule of law, and all offences violate the law. Equal retribution required for all crimes contradicts the principle of proportionality between crime and punishment (exact recompense).

5. The law of retribution does not guarantee proportionality between crime and punishment. Since a crime and the damage caused by it are irrevocable, no punishment can restore the positive right of the victim. According to Solovyov, a positive act of the law is the negation of the evil will of the criminal. Only the criminal’s active repentance can negate it: “It turns out that the law of retribution produces two corpses, whilst the result of the negation of the evil is the moral rebirth of the criminal” (Bryushinkin, 1993, p. 121).

6. The law of retribution is too abstract and cannot determine a specific punishment commensurate with a particular crime. Solovyov considers the penal law in a broader context that includes the rights of the victim, society, and the criminal. The victim has the right to defence; society, to security; and “[t]he criminal has a right to instruction and reform” (Solov’ëv, 2015, p. 287).

## **4 Reconstruction of the world models of Kant and Solovyov**

Following the content analysis of Kant’s and Solovyov’s argumentations, Bryushinkin applies argumentation theory to reconstruct the “implicit premises that constitute the presuppositions of philosophical systems or their fragments” (Bryushinkin, 2002b, p. 10). He maintains that thinkers take these presuppositions from their cultures. The central concept for reconstruction is the world model – a combination of the cultural foundations of a philosophical worldview presented implicitly in the texts of any thinker (see *ibid.*, p. 12). The world model is “a set of representations of objects, their attributes and relations distinguished by the subject in the domain of interest”, i.e. “a set of signs that in the mind of a subject serve

as representatives of objects of the sphere of reality that interests them and the properties and relations defined by them as known to the subject” (Bryushinkin, 2007, p. 136). The model is reconstructed using the SMA, which provides a solid basis for comparing different texts. Differences in the philosophers’ stances on the death penalty arise from differences in their world models. The specifics of working with philosophical texts are essential here as the foundations of the worldview of a philosophising person are constantly submitted to reflection. At the same time, explicit reflections may differ from implicit representations hidden in the “background” (culturally and historically rooted certainties).

#### **4.1 Kant’s world model**

According to Bryushinkin’s reconstruction, the Kantian world model is a model of autonomous individuals, based on external freedom and responsibility (Bryushinkin, 2002b, p. 24). Society is a set of autonomous individuals united by laws of reason (the categorical imperatives of morality and law). The principal features of the Kantian world model reconstructed by Bryushinkin are as follows.

1. At the basic level of this model, there are individuals enjoying external freedom. Social relations are derived from the characteristics of individuals and are determined by them.
2. Society is a set of autonomous individuals united by laws of reason.
3. An autonomous subject can detach himself from another subject’s internal states and limit himself to respecting the latter’s external freedom. Thus, the damage inflicted on one individual does not necessarily impact the internal state of another. Retribution and the death penalty as its inevitable consequence become acceptable this way.
4. Human beings have a natural propensity to evil, despite the freedom of moral choice. Therefore, choosing good means making the effort to overcome an innate inclination. Since preference for good requires an act of will, the choice of good is, according to Kant, freer than that of evil (Bryushinkin, 2002b, pp. 24, 29-30).

Based on the results of his reconstruction, Bryushinkin supposes that the paradigm for Kant’s world model was Newtonian mechanics, in which interactions between material particles follow certain laws. The Kantian model of social interactions is purely rationalistic.

#### **4.2 Solovyov’s world model**

According to Bryushinkin’s reconstruction, Solovyov’s world model suggests the following postulates: the limits of external freedom of an individual cannot be defined since every person is in a complementary spiritual relationship with another. And this relationship has no predictable, computable or consistent equivalent. Solovyov sees an individual as a system of connections to others (*ibid.*, pp. 26-27). The central features of Solovyov’s world model reconstructed by Bryushinkin are as follows.

1. Relations in society are of essential significance: “...each single individual is merely the center of an infinite number of interrelations with another and with others” (Solov’ëv, 2015, p. 177).
2. In the system of society, each individual is connected to others: “[...] society is a supplementary or expanded individual, and the individual is a compressed or concentrated society” (*ibid.*, p. 181). Relations between individuals in Solovyov’s model are determined by the metaphysics of all-unity, i.e. the unification of all that exists.
3. The main type of relationship in Solovyov’s model is complementary. Therefore, a person in this model does not have a clear external limit, and there are no limits to one’s external freedom.
4. Human beings have a natural predisposition to good. The morals of human nature (shame, pity, and piety) indicate an inclination to good. When choosing evil, a person

overcomes the resistance of human nature. Therefore, preference for evil is an act of free will (Bryushinkin, 2002b, pp. 24-30).

Overall, Solovyov's world model presupposes some irrationality in social interactions.

A system analysis of argumentation shows that both philosophers view nature and freedom as essential human attributes. Their understanding, however, differs. For Kant, freedom means choosing good despite the natural inclination to evil. Solovyov, on the contrary, links freedom to egoism and evil, whilst a person is naturally inclined to good. Their differences on the problem of punishment and the death penalty arise, according to Bryushinkin, from Kant and Solovyov basing their philosophical systems on different world models. At first glance, the positions of these independent and system philosophers seem determined by external general cultural thinking patterns embedded in world models. But how can we explain the distinctness of their philosophical positions, and most importantly, the unique conceptualisation methods in their texts (compared to those of other thinkers of the same cultural background)? In our opinion, the methodological concept of philosophical thinking style (the epistemological style applied to an author's philosophical reflection) shifts the focus to the individual in a text.

## 5 Conclusion

Elena Lisanyuk (2016, p. 36) points to considerable benefits that the SMA offers as a methodological strategy for analysing argumentation: "In the SMA, argumentation has an instrumental nature as it is used for studying disputed views to identify and reconstruct the qualitative structure (world model) of the recipient of argumentation, which, in turn, significantly contributes to the objectivity of research into ethnic and cultural communities, personal and social identity."

The results of Bryushinkin's reconstruction of the world models of Kant and Solovyov based on fragments of their texts on specific problems of the philosophy of law (punishment and retribution, the death penalty) reveal the fundamental ideas of the two thinkers. These are their views on relations between society and the individual, as well as on the value foundation of these relations. Thus, the SMA is an elegant and rational methodological tool for philosophical text interpretation. By comparing texts by Kant and Solovyov, Bryushinkin establishes convergences and divergences in the philosophical and legal views of the philosophers while identifying their common positions and criteria for analysis. The obtained meta-conclusions about the deep cultural foundations of the styles of reasoning of the great thinkers were developed in Bryushinkin's reflection on modern cultural and philosophical problems. For instance, in the paper "The Phenomenology of the Russian Soul" Bryushinkin (2005, p. 30) singles out distrust in culture and trust in irrational being as key attributes of the Russian mindset: "For the Russian soul, the following is true: achieving the desired outcome through a rationally constructed sequence of actions is equally probable to it being produced without such a prepared sequence of actions on its own accord or in a single effort. Thus, Russians do not fully trust reason, rational principles of behaviour, and culture." These reflections on the rational foundations of Russian culture produce a concrete applied philosophical result; a way to increase the rationality of thought and action in modern Russian society.

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