ISSA Proceedings 2014 – A Poem Without Words: Visual Argumentation And The Photography Collections Of The Black Panther Party

Abstract: The 40th anniversary of the Black Panther Party for Self-Defense's founding in 2006 brought a renewed interest in an important organization within the Civil Rights Movement. Since the anniversary, two new collections of photography, by Howard Bingham and Stephen Shames, have been published that create discontinuities in the dominant historical narrative surrounding the organization. This essay draws on Cara Finnegan's work on visual rhetoric to advance our understanding of the transformative power of the image.

Keywords: argumentation, Bingham, Black Panther Party, image, photography, Shames, visual rhetoric.

1. *Introduction*

Non-dominant narratives often clash with conventional traditions and interpretations. Take, for example, the civil rights and counterculture movements of the 1960s and 1970s. These movements were comprised of smaller groups, charismatic leaders, and single events that helped to define their broader contributions. While a dominant historical narrative developed in these cases, new artifacts have been recently published that reveal new wrinkles in the movement's history. When new artifacts create non-dominant narratives that challenge previous assumptions, audiences are afforded the opportunity to reevaluate accepted historical narratives and frames. This essay argues that new, contradictory artifacts invite audiences to reconsider dominant historical narratives and reconfigure these narratives to reflect a deeper understanding of a unique and important moment in history.

2. *Artifacts and framework*

To illustrate the dynamic involved here, this essay carefully explores new artifacts

that challenge traditional interpretations of the Black Panther Party for Self-Defense (BPP). Considered highly controversial, the BPP changed the direction of the black power movement within the United States during its existence from 1966-1982 (Jones, 2006). Recently, two previously unpublished collections of photographs, Howard L. Bingham's *Black Panthers 1968* (Bingham, 2009) and *The Black Panthers* (Shames, 2006), have emerged after the 40th anniversary of the organization's founding by students Huey Newton and Bobby Seale. These artifacts provide new insight and problematize the existing BPP narrative.

It is important to note that historical narratives are multilayered with several overlapping and sometimes contradictory meanings. Additionally, access to primary historical sources is limited. Young audiences intrigued by the tumultuous rhetoric of civil rights and counterculture can only look to books, recordings, and other secondary sources to understand these unique and compelling rhetorical situations. In other words, their experience with this history is mediated. Inevitably, the introduction of new artifacts provides audiences with the opportunity to reevaluate the inherited historical narrative.

3. *Literature review*

Many scholars have investigated different aspects of the Black Panther Party using rhetorical analysis. Primary investigation into the BPP has been through three contexts: individuals, the group as a whole, and media representation. Scholars have focused on individual BPP leaders to study their rhetorical techniques and implications. Recent works have focused on the rhetoric of Huey Newton, the more radical of the co-founders (Avril, 2012; Johnson, 2004). Avril (2012) analyzes Huey Newton's 1973 autobiography *Revolutionary Suicide* for the theme of black masculinity utilizing three concepts, authenticity, performance, and experience, to gain better understanding of how Newton's rhetoric influenced the BPP's rhetoric. Avril pays particular attention to how Newton's use of black masculinity is reflected in his opinions of motherhood and struggle, and she compares Newton's rhetoric to that of female panthers Angela Davis and Elaine Brown (p. 13). Avril also focuses on Newton's word choice to separate the "working class" from the "middle class" (p. 17-19).

Johnson (2004) focuses on Newton's 1970 address to the Revolutionary People's Constitutional Convention. She applies the jeremaidic tradition to the speech and concludes that the speech should be understood as an Afro-American jeremiad (Johnson, 2004, p. 17-18). Newton's address debuts a philosophy that will be later

called "revolutionary intercommunalism," or the belief that communities should orient themselves in a communal stance as opposed to an individual stance, and that this stance must be in opposition to current power structures (p. 19). This philosophy is linked into a core discussion of American hypocrisy as well as how intercommunalism must be revolutionary as a result (p. 22-23). Both Avril and Johnson use analysis of an individual's rhetoric to speak about the entire organization.

Next, scholars use rhetorical analysis to look at the organization as a single entity (Bloom and Martin, 2013; Gatchet & Cloud, 2012; Ogbar, 2004; Rhodes, 2007; Spencer, 2005). Bloom and Martin's (2013) book *Black Against Empire* provides a comprehensive history of the founding of the BPP and its first few years as an organization. The book focuses on the human relationships formed between the different leaders of the party, as well as how individual leaders influenced chapter members. In contrast, Ogbar's (2004) book *Black Power: Radical Politics and African American Identity* takes a systems approach to the early rise of the BPP. Ogbar (2004) chooses to focus on the leadership as a single unit whose rhetoric influenced the general population. The book focuses on rhetorical positions taken by the larger organization, specifically, examining how those rhetorical positions affected three different levels: community members, the government, and larger society.

Rhodes' (2007) book *Framing the Black Panthers: The Spectacular Rise of the Black Power Icon* provides context into how the Panthers became media subjects in the eyes of the national and international community. The book examines how the Panthers utilized their newfound fame to their benefit by primarily focusing on the "Free Huey" campaign (Rhodes, 2007, p. 116-144). This fame helped to influence Oakland's political landscape. Spencer (2005) makes special note of the importance of the Free Breakfast Program on the local community and how Oakland politics since have had to utilize social welfare platforms to become elected. She notes that, "Two of the Panthers most important and perhaps most overlooked contributions to the Black Freedom movement were their attempts to nurture oppressed people's political consciousness and revolutionize their daily personal and political praxis" (Spencer, 2005, p. 313-314). The effectiveness of these actions has been emulated to this day in California.

Gatchet and Cloud's (2012) essay acts as a bridge between understanding the group as a whole and understanding the media's depiction of the Black Panthers.

They use an examination of multiple leaders in the BPP to outline two distinct rhetorical devices. First, they explained BBP identity creation around the concept of self-defense (Gatchet and Cloud, 2012, p. 2-6). The Black Panther Party utilizes the biblical story of David and Goliath to depict the oppressed members of the black community as David. David is both oppressed, and at the same time armed, ready, and willing to defend himself for the greater good of the community. In addition, their analysis includes the rhetorical paradox between oppression and militancy (p. 6-10). This article shifts its focus into media framing by analyzing how these two creations are represented in two major news publications (p.10-14). Gatchet and Cloud claim that the media skewed the role of the David identity to delegitimize the Panthers.

Finally, scholars use rhetorical analysis to examine media framing of the BPP and its actions (Fraley & Lester-Roushanzamir, 2004; Davenport, 2010; Lule, 1993; Lumsden, 2009). The most interdisciplinary of the three categories, the artifacts are analyzed with a critical-cultural lens to dissect how the media portrayed single aspects of the Party such as the death of a leader (Fraley & Lester-Roushanzamir, 2004; Lule, 1993) and the role of media repression to undermine the BPP (Davenport, 2010). Most noteworthy, Lumsden's (2009) rhetorical criticism analyzes articles from the *Black Panther,* the BPP's primary publication that reached thousands of readers. Lumsden focuses on portrayals of black womanhood within the publication. By focusing on womanhood, Lumsden provides a different perspective into an organization that is viewed as hyper-masculine. She writes that the *Black Panther* portrayed woman as both militarily strong and "elaborated on their expectations of sexual equality" (p. 906). Strong women helped to create a stronger community, a key emphasis of the BPP.

The current literature on the Black Panthers neglects new artifacts recently added to the historical narrative, and undervalues normative elements of visual rhetoric. Lumsden's article provides a limited examination of photographs and cartoons that appear in the *Black Panther* newspaper, but examine them more as vehicles of propaganda.

4. *Critical method*
This essay seeks to provide an analysis of photographic collections, utilizing visual rhetorical analysis, that reveal different viewpoints yielding the best investigation for a contemporary audience. Visual rhetorical analysis is defined as "a mode of inquiry, defined as a critical and theoretical orientation that makes issues of

visuality relevant to rhetorical theory" (Finnegan, 2004a, p. 198). Finnegan (2004a) contends that visual rhetorical analysis is best used when trying to understand photography as rhetoric. Visual rhetoric forces the rhetor "to explore understandings of visual culture in light of the questions of rhetorical theory, and at the same time encourage us to (re)consider aspects of rhetorical theory in light of the persistent problem of image" (Finnegan, 2004a, p. 198). The goal of this analysis is to more vigorously integrate images in the rhetorical history as central aspects of the narrative instead of supplementary additions.

Scholars have presented many approaches to visual rhetoric (Finnegan, 2004a; Foss, 2005; Hart and Daughton, 2004; Moriarty, 2005), which combine to create a full-bodied analysis. Moriarty (2005) discusses the threefold nature of the sign, the interpretant, and the object. This adds an additional dimension to photographs by including the image, the caption, and other written text surrounding the image as one object for rhetorical analysis. This enhances the data gathering process. Hart and Daughton's (2004) inquiry into "ideological force" (p. 189) and "significant tensions" (p.192) push the critic to create cohesive narratives throughout the criticism, linking images together to establish a holistic narrative. Foss (2005) contends that there are three ways for a rhetorical perspective to be applied to an image (p. 145-147). First, the critic needs to analyze the nature of the image. Second, the critic should analyze the function of the image. Third, the critic must evaluate the normative implications of image. This triangulation allows the critic to cover all fundamental aspects of visual rhetorical analysis.

Finnegan focuses on how to conduct visual rhetorical criticism of photography. She outlines three "moments in the life of the image" that must be accounted for when discussing the rhetoric of photography (Finnegan, 2004a, p. 199). First, production accounts for how the image came to exist (p. 200). Second, reproduction accounts for the current representation of the image to the audience (p. 204). Third, circulation accounts for how the narrative established by the photography fits into the overall historical discourse (p. 208). All three moments in time pose unique questions regarding the photographic artifact. Taken together, they provide the frame for examining the selected photography collections.

4.1 *Production*
The first moment in the life of the image is production, the time leading up to its

current positioning in the status quo. Essentially, production asks the critic to assess what brought these photographs into existence. This inquiry into the past informs the critic of the history of an image and provides insight into possible discontinuities within historical narrative. Furthermore, since these specific collections were taken decades before publication, it is important to understand what brought these bound collections into production. In short, understanding the past of the artifacts will help the critic understand the present.

The American 1960s was a time of great political upheaval and civil unrest. The death of a great black power figure Malcolm X in 1965 proved to be a catalyst for change. Inspired by his passing, two college students, Huey Newton and Bobby Seale, decided to create a new organization rooted in the ideals Malcolm X championed. In 1966 Newton and Seale founded the Black Panther Party for Self-Defense to create a change for the repressed African American minority in the United States (Bloom & Martin, 2013). The newly created BPP expressed the opinion, mainly driven by the rhetoric of Newton (Avril, 2012), that the loss of this great orator left a void in the struggle for African American equality. Malcolm X's extremist rhetoric acted to provide greater momentum for Dr. Martin Luther King, Jr.'s rhetorical position of nonviolent resistance (Johnson, 2004). Specifically, Malcolm X championed self-defense among black communities that the BPP felt was non-existent in Oakland at the time of his death. As such, the BPP was created to fill this void.

Violent crime in minority communities was on the rise, and an increase in police brutality further fueled violence in the community (Gatchet and Cloud, 2012). The original purpose of the BPP was to act as a citizen police force within African American communities. As opposed to vigilantes, the BPP would patrol neighborhoods and prevent crime through armed presence. Shortly after their inception, the BPP evolved their mission to follow the police to make sure that they were following proper protocol and not discriminating against blacks (Lumsden, 2009). Lumsden also adds that the BPP did not simply act as a paramilitary force, they set up classes to instruct the community in proper gun safety and teach about how the government violated personal constitutional protections.

The Black Panthers gained national media recognition on May 2nd, 1967, when they staged a public demonstration at the California State Assembly to protest a pending act that would severely restrict a citizen's rights to bear arms in public

(Gatchet & Cloud, 2012). In a speech delivered by Bobby Seale on that day, the BPP outlined its ten point program that called for the end to police brutality, as well as the release of all black prisoners who were convicted by all-white juries (Davenport, 2010). Many aspects of the BPP attracted the American people to become fascinated with the Panthers. Visually, the Panther's unique uniform of leather jacket, a black beret, dark jeans, and black army boots created a notable strong, unified presence (Shames, 2006). Rhetorically, the BPP used extremist rhetoric to denounce a government's established institution of justice enforcement as unjust and corrupt.

Three years after the beginning of national media attention the BPP began a shift in rhetorical focus. After serving a two-years for the fatal shooting of John Frey, Huey Newton was released from federal prison in 1970. Upon his release, Newton started to develop the BPP into a political organization (Heath, 1976). First, the Panthers started to seek political office. Second, the BPP undertook a vast initiative to start free breakfast programs across the nation for school age children. At its peak in the early 1970s, Panther breakfast programs fed upwards of 250,000 children across the country daily (Theoharis & Woodard, 2005).

The intense and mostly critical media attention devoted to the Black Panther Party attracted in two different photographers to document the organization in action. Gilbert Moore explains how he came to work on the assignment of the Black Panthers with the budding photographer Howard Bingham (Moore, 2009). Since Moore was only one of two black writers for LIFE Magazine, and the only one not on assignment at the time, he was given the task of teaming up with photographer Howard Bingham to follow the BPP during the year of 1968 (p. 66). Bingham was relentless in his pursuit of the craft, taking hundreds of pictures during the few months of the duo's stay with the BPP. With full funding, the duo followed top leaders of the Black Panthers. Since the magazine contacted the BPP to publish its story, the Panthers regulated the access granted to Moore and Bingham. After the assignment was complete, the two left California and returned to their New York headquarters. Ultimately, LIFE Magazine did not publish the story both journalists spent countless hours creating without providing concrete reasoning for its decision.

Stephen Shames took a different path in his photography. In the foreword, Shames (2006) states that his quest to photograph the Black Panthers rose organically out of his interest in the organization when he started taking personal

pictures in 1968. When a major publishing company offered Shames the prospect of a book contract, Shames decided that he would journey cross-country, from California to New York, taking pictures of the BPP in major chapters over the course of 1970. Unlike Bingham who primarily focused in California, Shames took photographs of chapters in Oakland, Los Angeles, Chicago, Toledo, Philadelphia, and Boston (Shames, 2006, p. 8). Shames' free-flowing agenda and unofficial Panther membership allowed the photographer to gain access to very intimate shots. Further, since Shames began his road trip in 1970, he had the opportunity to photograph Huey Newton after his release from prison. During his travels, he formed personal relationships with many members of the Panther leadership, including Newton, Bobby Seale, and David Hilliard. Eventually, upon reaching New York City, Shames would discover that the book deal had been a ruse, and the majority of his photos would go unpublished for decades.

The 40th anniversary of the Party's founding in 2006 generated renewed interest in a recorded history of the organization. Shames' close relationships with individual Panthers helped to privately fund the publication of a collection, with the majority of the donations coming from former members including even the book's foreword by Bobby Seale (Shames, 2006). In contrast, Bingham's career blossomed after his stint capturing the Panthers on film. Bingham is most famous for his photographs or, and for co-authoring Muhammad Ali's autobiography (Bingham, 1993). Finally, in 2009, private collectors helped to fund a book of Bingham's BPP photographs (Bingham, 2009).

Both Bingham and Shames were instructed from an outside publishing source to take photographs, but ultimately, the initial promises of publication did not come to fruition. Both collections sat relatively dormant, hidden from public eye for forty years. Bingham's publication is used to display the photographer's artistic merit to the public. Shames' publication is directed from the inner community to share photographs with the public. In both cases, the intended audience is the current generation who may not be familiar with all three parties (Bingham, Shames, and the BPP). Production offers understandings of how Bingham and Shames came to create their photography collections.

4.2 *Reproduction*
The contemporary critic uses the history of an artifact to understand the artifact's present. Reproduction focuses on what the artifact is "made to do in the contexts in which we discover them" (Finnegan, 2004a, p. 204). Analysis of this time in the

life of the artifact focuses on the ways that the arrangement of the image, text, and caption work to create shared meaning in each photography collection. In addition, it is important to note commonalities and differences among themes within each collection. All aspects of each work must be understood including, but not limited to, introductions, forewords, photograph and caption placement, and articles.

Both collections are relatively equal, in terms of physical size and quantity of the photographs. Each book begins with a foreword from the author explaining how they came about gaining their respective assignments to take photos and how they went about those assignments. Also, both books have additional forewords from close friends commenting on the collection. Bingham's forward, from close friend Bernard Kinsey, focuses on the quality of the photographs (Bingham, 2009, p. 16). It is worth noting that Shames' foreword is from BPP co-founder Bobby Seale, which adds legitimacy to the collection (Shames, 2006, p, 11-13). Parallel to the foreword, each book has an afterword that is themed around the photographer or the content respectively. Furthermore, the most direct point of comparison is the representation of the ten-point plan in each book. Each book has opted to include a version of the BPP's plan. Bingham chose to include the shortened version of the ten-point plan distributed as a pamphlet (Bingham, 2009, p. 35). Shames includes additional text delivered by Bobby Seale at the California General Assembly (Shames, 2006, p. 14-15). Here, Shames uses a more detailed text to create stronger connections between the audience and the Panthers. By doing so, Shames' presentation of the ten-point plan becomes is unique from the rest of the collection insofar as it is the one time where Shames book contains more text than Bingham's book.

The primary difference between the collections is the captions. This difference is twofold in placement and content. Shames' book (2006) utilizes full-page pictures and opts to place all the captions at the end, away from their respective photographs (Shames, 2006, p. 146-150). These captions range anywhere from one to four sentences and provide details explaining any important individuals. Sometimes these captions provide quick information; just enough to understand what is going on in the photograph such as "Huey P. Newton poses with three women at a rally in DeFremery Park. Oakland, 1971" (p. 148). Other captions explain additional details not provided in the picture such as "Bobby Seale's campaign car during his run for mayor of Oakland. The election was held on April

17, 1973. Seale lost. Oakland, 1973" (p. 150). By placing the captions at the end, Shames lets his audience evaluate the photographs on their own merit with little formal intervention in the image. In other words, he lets the picture do the talking. Once the audience accesses the image, the extra information from the removed caption focuses the message on a context of time, where the image represents more than just a single moment, but is part of a story.

Bingham's book (2009) takes an opposite approach to captions. Instead of saving the captions to the end, guest writers explain a series of pictures using lengthy paragraphs. Each short entry covers a series of three to ten photographs. An example of this is the section titled *Black Power Rally* (Bingham, 2009, p. 22-34) which includes text on page 23, explaining the seven pictures on the surrounding pages. These entries are very detailed and include discussion regarding photographic technique, which Shames did not. Each picture is centered on the page and includes a caption at the bottom. These captions are very short, never more than a sentence, and typically include just names and locations and little else.

Picture order is dissimilar between the two collections. Shames provides neither text nor content order to his photos. The audience drifts from photo to photo with no order or caption to intervene with the experience of discovery and analysis. Contrary to this, the organizational pattern of Bingham is driven by thematic sections centered either on a person, such as Kathleen Cleaver (Bingham, 2009, p. 38-43), or a location, such as De Fremery Park (p. 106-125). Primarily, this organizational pattern acts as Bingham's introduction to each person and location, almost as if each section is a different roll of film. This allows Bingham to drive conceptual stories through each miniseries of photographs. These stories outline the humanity of the individual leaders within the BPP.

Both photo collections share some similar tensions. Each book features very few pictures of police officers, and in instances where they do appear, they are never portrayed in a flattering manner. Bingham's fourth picture (Bingham, 2009, p. 8-9) displays officers holding wooden batons as if they are standing guard, protecting an unseen group of people possibly from the Panthers. The photograph is given no caption. Police officers are portrayed as the enemy of both the Panthers and public in general.

As a response to police brutality, the BPP adopted the ideograph of the raised fist

to display solidarity and power within the black community. The Panther fist is commonly held at rallies, but rarely outside of public spaces. This helps to establish that the leadership held celebrity lives; lives where they represent a persona and personal times where they only have to be themselves, such as in their homes. Shames captures Bobby Seale and his wife holding their son in a loving embrace (Shames, 2006, p. 130-131) showing his audience that important party members still found time to focus on their families.

Moreover, it is important to note that no photographs include a Panther holding a gun. There are two possible explanations for this decision by both artists. This could have been an intentional decision to exclude the hyper masculine from their photographs to show a more humanistic BPP. On the other hand, this could have been a decision passed down from the publisher. Significantly, this directly contradicts the dominant historical narrative of the Black Panthers as gun toting thugs.

The photographs significantly differ in their portrayal of romantic relationships. Bingham shares photographs of Eldridge and Kathleen Cleaver multiple times throughout his book. His photos of the duo are very business-oriented, as if they devoted their entire lives to the cause of the Panthers. In a photograph depicting Kathleen reading while Eldridge stands behind her. There appears to be little romantic attachment. The photograph focuses on the content of the reading materials instead of the two as a romantic partnership.

In contrast, Shames photographs portray strong work/life balance and deep romantic relationships within the BPP. Two photographs showcase David Hilliard (one of the Panther's prominent members and Chief of Staff at the time of the photograph) with his wife, Pat. The photograph on the left page shows David working on layout selection for *The Black Panther magazine* in the Oakland BPP office. David is in deeply concentrated, focused on his work, portraying the intense level of commitment to the organization often represented in the media. This photograph is juxtaposed by the photograph on the right capturing David and his wife engaging in a moment of intimacy. Pat sits on David's lap, as the couple closes their eyes, about to kiss. It is important that these photographs are placed next to each other, representing work/life balance.

Further, the two collections differ regarding their portrayal of masculinity within the organization. One photograph from Bingham's work is captioned "Bobby

Seale leading Black Panther drills Oakland, CA" (see Appendix A). The picture captures Seale dressed in full Panther uniform as he instructs male members, also in full uniform. The Panthers stand in line at military attention listening to Seale lead drills. The photograph uses linear directionality to place the focus on the importance of Seale's body language. Seale's facial expression illustrates power and his hand gesture, pointing at the ground, shows the importance of the Panther's paramilitaristic, masculine organization centered on strong, African American men. Bingham sparsely features women in his photographs and chooses not to include children as a focal point. An opposing understanding of the BPP and masculinity is presented in Shames' work. Outside St. Augustine's Church in Oakland, Shames captures two Panthers standing guard. While the male Panther on the left holds no organizational significance, the female Panther on the right represents an important aspect of the organization. Claudia Grayson, better known as Sister Sheeba within the BPP, was a strong member, known for her role of enforcement. Here, Sister Sheeba represents equality of women within the BPP, as she shares her role equally with her male counterpart. Sister Sheeba becomes just as important, if not more important, for the organization and is perhaps the main focal point of the photograph.

Also, Shames captures the importance that children in the movement. One photograph displays children standing at attention in a classroom. Similar to Bingham's photograph of Bobby Seale leading drills with male adults, the classroom scene shows young children dressed in uniform ready to receive instruction. There are differences in height, age, and sex of the children. The photograph illuminates the integral nature of childhood education within the greater movement, as the BPP stressed that children are the future of the nation. Many of Shames' photographs feature children including one selection depicting young girls holding protest signs in public (Shames, 2006, p. 36). This nurturing aspect of the Panthers directly contradicts the predominant narrative of the Party as an organization predominately comprised of adult males. These collections challenge typical media representations of the Panthers as disorganized and menacing radicals from impoverished Oakland.

4.3 *Circulation*
It is important to understand the similarities and differences in reproduction to better understand how these narratives fit into the overall historical discourse of the Black Panther Party. Circulation asks the critic to analyze the significance

that the production and reproduction of the images have to the broader historical narrative. Bingham uses his collection to focus on the roles carried out by the Panther leadership, highlighting individuals and the struggles they encounter in their lives. He does this by using textual narrative and picture sequencing to drive his book in a very intentional direction. An audience member would view this collection to mean that the BPP was an organization driven by sophisticated individuals who stood with strong convictions and pushed a very public agenda. Alternatively, Shames uses his collection to convey a sense of community and happiness within the BPP. Shames' lack of organizational pattern, multiple photographs of diverse groups, and decision to save captions to the end of the collection immerse his audience in the chaos of a social movement with its diverse struggles and relationships.

These narratives add new and sometimes contradictory perspectives to a preexisting narrative. By providing narratives that encompass both viewpoints of the outsider (Bingham) and the insider (Shames), the audience gains an understanding of the depth and complexity of the BPP. Today's younger audiences were not in Oakland during the time of the BPP, and so they must use these collections as new avenues to assess the dominant narrative regarding the BPP, one that typically demonizes the Black Panthers.

5. *Conclusion*

We live a world increasingly dominated by images. Rhetorical criticism and argumentation theory have been slow to adapt to this fact. Recently, however, "Visual rhetoric has become a minor theme in rhetorical studies" (Finnegan, 2004b, p. 234). This essay contributes to this growing body of scholarship, and pushes the parameters of more traditional, text based approaches to argumentation. In so doing, it is important to note that visual rhetoric "should not be conceived as a unique genre of rhetorical artifact ('rhetoric' than is 'visual'), but as a project of inquiry that considers the implications for rhetorical theory of sustained attention to visuality" (Finnegan, 2004b, p. 235).

In the case at hand, when audiences juxtapose the two recently released photography collections of the BPP, they realize that non-dominant narratives do not have to follow the same path. There is not one countervailing interpretation, or method of presentation that is "correct." The way these stories are told, through the primary medium of the image, invite multiple interpretations of this important moment in history. While both collections challenge the dominant

historical narrative on many fronts, they do so in remarkably unique ways, and with different vehicles, frames, and modalities in communicating their stories.

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ISSA Proceedings 2014 – The Psychiatrization Of The Opponent In Polemical Context

Abstract: A variant of the ad hominem argument amounts to challenging the opponent's mental health. Semi-technical designations borrowed from psychiatric

paradigms (such as autistic, paranoiac, hysterical) are thus appealed to in order to qualify the opponent. Based on three examples from polemical discussions on political issues, we investigate what kind of behaviour triggers such accusations, how they are justified, and how they are handled by the speaker to whom they are addressed.

Keywords: ad hominem argument, disqualifying strategies, mental pathologies.

1. *Introduction*

The present paper deals with the lexical dimension of some argumentative devices – more specifically, it focuses on the *ad hominem* use of terms like "paranoiac", "schizophrenic", "autistic", "hysterical", or "mythomaniac". All these terms are originally issued from esoteric bodies of knowledge pertaining to psychiatry. In France, they have been disseminated, beyond their technical use in expert fields, to ordinary discourses, in the political domain as well as in everyday conversations.

In their technical use, these terms designate specific mental pathologies. As such, they should not convey any negative judgment**[i]**. When used in ordinary interactions, they nevertheless often serve as pejorative devices aiming at disqualifying a person. Some linguistic arguments support this claim. French language offers specific discursive patterns which may change almost any item into an insult. Thus, in *"espèce de X"* and *"sale X"***[ii],** X has an offending dimension because of its insertion within such phrases, whatever its initial meaning. Even a neutral, descriptive word may work as an insult when obeying such a pattern. However, even if any word may be turned into an insult owing to such discursive patterns, the words that are intrinsically marked as pejorative are much more likely to be used that way.

If one uses a search engine like Google in order to investigate the frequency of phrases like "espèce de parano" or "sale autiste", it appears that they are quite common. Examples 1 and 2 illustrate such offending uses of these terms. In example 1, the administrator of a blog reacts to a participant accusing him of committing censorship unduly by calling him "espèce de parano":

(1)
On se calme le Bauju, pas la peine de monter sur tes grands chevaux, il n'y a pas de censure […] Ton commentaire n'avait plus lieu d'être, espèce de parano, alors

*je l'ai scratché. Tu ne l'avais pas vu?***[iii]**

(Let's calm down Bauju, there is no use getting on your high horse, there was no censorship […] Your commentary was pointless, you paranoid, so I erased it. Didn't you see that?)

In example 2, a teenager expresses his hatred for one of his teacher, calling her autistic:

(2)
*Il etait une fois , dans ce qu'on ose appeler un lycee , une prof de sciences economiques et sociales […] qui etait bizare….cette chos.. heu , femme (on va dire ca comme ca..) avait des petites manies : se mettre les doigts dans le nez , se les lecher , puis elle s'habille bizarement avec un petit bonnet bleu en laine […] ….pi lorsqu'elle parle , elle doit reformuler sa phrase au moins 10 fois avant d'en sortir le bon exemplaire : C EST UNE PUTAIN D AUTISTE DE MERDE !!! […] : SALE AUTISTE DE MES DEUX T'AS INTERET A ME METTRE 12 A MON DST SINON JE TE VOLE TON SAC A ROULETTE DE MERDE***[iv]**

(Once upon a time, in what they dare call a high school, an economics teacher […] who was bizarre… this thing- oups, woman (let's call her that way) had little manias: put her finger into her nose, leak them, she gets dressed in a strange way with a small blue woolly hat […] and when she speaks she has to rephrase her claim at least ten times before getting a correct copy of it: she's a fucking shitty autistic person! […] you autistic you, you'd better give me 12 for my exam otherwise I will steal your rolling bag.)

In both cases, the use of the qualifications "paranoid" or "autistic" is supported by the mention of behaviours (hastily interpreting an action as censorship, wearing a blue woolly hat) presented as characteristic of the corresponding pathologies. In these sequences "paranoid" and "autistic" obey an offending objective. However, in what follows, we will examine examples where these terms are not to be analysed as mere insults but as having an argumentative dimension, and more specifically, as part of an ad hominem argument. We will first indicate what we mean by "ad hominem argument", and justify our categorizing the examples we will account for as pertaining to this argument scheme. We then will identify the specific argumentative functions that may be achieved by the adjectives "hysterical", "paranoid" and "autistic" in polemical contexts. We will conclude on

what such argumentative uses of terms labelling mental pathologies tell us about the perception of mental disease in our society.

2. *Ad hominem argument*
First and foremost, an *ad hominem* argument is… an argument. In the examples that we will analyse, calling the opponent "hysterical", "paranoid" or "autistic" does not necessarily support any explicit conclusion. But even when no reasoning of the type:

X claims that *p.*
X is schizophrenic / autistic / hysterical
Hence, *p* should not be accepted.

is made explicit, we consider that the disqualification of the opponent that these adjectives achieve has an argumentative function because of contextual reasons.

The three examples we will examine pertain to political discourse. They appear within what Christian Plantin (2010) would call an "argumentative situation". According to Plantin, an argumentative situation is governed by an argumentative question ("should the government implement Measure M?", for instance) which may receive opposing answers, each of them being supported by arguments ("I'm for M because arg.1, arg.2…"), or ("I'm against M because arg.3, arg.4…"). In an argumentative situation, any statement should be understood as part of an answer to the argumentative question which structures the discussion, whether it is presented as such or not. The question, writes Plantin, should be seen as an interpretative magnet which polarizes all the contributions that fall into its attraction field (2010: 33; translation is ours). In this perspective, the three adjectives which appear in the examples we will focus on are to be interpreted as personal attacks aiming at disqualifying, beyond the person of the opponent, the thesis that he supports. Hence they embody abusive ad hominem arguments.

We consider the use of terms issued from psychiatry, like "hysterical", "schizophrenic", "autistic", as a subtype of a more general type of ad hominem arguments aiming at presenting the opponent as belonging to a debased fraction of humanity. Of course we do not assume that this fraction really is debased, but rather that the use of such qualifications as personal attacks suggests that for the arguer, in some way, it is. Other variants of this general scheme consist in some cases in designating the adversary as an animal**[v]**, as a female (when addressing

a man**[vi]**), as or a child or a teenager (when addressing an adult**[vii]**).

Example 3 displays simultaneously some of these disqualifying strategies. It is drawn from a French political newsgroup, and it combines the psychiatric and the animalistic variants of the ad hominem disqualifying strategy:

(3)
*Ce forum est essentiellement un exutoire pour une poignée d'autistes qui y déversent leurs délires d'illuminés, leurs élucubrations psychotiques ou leurs éructations de primates***[viii]**.

(This newsgroup is mainly an outlet for a handful of autistic individuals who pour therein their cranks' deliriums, their psychotic pipe dreams or their primates' eructations.)

3. *Hysterical*
The first term originally issued from psychiatry we will examined in this paper is the adjective "hysterical". "Hysterical" is frequently used in polemical contexts in order to qualify a whole debate, the communicative behaviour of one participant in the discussion, or the discussant himself. In context, "hysterical" refers to heated exchanges, characterized by a highly emotional tone.

In the context of a political discussion, pointing to the emotional dimension of one's contribution amounts to disqualifying it as irrational and potentially biased.

Even if the originally Freudian meaning of "hysterical" seems to be somewhat remote from its present uses in political discussions, accusing the opponent of being hysterical still suggests that he has lost control over his own communicative behaviour. Hence the conditions for a rational discussion are not fulfilled, and the opponent's argument does not deserve any serious examination.

Furthermore, the accusation of loss of control is not the only vector of disqualification of the opponent. The adjective "hysterical" is deeply marked by the specific historical situations in which it was used, as the analysis of example 4 will show.

Example 4 is drawn from the French debate that preceded the adoption of the so-called "mariage pour tous" law, opening the marital institution to same-sex persons. During a particularly heated parliamentary session, Christian Jacob, who

opposes the law, accuses Sergio Coronado, who supports it, of being hysterical**[ix]**:

(4)
M. Christian Jacob. J'pense qu'on pourrait: profiter/ euh je le: dis à mes (.) mes collègues de la majorité/ qui pourraient profiter (.) agréablement de la: coupure du dîner/(.) pour reprendre/ (.) un peu leurs le leurs esprits/ (..) [protestations dans l'Assemblée] 'ttendez\ (.) les les les attaques (..) qui ont été les vôtres/ vous savez/ (.) on peut avoir de vrais di- différences/ (.) et: et d'ailleurs j'ai apprécié le ton/ avec lequel Patrick Bloche (.) s'est exprimé tout à l'heure/ (.) nous sommes en désaccord/ (.) Total\ XX (.) MAIS/ (.) il l'a fait avec euh beaucoup de dignité/ avec des CONvictions qui sont les siennes/ (.) et qu'on accepte que l'on puisse s'exprimer d'la même façon/ (.) sans êt' soumis (.) à des invectives voire à de l'HYStérie/ (.) à de l'HYStérie/ (.) de par certains collègues/ je pense à vous [montrant SC de la main] (.) mon cher collè/gue (.) mais si/ (.) ces propos (.) vous n'apportez (.) RIEN au débat/ (.) vous n'avez pas/ d'argument/ (.) vous z'hurlez/ vous êtes dans l'hystérie totale/ (.) et je pen/se qu'il faut profiter du moment du déjeuner/ pour se calmer\ (.) je- du dîner\ (.) [puis s'adresse à Mme la Ministre]

(I think we could take advantage – I'm addressing my colleagues in the majority who could pleasantly take advantage of the dinner break to come to their senses [protests in the Assembly]. Wait, you have been the ones who made these attacks, you know, people may have important differences of opinion, and by the way I appreciated the way Patrick Bloche expressed his position a few minutes ago, we deeply disagree but he expressed his convictions with much dignity, and people should accept that we express ourselves in the same way, without suffering abuses or even hysteria, hysteria from some colleagues, I'm thinking of you [pointing to Sergio Coronado] my dear colleague, yes yes, these words, you make no valuable contribution to the discussion, you have no argument, you're just yelling, you're totally hysterical, and I think one should take advantage of the dinner break to calm down.)

Nothing, in Sergio Coronado's offending turn, accounts for such an attack, either in what is said, or in the tone in which it is said: it is by no way more emotional or heated than the contributions of the other participants.

Regardless of its factual adequacy, Christian Jacob's attack may be understood, as suggested before, as a strategy aiming at shifting the discussion, from the

criticism of the opponent's arguments, to its very person. Such a strategy may prove useful when no simple refutation is available. It may also be seen as obeying other logics, in connection with the history of the usage of the terms "hysteria" and "hysterical" in various contexts in France. It is what is suggested by Sergio Coronado, who reacts to Jacob's charge with hysteria as follows:

(5)

Sergio Coronado : en fin d'séance tout à l'heure/ (-) euh le président euh Jacob/ m'a ::: (.) se dirigeant vers moi/ m'a qualifié/ d'hystérique\ [...] mais j'me suis interrogé\ pourquoi m'a-t-il qualifié d'hystérique puisque : (.) j'fais un peu d'histoi/re (.) et j'me suis rapp'lé/ en effet/ que (.) le mot hystéri/que servait à qualifier/ euh (.) notamment en période de trou/ble pour les dénigrer/ (.) euh par exemple : les suffragettes/ (..) par celles et ceux qui étaient opposés euh (.) au droit d'vote des femmes/ (.) ça a servi à qualifier euh Simone de Beauvoir/ au moment d'la publication du deuxième sexe/ (..) ou enco/re les trois cent quarante troissalo/pes (.) lors euh de la publication du manifes/te pour le droit à l'avortement\ (..) j'me suis dit pourquoi être qualifié par ce terme/ (.) alors que je n'suis NI une suffragette/ ni Simone de Beauvoir/ (.) ni encore/ une fem/me demandant le droit/ à l'avortement\ (.) alors je (.) je suis rev'nu/ euh (.) euh au dix-neuvième siè/cle [...] notamment aux travaux clini/ques (.) dans la foulée d'Charcot/ et je me suis rapp'lé en effet (.) et je pense que (.) c'est à ça que faisait référence sans doute le président Jacob/ (.) qu'à l'époque/ (.) à l'épo/que le mot d'hystérique servait (.) servait évidemment de (.) à qualifier TOUtes les femmes/ (.) toutes les femmes sont potentiellement hystéri/ques vous l'savez (.) cher collè/gue (.) hein/ (.) et une catégorie très particulière d'hommes\ (..) [...] (.) les invertis\ (..) les invertis\ (..) alors (.) cher/ président Jacob\ (.) vous auriez pu êt' plus franc/ (.) et faire co :mme dans les cours d'éco/le me traiter d'pé/dé\ (..) voilà/ (.) cette inju/re (.) qui fait tant de mal notamment aux jeunes qui découvrent leur sexualité/ (.) je tiens à vous rassurer\ (.) cher président Jacob (.) j'assu/me (.) j'en suis fier/ (.) et je n'ai pas (.) du tout (.) envie d'raser les murs/ (.) malgré/ (.) vos/ (.) injures\ (..) j'aimerais simplement dire (.) au président Jacob/ (.) que ce type d'invectives (.) au sein d'cette assemblée/ (.) n'honore (.) ni vot' grou/pe (.) ni les travaux (.) aujourd'hui (.) de l'Assemblée Nationale/ (.) j'ai hon/te (.) pour ceux/ (.) qui profèrent ce ty/pe (.) de propos (.) c'est vrai que l'heure est un peu tardi/ve et j'ai l'impression/ (.) que vos nerfs commencent à lâcher\ (.) merci

(Sergio Coronado : earlier at the end of the session, President Jacob, addressing

me, called me hysterical. [...] I wondered, "why did he call me hysterical?", and as I am fond of history, I remembered that the word "hysterical" was used to disqualify people in troubled circumstances, for instance it was used to denigrate suffragettes by those who opposed women's right to vote; it was used to denigrate Simone de Beauvoir as she published Le deuxième sexe; or it was used to denigrate the three hundred and forty three bitches when they published the manifesto for the right to abortion. And I wonder, why did Jacob call me hysterical, since I am neither a suffragette, nor Simone de Beauvoir or a woman claiming the right to abortion. So I went back to nineteenth century [...] and I remembered the clinical works in the tradition of Charcot, and in fact I remembered – and I think that's what Jacob was referring to – that at that time, the word "hysterical" was addressed to all women – as you know, all women are potentially hysterical, you know that, dear colleague – and "hysterical" was also applied to a certain category of men, namely, homosexuals; yes, homosexuals. So, dear President Jacob, you could have been more frank, and, as children do in the schoolyard, you could have called me a fag. Here it comes, this insult that causes so much pain to young people who discover their sexual orientation. I want to reassure you, dear President Jacob, I assume my sexual orientation, I am proud of it, and I don't feel like hugging the walls despite your insults. I just want to tell President Jacob that such invectives, within this Assembly, do not honor either your group, or the work that the National Assembly has been doing today. I feel ashamed for those who utter such words. True, it is late, and I feel you're losing your nerves.)

Puzzled by the adjective "hysterical", the use of which he deems unfounded, Coronado connects it with former uses: it was used against the "suffragettes", that is, the feminine supporters of women's right to vote, to disqualify them; it was used against Simone de Beauvoir as she published her book *Le deuxième sexe*, which was considered a feminist manifesto; it was used against the feminine activists who claimed the right to abortion. Sergio Coronado finally mentions that the diagnosis of hysteria was made for a specific category of male individuals, namely, homosexuals. On that ground, he suggests that Jacob's accusation of hysteria amounts to calling him a fag: *"vous auriez pu êt' plus franc/ (.) et faire co:mme dans les cours d'éco/le me traiter d'pé/dé"*.

In the context of a discussion on a law that opens marriage to same-sex persons, charging someone with homophobia is a way of bluntly disqualifying his

contribution to the debate as irretrievably biased.

Example 5 is interesting in that it illustrates how the "hysterical" qualification, when applied to an opponent in a polemical discussion, may be a means of disqualifying his position as emotional and biased. It also shows how a specific context (here, the discussion of the law opening marriage to same-sex persons) may activate some semantic features associated to "hysterical" in what Sophie Moirand (2007) would call a collective discursive memory.

4. *Paranoid*

French "*paranoïaque*" (and its shorter version "*parano*"), or English "paranoid", is another term issued from psychiatry, and entering some ad hominem attacks.

Example 6 is part of an interview of Marine Le Pen, an extreme-right politician, by the left-wing journalist Pascale Clark on France-Inter radio station. At the end of the interview, by way of closing, Pascale Clark always broadcasts a musical piece chosen by her guest. Marine Le Pen chose a song by Laurent Voulzy, the lyrics of which were written by Alain Souchon, entitled "Jeanne". This song is about a contemporary man who claims his love for a medieval women named "Jeanne". The song does not explicitly refer to Jeanne d'Arc, but irresistibly evokes her. Whereas the interview should end with the song, Pascale Clark takes the floor and cites the lyrics of "Belle-Ile en mer", another song by Voulzy/Souchon, and specifically, a brief sequence which evokes Voulzy's feeling of rejection as a mixed-race child grown up in France**[x]**. Though Pascale Clark does not explicitly charge Marine Le Pen with racism, it clearly is the way the latter interprets the quotation by Pascale Clark of "Belle-Ile-en-mer"'s lyrics. She then strives to force the journalist into avowing what she intended by quoting this song. Pascale Clark resists, calling Marine Le Pen paranoid**[xi]**:

(6)
MLP : ouais (.) non non mais attendez madame (.) moi/ (.) très objectiv'ment\ (.) euh euh que
votre: (.) la manière dont vous balancez vot' petite vanne à la fin/
PC : c'est pas une [va:/nne (.) je rappelle les paroles d'une belle chanson
MLP : [ça veut dire quoi\ ça veut dire que vous m'accusez (.) ben oui/ madame mais
qu'est-ce ça veut dire quoi quelque part vous m'accusez d'quoi
PC : mais de rien/

MLP: mais si/ si\ j'ai bien vu votre petit air pincé genre [j'suis contente de moi/ (.) j'ai balancé
PC : [mais arrêtez mais vous êtes parano/ mais
MLP : [une p'tite vanne
PC : [vous êtes parano/ le monde entier est contre vous:/ c'est juste les paroles que j'rappelle/
c'est tout/

(MLP: yes, no but wait Madam, the way you hurl your little dig at me in the end
PC: that is no dig, I'm just evoking the lyrics of a beautiful song
MLP: what does it mean? It means that you are accusing me, yes Madam, but what does it
mean, you are accusing me of what?
PC: I'm not accusing you of anything.
MLP: oh yes you are, I saw your stiff face, meaning "I feel pleased with myself, I had a little dig at her"
PC: stop that, you paranoiac! You paranoid, the whole world is against you… (I'm just
evoking some lyrics, that's all)

Example 6 is typical of the use of the adjective "paranoid" as a disqualifying means. It enables Pascale Clark to suggest that Marine Le Pen is not grounded in suspecting that the quotation of "Belle-Ile-En-mer"'s lyrics was an indirect way of accusing her of being a racist. Beyond that, "parano" suggests that this faulty interpretation of Pascale Clark's intention by Marine Le Pen is due to a mental pathology ("you are parano"), which leads her into interpreting innocent words as personal attacks ("the whole world is against you").

The diagnosis of paranoia applied to the opponent gives clearance to the speaker of the personal attacks he may make: he does not have to answer for them while taking profit of their devastating potential.

However in this specific case, the strategy fails. If you want to rebut your opponent's accusation of your having committed a personal attack by suggesting that he is paranoiac, you should be able to propose an alternative credible interpretation for what you said. Here, no doubt that Pascale Clark's alternative interpretation of what she did (I'm just evoking the lyrics of a beautiful song) is a poor one, and cannot support Marine Le Pen being charged with paranoia.

5. *Autistic*

The last case we will handle briefly here is the "autistic" adjective, and more specifically, its use to qualify the government. In such cases, "autistic" often works as a quasi-synonym for "deaf". Example 7 is from Thierry Lepaon, the General Secretary of a left-wing trade-union (the CGT). Lepaon criticizes Hollande's government for not defending the interests of the working classes**[xii]**.

(7)
Les patrons ont pris l'offensive, ils ont l'oreille de ce gouvernement. Plus il cède aux patrons, moins les salariés sont audibles. Ce gouvernement est autiste de son oreille gauche, il entend bien à droite.

(Bosses have taken the offensive, they caught the government's ear. The more the government lets them have what they ask, the less audible the workers get. This government is autistic from the left ear, it hears perfectly well from the right side.
)

The same day when Lepaon made this statement, a commentator expressed a similar criticism of French government in similar terms on the blog of a French magazine**[xiii]**:

(8)
Le gouvernement du Parti Schizofrène est devenu autiste de l'oreille gauche et n'écoute qu'avec celle de droite le Medef, le Cac 40, et les agences de notations Standard & Poor's et Cie...

(The Schizophrenic Party Government became autistic in its left ear and listens only with its right ear to Medef [right-wing union], to the CAC 40 [Paris Stock Exchange], to rating agencies Standard & Poor's and Co...)

More generally, the adjective "autistic" is applied to any opponent that you fail to win over to your cause and who resists the arguments he's addressed. This strategy also appears in example 9 by Jean-Claude Gaudin, Marseille City's Mayor, who deems the government to be autistic because it does not satisfy his claimings on the reform of school timetables**[xiv]**:

(9)
Le gouvernement est autiste. La Ville de Marseille a demandé un moratoire sur les rythmes scolaires. Il a été refusé. Elle a proposé un plan de développement du

soutien scolaire. Il a été refusé.

(The government is autistic. Marseille city asked for a moratorium on the reform of school timetables. Its demand was rejected. It proposed a plan for developing support classes. Its demand was rejected.)

Gaudin's declaration elicited reactions on Twitter pointing to the adjective "autistic", the pejorative use of which is considered inelegant in the following tweets:

(10)
Tweet 1 : mère d'enfant autiste et entendre le mot autiste à tout va au gouvernement et ds les cours d'école: STOP!
Tweet 2 : autiste n'est peut être pas le mot le plus délicat ….
Tweet 3 : On pourrait dire… sourd, mais c'est aussi un handicap.
Tweet 4 : L'utilisation du handicap comme une injure. Classe.

(Tweet 1: mother of an autistic child and hearing the word autistic all day long used by politicians and in schoolyards: STOP!
Tweet 2: perhaps autistic is not the most delicate word…
Tweet 3: You could say…deaf, but it's also a handicap.
Tweet 4: Using the handicap as an insult. Elegant.)

To sum up, in polemical contexts, integrating adjectives issued from psychiatry into ad hominem attacks may be shown to fulfil specific argumentative functions. Accusing the opponent of being hysterical is a way of disqualifying his position as emotionally biased, and enables one to dismiss a conflicting view without having to discuss it. Accusing the opponent of being paranoid enables one to make a personal attack without assuming the responsibility for such a disputable argumentative move, while taking profit of the devastating effect it may have. At last, calling the opponent autistic when he does not come to your point is a way of dismissing his resistance to your arguments as being a mere symptom of a mental pathology, which enables you not to acknowledge your argumentative failure.

Whereas such qualifications undoubtedly serve disqualifying strategies, they are somehow toned down by the fact that they do not claim that the opponent is motivated by malevolent intentions: if he is wrong, it's not his fault, it's because he is mentally disabled, in one way or another.

6. *Conclusion*

Our present and preliminary study was concerned with only three words, and will be developed further. The use of mental disorder subtypes outside the psychiatric field will be examined from the medical point of view, to both interrogate the reasons and the meanings of using such specific vocabulary, not only to categorize but actually to undermine the opponent's discourse. We will address the reasons of using psychiatric words, in preference to words in relationship with physical impairments, such as "he or she must be deaf not to understand" or "is he or she blind not to see the evidence?" When a medical term is used outside its obvious diagnosis field, one can question why this word is used and not another one (given that hundred mental disorders are now recognized by academics) and what is conserved from the original definition and what comes from the common sense or from the lay person's understanding of a specific mental disorder.

Our post-modern society is considered to be biologically and genetically-oriented. In parallel, one's mental health is often questioned and analyzed. For some authors, policy-makers lean heavily and wrongly upon psychiatry to define norms and pseudo-relevant behaviour (Gori and Del Vogo 2008). For others, emotions are being used for economical purposes by pharmaceutical firms (Lane 2009). Whatever the reasons, the number of mental disorders medically recognized has been steadily increasing over the years**[xv]**. Mental illness terms – outside the medical field – are not only applied to individuals but are also used to characterize concepts or theories: for example, it was said that economy was autistic[xvi] or that the French society was schizophrenic**[xvii]**.

Such uses outside the medical field are paradoxical, because of the many public campaigns aiming at de-stigmatizing persons suffering from mental disorders. For the past twenty years, most western countries, including France, have launched media campaigns to emphasize that people suffering from mental disorders are "normal" persons. To name a few of these de-stigmatization campaigns, the World Psychiatric Association has launched "Open the doors" about schizophrenia**[xviii]** worldwide; "Time to change" claims to be "England's biggest programme to challenge mental health stigma and discrimination"**[xix]**; in France, the FondaMental association aims at explaining mental illnesses to the lay person**[xx].** However, all these initiatives have not prevented the use of psychiatric terms to depreciate one's opponents. Therefore our study will be a key for understanding how French society is mentally-oriented, specifically in political

interactions.

NOTES

i. At least, not more than terms referring to non-mental pathologies, such as cancer, pharyngitis or diabetes: such words clearly point to physiological dysfunctions, but they do not convey any disqualifying assessment of the person who suffers these pathologies.

ii. English "you X you" or "you fucking / dirty / lousy X" may be considered as rough equivalents for "espèce de X" or "sale X".

iii. http://parapentesaintevictoire.blogspot.fr/2014/05/panneau-retour.html

iv. http://www.tromal.net/conte/view.php?urlHistoCount=3623

v. As when Anne-Sophie Leclère, a National Front candidate for the 2014 local elections, compared French Attorney General Christiane Taubira to a baboon.

vi. Contesting the manliness of the opponent is a very common disqualifying strategy. It transpires from the revolting but nonetheless frequent injunction addressed to a boy in tears: "Don't cry, you look like a girl!"

vii. As when, during the "Gayet Gate", Manuel Valls suggested that "François Hollande behaved like a retarded teenager"; https://fr.news.yahoo.com/closer-fran%C3%A7ois-hollande-agi-quot-ado-attard%C3%A9-quot-103503108.html

viii. fr.soc.politique

ix. Christian Jacob, president of the UMP Group at the French National Assembly, February 1st, 2013.

x. «Moi des souvenirs d'enfance / En France / Violence / Manque d'indulgence / Par les différences que j'ai»

xi. Marine Le Pen interviewed by Pascale Clark, Le 7/9, France Inter, 19 April 2012.

xii. Thierry Lepaon, General Secretary of the CGT, on RMC radio station, 29th October 2013.

xiii. Dingo 117, 29th October 2013, www.marianne.net

xiv. La Provence, 12th June 2014.

xv. The American society of psychiatry has published several manuals for diagnosing mental disorders. The last one (DSM 5), published in May 2013, lists over 600 hundred different disorders (http://www.dsm5.org/Pages/Default.aspx

xvi. « L'économie autiste », Le Monde, 25 June 2012. The author, Marco Morosini, claims that "what could appear to be a courageous voluntarism is actually nothing more than the confirmation of sixty years of autistic economy." («

Ce qui pourrait paraître un volontarisme courageux n'est que la confirmation de soixante ans d'économie autiste»)

http://www.lemonde.fr/idees/article/2012/06/25/l-economie-autiste_1723092_3232.html

xvii. Ezra Suleiman, Schizophrénies françaises, 2008, Paris: Grasset.

xviii. http://www.openthedoors.com/english/index.html; "The WPA International Programme is designed to dispel the myths and misunderstandings surrounding schizophrenia."

xix. http://www.time-to-change.org.uk/

xx.

http://www.fondation-fondamental.org/page_dyn.php?mytabsmenu=1&lang=FR&page_id=MDAwMDAwMDAwOA

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ISSA Proceedings 2014 – Dialectic And Eristic

Abstract: The paper discusses theoretical and practical relations between dialectic and eristic. It begins with the origin of the notion of eristic in Greece. Next, it considers eristic from three points of view. First, it is seen as an aggressive attitude in the context of an argument. Then, it discusses the philosophical motivations of some eristic practices in Greece. Finally, the contemporary notions of eristic dialogue and eristic discussion are considered.

In his monumental Greek Thinkers: History of Ancient Philosophy the Austrian philosopher and historian Theodor Gomperz (1920) discusses the sentence ascribed by Diogenes Laertius (1925) to the Greek sophist Protagoras: "On every question there are two speeches, which stand in opposition to one another". This statement would have been the core of Protagoras Antilogies, his legendary but missing book. According to Diogenes, Protagoras also wrote an Art of eristic which actually was only a part of the Antilogies if we follow Untersteiner (1949). In a footnote, Gomperz (1920, p 590) had already expressed a doubt about the very existence of a separate book on eristic: "Nobody ever called himself an Eristic; the term remained at all times one of disparagement … so that the above mentioned title of his book cannot have been of Protagoras' own choosing".

The main point for us is the claim that "nobody ever called himself an Eristic". If this is true, it should also be true of sophists although they were said ready to challenge any point of view. If Gomperz is right, eristic is a pejorative label that you do not apply to yourself but only to others. This is not the case with "sophist" and "dialectician", two names germane to eristic, for Protagoras called himself a sophist and Socrates saw himself as a dialectician.

In his biography of Euclid of Megara, Diogenes Laertius (1925, Book II) reports that the members of the Megarian school of philosophy were first called the Megarian, then the Eristics and later the Dialecticians because of their use of questions, their love of arguments and their interest in paradoxes. Thus, if Gomperz is right, Eristics was certainly a nickname. This makes an important distinction of status between eristic and dialectic.

In 1990, on the basis of a systematic study of the electronic *Thesaurus Linguae Graecae*, Edward Schiappa reported that the Greek words for *eristic, dialectic, rhetoric* and *antilogic* all originate in Plato's writings (Schiappa, 1990; see also Schiappa, 1992, 1999). As far as eristic is concerned, this seems to be a linguistic innovation but based on a root, *eris,* which means dispute or quarrel. Kerferd (1981, chap. 5) stresses that, for Plato, *eristic* did not only mean an attitude – to look for victory in a discussion – but also the art that provides and develops the means to do it. However, it would be wrong to consider this art as a specific *techne* since the eristic speaker is ready to use any means to triumph or to give

an impression of triumph. So, although Plato often applies eristic and *antilogic* to the same characters, Kerferd suggests that a distinction should be maintained between these two words which involve an agonistic attitude. A verbal exchange is antilogic when two opposite or contradictory discourses (*logoi*) are applied to the same thing, event or situation. But, in an antilogic dialogue, the refutation of an opponent can be systematic without pertaining to a strategy ready to use any means. This point is essential to understand Socrates' position against the sophists: even when he contradicts his interlocutor, a dialectician does not aim at something like winning but looks for a truth which may not depend on the result of the dialogue. Although he often refutes his interlocutors, this makes a major difference between the dialectical inquiry fostered by Socrates and the love of dispute typical of eristic arguers ready to use any trick to succeed.

There are about a dozen occurrences of words germane to eristic in Plato (Brandwood, 1976). In the *Theatetus* (164c), Socrates does not use this word but makes a distinction between genuine philosophers and agonistic speakers who are only interested in words. A bit further (167e) he imagines how his fellow sophist, Protagoras, could complain about Socrates' unfair attitude in a previous conversation they had together. Socrates makes the sophist draw a sharp line between the agonistic strategy of eristic and the cooperative attitude of dialectic even when it uses refutation (Benson, 1989):

But I must beg you to put fair questions: for there is great inconsistency in saying that you have a zeal for virtue, and then always behaving unfairly in argument. The unfairness of which I complain is that you do not distinguish between mere disputation and dialectic: the disputer may trip up his opponent as often as he likes, and make fun; but the dialectician will be in earnest, and only correct his adversary when necessary, telling him the errors into which he has fallen through his own fault, or that of the company which he has previously kept.

In the *Euthydemus*, the young Clinias is going to listen to Euthydemus and Dyonisodorus, two brothers who have just been introduced as sophists. Socrates accompanies him because he claims that despite his venerable age he wants to learn their art that he calls eristic (272c). The two brothers are introduced as fighters. They were experts at wrestling, then at dispute before a court, and finally:

The one feat of fighting yet unperformed by them they have now accomplished, so

that nobody dares stand up to them for a moment; such a faculty they have acquired for wielding words as their weapons and confuting any argument as readily if it be true as if it be false. (272a)

The fact that an arguer is ready to confute any statement, true or false (successfully or not) may confirm indifference to truth. This kind of attitude is also often associated with the art of the sophists and Plato's use of eristic tends to confirm a proximity between eristic and sophistic (Nehamas, 1990). However, in the *Sophistical Refutations*, Aristotle makes a set of distinctions between dialectic, eristic and sophistic. First:

The man who views general principles in the light of the particular case is a dialectician, while he who only apparently does this is a sophist. (171 b5) *... The eristic arguer ... reasons falsely on the same basis as the dialectician.* (171b37)

Thus, for Aristotle (at least in this passage), the difference between the dialectician and the sophist is a matter of "vision of the principles", while between the dialectician and the eristic it depends on the quality of their reasonings. There is also an important difference of goals between the sophist and the eristic arguer who, here again, is introduced as a fighter, but an unfair one:

... just as unfairness in an athletic contest takes a definite form and is an unfair kind of fighting, so eristic reasoning is an unfair kind of fighting in arguments; for in the former case those who are bent on victory at all costs stick at nothing, so too in the latter case do eristic arguers. Those, then, who behave like this merely to win a victory, are generally regarded as contentious and eristic, while those who do so to win a reputation which will help them to make money are regarded as sophists ... Eristic people and sophists use the same discourse, but not for the same reasons.... If the semblance of victory is the motive, it is eristic; if the semblance of wisdom it is sophistical... (171 b24-31)

This distinction does not preclude that you are both a sophist and an eristic; but if you are one of them you are not a dialectician, at least in the Aristotelian sense of this term. It is also noteworthy that Aristotle is talking of the way people are "generally regarded". Thus, his comments could be taken as a testimony of the way the words *dialectician, sophist* and *eristic* were used around the middle of the fourth century. Further, as stressed by Dorion (1995, p 51) about the status of the Megarian school, it is likely that these terms were sometimes taken as synonyms

at this time.

Taking now for granted that eristic arguing is characterized by the idea that a discussion is a challenge that you can win, that an eristic arguer systematically tries to refute his interlocutors by any means and, then, does not care about the truth of the views they express, I will examine three aspects of this phenomenon. First, it can be seen as an attitude independent of philosophical, religious or, broadly speaking, ideological orientations. Second, as suggested by the case of the Megarian school or the views of some sophists, it can be motivated by elaborated intellectual positions. Finally, I will consider eristic behavior in the context of a controversial discussion as is the case with Protagoras' antilogies, Plato's *Euthydeme* or the verbal confrontations discussed by Aristotle in the *Topics* or the *Sophistical Refutations.*

Eristic attitudes
It is common lore that some people love to argue and have a strong tendency to contradict their interlocutor in almost any verbal exchange. This suggests that eristic behavior could be a psychological individual feature, independent of the topic of the conversation. When it is related to only one kind of topic, for instance religious or political, it is sometimes seen as indicative of a dogmatic attitude.

Another typical case has been registered in classical texts: young people would be more prone to an eristic behavior than their elders. This is already reported in Isocrates' *Panathenaicus* (1929, 26) where Plato's rival notes that the new type of education has the merit "to keep the young out of many other things which are harmful" and:

Now in fact, so far from scorning the education which was handed down by our ancestors, I even commend that which has been set up in our own day — I mean geometry, astronomy, and the so-called eristic dialogues, which our young men delight in more than they should, although among the older men not one would not declare them insufferable.

Isocrates' testimony suggests that even if young men have a natural slant to eristic, it has been made more salient by the new education set up by senior citizens. Isocrates does not deny that arguing is enjoyable but stresses that it is the abuse of eristic that is objectionable. A similar observation can be found in Plato's *Republic* (VII, 539 b27) where eristic is not introduced as a kind of

dialogue but as a perversion of it:

Socrates: *There is a danger lest they should taste the dear delight too early; for youngsters, as you may have observed, when they first get the taste in their mouths, argue for amusement, and are always contradicting and refuting others in imitation of those who refute them; like puppy dogs, they rejoice in pulling and tearing at all who come near them.*
Glaucon: *Yes, there is nothing which they like better.*

Young people would have fun to imitate "those who refute them", probably their masters. Like Isocrates, Plato suggests that this juvenile behavior is a consequence of the emergence of the new education, a feature of a new social life. But the analogy made by Socrates with an animal non-verbal attitude also suggests that it could be generic and natural. Even if Socrates' dialectical refutations or Protagoras' antilogic games are possible models for this juvenile eristic, both passages suggests that young people are excessive in this practice. A few lines latter, like Isocrates, Socrates stresses the difference with elder people and then with a more serious practice of dialectic:

Socrates: *But when a man begins to get older, he will no longer be guilty of such insanity; he will imitate the dialectician who is seeking for truth, and not the eristic, who is contradicting for the sake of amusement; and the greater moderation of his character will increase instead of diminishing the honour of the pursuit.*

According to Plato, the fact that eristic arguers do not pay much attention to truth can have sad ethical and epistemic consequences. This kind of game would quickly pave the way to skepticism because, with the habit to confute and to be confuted, "they violently and speedily get into a way of not believing anything which they believed before". And this would be the ruin of the whole educational program of the *Republic* since "philosophy and all that relates to it is apt to have a bad name with the rest of the world". This threat from eristic to philosophy is also at the very heart of the *Euthydemus* where the two eristic sophists are said to be old men. Even if young men – what about young women? – are especially gifted for this art, this dialogue shows that it is not their prerogative or that their presumed masters can be worse than them.

Schopenhauer's thesis

Schopenhauer wrote his *Eristiche Dialektik* (Eristical dialectic) in 1831. It is usually translated into English as *The Art of Controversy* (Schopenhauer, 1921), a choice which is unfortunate because *eristic* and *dialectic* disappear from the title and, accordingly, their semantic proximity too. Schopenhauer was clear about it: eristic is a kind of dialectic. Further, even if you know the original German title, you cannot make a decision about the main point, namely whether "controversy" translates "eristic" or "dialectic" or both, more or less identified.

The German version begins with a definition of eristical dialectic, immediately followed by long footnotes about the differences between logic, dialectic, eristic and sophistic. These notes have become the first pages of the English translation. When you replace controversial by eristic, the English translation of Schopenhauer's definition (1921, p 4) comes close to Plato and Aristotle's ones:

Eristical Dialectic is the art of disputing, and of disputing in such a way as to hold one's own, whether one is in the right or the wrong – per fas et nefas... (*whether right or wrong*).

According to Schopenhauer, logic is "the science of thought, or the science of the process of pure reason", then "it should be capable to be constructed a priori" (p 3). On the other hand, dialectic "can be constructed only *a posteriori*" because it is the "manifestation of the intercourse between two rational beings". Therefore a possible disagreement between interlocutors is the consequence of the "disturbance which pure thought suffers through the difference of individuality".

Schopenhauer is pessimistic about the way conflicts of opinion can be solved. The Socratic ideal of a common pursuit of truth by means of a friendly conversation is hardly possible in practice. On the one hand, "regarded as purely rational beings, the individuals would necessarily be in agreement" (p 3), but, on the other, this possibility is unlikely in practice because "man is naturally obstinate". According to Schopenhauer, the origin of this stubbornness is simply "the natural baseness of human nature" (p 5). When two interlocutors, A and B, perceive that they disagree, A "does not begin by revising his own process of thinking, so as to discover any mistake which he may have made, but he assumes that the mistake has occurred in B's". Therefore, every man "will insist on maintaining whatever he has said, even though for the moment he may consider it false or doubtful" (p 6). But he is not ready for a revision of what he has just said because he is "armed against such a procedure by his own cunning and villainy" (p 7).

So, according to Schopenhauer, eristic is not an isolated individual behavior or an attitude typical of specific human groups, for instance young men: it is a natural and almost universal aspect of human conversations. Schopenhauer may be right that eristic behaviors or tendencies are quite frequent, but they may be less frequent than he says. You can also doubt his pessimistic explanation and opt for a more optimistic version saying that there may be a global epistemic or cognitive benefit for mankind to behave eristically or, at least, to support a claim when there is strong evidence to the contrary. Schopenhauer already stresses that an agonistic attitude can prove beneficial during the conversation:

...we make it a rule to attack a counter-argument, even though to all appearances it is true and forcible, in the belief that in the course of the dispute another argument will occur to us by which we may upset it, or succeed in confirming the truth of our statement. (p 6)

Let us add that it could be beneficial also after the dispute, in the long run, as shown by the example of cold cases reopened because some defenders resisted the evidence of the guilt of a sentenced person and finally found new evidence to the contrary, that they suppose decisive.

Schopenhauer points to the agonistic and sometimes aggressive aspect of eristic attitudes but does not pay much attention to the playful (Plato) or athletic (Aristotle) aspect, already stressed by the Ancient and still clear nowadays, for instance in the behavior of the so-called "trolls" that you can meet on the social networks of internet. This suggests a distinction between different kinds of eristic attitudes, depending on whether they are playful or not, aggressive or not. Schopenhauer supports the strong anthropological claim that eristic arguing is a global, if not universal, phenomenon, but this deserves a more systematic empirical study. Hample and his colleagues have begun a worldwide investigation of it (Hample, 2010; Xie & al., 2013). In their 2010 paper which reports the results of a research involving about two hundred American students (mostly women from various ethnic origins) Hample et al. draw a roughly "schopenhauerian" conclusion: "We believe that the natural strip of arguing behavior is eristic, that at its core arguing is verbal force aimed at defeat of the other person". One variety of eristic arguing is arguing for fun, but Hample et al. emphasize an idea already found in Plato and Aristotle's metaphors about the kind of game played by eristic arguers: it lies on a scale ranging from peaceful sports with clearly stated rules to a war fearing neither god nor man. In the

Euthydemus, Plato says that, before turning to eristic, the two brothers used to practice *pankration,* the Greek martial art almost free or rules and are experts in the use of weapons. Hample et al. (p. 418) only talk of boxing, a more civilized sport:

Entertainment is not normally supposed to be eristic or potentially unpleasant, but our results show that in the case of arguing, it certainly is. Aggressiveness asserts itself forcefully in the experience of and awareness of arguing for play. The entertainment character of interpersonal arguing is more comparable to boxing than to passing the time pleasantly or working on a garden together. In fact, we are somewhat disinclined to say that playful arguing is playful at all, since it shows such a combative nature in our analyses.

Eristic philosophy
Even if eristic arguing sometimes appears to bloom haphazardly in a conversation, it can also be motivated by theoretical reasons. If its goal were really to win by any means, i.e. to silence an opponent, a gun could be the most efficient one. But this seems too radical. So, an implicit presumption is that not any means make the deal but only any verbal ones. But, to shout or utter an endless stream of words are also verbal means to try to silence someone. Thus, a more restrictive presumption is that eristic arguing has something to do with reasons giving and so, at least broadly speaking, with argumentation. The problem then becomes the scope of the expression "any means" in the context of an argument.

As many contemporary scholars I do not agree with the traditional view considering the so-called "great sophists" (De Romilly, 1988), namely those who lived at Socrates and Plato's time, as hurried professors ready to support any idea by any means to make fast money. Even the two sophists of the *Euthydemus* who seem to belong to a second generation – if they did exist – claimed that their eristic attitude was bound to philosophical positions: they would not be playing just for the pleasure. If Dorion (1995) is right that Aristotle's *Sophistical Refutations* is especially directed against the Megarian, this would confirm that the dispute between the Philosophers, represented by Socrates, Plato and Aristotle, and the Eristics and/or the Sophists is not merely a fight of good against bad or pseudo philosophy, as the tradition claims. It is a moment of an enduring debate between philosophical schools.

There are some good reasons to say that the Eleatic philosophy associated with the names of Parmenides, Melissos and Zeno has had a major influence on the eristic/sophistic thought. I will only recall a few arguments that support the existence of a filiation between some ideas, gathered under the name of Eleatic philosophy, and the dialectical practice of some eristic sophists.

Gorgias is the author of a lost work called *On Nature or the Non-Existent*. There remain two partial paraphrases of this text: one can be found in Sextus Empiricus' Against the Professors, the other is an anonymous text called On *Melissus, Xenophanes, and Gorgias*. In this last work, Gorgias puts forward three paradoxical theses about being, knowing and communicability: in short, nothing exists, if something existed we could not know it, and even if we could know it, we could not communicate it to other people. The proofs of these astounding claims explicitly refer to the views of Eleatic thinkers like Melissus and Zeno whom Aristotle held to be the father of dialectic if we believe Diogene Laertius (IX, 25). According to B. Cassin (1980; 1995), Gorgias' theses would be a "logical" but paradoxical consequence of some ideas of Parmenides and his followers.

According to Gomperz (1920), the founder of the Megarian school, Euclide, "merely ethicized, if the term is permissible, the metaphysics of Elea..." (p174) and "the Megarians, as a school, may be described by the term Neo-Eleatics" (p 175). The reason for this philosophical proximity being the Eristics and Eleatic philosophy is their shared position about what Gomperz calls the problem of predication, namely the possibility of a plurality of attributes applying to one single being and a plurality of individuals sharing the same predicate. Like the Eleatic thinkers, the Megarians denied the possibility of "a relation of unity to plurality". In spite of their common tendency to despise empirical knowledge and their interest for paradoxical arguments, propitious to eristic games (Wheeler, 1983), the strength of this connection between Eleatic and Megarian thinkers has been challenged by Muller (1988, p 39).

Last but not least, in Plato's *Sophist* (1921) the stranger who leads the discussion with Theodorus to try to define what a sophist is, comes from Elea and is a disciple of Parmenides and Zeno. Socrates ironically wonders if this man is not a god and, more precisely, a god of refutation. No, this man "is more reasonable than those who devote themselves to disputation" (216 b-c). The Sophist and the *Theatetus* are also the two main dialogues where Plato sketches a theory of error, a major subject of disagreement with some sophists who were said to deny the

possibility to be wrong. Here again Parmenides' ghost is lurking around because, according to Socrates, the possibility of a mistake "in opinions and in words" (241a) amounts to the ascription of some being to non-being. To ascribe some being to non-being is impossible according to Parmenides, for non-being is not (= has no being). This is a central tenet of his *Poem* where the Goddess condemns the path of non-being and leaves opened the only path of being. Therefore, a thought or a saying is always about something, namely some-thing, i.e. some being. Hence, the two correlated theses that it is impossible to say a falsity, i. e. to say nothing, namely no-thing, and then to conclusively confute an opponent. A consequence is that a decisive arbitration of a controversy is not possible: an opponent is fully entitled to claim that he is right to the detriment of the other. This is why, from the Eristic point of view, victory in a discussion is not the victory of truth over falsity but the victory of the stronger arguer. All this would come from the Eleatic thought. This seems to be acknowledged by Socrates when he says that to take a step in the direction of an ascription of being to non-being is an offense and even a crime against the old Parmenides (237a; 241a).

Another wind, coming from Heraclitus, seems to have blown on eristic philosophies. The Heraclitean idea of an always changing world can bring another kind of support to eristic arguers. A thing that is green today may be red tomorrow, so it can rightly be said red and non-red. This reasoning has a similarity with the kind of faillibilism which appears in Schopenhauer. The eristic arguer whom everybody, including himself, believes to be wrong today (although a Parmenidian eristic arguer should not care about being wrong since it is impossible) could be right tomorrow (but a genuine Heraclitean view forbids the possibility of any definitive success). We know that Aristotle denounces this kind of move in his discussion of the principle of contradiction in *On Sophistical Refutations* (167a) or in *Metaphysics* (1005 b 15-30) where he condemns the sophistic maneuverings based on the unconditional use of contradictory predicates.

In the *Theatetus* when Socrates discusses Protagoras' maxim that "man is the measure of all things", first interpreted as meaning that each man is the measure of all things, he explicitly establishes a relation between this view, which opens the path to eristic conflict, and the philosophy of Heraclitus, Empedocle and many philosophers, but Parmenides (152e). It is noteworthy that the discussion is limited here to the case of perceptions. According to Protagoras, the one who says

that the wind is cold when the other says that it is not cold are both right. Socrates does not deny it and Protagoras is right to say that these two discourses are a case of antilogy. But it may seem difficult to grant, at the same time, that both speakers are right and that a contradiction is not possible. A way to avoid this paradox is to claim that both speakers actually say "some-thing", hence that their utterances are neither false nor void, but that they are not talking of the same thing. After stressing that a verbal opposition is not the same as a mental opposition, that "our tongue will be unconvinced, but not our mind" (154d), Socrates stresses a pragmatic contradiction between Protagoras behavior and his philosophical theses for he should grant that, under his own maxim, people who disagree with him are right.

It is beyond the scope of this paper to dive further into this topic and the disputed influences of Parmenides and Heraclitus on Greek eristic thinkers. The main point is that, in Greece, eristic arguing was not always a silly game. Even if it is rooted in human nature and sometimes appears spontaneously, at least in Greece, it was also motivated by philosophical concerns about language, thought and communication.

Eristic discussion
In *Commitment in Dialogue*, Walton and Krabbe claim that eristic dialogue is a specific kind of dialogue (1995, p. 76):

Under this title we have assembled all types of dialogue, such as acrimonious verbal exchanges and private quarrels, that serve primarily as a substitute for fighting (tournaments or duels) as a means to reach, provisionally, an accommodation in a relationship. As in a fight, the participants are foremost trying to win. What constitutes winning may differ but is often defined in terms of effects on onlookers or referees.

This kind of dialogue which is supposed to follow some rules, like tournaments and duels, would have subtypes. Quarrel is one of them, eristic discussion is another (p. 78):

The eristic discussion is a type of dialogue where two participants engage in verbal sparring to see who is the most clever in constructing persuasive and often tricky arguments that devastate the opposition, or at least appear to.

A slightly different approach, without explicit acrimony and onlookers, is also

introduced in Walton (98, p. 181) who, further, uses the expression "sophistical dialogue":

Eristic dialogue is a combative kind of verbal exchange in which two parties are allowed to bring out their strongest arguments to attack the opponent by any means, and have a kind of protracted verbal battle to see which side can triumph and defeat or even humiliate the other.

More recently, Van Laar gave his own version (2010, p. 390):

Eristic discussion is the kind of game that aims to determine who is the most capable, smart and artful when it comes to devising and presenting arguments and criticisms.

There are similarities between these contemporary approaches, and also between them and the various ancient concepts of eristic. But there are also important differences between the new and the old ones. Let us begin by the similarities.

In these contemporary definitions we find again three features of previous definitions. First, a common goal: to win. Second, "any means" with the restriction that they are, more or less, connected with the practice of argument. Finally, we meet again sport or military comparisons or metaphors (fighting, tournaments, duels, devastate, combative, attack, battle, triumph, defeat, humiliate...). Van Laar seems to escape this paradigm but not the idea of a competition to select the best arguer according to criteria to define.

Now, a characteristic feature of all these contemporary approaches is the parity or symmetry between the main goal of the interlocutors and between the means they use or are "allowed" (Walton) to use. Their common main goal is to win and they are supposed to use means which are different but framed and, perhaps, evaluated according to the same criteria or rules. The status of these criteria or rules is a problem. Are they the same as in a critical discussion as suggested by pragma-dialecticians? Are they specific to each kind of dialogue? Are they mixed? See Krabbe (2009) for a discussion. But, my main point remains that in these contemporary views they are the same for both sides.

It is also noteworthy that in Van Laar's paper and Krabbe and Walton's definition, the eristic discussion occurs in front of an audience or in front of "onlookers and referees" who serve as a jury. Thus, it is supposed to follow a common procedural

frame: the goal is collectively fixed like in a tournament or a contest and the parties are "allowed" to bring out their strongest arguments. Hence, the interaction can not only be seen as a (collective) game, it is a game: the participants know they are playing and what game they are playing. In such a case, it seems easy to identify a discussion as an eristic one.

This scheme fits common situations. For instance, it seems close to the way Protagoras is supposed to have trained his disciples or similar to the didactical exercises sometimes played in contemporary argumentation classes, with one player or a team trying to support a view "by any means" against an opposing team. You can also find examples in context which are less obviously playful. Most contemporary democracies have preserved two Greek institutions, the Assembly and the Court, two places of collective or public talk which are major symbols of democratic life. In both of these arenas opposition is essential and its truthfulness counts as a warrant of a regular working. This is why lawyers are appointed to support a defendant even when "everybody" claims that he is guilty. This is a political opposition is essential to democratic life as it is summarized by the French political saying to the effect that "L'opposition s'oppose" (The political opposition *has* to oppose the government's policy) which seems massively followed by politicians and political parties, even if citizens interpret this systematic opposition as a sign of bad faith or unfairness that may lead to a public disaffection toward politics.

Krabbe (2009) distinguishes two typical attitudes in dialogue: collaboration and competitiveness. He stresses that even in competitive situations "a certain minimal cooperativeness is needed – since otherwise there can be no exchange at all" (p. 121). He adds that "arguments are called in as a means to change a situation into a better situation" (p. 122). Who decides that a situation is better, and according to which criterion? "By common standard ... in an optimal situation the parties would be in agreement". But this fails to capture the idea that although eristic arguers may be ready to cooperate as long as common standards serve their personal goals, they are also ready to drop them when they become hindrances. I think that Van Laar rightly points that if eristic is a specific kind of dialogue it is not like the others. There is something puzzling, properly para-doxical, i.e. beyond common expectations, at least in some forms of eristic arguing. Van Laar (2010) writes: "...a crucial characteristic of an eristic discussion is that there is *less* cooperation than prescribed by the norms of

critical discussion**[i]** and the contestants are typically unwilling to bind themselves to propositions or more detailed procedures" (p. 388).

The problem with Krabbe's notion of competitiveness introduced to account for the fact that each party wants to win, is that it can shelter very different attitudes. Even if you grant the debatable point that in any argument the different parties want to win, the most classical feature of eristic is the will to win "by any means". It is the scope of "any means" which is the key, I think, to understand and evaluate eristic arguing even if the working of this key is not very clear and deserves a closer investigation.

We have seen that the use of sport and military metaphors is as old as the word "eristic". The former ones suggest the idea of a whole range of practices spanning from athletics to boxing and other martial arts. Sport competitions have frames and rules which are usually clearly identified and apply symmetrically. But if we shift to the military paradigm the question of rules become more uncertain. In some sense, you can say that there is a minimal cooperation in war for the reasons given by Krabbe and war can also be seen as a kind of competition, especially when it is seen as "the continuation of politics by other means" as Clausewitz said. By other means does not mean by any means. Sometimes there are codified practices between enemies and attempts to regulate the use of weapons. But we know that in some wars, the enemies are ready to win by any means: the end justifies the means and there is no need of a jury to decide who won. Collaboration or competition is not the only choice for eristic arguing: there is a third option, more hostile, beyond them. Sometimes, eristic appears beyond collaboration and competition.

I think Kerferd (1980, p. 113) is right when he suggests that the distinction between antilogic and eristic should be maintained on the ground that antilogic is not ready to use any means while eristic is. Antilogic is closer to sports while eristic is closer to war, with difficult but interesting limit cases, like duels, gladiators fights and, perhaps, *pankration.*

It is difficult to say if the definitions of eristic dialogue introduced by Krabbe and Walton cover the whole field of *martial dialogues,* namely antilogic and (warlike) eristic exchanges, two notions which are not always clearly distinguished even in classical authors. But, if we grant that they are two different kinds of the genus that I have just called martial (which could still be called *eristic* if the context

prevents any confusion**[ii]**), it seems clear that the eristic discussion considered by Krabbe (2009) and Van Laar (2010) and more generally the "regular" political and judicial opposition of our democracies is a matter of antilogic rather than (warlike) eristic: it is soft, open and manifest competition whereas eristic can be hard, stubborn and concealed. Of course, eristic can bloom in an antilogic dialogue: a manifest antilogic discussion is sometimes a good prelude to a hostile eristic overflow.

This seems to be the case in Plato's *Euthydemus.* Walton and Krabbe (1995), Krabbe (2009), Walton (1998) turn to this dialogue to illustrate their views about eristic discussion. They mostly focus on its antilogic (and fallacious) aspects whereas I think the key of this dialogue is rather the warlike eristic behavior of the sophists.

The collective goal of the dialogue seems to be clear: the two sophists claim that an eristic training could teach virtue to the young Clinias and persuade him to love knowledge and to practice virtue. Like in a game or a sport, a rule is fixed before the beginning of the play. It is quite simple: the young boy has just to answer yes or no (276d). But this is a trick since he knows nothing else about the alleged game. Walton and Krabbe write that in an eristic dialogue, "the initial situation …is an unsettled intellectual hierarchy, prompting a need to test our verbal skills of argumentation to see who is the more masterful. The goal is to settle the intellectual hierarchy…" (p. 79). Does this apply to the *Euthydemus?* I doubt it because the status of the intellectual superiority is more intricate. The apparently shared goal is the education of the young Clinias. To reach it, the lad accepts an eristic dialogue with the two teachers who are supposed to be intellectually superior if Socrates is not ironical or does not play on words when he says that he wants to study eristic. The sophists win, but their brilliant victory is so cheap that, from the point of Plato and probably most readers, they did lose. Plato's conclusion seems to be that eristic arguing is certainly not the right path to knowledge and wisdom, let alone to the education of beginners. The first intellectual hierarchy is upset.

A major difference between Krabbe and Walton's models of eristic dialogues and the *Euthydemus* (at least in the first part) is that this dialogue lacks the parity, the formal equality that is typical of their models and of antilogic games. A first anomaly, allowed by the alleged intellectual authority of the sophists, is that they fix the rule of the game. Later, Socrates will try to break it by asking questions,

but the sophists will refuse it because they stick to their own rule: their opponents are not allowed to ask questions (287 c-d). The lesson of boxing quickly ends for Clinias who has accepted the rule: knocked out in the first round. The expected lesson shifted to an unfair competition which is over when it has hardly begun, much to the delight of the two sophists. The match is a triumph for them, but the lesson is a failure. The two sophists made a decisive step towards eristic when they decided not to play with Clinias but at his expense. They were already beyond collaboration and competition.

Conclusion

Since the Antiquity, eristic practices have been associated with the use of strength in a dialectical argumentation. A first necessary condition of eristic is to see a dialectical exchange as something that you win. But its most typical feature is the readiness to win by any means that appear relevant to the practice of argument.

Eristic can show two faces depending on whether the arguer uses means which pertain to the frame of the exchange or not. These two faces appeared in Greece where theory and practice of eristic arguing was part of philosophical reflections and arguments about the nature of thought, language and the practice of argument. An antilogic game was an agonistic verbal game where the participants were supposed to abide by rules. But it already seemed clear that this did not account for all the agonistic verbal exchanges. Sometimes arguers did not compete with their interlocutors but play at their expense.

This supports the suggestion that an eristic behavior can be the manifestation of a primary natural aggressiveness which could abide by rules as long as they serve the desire to win. But this desire can also be ready to use fallacious strategies. We should, however, resist a quick association of fallacies with eristic since eristic can do without them. Systematic refutation too is not a reliable criterion since an eristic behavior can be limited or occasional, like aggressiveness.

Some contemporary authors claim that eristic dialogues or eristic discussions can be seen or are a specific kind of dialectical interaction. I have suggested that their views focus only on one face of eristic, the antilogic one. The distinction between this pacific version of agonistic verbal exchanges similar to the practice of games or sports, and the more warlike one, ready to win even by irregular means, could help to clarify the analysis and evaluation of agonistic arguments.

NOTES

i. In the pragma-dialectical sense of the term.

ii. Just like man can be a generic term including woman and man.

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ISSA Proceedings 2014 – The September 11, 1973 Military Coup

In Chile And The Military Regime 1973-1990: A Case Of Social And Political Deep Disagreement

Abstract: This paper intends to describe and analyze the argumentation that has taken place in El Mercurio, Chile's main daily newspaper, both in articles in the printed edition as well as in blogs in the online edition, during the months of September and October 2013. This argumentation constitutes a case of social and political deep disagreement. The nature of the disagreement lies in the ways of explaining the coup and the military regime.

1. *Introduction*

In several conferences of ISSA and OSSA, I have presented a number of papers on arguments in political propaganda taking the Chilean daily El Mercurio as the source of the argumentation. The main thrust of these papers is the view that the study of argumentation in general should include the analysis of emotional, physical and intuitive arguments as well as logical ones. The paper presented in the 2010 ISSA conference (Duran, 2010) intended to show that, on the basis of work done in the previous papers, the psychoanalytic theory of Bi-Logic is in a position to explain some fundamental aspects of argumentation in agitation propaganda as developed by the press. That paper concluded with a reflection on the dramatic disagreement in Chilean society about the causes and circumstances of the military coup, the military dictatorship, and the return to democracy.

I attended during the 2010 ISSA conference the paper by David Zarefsky on deep disagreement in argumentation. His views helped me to develop a preliminary understanding of argumentation possibilities to break the deadlock in Chile through argumentation techniques as discussed in his paper. Since then I had tried to find material in El Mercurio that would help me to develop some mechanism to deal with the disagreement. The social and political idea behind this initial project was that a society cannot truly function without an undertstanding of the reasons for a major crisis that divided it into two

irreconcilable camps. I found an article in El Mercurio published in early 2010 by Arturo Fontaine, then Director of CEP (Centro de Estudios Públicos), a powerful think-tank representing the views of the highest levels of the entrepreneurial class in Chile. According to Fontaine, any attempt to discuss the drama of Chile would necessarily involve that the supporters of the coup would need to recognize the repressive nature of the military dictatorship; conversely, those who suffered the repression would have to accept that the government of President of Salvador Allende ended up terrorizing the middle classes.

I decided to look into blogs in El Mercurio internet (emol.com) that could deal with the topic. During the many activities to conmemorate the 40th anniversary of the coup, the amount of coverage of the coup and military regime has been impresssive, still within the general frame of deep disagreement. I have focused mainly on articles on the editorial page of the daily edition and on several internet blogs that deal with the topic. The purpose of this paper is to analyze the argumentation that has taken place in the blogs.

2. *Framework for the study of blogs*
In order to proceed with the analysis of the argumentation as it appears in the blogs, it seems necessary to develop a systematic framework. Usually blogs consist of expression of opinions, or points of view, with no attempt to participate in dialogues. In the case of the topic of this study, those opinions tend to be very black and white, with the people in favor of the military regime attacking the other side quite strongly, and viceversa. Ad hominem fallacies are found frequently, including insults and accusations of evil motivations. Therefore, what is the reason to develop a systematic framework? It has been my idea for a long time, that people need a social forum where they could exchange their views and opinions about economic, political, social issues in a way that could become interactive. The mass media, especially the press, seem to be an appropriate vehicle for that purpose..

In his recent book *Arguing with People*, Michael Gilbert (Gilbert, 2014), introduces a complex model for argumentation among people that includes some core aspects of the Pragma-Dialectical model of Van Eemeren and Grootendorst, combined with his own theory of Multi-Modal Argumentation, and his understanding of argumentation as leading hopefully to coalescence. In this context, my thought moved from the idea of analyzing argumentation in blogs to hopefully, at some point, be able to propose formally to conduct dialogues along

the lines of the new model.

2.1 *M. Gilbert's model for the study of argumentation*

In what follows I introduce the model that has helped to get going in the analysis of argumentation in blogs in the case of social and political deep disagreement in Chilean scoiety. At the same time, I discuss David Zarefsky's ideas on transcendence of deep disagreement as they appear in his paper presented at ISSA 2010 (Zarefsky, 2010). A combination of the ideas of Gilbert and Zarefsky could hopefully produce the model that I have been discussing above. However, in this paper, the model is to an important extent used in order to show the limitations of interactions in the blogs. Needles to say, I do not want to be deterred by such limitations in future work.

In dealing with his purpose of helping people to argue, Michael Gilbert introduces the idea of stages of argumentation that was developed, as mentioned above, by van Eemeren and Grootendorst: as is well known, the stages are confrontation, opening, argumentation, and conclusion. The novelty in Gilbert's approach in this new book, is that he proposes that these stages should be analyzed in a way that, in each one of them, one must be clear as to which mode(s) of argumentation is (are) at stake. Thus, the interaction at the confrontation stage could be in the logical mode combined with, for example, the emotional mode; or it could be happening at the visceral mode; or kisceral mode together with the logical mode; or it could be in any one of the modes alone. And the same thing can happen in the other stages. This way of conceiving arguing adds to the process of understanding it a much needed complexity.

I believe that both the Pragma-Dialectical and Gilbert's approaches to argumentation are intended, if possible, to lead into coalescence. This idea is very important in my present study as discussed below. Now, I need to incorporate to this model some of the key ideas of Zarefsky in the paper mentioned above.

David Zarefsky is concerned with the fact that argumentation assumes a certain degree of agreement such that, even when there is disagreement, there should be the possibility of arguing the case. Thus, productive disagreement must have an underlying stratum of agreement. However, there are situations in which each arguer's claims are based on assumptions that the other arguer rejects. In this case he says "[d]eep disagreement is the limiting condition at which argumentation becomes impossible." He says that this state of affairs was first

characterized by Robert Fogelin (Fogelin, 1985).

I examine Zarefsky's views on possible ways of transcending deep disagreement in what follows, but first I entertain a few thoughts on this problematic issue. Given the Pragma-Dialectical/Gilbert model articulated above, it seems rather evident that most, or a great number, of cases of deep disagreement happen at the confrontation stage. Indeed why to argue if there is no basis of agreement whatsoever. However, let's assume that in a certain argumentation process, disagreement is found in the opening stage, such that no agreement is possible as to the rules of the process of arguing: for example, one arguer believes that only logical rules of arguing are acceptable while the other claims that emotional rules are paramount. The same could be said about the stage of argumentation. In either situation, it seems clear that the arguers have to come back to the confrontation stage. If so, it seems that deep disagreement cases happen basically at the confrontation stage. Another key issue is the consideration of magnitude or levels or depth of deep disagreement. Not all cases are necessarily the same. It may happen that one of the arguers claims, to start with, that s/he disagrees completely with the other arguer; or the situation could be less radical, and the deep disagreement appears after a few exchanges in which they find areas of productive exchange.

2.2 D. *Zarefsky's strategies for dealing with deep disagreement*
David Zarefsky discusses four possible strategies for overcoming deep disagreement. He groups these strategies in pairs under the following headings: inconsistency, packaging, time, and changing the ground. In its turn, each one of them is divided into two options. My own take on this insightful proposal is to explore them as potential ways of seeking productive agreement: therefore, I present them here as I intend to use them in my own study of deep disagreement in Chilean society. The overall picture is the following:

1. Inconsistency may happen as "hypocrisy" or "circumstancial ad hominem". In both moves, the attempt is to get inside the opponent's frame of reference and discredit it on grounds of inconsistency. The charge of hypocrisy happens when the arguer maintains a position which is inconsistent with another one maintained during the argument. The circumstantial ad hominem option takes place when a position of the arguer is contradictory to her or his own behavior. Now, in both cases, the arguer that is seeking an end to the deadlock expects that the inconsistency can be enough to make the other arguer realize where s/he really

stands.

2. Packaging is divided into "incorporation" and "subsumption". Incorporation consists in including the deep disagreed upon issue into a larger package which also includes things that the other arguer agrees with. Subsumption is a strategy which seeks to subsume the items of deep disagreement within a larger frame which can be acceptable to both arguers. In both cases of packaging, the expectation is to generate agreement around the disagreed topics such that the arguers may develop some sense of working together.

3. Time can happen as "exhaustion" or "urgency". Exhaustion refers to cases that have been very long, tense, and emotionally draining. Urgency refers to a bad situation generated by a crisis that has undermined the arguers. Of course, a crisis may lead to exhaustion. The expectation in these two cases is that the arguers cannot continue in a deadlock that affects their lives so seriously.

4. Finally, changing the ground could take place as "interfield borrowing" or "frame-shifting". In interfield borrowing one arguer assumes the field of the other arguer attempting to find an area of possible productive argumentation. In frame-shifting one of the arguers will try to move the argument from one context or frame to another where both could agree upon. In these two cases the expectation is to situate the argumentation on a common plane where agreement becomes possible.

3. *Analysis of blogs*
In this part of the paper, I examine specific cases of deep disagreement as they have been found in two blogs in El Mercurio, one in early September and the other one in early October, both in 2013. At that time, Chile was witnessing a remarkable and painful explosion of public debate as a consequence of the conmemoration of the 40th anniversary of the September 11, 1973 coup d' etat that deposed the democratically elected government of Salvador Allende. A number of high level politicians from all sides of the political spectrum got involved in different ways of commenting or arguing about the coup and the military dictatorship that followed. President Sebastián Piñera, a right wing politician but with a centrist tradition, made a public criticism of some of the civilians involved in the government of General Augusto Pinochet. Members of traditional institutions, including the powerful Catholic Church, were also involved in this public debate. In this social and political atmosphere, blogs in El

Mercurio became a source of intense and voluminous participation of people representing the two sides of the deep disagreement. The task is now to examine the two blogs mentioned above.

Now, this examination of the blogs is undertaken in two main and different, but related, ways. On the one hand, the blogs are described as they appear face value, with no intervention of the framework developed above. Then, they are related to the framework "sideways", so to speak: the job is to show possible ways of relating aspects of the framework to issues presented in the blogs. As mentioned at the beginning, the blogs consist of viewpoints with no recognition of the need to exchange views in any formal sense. At the most, they can be evaluated as remaining at the stage of confrontation and this happens in a crude way, really. At this moment, it is pertinent to introduce a significant concept that Michael Gilbert discusses in his recent book (2014): his views on arguing with people have in mind what he calls "familiars", that is, people with whom the arguers are familiar, they know each other well enough. Of course, this concept is at the other end of what happens in the blogs, to the extent that the participants could be called "unfamiliars". This issue is considered when describing and analyzing the two blogs.

3.1 *A personal deep disagreement exchange*

Before undertaking the study of the blogs, I believe it is pertinent to discuss one personal exchange that I had in the late 1980's, when Pinochet was still in power. It involved a dialogue that I had with a former student whom I met by chance in a coffee shop in Santiago. He was a member of the upper class in Chile, and a supporter of the coup and the military regime. When he was my student in the 1960's, we had developed a friendly relation. Upon greeting each other, he told me how pleased he was to see me back in Chile, and then, almost immediatley asked me how I felt about the military regime. My response was that it was a repressive dictatorship with horrible violations of human rights to which he agreed upon saying that he was sorry about that. He continued saying that he was truly sorry, but the fact is that Chile had developed economically in a way that, at some point, democracy would return, and then Chile, as was the case with Spain, would move politically from the centre right to the centre left, back and forth. He added that in that situation there would never again be another Allende. I was completely shocked such that I could hardly articulate anything else. If that dialogue with my former student indicates something is that perhaps it happened

at an earlier "stage" than confrontation. Or maybe, that I could not even recognize confrontation. In hindsight, I think that I may have agreed subconsciously with him that that was going to happen, as indeed it has happened in Chile over the past 24 years! It was an experience that I keep going back to. I am not sure that I could have entertained an argument with him.

Some reflection about this case is needed before I move to the study of the blogs. At that time, I did not know much about argumentation theory, my only training had been since the mid 1970's in informal logic, not enough to know what to do in an argumentation case like this one. However, the point is a larger one and it involves at least two issues. One refers to the fact that most people in the world are not familiar with argumentation theory, so it is practically impossible for them to proceed along the lines of the framework that I developed above or any other systematic one. Thus, it would be important to get to know what exactly happens when people argue in general. Is there some sense of stages? Do they try to come up with rules for the argumentation? Is there an intuitive sense of all this? Do argumentation theorists, in one way or another, manage to articulate formal structures for conducting arguments based on ways that are natural so to speak?

The second issue involved here relates to the need for educating people formally since the early stages of the education system. What are argumentation theorists going to do about this immense challenge? Leaving this sophisticated knowledge only for meetings in conferences, or writings that go around experts, or for high level teaching in academic institutions, would miss the very nature of what argumentation theorists have been doing.

3.2 *Analysis of the first blog*

Perhaps I should move to the study of the blogs by stating that it is my expectation that this study could help promote the need to educate people. It may be a long shot, but it is worth trying.

In the climate of intense public debate in Chile as a consequence of the 40th conmemoration of the military coup, political leaders of all parties, religious leaders, educational professionals, and the general public at large got involved in all sorts of public statements and debates. This was the case of the Bishops of the Catholic Church who produced a public document on September 9, 2013.

The Bishops state that the society continues to be divided into two irreconcilable

camps, and time has come to search for a true reconciliation. However, they say, in the present context, unfortunately strong accusations and reproaches tend to predominate. They continue by stating that the wounds left by the painful events in September of 1973 have not really healed. They claim that truth, justice and reconciliation is the road to a true understanding. They are also very critical of the abuses of human rights by the military regime during and after the coup. Finally, they remind people of the role the Church undertook in the defense of human rights during that regime.

It is possible to characterize this statement of the Church in terms of David Zarefsky's strategy for overcoming deep disagreement called "time in the sense of urgency". The Church makes it clear that the status quo of confrontation is not possible to maintain any longer.

I have selected two blogs found in El Mercurio for a detailed study. One of them was originated by an article published by Senator Hernán Larraín from the most right wing party called UDI, Democratic Independent Union. UDI was created during the military regime in order to provide political support to it. His most important founder and leader was Jaime Guzmán, a young, prominent intellectual who played a most important role in the creation of legal, political, and economic structures during the government of General Pinochet. Larraín represents a rather centrist side in this party. The article was published on September 2, 2013.

The other blog stems from an article published on October 8 by Eugenio Tironi, a centre-left intellectual from the PPD, Party for Democracy. I selected these two blogs for several reasons. One reason is the fact that Larraín, being in the most right wing party in Chile, has taken a conciliatory position and in his article he is asking for forgiveness so as to provide a basis for reconciliation. A second reason for the selection of blogs is that Tironi, on the other side, represents a clear centre-left position and sometimes is accused by the more traditional left in Chile as being too bland. His article represents a strong criticism of Jaime Guzmán's endorsement of the military regime. The point here is that both politicians tend to the centre of the political spectrum, thus they are more prone to get engaged in overcoming deep disagreement. A third reason is related to the fact that one of the bloggers in the Larraín article produces a more balanced account of the Chilean crisis, but paradoxically he loses that balance in the Tironi blog.

The Hernan Larrín blog developed out of his article entitled "Las razones de un

perdón" ("The reasons for asking for forgiveness"). In this article Larraín states that Chile still suffers from the profound wounds developed out of the political violence of the 1960's and the three years of the Allende government. He says that there were groups in the left that were promoting violence. The coup ended with democracy and civil liberties. However, the military regime, at the same time that developed repression and violation of human rights, contributed to the creation of a successful economic model. In any event, after 40 years since the military coup, Chile is still a divided country. He urges people to come out of this confrontation and try to find a common ground in order to live in peace and united. He proposes to ask for forgiveness as the way for social healing. He himself takes this option in the expectation that forgiveness may take people on the road to reconciliation.

What Larraín says here is similar to what Arturo Fontaine expressed in his article from early 2010. He says that there were groups in the Chilean left that promoted political violence and, at the same time, he recognizes that the military regime was repressive. He makes a point though that the regime also helped to promote economic development in Chile. Certainly, he seems to be putting on the table, some of the most significant factors of the deep confrontation in Chilean society. From the perspective of Zarefsky, it is possible to evaluate his position as a case of time with the option urgency, as well as it happens in the Bishops' document.

The analysis of the blog is interesting in several ways. First, very few people referred in their participations to the most significant point of Larraín, that of asking for forgiveness. More so, even fewer bloggers acknowledged his article in a direct and explicit way. One of the few who did so was very critical accusing Larraín of naivete. Second, the blog consists of a large number of extremely critical points against the other side of the social and political divide: in essence, they are expressions of the confrontation. Third, there are few participants that get involved in exchanges, and when that happens they are confrontational. Finally, I found, as mentioned above, one set that is initiated by a blogger who appears balanced in his evaluation of the events in Chile, in a way somewhat similar to Fontaine and Larraín. I proceed then to analyze this particular exchange attempting as much as possible to refer to the Gilbert/Zarefsky model presented above.

The blogger, whom I refer to by the initials of his name as JAFM, describes the situation in the 1970's in Chile as one characterized by the presence in the

country of guerrilla operatives exported by the Cuban revolution, but also by Armed Forces trained by the United States in the School of the Americas. Also there were Chilean guerrilla groups. He says that Chile was in fact the reflection of the cold war. He blames the "political class" as a whole for the coup. He mentions that it is important to understand, but not justify the violations of human rights by the military regime. In a second blog, JAFM expresses his view that Chileans must teach their children to resolve conflicts through dialogue and respect for institutions. At the present stage, he values politicians as opposed to the political class of the 1970's.

One blogger, MEG, agrees entirely with him but does not explain. She does not mention Hernán Larraín, nor forgiveness. Another blogger, AFV, also without reference to Larraín, appears to be in significant agreement with JAFM, to whom he addresses his participation, but does not acknowledge that he agrees with him. A third participant, MQ, does not refer to Larraín and attempts to defend Allende from the accusation of favoring armed struggle and inviting Cuban extremists in the country. He blames extreme left wing parties and groups but not relating them to Allende. He blames the United States and President Nixon in particular for the coup and makes the point that the USSR did not have any interest in Latin America beyond Cuba. A fourth blogger, JPRM, negates the presence of Cuban guerrilla operatives in Chile, and blames the United States as well. This blogger does not mention Larraín or forgiveness. A fifth participant, EJLC, agrees with JAFM with respect to his historical analysis, but disagrees with him in blaming the political class of the 1970's. He himself blames Allende, whom he describes as the Chávez of that time, and his followers who introduced weapons in Chile. Therefore, in his view, the Armed Forces could not accept that and neither the disastrous economic situation. This blogger does not mention either Larraín or forgiveness. Blogger MQ accuses the previous blogger EJLC of spreading falsehoods with regards to introduction of weapons in Chile. A sixth participant, MSOE, mentions Larraín indirectly and metaforically, with no reference to forgiveness. What she says may be of great interest in the study of blogs, although it is unclear to whom exactly she is referring to. She mentions that there are three kinds of witnesses: those who saw well but have doubts; those who did not see well but believe they have seen well; and finally those who saw nothing but believe that they have seen everything. She also says that "something like this is happening…. if Mr Larraín lost a good and important part of this story." Finally, JAFM, the initiator of these exchanges, comes back with a third participation, but

not acknowledgeing any of the participants in the blog that after all he initiated. He presents now an indirect critical point to Larraín's views, by way of saying that no economic advance can justify the violations of human rights. He insists in criticizing the political class of Allende's time, but also mentions that his government was not doing anything to overcome poverty.

There are several conclusions at this stage. The first one is the almost complete lack of reference to the author of the article to which the blog ows its existence. Of course, there could not be any dialogue or actual argumentation with him, but at least one would expect some reference to his ideas, especially given the fact that Larraín is writing about the need to overcome the deep disagreement in Chile. Second, there is deep disagreement found in this particular exchange in the blog, and no clear sense of further interactions. Third, even when there is agreement, paradoxically there is no recognition of it. Thus, fourth, the participants in this exchange seem intended in presenting their points of view only. Fifth, the fallacy of ad hominen appears here, for example, in accusations such as that of stating falsehoods. Sixth, the issues raised by MSOE, assuming that I am correct in their interpretation, may be seen as a sharp description of the way blogs go around: some bloggers see well but are prepared to doubt; some other do not see well but believe they do; and then there are those who see nothing and believe that they have seen everything. MSOE may be stating that there are many bloggers who truly do not know what they are saying, but still feel the need to present their views. In any event, the idea here is that if there could be further interaction, for example taking into account the Gilbert model, then possibly people could be able to understand each other in more positive ways.

Finally, from the perspective of the Gilbert model, at the most, the exchanges remain at the level of confrontation. Looking at them from the point of view of Zarefsky's ideas on breaking the deadlock of deep disagreement argumentation, perhaps only one of the points by JAFM could be seen as relevant: this seems to be the case, when he advocates the need to teach children the value of dialogue and respect of institutions as the way to avoid political violence. I am tempted here to say that this represents a case of packaging in the subsumption option. I say this because, after all, JAFM has recognized the same as Fontaine and Larraín, the need to look at the negative aspects of the two sides of the social and political divide. He stops there, but Larraín claims that there ought to be forgiveness. Now, I evaluated his position above in terms of the case of time in

the urgency option, and now I see that looking at JAFM's view combined with Larraín's claim, the packaging possibility seems applicable as well. To be clear about this: in my own sense here I draw from Fontaine, Larraín and JAFM's need to examine the negative aspects of the left and right side of the deep social and political confrontation as the basis for overcoming it, therefore, borrowing JASM's idea, subsuming them under the value of dialogue and respect of institutions.

3.3 *Analysis of the second blog*

The second blog stems from Eugenio Tironi's article entitled "¿Quien perdió?" ("Who Lost?") The article refers to the October 5, 1988 plebiscite that the opposition to Pinochet won, and therefore signalled the beginning of the end of the military regime. According to Tironi, the real loser in the plebiscite was Jaime Guzmán whose significance as an ideologist of the regime has been discussed above. Tironi says that the real losers were "Jaime Guzmán and the ideology according to which, in due course, people accommodate themselves to their economic interests." The article represents a very critical view not only on Guzmán, but on the whole of the military regime based on its commitment to neo-liberal economic policies. In his article, Larraín mentions that the military regime was succesful in this sense in Chile. I intend to examine this point below, but at this stage I should point out that it does constitute a very difficult issue in terms of deep disagreement.

What is clear is that this article develops a strong criticism of the right side of the political deep disagreement only, in contrast to the Larraín article, as well as Fontaine's view in early 2010, and also the bloger JAFM.

I selected one specific set of exchanges in the blog because in it JAFM participates with a very strong criticism of Tironi. This set is initiated by blogger EJLC, also involved in the Larraín blog, who criticizes Tironi accusing him of a double moral standard. He relates Tironi to the communist party in Chile saying that communism has been involved in serious violations of human rights as was the case in the URSS, North Korea, Cuba, China, etc. A second blogger, FJGP, responding to EJLC, says that socialists and communists are the worst violators of human rights in history. A third participant, CCBC, also responding to EJLC, mentions that there were one hundred million people assassinated until 1998 by communists, pending the statistics until now. At this stage, JAFM intervenes in the exchange, with a strong criticism of Tironi, albeit not mentioning him explicitly, by stating that it is terribly difficult to argue with people in the left,

because they take unmovable positions no matter what arguments are provided to them: they keep rejecting and refuting them. He continues by criticizing marxist-socialism on the counts of economic failure, political repression, and lack of respect of human rights, and he says that that was the doctrine of President Salvador Allende. Had he succeeded, Chile would be an underdeveloped country, with political repression, and violation of human rights. Then he shows great appreciation for Jaime Guzmán because he worked for the establishment of a political system that provided sufficient political stability that made it possible for international investment in Chile. As a consequence Chile is today a respected country in the world due to its economic achievements. A fifth participant, MQ, also involved in the Larraín blog, responds to JAFM by questioning if any country achieved development through neo-liberalism. A sixth blogger, HF, attacks MQ saying that what he says is absolutely false and provides the names of a number of countries, including some traditional European developed countries, that succeeded due to neo-liberalism. Finally, MQ himself responds by saying that HF understands very little about the topic since he is confusing capitalism with neo-liberalism. He invites HF to study a bit more the issue so that he realizes that in the countries that HF mentions the state has played a very important role in economic terms, which is the very opposite of a neo-liberal approach.

Comparing the analyses of the two blogs, first, in the Tironi one, there is explicit and clear implicit reference to the author of the article, essentially by way of strong criticism of Tironi. However, no blogger mentions the main point of "who lost" in the plebiscite that Tironi makes. Bloger JAFM comes a bit close to it when he defends strongly Jaime Guzmán who is the ideologist that Tironi criticizes in his article. Second, the bloggers who respond to the Tironi critics, do not refer to him directly or indirectly, but criticize those critics. No further interaction between them proceeds, but there is deep disagreement present here in the sense of attacks against communism and neo-liberalism.

Third, there is some interaction between the participant who questions JAFM and the one who responds to him, but very limited in terms of follow up. In any event, this is also a case of deep disagreement. Fourth, as in the Larraín blog, the participants seem just interested in presenting their points of view. Fifth, I think that what blogger MSOE expresses in the previous blog with regards to the three kinds of participants, may apply here: for, given the nature of their participations, it is not clear whether they do really know the topic they are writing about.

However, this may not be fair on my part, for I have not been an external critic of the objectivity of the participations of the bloggers, neither of the authors of the articles that originated the blogs. However, a feeling that has appeared at this stage has become too strong for me to avoid and I come back to consider it at the end of the paper. Sixth, the fallacy of ad hominem is present in this blog as well, as it happens in the case of accusations of ignorance.

Finally, from the Gilbert model perspective, exchanges remain at the level of confrontation as well as in the Larraín blog. With regards to the point of view of Zarefsky, there is no immediate case that could be made for overcoming deep disagreement in this blog as different from what happened in the previous blog. It is possible, however, to imagine a situation stemming from the exchange between MQ and HF: in this particular exchange, somebody may suggest that a main point would be to decide factually whether the state has been involved in the countries that HF presents as successful cases of neo-liberalism. If this were the case, then I would be inclined to evaluate the possibility of inconsistency as hypocrisy as the strategy to follow to resolve deep disagreement. The reason is simple to state: HF defends the success of neo-liberalism in several countries that he mentions explicitly, and MQ claims that in them the state has played an important role in economic development, which is the opposite of neo-liberal doctrine. But, obviously I seem to be imagining well beyond the actual texts of both bloggers.

However, there is a productive point that could be assessed as positive in the imaginary case. It concerns the relation between inconsistency in the hypocrisy mode and changing the ground in the option of interfield borrowing. In the case under examination here, it seems that there is a clear similarity between both strategies because they do involve getting 'inside' the other arguer. This is a very promising issue for further research in the study of strategies for resolving deep disagreement.

4. *Conclusions*

The ongoing research that is developed in this paper has required the generation of a systematic framework for the study of cases of deep disagreement as they are manifested in blogs in the press. This framework could also be potentially used in dialogues with familiars. As presented above, the framework involves a combination of the argumentation model suggested in Michael Gilbert's book *Arguing with People,* with the ideas on strategies in order to overcome deep disagreement discussed by David Zarefsky in his paper read in the 2010 ISSA

Conference. Now, from this perspective, the research has been able to show that the Gilbert model, as expected beforehand, helps to conclude that there is no process of real argumentation involved in the blogs that have been analyzed: at the most, the argumentation happens at the stage of confrontation. Whereas, somewhat more productive have been Zarefsky's ideas in that they have been useful in suggesting several worthwhile strategies for dealing with deep disagreement. Clearly, the door has been opened for more research.

However, my overall goal is to apply this framework to the development of exchanges in blogs. I mean, that perhaps it could be possible to introduce the framework so that blogs could proceed according to it. Therefore, participants in the blogs could become able to know about the four stages of argumentation, try to follow them systematically, and in cases of deep disagreement, perhaps be able to try the strategies described by Zarefsky. This goal may seem ambitious, even unrealistic, but perhaps worth trying. Moreover, I see it in line with the need to educate people in general about the outstanding achievements of Argumentation Theory. One important issue in this context is the fact that participants in blogs are "unfamiliars" as opposed to what Gilbert says concerning the dialogical relation between familiars.

With regards to Gilbert's model, I have not dealt in this paper with his theory of Multi-Modal Argumentation when analyzing the blogs. It seems to me that the exchanges in the two blogs examined, may be assessed as a combination of the logical and emotional modes, perhaps the intuitive mode as well. But at this stage, I need to work more on the ways in which evaluations of the non-logical modes should proceed in the case of blogs: indeed there is no clear way of assessing emotions in a systematic way here. One could, of course, say that given some interactions, it is easy to assume emotional expressions by analogy to what happens in face-to-face dialogues.

And yet another topic of great significance would be the study of levels or magnitude of deep disagreement. This issue has only been indicated in a preliminary way in this paper. There seems to be no question, at least intuitively, that cases of deep disagreement are not all of the same "depth". For example, the question as to the atrocities committed by the military regime does introduce very deep disagreement when people who suffered them confront those who supported the regime. Emotions tend to be extremely high in this case. Comparing that situation with a debate about the state's participation in the economy, it is

possible to see that, while in this instance there is deep disagreement, the case does not reach the emotional level of the previous one.

A related issue needs to be considered now. When presenting my interaction in the late 1980's with my former student, I said that I was shocked by what he said about the fact that, since Chile had developed economically, then when democracy would return, the political scenario would be moving from the centre-right to the centre-left and vice-versa. Senator Larraín mentions in his article that the military regime violated human rights and at the same time developed a successful economic policy. The bloger JAFM mentions that economic development cannot be used to justify political repression. Also, several exchanges between the two sides, as can be perceived in the blogs analyzed, refer to the relation between economic success and repression. Here lies, in my view, one of the deepest sources of disagreement still present in Chilean society. For can the left side of the disagreement be prepared to accept that the military coup and repression was needed in order to achieve economic well-being?

A further point complicates matter even more. It seems clear that getting rid of the government of Pinochet was possible by an "agreement", whose whole nature is not known, between the regime and the centre-left coalition that had formed since the early 1980's in Chile. That agreement brought about the plebiscite that made possible to end the regime. So, there is already some level, not insignificant, of breaking the deadlock between the two sides: at least, at the level of the political leaderships. One area of agreement here is the fact that the centre-left coalition would maintain the neo-liberal-economic policies of the regime. Therefore, the Zarefsky strategy at play here may be evaluated as time in a combination of exhaustion and urgency, although it could very well had happened that during the negotiations a number of the other strategies may have been present.

A final issue relates to the fact that my overall research, since I began the study of the right wing press in Chile with several colleagues in the 1970's, intended to contribute to the development of a more democratic society. At the same time, we were committed to an objective and systematic study that should not be interfered by our commitment to a specific ideological position. This involves to walk a fine line all the time. Thus, since I am myself a member of the left side of the political confrontation, how would I behave, at the present stage, if I were to have actual argumentations with people on the other side of the disagreement?

For instance, if I were to meet my student and decide to argue seriously with him: would I be willing to accept that, given repression, violation of human rights and everything else, one thing that was positive of the military dictatorship was their successful economic policies? Only actual argumentation processes would be able to help in answering that troublesome question.

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ISSA Proceedings 2014 – Politicizing Tragedy: Third Order Strategic Maneuvering In The Response To Mass Shootings

Abstract: In 2012, the U.S. public overwhelmingly supported gun regulations. Yet, Wayne La Pierre claimed that the U.S. lacked the correct climate for meaningful discussion. In a gesture to the third-order condition of argumentation, he argued that we must first satisfy other concerns to create the proper climate for debate.

We discuss whether this appeal was a legitimate maneuver or a derailment.

Keywords: affect, commitment, conviction, gun debate, political context, strategic maneuvering, third order conditions.

1. *Introduction*

On December 14, 2012, at around 9:35am a man "dressed in black fatigues entered the Sandy Hook Elementary in Newtown, Connecticut and perpetrated the worst shooting at a primary school in U.S. history" (Kauffman, 2012, p. A10). Adam Lanza carried three weapons including, "a semi-automatic AR-15 assault rifle made by Bushmaster and pistols" (CNN, 2014, para. 2). "Somebody's got a gun . . . . They're running down the hall. They're still running, they're still shooting . . . . Sandy Hook School, please" a trembling voice told emergence services (Susman, 2013, p. A8). In approximately 10 minutes, the shooter had discharged "as many as 100 rounds" (Kauffman, 2012, p. A10) killing 26 people including 20 children and 6 adults, and himself (Fifield, 2012, p. 5). First responders "found the hallway strewn with rifle casings, the 'distinct smell of fired ammunition' in the building, and children and teachers locked in closets and afraid to open the doors" (Susman, 2013, p. A8). This shooting was one of the deadliest in the United States history and it occurred within 6 months of 3 other massacres. The images of dead children, mourning parents, and a community ripped apart coupled with the accumulation of mass shootings brought the nation to a tipping point.

Gun ownership is one of the most affectively charged and political issues in the United States (Winkler, 2011). After the shooting, a Reuters poll found support for gun control increased by eight points from 42 to 50 percent supporting the statement, "gun ownership should have strong regulations or restrictions" while a CNN poll found 62% support for bans on semi-automatic assault weapons and high capacity magazines" (O'Malley, 2012, p. 18). These changes in public opinion prompted an opening for a critical discussion on guns. Lankford (2012) reported,

Overall the frequency of these incidents in the U. S. rose dramatically, with 18 attacks occurring from 1980-1989, 54 attacks from 1990-1999, and 87 attacks from 2000-2009. Worse yet, over this time span, the number of attacks resulting in at least five fatalities more than tripled, from 6 high-fatality shootings in the 1980s to 19 high fatality shootings in the 2000s. (para. 6)

Not only had the frequency and severity of mass shootings increased enormously over 30 years, it had finally affected the most innocent among us, America's children. The climate seemed ripe for reasoned gun reform – 91% of Americans supported universal background checks (Light, Feeney, & Kamp, 2013, para. 18; Washington Post, 2013, para. 4). Yet, a year later, no major reform had been enacted; assault weapons were not banned; high capacity magazines were not limited; and, background checks were not expanded. In fact, since Sandy Hook, gun laws have become even more lax.[i] In the year after Sandy Hook, "194 children ages 12 and under . . . were reported in news accounts to have died in gun accidents, homicides, and suicides" (Follman, 2013, para. 2). Perhaps more chilling Everytown For Gun Safety reported that since Sandy Hook there have been 74 shootings in schools (Chokshi, 2014, para. 1).[ii] What went wrong? Why did Sandy Hook fail to provide an opening for gun reform? How did the country fail so dramatically to enact legislation with such overwhelming support? And, why did public support decline so rapidly in the face of ongoing violence?

Argumentation scholars are in a prime position to answer these questions. Debate guides the legal interpretation and promotes legislation on the question of guns. In the conclusion of his history of gun regulation laws in the United States, Michael Waldman (2014) of the Brennan Center for Justice at NYU School of Law wrote,

Law students might be taught that the court is moved by powerhouse legal arguments or subtle shifts in doctrine. The National Rifle Association's long crusade to bring its interpretation of the Constitution into the mainstream teaches a different lesson: Constitutional change is the product of public argument and political maneuvering. (para. 4)

The evolution of legal interpretations of the Second Amendment, illustrates the importance of public debate and dialogue in shaping our culture and laws. Argumentation scholars have a duty to praise and chastise strategic maneuvers because these arguments alter the trajectory of gun laws (Hollihan, 2011).

In this essay, we examine the critical discussion between President Barack Obama and Wayne LaPierre of the National Rifle Association (NRA). We utilize a framework of strategic maneuvering to examine the Sandy Hook inspired debate to evaluate how well arguers can balance commitments to the procedures for reasonable resolution of a disagreement with the desire to have their standpoint

accepted (van Eemeren, 2010). Frans van Eemeren (2010) identified three types of maneuvers:

1. topical potential,
2. audience adaptation, and
3. presentational devices that an arguer can use in the service of their standpoint.

But, if an arguer privileges a commitment to their standpoint over the norms of a critical discussion, then they derail the conversation. We argue that LaPierre overcame the commitments of 91% of Americans, because he more effectively intensified his audience's convictions through strategic maneuvering and derailment. LaPierre's appeal to the anxiety-ridden context of the critical discussion enabled him to position guns as a necessary condition to freedom. The fear that children's safety and freedom is at risk, affectively charges the debate in his favour. Even if Obama won the most commitments, his followers suffered an intensity deficit. Commitments do not always translate into action. If an arguer is able to modulate the intensity of beliefs, then they are likely to prompt action.

2. *Strategic maneuvering around the third order conditions of argumentation*
For a critical discussion to occur, three conditions must be satisfied. The first-order condition of a critical discussion is the procedure for resolving differences of opinion – the code of conduct for arguers. The second-order conditions are the attitudinal requirements necessary for a critical discussion to occur. This is the process of reconciling commitments to a standpoint with commitments to the process of critical discussion (Hicks and Eckstein, 2012; Hicks, 2007; Mitchell, 2010). The third-order conditions of argument are the "external conditions" that must be satisfied for a critical discussion to occur (van Eemeren and Grootendorf, 2004; van Eemeren, 2010; Hicks and Eckstein, 2012). Darrin Hicks and Justin Eckstein (2012) elaborated three components to third-order condition of argumentation:

1. there must be "a social and political environment" that supports critical discussion mediating disagreement;
2. a culture of "freedom, autonomy, and equality" is necessary to use critical discussion to resolve conflicts; and finally,
3. there are affective conditions, such as conviction, risk, trust, required to facilitate critical discussion (pp. 333-334).

If these conditions are not met, then a critical discussion cannot function properly. For instance, if a debate happens in a political context that does not allow the free and open exchange of ideas, then it would be difficult to reasonably test a proposition.

In the aftermath of Sandy Hook, President Barack Obama and Wayne LaPierre leveraged different parts of the conditions to advocate their propositions. For Obama, the aftermath of Sandy Hook provided the ideal opportunity to pass "common sense" gun reforms, because the majority of Americans were mourning the loss of children. In contrast, LaPierre argued that affective conditions were not appropriate for a critical discussion because the populace was too sad to make a reasonable judgment. He also claimed that a critical discussion would violate the cultural norm of equity because it would unfairly distribute risk.

Obama's argument was that Sandy Hook offered Congress a kairotic moment to pass gun regulations – even calling his White Paper "Now is the Time." It had almost been 20 years since *The Brady Handgun Violence Prevention Act* and *Violent Crime Control and Law Enforcement Act* were signed into law. These two pieces of legislation represented the last time any bill intending to curb gun violence could muster the votes to pass. Yet, the succession of mass shootings in Oak Creek, Wisconsin; Clackamas, Oregon; Aurora, Colorado; and Newtown, Connecticut over a 12-month time span drew into relief the problem of gun violence. Each shooting evoked a mixture of sadness and fear, sparked a dialogue, and shifted the democratic consensus on gun control. Obama said,

Over these past five days, the discussion has re-emerged as to what we might do not only to deter mass shootings in the future, but to reduce the epidemic of gun violence that plagues this country every single day. And it's encouraging that people of all different backgrounds and beliefs and political persuasions have been willing to challenge some old assumptions and change some long-standing positions. (Obama, 2012, para. 3)

Above all, Obama reconfigured the Sandy Hook massacre as the context to mobilize a broader campaign against gun violence. The national outrage following the Sandy Hook shooting unsettled commitments, providing law makers an ideal moment to pass legislation. Obama leveraged the population's sentiments to advance his standpoint for comprehensive gun control measures. He hoped that the nation's grief could be translated into meaningful reform.

Obama explained that the majority of Americans are now in favour of "common sense" gun reforms, such as universal background checks, banning weapons of war, and funding more gun violence research. "The Majority" and "Most Americans" operated as a refrain to frame his policy initiative. For instance, he proclaimed,

A majority of Americans support banning the sale of military-style assault weapons. A majority of Americans support banning the sale of high-capacity ammunition clips. A majority of Americans support laws requiring background checks before all gun purchases so that criminals can't take advantage of legal loopholes. (Obama, 2012, para. 8)

The tripartite repetition of "the majority," what the Romans would call repetĭtiŏ, was used to promote his standpoint. According to Jean-François Augoyard and Henry Torgue (2005), "the principle role of repetition seems to reside in the offering of marks for the organization of a complex message" (p.93). The positing and return of a term, or a set of terms, connects the words together sonically into a rhythm. Rhythm has long been a tool of memory, helping pre-literate cultures transmit information across vast times and distances (Ong, 1989). Even today, we see the mnemonic power of repetition through the ubiquitous earworm – those little jingles that get stuck in your head. Yet, rhythm does more than convey information, it imbues a message with feeling. Different speeds, pitches, and arrangements modulate listeners' moods, inflecting how they interpret content (Augoyard & Torgue, 2005). Put simply, repetition is a presentational device that modulates the reception of a message (Eckstein, 2014). For each of his proposals, he had the full support of the American public. Like other rhetors, this appeal to "the majority" was a presentational device indicating if everyone else is doing it, then you should too.

In the context of political deliberation, consensus also signals a political mandate to act. It pressures congress into acting with their constituents desires. If a policy has enough support, then a law should be passed. The only thing that could stop legislation from passing, Obama warned, is the power of special interest groups working behind the scenes to thwart legislation. Even 70 percent of members in the National Rifle Association favoured background checks, Obama claimed. This bit of reluctant authority buttressed Obama's argument that his plan aligned with the interest of the population. Thus, if you are not in "the majority," Obama argued, then you are allied with special interest groups that favour profits over

people. Obama implored citizens to call members of congress and ask them "what's more important – doing whatever it takes to get a [sic] A grade from the gun lobby that funds their campaigns, or giving parents some peace of mind when they drop their child off for first grade?"(Obama, 2013, para. 31). This bifurcated the audience into either for or against gun control. It foreclosed the middle space of abstention and forced people to pick a side. And, if they chose to oppose gun control, then, by implication, they opposed the democratic will of the people.

This created a difficult situation for LaPierre and the NRA, because any argument offered could be characterized as undemocratic. To circumvent this rhetorical situation, LaPierre shifted the debate away from the political context to the sentimental and cultural conditions of the critical discussion. Even if the political conditions favoured political actions, the affective and cultural conditions eclipsed that mandate. By appealing to the other conditions accompanying the critical discussion, LaPierre could offer reasons to suspend dialogue in favour of arming the teachers.

In response to the Obama administration's claims, LaPierre first pivoted the affective conditions of the critical discussion. He scorned the Obama administration for instrumentalizing victims of the Sandy Hook massacre to advance a political agenda. For him, the immediate aftermath of a tragedy was a sacrosanct space demanding respect and reverence. LaPierre proclaimed, "Out of respect for the families and until the facts are known, the NRA has refrained from comment. While some have tried to exploit tragedy for political gain, we have remained respectably silent" (LaPierre, 2012, para. 2-3). Quite simply, he argued that people were not in the right frame of mind to rationally evaluate policy proposals – the population was grief stricken and did not possess the proper faculties to adjudicate deliberative matters. Just as it would be unreasonable to hold anyone to a decision made under duress, people should not be forced to legislate policy when they're overcome with emotion. Instead, the populace should have deferred the discussion until sadness subsided and everyone could confront the question of gun violence rationally. Underwriting this assumption is the belief that rational policy should be quarantined from emotion. If policy lasts forever, it should not be grounded in a fleeting feeling or sentiment. So, even if Obama had the political mandate to pass gun regulation, this precedent was disqualified because it did not meet the affective conditions required for reasoned dialogue.

Instead of "trying to score political points," LaPierre advocated immediately securing our schools. LaPierre's strategic maneuver to define the topical potential as school safety allowed him to leverage the problem of security as a necessary condition that must be satisfied before debate could occur. If security was deferred for any period of time, the public risked another tragedy. He explained,

Before Congress reconvenes, before we engage in any lengthy debate over legislation, regulation, or anything else, as soon as our kids return to school after the holiday break, we need to have every single school in America immediately deploy a protection program proven to work and by that I mean armed security. Right now today every school in the United States should plan meetings with parents, school administrators, teachers, local authorities and draw upon every resource that's out there and available to erect a cordon of protection around our kids right now. (LaPierre, 2012, para. 36)

LaPierre used the timing of his speech to his advantage. If he was right that there was another copycat killer waiting in the wings, and Congress was in recess, they had no power to address the problem before another possible shooting. Securitizing the schools would have addressed school safety immediately.

The claim that another killer could strike works through double conditional reasoning. Brain Massumi (2010) explained, "the affect-driven logic of the would-have/could-have is what discursively ensures that the actual facts will always remain an open case, for all preemptive intents and purposes. It is what saves threat from having to materialize as a clear and present danger – or even an emergent danger – in order to command action" (p. 55). That is, conditional logic attenuates the burden of proof onto the speaker, because the mere fact an event could happen is sufficient to justify action. For example, LaPierre asked, "Does anybody really believe that the next Adam Lanza isn't planning his attack on a school, he's already identified at this very moment?" (LaPierre, 2012, para. 18). Each step in the conditional removes the burden of evidence – the fact that there could be another killer does not prove there is another killer. And, the ascription that such a person would kill presupposes a level of intentionality that is difficult to prove. Each conflation of the conditional for reasonable, amplifies uncertainty and infuses it with fear. It is irrelevant what the actual conditions of the debate are; the conditional potential a threat materializes is sufficient to prompt feelings of dread and fear. The threat feels "so superlatively real that it translates into a felt certainty about the world, even in the absence of other grounding for it in the

observable world. The assertion has the felt certainty of a gut feeling'" (Massumi, 2010, p.55). This sort of pre-emptive logic justifies the use of pre-emptive measures to prevent another school shooting. The fact is that a double conditional statement means it is always a looming threat, never resolved. So, even if another Lanza never materialized, he still *could*. As a result, LaPierre used fear to intensify his followers' commitments to guns.

Additionally, LaPierre's arguments were buttressed by the fact that Congress was on break making the prospect of any solution abstract and uncertain. Hence, any sort of critical discussion about guns was inappropriate because it unfairly distributed risk onto the bodies of students – it was the children that were at risk while the nation decided the best way to protect them. As LaPierre pointed out numerous times in the speech, Obama and Congress had the time to discuss and think about guns, because they had the privilege of being protected by guns. As a result, LaPierre's arguments constructed guns as a necessary component of the third-order conditions of argumentation. If everyone was not adequately protected with guns, then deliberation could not occur.

3. *Conclusion*

Multiple polls taken after Obama's January address found that at least 91% of Americans were in favour of universal background checks (*CBS News*, 2013, para. 1; Saad, 2013, para. 1; Quinnipiac University, 2013, para. 1). This would appear to be a win for the Obama administration because most Americans signalled a commitment to gun control. Yet, nothing was done. Why? The answer resides in the difference between commitment and conviction. Although commitments and conviction are related, they are not synonymous. Commitments are discursive statements of acceptance or rejection of a proposition; and convictions are the attachments underwriting beliefs (Hicks, 2007; Godden, 2010). While it is possible to extract a discursive concession from an opponent, it does not translate into an attitude change. Hence, even though Obama won the most commitments, LaPierre won the battle for conviction. The lack of any significant gun reform in the wake of Newtown demonstrates "the power of a determined, passionate minority to overcome the half-hearted, unfocused wishes of a majority" (*Economist,* 2013, para. 6). Indeed, Obama may have attracted numerous supporters, but not nearly as many with as much vigour as the NRA. LaPierre's constellation of propositions simply resonated with his followers, putting Obama at an affective disadvantage.

In the confrontation stage of a critical discussion, interlocutors strategically maneuver to define the nature of the disagreement advantageously. The Obama administration advocated that Sandy Hook was another iteration of a broader gun violence epidemic. If they won this proposition, then the critical discussion would gravitate towards the question of gun control. It also allowed Obama to circumvent gun rights discourse by demonstrating that guns inflict tangible harm. Conversely, the NRA posited that Sandy Hook was evidence of the dangerous world we live in. If the critical discussion changed to security, then the NRA could move the debate back to gun rights and to each person's right to protect their loved ones. Concurrently, both sides maneuvered around the third order conditions of the critical discussion. For Obama, the wake of the shooting provided him with a democratic mandate and a kairotic moment to pass gun control laws. For LaPierre, the conditions of the debate were unfair because they exploited grief and would leave children vulnerable to another attack.

To evaluate strategic manoeuvers that occur in the confrontation stage, Andone (2012) offered three "soundness conditions" that must be satisfied for a move to be legitimate. First, a move must facilitate the progression of the critical discussion. If any strategic maneuver impedes this progression, then it is a derailment. Second, each reason should relate to antecedent reasons and maneuvers. Reasons offered that are not germane to the dialogic exchange risk muddling the discussion and distract from the reasonable resolution of disagreement. Third, maneuvers must be easily apprehended by both parties as relevant to the critical discussion. This rule, Andone noted, functions to exclude the tactical deployment of unclear language to confuse the critical discussion. If any of these conditions are not satisfied, then an arguer is shirking their commitment to the procedures of critical discussion.

Obama's use of the Sandy Hook shooting to advocate gun reform was reasonable because:

1. it propelled the critical discussion;
2. it was relevant to gun violence and
3. it was a clear presentation of his standpoint. If we don't discuss problems of public concern when they arise, then when is the appropriate time?

If we apply LaPierre's accusation that politicizing tragedy was a derailment to other contexts, it does not make sense. For example, the decision to make sex

offenders' information public (to enact Megan's Laws) in the wake of Megan Kanka's grisly murder was not met with accusations of politicizing a tragedy. Just the opposite, the passage of the laws was deemed appropriate and reasonable. As Arthur Chu (2014) recently remarked in the wake of the Santa Barbara, CA mass shooting, "The only reason to talk about tragedy . . . is to try and prevent bad things from happening in the future" (para. 38). LaPierre's appeal to not politicize a tragedy was a strategic maneuver – if the NRA could defer the debate long enough, then the affective reside of the tragedy would subside and the audience might be more receptive to his standpoint. As a result, both commitments and convictions in support of gun reform would wane. Yet, LaPierre's claim was not quite a derailment. He represented Obama's position as exploiting a tragedy, inviting him perhaps to clarify his proposition to agree with LaPierre that we should have a conversation about the "less politicized" school safety. Thus, LaPierre's maneuver was also reasonable because it attempted to progress the critical discussion, albeit toward the problem space of school safety.

However, LaPierre's injunction to suspend the critical discussion and immediately adopt his proposition was a derailment. Although there are some incidents where a critical discussion may not be the most appropriate course of action because of an impending danger, his use of the double conditional logic posited an open ended threat that justified the permanent suspension of critical discussion. Indeed, the call for suspension of deliberation in the face of an ongoing systemic threat was a derailment. The notion that guns preserve the conditions for democracy is a common refrain from the gun lobby. As the Economist (2013) retrospective on Sandy Hook pointed out,

Attend gun rallies, watch speeches or interview politicians, and it could not be clearer that the single most potent message of the pro-gun lobby revolves around tyranny, and the idea that American patriots need to be armed to prevent the government from snuffing out their liberties. The second amendment's right to bear arms, in this telling, underpins all other rights, and any move to qualify that right amounts to evidence of a liberticide government at work. (para. 18)

This sort of logic acts as a rhetorical trump card to end critical discussions. If guns are a prerequisite to freedom, then they become codified within the third-order condition of argumentation. This imbues the topic of gun control with an affective intensity that is difficult to surmount with reasoned discussion. In short, it renders guns sacrosanct.

Fundamentally, reform was blocked after Sandy Hook because LaPierre's supporters demonstrated greater conviction than the majority of the public who stated commitment to common sense gun reforms but stayed home demonstrating little or no conviction in support of reforms. The group Moms Demand Action For Gun Sense In America (Moms Demand Action) suggested that gun reforms were blocked because the NRA was a vocal minority demonstrating high levels of conviction. Heather Whaley, a member of Moms Demand Action in Connecticut, posted a picture of a tally sheet from a legislative hearing on facebook. She wrote,

Often people ask me . . . why the NRA is able to block efforts at common sense reform. Just after the shooting at Sandy Hook Elementary School, I testified in front of the CT State Legislature. The room was packed with NRA members . . . Because there were so few of us on the other side, one of the guys who worked in the legislative office building showed me this tally sheet. On the left is a mark for every person who had called in opposed to any reform to our gun laws. Those calling in asking for change are marked on the right. Keep in mind this was in CT about a month after the shooting in Sandy Hook. That's why our gun laws are the way they are. (Green, personal communication, June 26, 2014)

The photo of the tally sheet shows approximately 850 tally marks on the left indicating NRA supporters who took the time to call their representative opposing reforms. It shows only three tally marks on the right indicating members of the public calling to support reforms. So what strategy can Obama purse in the future to secure legal reforms? We contend that Obama and others in favour of reform must shift argumentative strategies to energize smaller populations who can demonstrate greater conviction in support of gun reforms. Winning the debate in a public speech is not enough. Argumentation must inculcate conviction to have any hope of creating change. Without such conviction, supporters will remain apathetic and will not demonstrate their conviction to elected representatives. Groups like Moms Demand Action, founded by Shannon Watts after Newtown, have proven that sufficient conviction can spark reforms. Among numerous campaigns that borrow from NRA strategies, Sarah Jane Green, a member of Moms Demand Action in North Carolina, stated that the group successfully lobbied several national chains including Starbucks, Chipotle, Jack in the Box, Sonic, and Chili's to ban guns on their premises (personal communication, June 26, 2014).**[iii]** Until those who support reform can instil sufficient conviction in their followers, there cannot be legislative change. Obama and others supporting

reforms must craft arguments that inspire followers to demonstrate conviction through phone calls to representatives, letters, postcards, demonstrations, and other strategies. In the current climate, gun reforms only have a chance if those with greater conviction act. As the NRA has proven, even when only 9% of the public supports your position, sufficient demonstration of conviction can block congressional action. President Obama needs to find strategies to increase the conviction of supporters who can act in effective ways to limit guns (e.g. asking individual businesses to ban guns, conducting social media campaigns, staging demonstrations, grading representatives on their gun reform positions, etc.). Only by building a coalition of such activists can Obama hope to implement widely popular legal reforms.

NOTES

i. For example, Georgia just passed an open carry law that allows citizens to openly carry their guns anywhere.

ii. This number is not without controversy – the 74 school shootings is based on defining a school shooting as an incident involving a gun in an education settings. Gun rights advocates take issue with this definition and argue a school shooting only occurs if a shooter came with the intent of killing lots of people. Thus, when an individual comes to a campus with the specific purpose of killing a particular individual, it does not count as a school shooting. For more over this definitional debate see Binder, M. (2014, June 20). Gun nuts' infuriating craze: Why they want to redefine 'school shooting. Salon.com http://www.salon.com/2014/06/20/gun_nuts_bizarre_new_craze_trying_to_change_definition_of_school_shootings/

iii. One potential benefit of these strategies is that they bait gun rights extremists into directly revealing derailment strategies including threats of violence regularly used by gun rights supporters. For instance, the successes of Moms Demand Action have drawn rhetorical demonstrations of misogynistic violence against women from gun supporters and direct threats targeted at those demonstrating for change. Making such rhetorically violent derailments visible may be a step in undermining the credibility of gun rights extremists. See: Alec MacGillis. (December, 2, 2013). Gun lovers are attacking Newtown activists with violent, misogynistic messages. The New Republic. http://www.newrepublic.com/article/115790/gun-control-moms-face-misogynistic-violent-online-harassment; and, Mark Follman. (May 15, 2014), Spitting, stalking, rape threats: How gun extremists target women. Mother Jones.

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ISSA Proceedings 2014 – How Mental Develops In Kenre Dueling

Abstract: As a verbal-dueling, Kenre is still vitality in Yi area of Southwest China. It is characterized by poetic wisdom. Kenre is not only a kind of verbal behavior and dialogue art, but also a way of communication and inheritance. The mode of mental development in Kenre dueling includes evoking, remembering, deriving, creating, principling and rhyming.

Large-scale debating thoughts have occurred in China, India, and Ancient Greek, which constitute the three ancient debating system. Various Chinese ethnic minorities also enjoy a long history of debating tradition, among which, the Kenre dialectical practice of Yi minority is a common example. "Kenre" is a kind of transliteration from Yi language, while "Ke" means utterance and "Nre" represents removal and compromising. Together, "Kenre" means verbal-dueling. The dueling is a direct dialogue, which centers on some certain object or question with the aim to reach the correct answer to the object. It ends when one party win the dueling.

Section 1: the formula of kenre dueling
The process of Kenre dueling varies slightly among different Yi areas. It is generally divided into the first and second halves. The first half follows the procedure: opening remarks, narration or debating, retrieving the classics, and setting up questions. They welcome the guests and compliment the other party with polite remarks. This can be viewed as an impromptu speech to relax the atmosphere and comfort the guests.

The host party: The esteemed guests, your silence worries the guests. How is everything going in your home? How about the cereal harvest? Does the lady defend the enemy? Does the lad marry?
The guest party: It is a great honor to attend the ceremony. Everything is fine in my home. The husbandry is prospers and the crops enjoy a good harvest. The family and friends are safe.

There is a transitional period called "go and have a look". It is somehow a

challenge for debating. It is said that "We should like two energetic deer to compete".

The procedure for the second half is like this: the origin of the epic, the evolution of the epic, and the narration of the epic history. The first half mainly tests the participant's response ability while the second half is to test the proficiency of the epics. The words and remarks, like endless bullets, come out from the participants continuously. The second half is based on the epic named Hnewo Teyyr. The debate combines the clues and stories to the history events, like creation, immigration, wars, and settlement, and cultivates lots of hero images.

If the debate reaches a draw, then the riddle or examination session will follow. This session is for the completion of experience and knowledge. The host party usually narrates the places he/she traveled, the historic resorts, the beauty of the people, and the customs exaggeratedly. Finally, one "referee" (usually a senior citizen), on behalf of the audience, will make a toast to the participants, which represents the peaceful compromising. Kenre dueling is somehow a mental sport inclusive of cooperation and competition.

The popularity of debating in human history is because that it is a unique dialogue education. Dialogue is the real conflicts between different thoughts, and the approach for truth exploration and self-recognition. Jaspers (1991) thought that without considering the social and historical background, education itself can be divided into the following three categories: scholastic education, master and apprentice education, and Socratic education. The last one means that there is no fixed educational model, and the learning party and the teaching party can think freely.

After endless inquiries and questions, students and teachers will find themselves naive to the absolute truth. Teachers will arouse students' sense for exploration. This kind of spawning induction education is advocated by Socrates. This educational method will arouse the internal potential of students, instead of putting too much pressure from the outside (Jaspers, 1991, p. 46). Socrates himself was a philosopher who practiced this kind of dialogue education.

Section 2: the mode of mental development in kenre dueling
Human's mind has the characteristic of bilaterally. Paying a attention to the realistic life from the perspective of dueling, human's thinking is a process of

cognitive game of inherent dialectic. The real idea is dialogue, which is important ways for human beings to understand themselves and the world. The real education is dialogue education. Kenre dueling is a kind of Socratic education. Before activities dialogu with classic, In activities dialogu with others, After activities dialogu with himself. The mode of mental development in Kenre dueling includes evoking, remembering, deriving, creating, principling and rhyming.

Sub-sections 1:.Evoking is the starting of dialogue intentionality in Kenre dueling
The essence for Kenre dueling is the competition of abundance of knowledge and experience. It regards the origin of objects and life experience as the logic evidence. The debater will always exaggerate the places he/she visited, and the scenery he/she saw. The debater will always challenge to ask the opponent in a provocative way: Have you ever been to somewhere? Have you ever seen something?

Sub-sections 2: Remembering is the representing of knowledge in Kenre dueling
The contents of dueling include the folklore, the oratory skill, the living skill, the traditional rituals and festivals. It has the moral recognition, innovation, memorizing, and entertainment. The influence posed by the knowledge to the individual varies greatly according to individuals' interests, hobbies, styles, and abilities. For human beings, Kenre dueling is a kind of self-education, which is a major means for the carrying of human culture. Education activity, as a pass of the accumulated knowledge, is for each individual. As a result, this kind of inheritance will influence the individual first. This kind of influence is quite different. Under this kind of influence, people usually want to be known and to be capable (Hu, 1999, p. 315).

Sub-sections 3: Deriving is the projecting of thinking in Kenre dueling
From the beginning of the argumentive intentionality to the poetic expression, the using of formula of defense of Kenre dueling is highly. The dueling process is a process of improvisation. No memory means no creation. The improvisational process is a conversion process from change to un-change. The categorization and the specialization are strategies for creating in Kenre dueling

Sub-sections 4: Creating is the generating of thinking in Kenre dueling
For example, in the greeting between debaters of both sides when they start the Kenre dueling, change refers to the names or symbols representing characters of things: pheasants in the Fern grass, caraganas in the bamboo, bears in the forest,

deer in the mountain, honeys in the rocks below, otters in the river front, white dogs in the courtyard outside, heavy pigs in the courtyard inside, chickens under the eaves, girls in the house, boys in the sitting room and so on; un-change refers to the functional words which represent their action: peaceful or not, auspicious or not, hospitable, no talking and other phatic words, which of function of welcoming the arrival of the guests.

Sub-sections 5: Principling is the structuring of logic in Kenre dueling
Kenre dueling is a language activity among the participants. Debaters prove their own viewpoint, overrule the opponents' view, and eliminate the controversy through individual statement or combination of statements. For a long time, either as a phenomenon or a question, dueling is followed closely by logic, rhetoric, and pragmatics. This is not only because debate is a common phenomenon and a language activitity, it also reflects the disparity among individuals. Different thoughts will continue to advance in the debate and discussion. Two opposite thinking skills have been established in our mind. The first one is to categorize, and the second one is to treat each object differently. They also breed the seeds for debate and negotiation. The categorical logos is always resisted by the individualized ant-logos (Billig, 2011, p. 159).

Sub-sections 6: Rhyming is the expressing of poetic wisdom in Kenre dueling
Kenre dueling is based on a classical epic named *Hnewo Teyyr*, which contains 14 chapters including the creation of world. "Hnewo" is a transliteration of Yi language, it means verbal passing of knowledge. For the Yi minority, this epic is a chronological book, which is widely spread and accepted by Kenre dueling. The language is always exaggerated and innovative.

The Kenre dueling is a process to cultivate the Yi minority's poetic wisdom of tracking the origin. In Liangshan area, where Kenre dueling exists, rituals are a common ingredient for life. The ritual participants exist and divided according to their blood relation and location. During the rituals, people share the same sorrow, happiness, and destiny. They dance, sing, and pray together. They also express their wishes, exchange the information, promote the mutual recognition, and reinforce their union and harmony. Rituals have an effect on strengthening the social action and tribe agglomeration. Kenre dueling comes from this kind of ritual life and is marked as an outstanding feature for public social life. Kenre dueling is an excellent ingredient of the verbal culture, which should be advocated and further developed. The limit of blood relation and family boundary

should be broken. It should be developed in the entire nation and whole society. Then, it will influence the whole nation and society in a higher level. The spirit of collectivism, competition, and union should be fully exerted, and establish a new sense of honor which means sharing of weal and woe. This new sense of honor will be rooted in the emotional conciseness of the Yi minority, and will be a spiritual power for mutual assistance and mutual prosperity. The spirit for tracking the origin, the system of sharing the same name between the father and the son together with the poetic thinking and nature, have formed the cultural tradition of poetic wisdom (Gu, 2011, p. 21)

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