ISSA Proceedings 1998 – The Role Of Arguer Credibility In Argument Evaluation

The history of applied logic in the English-speaking countries in the twentieth century can be discerned in the curriculum students have been exposed to in logic courses. That curriculum is manifested most explicitly in the text books that have been used, primarily in logic courses offered by philosophy departments. One of the more interesting aspects of the evolution of the applied logic curriculum is the gradual expansion of interest of logicians in creating techniques for more and more kinds of arguments.

The first half of the century reflected an interest in techniques that could establish whether or not an argument was deductively valid as a consequence of its logical form. Until the thirties, syllogistic dominated as the technique of choice, as it had for centuries before. But the creation of the propositional and predicate calculi around the turn of the century, followed by Gentzen's development of "natural deduction" versions of these, led to these systems superceding the syllogistic as the preferred tools for inference evaluation. This is reflected in the introductory logic texts that appeared in the late forties and early fifties. Among them was Irving Copi's Introduction To Logic, which appeared in 1951 and ultimately became the template for many such texts.

An examination of even the latest edition of Copi's text will show the deductivist orientation of these texts. By their tests, only a small subset of everyday arguments could qualify as having logically good inferences. This fact should have bothered logic teachers, since it was recognized even then that people, including themselves, were often persuaded to believe the conclusions of arguments whose inferences were not formally valid. But the formal techniques continued to hold sway, partly because of a lingering Cartesianism. It was difficult to let go of formal validity as a logical paradigm of good inference. Some of this reluctance has been due to the dubious conviction that logicians ought to have better logical standards than anyone else.

Some people did shake off the spell of formalism, however. I am thinking here of

Max Black and Monroe Beardsley, who produced texts around 1950 that look surprisingly contemporary in terms of curriculum. But it was not until around 1970 that texts of this kind began to become popular. Names such as Howard Kahane, Stephen Thomas, and Michael Scriven come to mind. These texts have come to be considered texts in Informal Logic, a "movement" that became visible as a result of the conference organized by Anthony Blair and Ralph Johnson in 1978 at the University of Windsor.

In its narrower version, Informal Logic has focused on the evaluation of inferences made in everyday argumentation, using whatever criteria seem to be appropriate. These could be deductive or inductive tests. Expressed one way, the goal could be seen as that of arriving at a probability value for a conclusion, given the truth of the premisses (Of course, this judgment was not expressed numerically. The preference has been to use evaluative terms found in language). In a broader version, one that not all logicians are comfortable with, Informal Logic is about argument evaluation. This involves arriving at an evaluative judgment of how likely the conclusion is, given the argument per se, rather given than the truth of the premisses. This broader concept takes account of the logical fact that the probability of a conclusion depends on the probability of premisses as well as inference quality.

Traditionally, logicians have seen their field of interest to be only inference quality. This is partly explained by the historical preoccupation with formal logic. If applied logic is applied formal logic, then obviously premiss evaluation is an empirical matter, to be relegated to the appropriate discipline or subject. However, once we assign logic a broader scope that includes inductive argument, the issue of premiss truth value can be included in the subject, since the issue of premiss truth value is whether or not we can infer the premiss from the information we have.

With the foregoing stage setting, I come to the purpose of this paper, which is to propose a further increase in the scope of Informal Logic. The motive for this proposed extension arises from the recognition that people who have arguments directed to them are interested in more than just arriving at a judgment of conclusion probability given the argument (i.e., argument evaluation).

Typically, people direct arguments to others when they think the "arguee" does not, prior to the presentation of the argument, regard the argument's conclusion as true. This is why we say that arguments are artifacts for persuasion. The most

important question for the arguee, then, is: should I now accept the conclusion as true, after hearing the argument?

Clearly, this question is broader in scope than the earlier question about how likely the argument itself makes the conclusion.
One reason why is that the arguee normally already has information relevant to judging the truth value of the conclusion in question. In some cases, the reason(s) given by the arguer might tip the balance in the direction of belief. In others it won't, because of some weakness in the argument.
But there is another kind of evidence that can, and should, be taken into account before we decide how likely the conclusion is after hearing the argument. This is arguer credibility. Quite often we are recipients of arguments from people and sources that we recognize as dependable sources for claims of this epistemic kind. Thus, the fact that this source affirms the truth of the claim is itself evidence for the claim. So obviously, this evidence must be factored into our evaluation of the claim.
How these two extra sources of evidence (our prior evidence for and against the conclusion, and arguer credibility) are to be fitted into the theory of claim evaluation is the subject of the remainder of this paper. The basis for the analysis will be a simple model of an argument as a propositional complex.

When an arguer (S) presents an arguee (H) with an argument of the form 'P, so C.', he/she is relying on two claims to get H to believe C: (1) P is true, and (2) P, if true, guarantees the truth of C. This latter claim I shall call the "inference claim". It can be written more familiarly in the form 'If P then C.'. The sophisticated arguee, in deciding whether or not to accept C as true after hearing the argument, can be thought of as concerned to establish two probability values:
$p(P)$ and $p(\text{If P then C})$. The latter can be written more concisely in the form $p(C/P)$.

Let's deal with getting $p(P)$ first. The evidence we can have consists of (1) any information we may have that would lead us to assign a probability to P prior to taking account of S's credibility in affirming it. We can call this "$p(P)i$". The issue then is how to factor in S's credibility. One way of conceiving the situation is to regard the proposition 'S affirms that P.' as a premiss for the conclusion P. In judging the probability of P given this little argument we need to use this formula:

$p(P) = p(\text{S affirms that P}) \times p(P/\text{S affirms that P})$

We can assume that we know that S has affirmed P, so: p(S affirms that P) = 1. We now have:

p(P) = p(P/S affirms that P)

Using Bayes' theorem we can write:

p(P) = p(P/S affirms that P) = [p(S affirms that P/P) x p(P)i]

/ [[p(S affirms that P) x p(P)i] +

[(1 – p(S affirms that P / P) x (1 – p(P)i)]]

This is simpler than it looks, once we notice that 'p(S affirms that P/P)' represents S's reliability in judging P. That is, it represents the number of times S would judge P to be the case, when P actually is the case. Let's label this "RP". We can now rewrite the complex equation as:

p(P) = p(P/S affirms that P) = [RP x p(P)i] / [[RP x p(P)i] +

[(1 – RP) x (1 -p(P)*i*]]

This still looks pretty complex, not something we can use without pencil and paper or a calculator. However, for practical purposes we do not need an exact result. A result accurate to one decimal place would be sufficient. In what follows I offer a simplified way of applying the Bayes formula.

By "cut-and-try", I have found that this formula gives fairly accurate results: p(P) = r / (1 + r). Here "r" is what I call the "Bayes ratio":
p(P)i / EP. Here "EP" is simply 1 – RP. That is, instead of working with arguer reliability, we use arguer's error rate.

How close to the Bayes Theorem results are the results using the simplified formula? If we calculate p(P) for any pair of values for p(P)i and EP using the two formulas and round off to one decimal place (0.9, 0.8, etc.), the simple formula will yield a value accurate within one decimal place almost always. (That is, the error is +/-0.1.) For everyday purposes this is pretty accurate.

We could use the simple formula to get an approximate value for p(P), but we can simplify even further if we regard our "bottom line" task as one in which we must decide whether to accept P as true or not. This requires a decision as to what value of p(P) is high enough to warrant regarding P as true. No precise answer can be defended, partly because it depends on what would be at stake in

accepting P as true, and partly because some of us are more cautious than others. For purposes of discussion I shall adopt a probability of 80% as a threshold for acceptance. That is, when a claim is seen as at least 80% probable, I will regard this as an adequate basis for taking it to be true.

Looking at our formula, what value does "r" have to have for us to accept P as true? Looking at the formula we can see that when r is 4, p(P) = 4/(1 + 4), or 4/5, or 0.8. So we can adopt the policy of deciding that P is true when r is 4 or greater. That is, when we judge S's error rate to be less than 1/4 of the initial probability of P. Now let's see how Bayes applies to the inference claim 'If P then C', which I shall abbreviate as "I" when necessary. Recall that an arguer wants to persuade us to believe his conclusion (C) by getting us to accept two other claims: (1) P is true, and (2) 'If P then C' is true. We can use the same analysis for the latter as for the former. We can make a judgment of p(C/P) ("p(I)") prior to taking into account the fact that the arguer is affirming it. Then we can use Bayes to arrive at the following simplified formula:

p(I) = p(I/S affirms that I) = rI / (rI + 1) (Where rI = p(I)I / EI)

We are now in a position to determine how probable C is for us, given what we knew prior to hearing the argument for it, the argument itself, and the epistemic credibility of the arguer. This is simply p(P) x p(I). But the fact that this is a product relationship raises a problem if we want to decide whether or not to accept C as true now.

We noted above that, using an 80% threshold, we would accept P as true if EP was less than 1/4 of p(P)i. We could use the same threshold for I, but if we do, we will be accepting C as true in cases when p(C) is only 0.64. This is when p(P) = 0.8 and p(I) = 0.8. This looks a bit inconsistent, since we would require p(C) to be at least 0.8 if it were asserted without grounds. It is desirable, then, when judging the epistemic impact of an argument, that we use 90% as thresholds for p(P) and p(I). This gives a value for p(C) of 0.81, consistent with the general standard of 0.8.

Now we must revise our threshold values for rP and rI. Remember that, in each case, they occur in the form 'r /(r + 1)', we can see that their value is minimally 9 to get a formula value of 0.9. It might be convenient in practice to adjust the value of r to 10. This yields a minimal product value of 0.8264. The standard for

accepting C as true now is: accept C as true when both S's error rate in judging the premiss is less than 10% of the prior probability of the premiss, plus S's error rate in judging the inference claim is less than 10% of our prior assigned probability value.

These criteria need to be incorporated into a strategy. One of the characteristics or ideals of logicality is that a person ought to be logically autonomous. In dealing with other people's attempts at persuading us to believe things, we should rely in the first instance on what we already take to be true. Thus, if our information itself leads us to assign values above 0.9 to both P and I, then we can accept the conclusion without relying on S's reliability. This is preserving our logical autonomy. On the other hand, being logical about an argument also requires us to take account of S's credibility, so that when either $p(P)i$ or $p(I)i$ is less than 0.9, we need to see if rP or rI is high enough to warrant accepting the claim as true.

Thus, in this scenario, we rely first on our own information, then if accepting the conclusion as true is not warranted by this, we bring S's reliability into the picture. Being logical involves thinking for oneself, but it is illogical to fail to take all the evidence into account, and this includes arguer credibility.

Taking arguer credibility into account, however, is not easy to do accurately. Cognitive psychologists have found that people do badly[173] when required to factor claimer reliability into their claim probability estimates. By training and experience we are able to make judgments about claim probability, but arguer reliability is quite different. The evidence for it is, of course, the person's background and behavior, but our evaluations can be distorted in a variety of ways. In most cultures we are taught who the knowledgeable people are on the more important subjects, but we do not learn any habits or strategies of reliability evaluation. These difficulties in using the procedure I leave for another time, but their existence does not invalidate the procedure itself. It just means that we need to expand our efforts in teaching critical thinking into this area.

ISSA Proceedings 1998 – Fantasy Themes And Rhetorical Visions In The 'BRENT SPAR' Crisis: An Analysis Of Articles Appearing In German And French Newspapers

1. Nature and Consequences of the 'Brent Spar' Crisis

In June 1995, the giant oil corporation Shell attempted to sink its obsolete oil platform, 'Brent Spar', in the North Sea, 190 kilometers north-east of the Shetland Islands. Their plans were approved by the British government and by the signatories of the Oslo Convention for the protection of the marine environment (*Shell 'Brent Spar' calendar of events: 1*). Shortly before the scheduled deepwater disposal, the environmental organization Greenpeace began a "high-profile campaign" (Thompson 7.3.96) in opposition to Shell's plan. The 'Brent Spar' crisis started on the 30th of April when Greenpeace activists occupied the platform and held it for three months.

The 'Brent Spar' crisis was extremely complex because what Shell had considered to be a British domestic issue actually turned out to be an international "fracas" involving the countries surrounding the North Sea (Seaman 1996: 4). Greenpeace's and Shell's actions caused a three month long conflict over the seas, disagreement among the European governments, public demonstrations and boycotts, fifty fire-bombed fifty Shell service stations, and a war of words in the European media. On the 20th of July 1995, Shell aborted its operation and towed the oil platform to the Norwegian Erfjord, where it was and is still moored and decaying. Up to the present, no clear answer has emerged as to whether an offshore or onshore solution is best. That the platform's fate is still uncertain reveals the complexity of the issue and further, proves little about who (Shell or Greenpeace) is right or wrong.

The 'Brent Spar' crisis has long lasting consequences for the financial situation and the reputation of both parties. Greenpeace has spent a total of $1.4 million on their campaign in opposition to sinking the oil platform. Although Greenpeace

was forced to apologize to Shell in September 1995 and admitted that "their sampling on board of the 'Brent Spar' was flawed" (*Shell press release* 9.5.95), Greenpeace's enhanced reputation, a result of the 'Brent Spar' crisis, remains unchanged. Shell's position on 'Brent Spar' has led to long-term financial consequences as well as damage to their public reputation. Shell gas stations have experienced losses due to a 'Brent Spar' boycott (*European Energy Report* 3.29.95). Further, Shell pays $54,000.00 a month to 'park' its obsolete platform in the Norwegian fjord (Thompson 8.14.96). Shell has also spent enormous amounts of money in responding to the crisis, and public trust building, not to mention the new form of disposal.

2. Purpose of the Study

One question that arises when reflecting on the 'Brent Spar' crisis is how the newspapers' communication created symbolic realities that motivated masses of people in different European countries to take sides for or against Greenpeace and a giant like the Shell oil corporation. My study provides an answer to this question by analyzing all press articles that appeared from April 30 to July 20, 1995 in two major German newspapers, 'Die Frankfurter Allgemeine Zeitung' (FAZ) and 'Die Süddeutsche Zeitung' (SZ), and in three major French newspaper, 'Le Figaro' (LF), 'Le Monde' (LM), and 'La Libération' (LB). Germany and France, which represent the core power group of the European Union, border the Northsea. Furthermore, the two nations are the subjects of my study because they reflect different national reactions to the crisis. Ultimately, the text analysis explains the persuasive appeal of the press and provides an understanding of the development of the crisis.

3. Bormann's Fantasy Theme Analysis

The text analysis of the press texts is based on Bormann's fantasy theme analysis which he developed on the grounds of Bales' (1970) small group communication research his own 'Symbolic Convergence Communication Theory'. Bormann (1972) states: "The explanatory power of the fantasy chain analysis lies in its ability to account for the development, evolution and decay of dramas that catch up groups and change their behavior" (399). I use Bormann's notions of fantasy themes and rhetorical visions to look for themes in the press texts in order analyze how argumentative discourse operated in the crisis and to demonstrate how attention was drawn towards Shell's actions in Europe. A fantasy theme is a "dramatizing message or part of a message and includes characters (personae) in

action within a given scene" (Bormann 1977: 130). The symbolic reality that can be constructed from an accumulation of fantasy themes over time forms composite dramas and chains out among a mass public. This reality is what constitutes a rhetorical vision (130). In the following analysis, I examine recurrent rhetorical patterns that led to the creation of fantasy themes and visions that were created during the 'Brent Spar' crisis in Germany and France.

4. "David against Goliath": Fantasy Themes in Germany

Recurrent communicative patterns in the German press included the choice of words in the press coverage, the use of quotations, and the structure of the texts. They helped to establish narratives in which 'dramatis personae' were created and situated in a dramatic war-like scenario. Fantasy themes were created in the German press that depicted Shell as the villain, as the insensitive, capitalist giant whose only interest was profit. Greenpeace was characterized as the hero, the small non-profit organization that was concerned with the well-being of the environment and thus also with the well-being of humanity. The German press formed a rhetorical vision of a 'green war' referred to as the 'Brent Spar'.

David against Goliath was an apt metaphor for the rhetorical vision surrounding the confrontation between Greenpeace and Shell. The German press used words with a positive connotation and expressions to describe Greenpeace. The organization was referred to as "environmental protectors", (e.g. SZ 5.23.95: 12; FAZ 6.9.95: 6), an "environmental protectionist organization" (e.g. SZ 6.16.95: 7; FAZ 6.9.95: 1) or "activists" (e.g. SZ 5.24./25.95, 6.8.95: 12; FAZ 6.12.95: 27). These positive names characterized Greenpeace as an organization that pursues altruistic goals, such as the protection of nature. The fact that the organization was represented by its members, "the protectors" and "the activists", aroused sympathy and allegiance by making the organization more human and tangible, easy for the readers to identify with. Greenpeace was depicted as the hero.

In contrast, Shell was depicted as a villain. Shell's image suffered because the corporation was depicted as a group of greedy capitalists. The 'Frankfurter Allgemeine Zeitung' labeled Shell a "cool calculating corporation" (6.19.95: 20) and the 'Süddeutsche Zeitung' reported that "Shell is saving money..." (6.19.95: 3). Another article criticized Shell and the British government for placing cost over environmental concerns and noted that "the ecological consequences of the disposal did not play a role in the decision" (FAZ 6.21.95: N1). The article also reproached Shell with "a form of economizing which buys short term savings of expenses with long term risks that are not calculable and expensive to pay for".

An author of an article of the 'Frankfurter Allgemeine Zeitung' remarked: A lot of people mistrust this global corporation merely because of its size. They associate the corporation with political and economic power, and further with behavior that does not regard the so called little man, the average person (6.20.95: 16).

The German press portrayed the oil corporation as only interested in containing costs. Shell was characterized as a greedy, capitalist-mongering entity, and a selfish villain. The press aroused fear that Shell would harm nature, and, because Germans link their well-being as humans to the well-being of nature, the fear touched their very own existence.

Apart from the more obvious choice of words, the press also employed text structure and quotations as the subtle rhetorical devices which supported the construction of the hero and the villain, thus generating a dramatic scenario. The articles extensively affirmed Greenpeace's dramatic description of the battle on the water and mostly quoted Greenpeace members at the beginning of the text; Shell's point of view was only briefly cited near the end. In general, the structure of press articles is based on a hierarchy of relevance (Van Dijk 1988: 41): The title mirrors the most important information of the text, followed by the subtitle, the lead, the beginning of an article, etc. The further the article proceeds, the more specific the information becomes and thus less important to the everyday reader. Newspaper readers usually pay the most attention to the beginning of articles and often do not continue reading to the end (Van Dijk 1988: 142).

Almost every single article in the German newspapers placed dramatic messages from Greenpeace in top positions. Titles of articles fostered a good impression of Greenpeace, and portrayed an evil Shell. These are some of the titles: "Greenpeace activists rammed on the Northsea" (SZ 6.12.95: 6), "Despite international criticism: 'Brent Spar' on its way to the sinking spot" (SZ 6.13.95: 6), "Christian Democratic Party furious at Shell because of oil platform" (SZ 6.13.95: 5), "Garbage, Shell, and the sea" (FAZ 6.14.95: 17), "Protest wave due to the sinking of the oil platform" (SZ 6.14./15.95: 1), "The Shell boycott shows effects" (FAZ 6.16.95: 1), "Contradictory statements from Shell" (SZ 6.17./18.: 6), "The garbage cannot be sunk in the sea: A study of British scientists/Poisoned mud inside the platform" (FAZ 6.21.95: 3). Such powerful assertions, placed on the top of the articles, aroused strong emotional reactions for the environmental organization and against the oil corporation. Clusters of meanings unified in the media's war scenario and created a rhetorical community with a rhetorical vision of a green war named 'Brent Spar'.

The platform 'Brent Spar' became a symbol of the Shell corporation and the

danger that was connected with it. The name 'Brent Spar' was made the keyword of the crisis. Anger over and fear of Shell's actions were aggravated by the press reports which made the oil platform a symbol of the threat posed by Shell. The newspapers' emphasis on the platform's hazardous contents, its immense size, and its heavy weight all contributed to its symbolic status. In almost every article, the content of the rig was mentioned. For instance: "According to Greenpeace, there are at least 100 tons of poisoned mud, such as arson, cadmium, lead and slightly radioactive waste" (FAZ 5.15.97: 3); or "...'Brent Spar' with 130 tons of poisoned waste on board" (SZ 6.17/18.95: 6). The mention of toxic waste aboard the oil rig scared the hyper-sensitized public.

There were constant allusions in the newspaper coverage to the rig's size and weight: "About hundred tons of poison would thus sink into the sea with the platform," (FAZ 6.14.95: 17); or "the whole station is 140 meters high, 32 meters are above the sea level; it was kept in position by chains and heavy anchor blocks," (SZ 6.17/18.95: 4). The rig was described as a gigantic monster that could break free of its chains and destroy the Northsea and thus threaten human existence. In contrast to the rig's dangerous waste and its massive size and weight, it was frightening for readers to discover that the "outer jacket of the 'Brent Spar' is only two centimeters thick" (FAZ 6.21.95: 3). The German media's representation of the oil platform signaled danger and inflexibility, characteristics that the press also attached to the oil corporation. For Germans, the oil platform took on the symbolic meaning of a monster, the 'Brent Spar', which also represented Shell, a destroyer of nature.

According to the press, the invasion of the Northsea had to be repelled and the sea had to be saved. Calls for action, such as "the sea must not be misused as the garbage can of an oil corporation," by the president of the Churches' Week were accompanied by applause from 80,000 participants (FAZ 6.19.95: 2). These statements sounded like war chants which promoted the battle on the sea. "The sea must not be misused as a garbage can" was stated by politicians and civilians as a war slogan and was frequently repeated by the press (FAZ 6.14.95: 17; 6.16.95: 6; 6.17.95: 1). As masses of people, both civilians and politicians, embraced the war fantasies, the drama escalated.

War analogies repeatedly appeared in the newspaper coverage: "The battle against the sinking of the British oil platform 'Brent Spar' near the Scottish coast becomes more and more bitter," (SZ 6.12.95: 6). Dramatic messages were reminiscent of war-time reports, for example:

Despite constant bombardment with water cannons, Greenpeace managed by

helicopter to supply its two members, who landed on the platform on Friday, with food, clothes, and blankets (FAZ 6.19.95: 2).

Unequal battle: According to Greenpeace, an accompanying ship of the 65,000 ton oil platform 'Brent Spar' deliberately tried to spray one of the two occupants of the platform with a water cannon. The man did not fall overboard only because he got stuck in a barbed wire fence (FAZ 6.20.95: 3).

This sample of the press coverage illustrates how Greenpeace was symbolically "humanized" because it was represented by the five demonstrators whereas Shell was "dehumanized" because it was represented by a ship and the violence of a water cannon.

During the course of events, the German press labeled British members of the 'Northsea Protection Conference' "outsiders," (FAZ 6.9.95: 1) "brake pads," and "the black sheep of the European Northsea Protection Conference" (6). Another articles stated that "the British government, which deflected the massive protest with stoic composure, is also on the losing side" (SZ 6.22.95: 4). The derogatory remarks in the press clearly mirrored Germany's disapproval of the British government's support of the oil corporation.

The British public was referred to in a similarly derogatory manner by the German press: "The fact that the British tolerate the pollution of the sea with great composure is not explicable by the difference in mentality," (SZ 6.22.95: 4) and "In particular the British, who, as inhabitants of an island, consider the sea as a way of transport and as a dustheap, receive minus points in their environmental performance" (FAZ 6.20.95: 3). According to the new meaning inhabiting the German newspapers' rhetoric, the British government and the public became accomplices of the oil corporation.

Now Greenpeace and Germany were fighting together against the evil Shell and its British accomplices. Another brick was laid in the building of the scenario. Antipathy and anxiety towards Shell and its allies were aroused. The 'Brent Spar' vision became a symbolic reality and constructed a meaning for the 'Brent Spar' issue that neither Shell, nor any of the European governments had anticipated. The war-like scenario became so intense that individuals felt compelled to unify and take action. The early war chant "the sea must not be misused as a garbage can," became the aggressive slogan "Shell to Hell" (FAZ 6.17.95: 2; SZ 6.17/18.95: 6).

The rhetorical vision of the green war committed people à la Robin Hood, so that even illegal means were justified in the battle for the good of environmental

protection. Behavior such as occupying the platform, flying helicopters in illegal areas, exaggerating the amount of poison on board the rig, doing financial harm to Shell's franchisers by boycotting their gas stations, attacking the owners of Shell gas stations all became justifiable, as did shooting at Shell gas stations. These were all illegal or unethical acts justified under the banner of ecological protection. The 'green war' reality produced a crooked logic. The evil, the violence and other illegal actions, were tolerated and even supported so that the preservation of the environment, would triumph. This demonstrated how the rhetorical vision of the 'Brent Spar' war created a new reality in which ethics and legality were reversed.

5. "The Green Guerrilla against Shell": FantasyThemes in France"
Contrary to the German newspapers, recurrent rhetorical devices in the French coverage of the 'Brent Spar' crisis, such as metaphors and similes, certain types of quotations, and the structure of the articles, helped to create fantasies about Shell as the victim of the villains, the green terrorists led by Greenpeace and backed by Germany.

According to the press coverage, France did not have an active role in the 'Brent Spar' drama but instead played a neutral part. Fantasy themes conveyed through the French caused anxiety that green issues could take over French policy-making and gain control over decisions in industry.

The title in 'Le Figaro' "The green Guerrilla against Shell" (6.21.95: 12) reflects the fantasy theme that was created by the French press with respect to the battle between Greenpeace and Shell. Greenpeace was characterized as the leader of a "green Guerrilla" troop that used physical force, radical means, and illegal action in order to interfere in Shell's plans. In contrast, Shell was characterized as a corporation that simply tried to do its business, namely the sinking of their oil platform according to their best knowledge, but became the victim of Greenpeace's zealous campaign. Greenpeace was depicted as an egotistic and radical villain that interfered in domestic British business and policy. The positively connoted term Greenpeace was rarely used in the French press coverage but instead was replaced with metaphors and similes. These metaphors and similes subtly portrayed Greenpeace as irrational, dangerous, radical, and terrorist, evoking antagonistic feelings.

According to Johnson (1987), new metaphors "can give new meaning ... to what we know and believe" (139). Lakoff and Johnson (1980) point out that a metaphor "has an explanatory power of the only sort that makes sense to most people" (34).

Metaphors have an illustrative and an affective function. Johnson (1987) further remarks that a "metaphor can acquire the status of truth" (142) and illustrates "the power of metaphor to create a reality" (144). Metaphors are very powerful rhetorical devices that contribute significantly to the creation of fantasy themes and rhetorical visions.

The following example of the French coverage of the 'Brent Spar' crisis is loaded with metaphorical expressions. The press declared that the environmental organization changed from "crusades for baby seals" to one that took advantage of "the unexpected opportunity to gild their escutcheon," at a point in time when Greenpeace was "confronted with difficult structural and financial problems" (LF 6.21.95: 2). Herewith, the French press suggested that Greenpeace, a non-profit organization, became capitalist and economically competitive. The assertions in the newspapers implied that Greenpeace used the 'Brent Spar' issue not for the purpose of fighting for environmental protection but rather to brush up its reputation and to motivate monetary donations. The French press presented an organization that, in protest against the sinking of the 'Brent Spar', did not pursue the altruistic goal to save nature like it used to, but instead was selfishly interested in its own success.

The metaphoric label "muscular ecology" (LF 6.21.95: 2) was a title in reference to Greenpeace to ridicule the organization. The metaphor depicted Greenpeace as foolish and irrational because it used physical strength to present a show and attract attention. However, the metaphorical term also produced anxiety because it implied that Greenpeace actually was strong, powerful, and misguided.

Further, the French press observed that the ecologists had changed and their control had become stronger: "They gazed at each other as their hair was growing longer in the same time the wool of the lambs from Larzac [a remote French village] was growing. Forget this, they cut their hair short, sometimes under the force of order" (LF 6.21.95: 2). This was a reference to cutting your hair as being "gung-ho military." Although the comparison of the ecologists' hair to the "wool of the lambs" drew an odd picture, the statement clearly illustrated that the ecologists had become more active and strictly organized, almost like a military unit. The French press implied that the ecologists had to be taken more seriously than before, that they had gained control, and that they might be dangerous in the future.

This impression was fortified when the press accused Greenpeace of "triggering the revolt" (LB 6.19.95: 26) and members of Greenpeace were called "militant ecologists," (LB 6.15.95: 20; 6.18.95: 18) "militants," (LB 6.21.95: 5; LF 6.21.95:

12), and "two militants, 'green berets' of a new kind…" (LF 6.21.95: 5). These terms for Greenpeace, emphasized the organization's new radicalization. As mentioned above, the environmental organization was also equated with a "green Guerrilla," (LF 6.21.95: 12) which alluded to both unconventional warfare, such as engaging the enemy behind its own lines and to highly motivated revolutionaries who are willing to die for their cause. The picture of a "green Guerrilla" encouraged to fantasize about a violent Greenpeace which would strive for victory by any means.293 Furthermore, one editorial mentioned that "it is, without any doubt, too excessive to talk about ecological terrorism, when wilder activists act in countries like Algeria" (LF 6.21.95: 5). Although the metaphorical term "ecological terrorism" was considered an inappropriately extreme label for this situation, it was nevertheless still used, which meant that the allusion to terrorism was embedded into the mainstream consciousness.

In comparison to the slanderous representation of Greenpeace as the villain, Shell was depicted in a neutral way, as "the oil group Shell," (LM 6.10.95: 2) "oil people," (LF 6.21.95: 1) "Shell," (LB 6.18.95: 18; 6.21.95: 6; 6.22.95: 21) "the oil corporation Shell," (LM 6.16.95: 1; LB 6.21.95: 1) and "the firm" (LM 6.21.95: 25). The French press gave a picture of Shell that detached the oil corporation from the whole scenario on the Northsea. The non-accusatory description of Shell fit well with the media's depiction of Shell as the victim.

In the French coverage of the 'Brent Spar' crisis, Shell was characterized as a rational and responsible corporation that became the victim of Greenpeace's extreme reaction. The titles, "Shell whom no one likes" (LM 6.20.95: 16) and "It is Shell whom no one likes anymore" (LB 6.21.95: 1) implied pity for Shell. The press portrayed Shell as the whipping boy. In addition, the passive voice in the title "It is Shell whom…," implied that Shell was a victim.

In the media's drama, the protagonist was forced to defend itself from the antagonist's attacks. War metaphors and the reports of war-like situations, always with Greenpeace as the main antagonist, dramatized the scenario. For example: "its [Shell's] project… triggered an anti-Shell front," (LB 6.18.95: 18) "the platform was conquered by a helicopter of the Greenpeace organization that successfully brought two militants to the platform," (LM 6.18./19.95: 3) "ecologist extremist commandos," (LM 6.20.95: 16) "the iron arm that the ecologists aimed at Shell…," (LF 21.6.95: 1) "the muscled action is part of a deterrent arsenal of the tough wing of the 'Greens,'" (LF, 6.21.95, p. 2) "due to the impressive wall of shields, Shell gave up the sinking," (LF 6.21.95: 12) and "four more activists succeeded in taking over the platform by helicopter despite the efforts of Shell's

protection ships" (LM 6.22.95: 2). The French press coverage focused on Greenpeace's occupation of the platform. The use of war terminology and imagery reinforced the fantasy of the green villain who initiated the conflict.

Slowly, the war fantasy chained out. By declaring that "Greenpeace is on its war foot," (6.21.95: 12) 'Le Figaro' conveyed the idea that it was Greenpeace that declared war. This statement implied that Greenpeace started the war. 'Le Figaro' continued: "On Monday, the association sent the Solo, its fleet's most powerful ship, and dared to oppose the sinking" (6.21.95: 12). This narrative sounded like a war report that vividly described Greenpeace's attack and aroused tension and anxiety. In contrast to the detailed description of Greenpeace's attack, once again, Shell's response was not mentioned. The war scenario aroused hostility towards the villain and parlayed pity for the victim.

During the war, the French press also constructed fantasy themes of Germans as being "fanatically ecologically correct" (LM 7.2./3.95: 1). The French attitude towards the Germans during the 'Brent Spar' crisis was further influenced by phrases in the press such as: " 'Stop this madness,' screamed the General Secretary of the Christian Socialist Union" (LM 6.16.95: 1). The idea of the stern General Secretary of the CSU "screaming" to stop the sinking was ridiculous. The reaction of Germany's politicians was presented by the French press as hysterical, emotion clearly ruling over rationality. This method of reporting led to French antipathy towards Germany.

The strong disapproval of Germany's reaction was further reflected in remarks such as "It is a sign of these times that the oil corporation Royal Dutch Shell's project to sink the oil rig 'Brent Spar', that had come to the end of 30 years of good and loyal service in the North Atlantic, aroused a big fuss in Europe, and particularly in Germany" (LM 6.20.95: 16). The personification of the oil rig created the illusion that the 'Brent Spar' needed to be treated like a loyal employee that had done his/her service for the public and now deserved honorable retirement. The French press accused Germany of unnecessary intervention into the affair of Shell's oil rig.

The press continually articulated its belief that the disposal of the 'Brent Spar' was not Greenpeace's or Germany's business but rather a British domestic issue. The press wrote that Germany's mass protests were extraneous since "this collective phenomena is even more surprising as the German coasts are absolutely not menaced by a possible black sea" (LM 6.16.95: 1). This attitude that a country should only interfere in another country's decisions when that country is directly endangered was clearly espoused in the French press. The

quoted statement also implied that France was wary of mass protests against French policy, for instance their nuclear testing.

One 'Figaro' article, typical of the French press coverage, quoted Shell's president who explained that Greenpeace's estimation of the amount of toxic waste on board the oil platform was "exaggerated, irresponsible, and alarming" (6.21.95: 12), thereby reinforced the fantasy theme of an extremist Germany that interfered with an innocent Shell's plans. The article further printed the president's detailed explanation of the exact content of the oil rig which included the following imagery: "The very weak rate of radioactivity, which is naturally formed in the inside of the platform, is not higher than the rate that emanates from a couple of houses built on Aberdeen's granite". With this vivid comparison, the president explained that the oil rig's amount of toxic waste was harmless. He further claimed that the sinking option "is what is best for the oil industry of today." The quotation from Shell's president was followed by a lengthy description of the emotional uproar and bombing attacks in Germany (LF 6.21.95: 12). Germany became a companion villain with Greenpeace in the 'Brent Spar' crisis.

The whole scenario was dramatized when the German environmental movement was placed in an aggressive, humorous light. The 'Libération' used ridicule exaggerations to the green movement, writing that "in Germany, a sport sailor who sails on the North Sea sees himself getting a ticket if he throws nothing more than a tissue over board" (6.15.95: 20). This imagery of polluters as law offenders presented the Germans as uptight and rigid. The antipathy was aggravated when the press explained that "nothing provokes as much indignation in Germany as contempt of the environment. Polluters are considered criminals, and their carelessness is considered supreme contempt of your neighbor" (LM 6.16.95: 1). These two press statements exaggerated their claims by suggesting that polluters are treated like criminals or even murderers in Germany. This encouraged the idea of Germany that overreacts and French dislike of Germany.

Illustrations of Germany's attitude toward the sinking of the oil rig and in-depth description of the protests of various German groups furthered the dramatization. The press vividly described the situation in Germany: "Deserted gas stations, angry franchisers and a ruined image: the project of the British group Shell... ignited a very spectacular boycott movement in Germany. ...a gas station in the region of Frankfurt was shot at six times by a driver, without the incident hurting anyone." (LB 6.15.95: 20). The dramatic messages about the situation in Germany inspired the readers to fantasize about the radical, terrorist-like Germans fighting

for the environment. The antipathy that was initially aroused turned into hostility as Germany became Greenpeace's accomplice and a danger to France.

Negative feelings in France were fortified by constant details of the events in Germany (e.g., LB 6.15.95: 20; 6.18.95: 18; 6.19.95: 26; 6.21.95: 6; LF 6.21.95: 12). A typical description that French readers were exposed to looked like this:

The protests against Shell's plans have been particularly lively in Germany, where from the churches to the unions, from Chancellor Kohl to the east German ice skater Katarina Witt, from the social-democratic party to the popular tabloid Bild, everyone raised in opposition against the project of sinking the 'Brent Spar' (LB 6.21.95: 6).

The long description with its parallel form "from... to..." exemplified the German situation and dramatized it by emphasizing how strong and unified the protest was in Germany. The dramatic messages portrayed the Germans as fanatic in their protest caused by an emotional uproar. The fantasy theme of Germans who transformed into radicals aroused the anxiety that France, with its plans for nuclear tests in the Murorora Atoll, would become the next target.

The French coverage of Germany's reactions to the 'Brent Spar' crisis took on a general anti-German attitude in environmental matters. Many articles dealt with the protests in Germany rather than with the reactions in France or with the 'Brent Spar' issue itself. Articles were titled "Shell boycotted in Germany," (LB 6.15.95: 20) "Shell's anti-ecological move scandalizes Germany," (LM 6.16.95: 1) "In Germany, the boycott keeled Shell over," (LB 6.19.95: 26) and "In Germany, Robin Hood effect" (LB 6.21.95: 6). Although the protests in the Netherlands were as passionate as those in Germany and Dutch bombed gas stations, the French press focused exclusively on Germany, conveying an anti-German attitude to the readers.**[i]** 94

Moreover, the Germans were reproached: "there is some hypocrisy on the part of the Germans to make themselves the moral censors of the behavior of a multinational oil corporation from which they consumed products with an indifferent greediness" (LM 6.20.95: 16). This form of criticism fed the new reality that depicted Germany as a second villain in the 'Brent Spar' war. Finally, the war came to an end. Metaphors depicting a downward direction were used to emphasize Shell's defeat. Lakoff and Johnson point out the existence of "orientational metaphors," (14) in which spatial orientations up and down correspond with happy/positive and sad/negative (15). They also explain that "Having control or force is up; being subject to control or force is down" (15).

The press in France reported that the war was over because "the ecologists made

the oil people fold" (LF 6.21.95: 1). In French, to "fold" literally means to fold something in half, like a piece of paper. The oil corporation could no longer resist Greenpeace's and Germany's attack and consequently "put down their arms" (LF 6.21.95: 12). The war resulted in the "capitulation of one of the largest oil corporations to the ecologists," (LM 6.22.95: 2) and was a "triumph for Greenpeace" (LM 7.2./3.95: 1) and Germany.

To sum up, a rhetorical vision of 'ecological fanaticism' was built by the accumulation of fantasy themes that characterized Greenpeace as a "dreadful watchdog" and a militant policeman of the "good world market." The fantasy themes also portrayed Germans as fanatic green "moral censors" (LM 7.2./3.95: 1) with extreme ecological demands. The French press implied that Shell was the victim, and next time the victim could be France. The rhetorical vision aroused fear that in the future, France might be targeted and treated like a criminal by the "watchdogs" of the environment. Imaginary headlines reading "France accused of eco-negligence" and images of hysterical Germans floated into French minds. The rhetorical vision of ecological fanaticism evoked anxiety.

6. Conclusion and Future Implications

This study illustrated how the media's argumentative discourse created fantasy themes and rhetorical visions based on the symbolic potential of environmental issues in the 20th century. The analysis of German and French newspaper articles illustrated that the press used fantasy themes and rhetorical visions, which impacted the development of the 'Brent Spar' crisis. In Germany, the fantasy themes involved simple images which depicted Greenpeace and Germany as the hero(ines) of nature and guardians of human existence while, in sharp contrast, Shell and Great Britain were depicted as the greedy, environmentally hostile villains. The German press interrelated the fantasy themes to form a rhetorical vision of a green war which was given the name of the obsolete oil rig 'Brent Spar'. The 'Brent Spar' issue was assigned a new meaning.

In comparison to the German press, the French national press constructed fantasy themes concerning the 'Brent Spar' crisis in direct opposition to Germany. For French readers, Greenpeace was depicted as a war-engaging, militant "guerrilla" organization, while Germany was characterized as a fanatic bully for green issues. Both villains were accused of meddling in another sovereign nation's domestic affairs. Furthermore, the French press propelled Frenchmen to consider Shell a victim. The fantasies gave rise to the rhetorical vision of ecological fanaticism of Greenpeace and Germany. The French press conveyed its

disregard for the German response to the 'Brent Spar' crisis and an anti-Greenpeace and anti-German attitude was proliferated by the French press.

This study exposed the details in which the 'Brent Spar' issue took on a bizarre development whose outcome – the renouncing of the offshore disposal – is still in doubt. It is still uncertain whether the offshore or onshore solution will prove be more environmentally friendly and feasible. The Shell corporation and the British government obviously underestimated Greenpeace and the public's position on the oil platform's disposal. The creation of various fantasy themes (partly based on previously existing clichés), the internationalization of the 'Brent Spar' issue, and the public's drive for participatory democracy went far beyond the consequences that were anticipated by Shell and Great Britain. The strong opposition in Germany against the sinking of the oil rig caused an oppositional reaction in the French press' coverage that resulted in a common consciousness that violated the post-war friendship between Germany and France and the German-French axis of the European Union (EU).

Although the background information was abundant, the data rich and valuable, and the analysis in-depth, I do not claim that the study was exhaustive. Data from the Netherlands, Belgium, Denmark, Sweden, Iceland, and Norway, countries that also dealt with the crisis, were omitted due to the restrictions of a Master's Thesis. Further, television coverage, which also plays an integral role in the creation of fantasy themes, was not included in the analysis. Overall, this study has significant implications for future research.

It revealed the effectiveness of Bormann's method in improving our understanding of peoples' thoughts, emotions, and motivations. Further, the study showed that the concepts of fantasy themes and rhetorical visions are universal and that the method is applicable across cultural and language boundaries. Similar analyses of crises would bring about significant insight into the their nature and could help to improve crisis communication and management. Future studies of rhetorical discourse should be generated to explore phenomena such as racism and sexism and thus raise our awareness and knowledge of the power of rhetoric and the construction of symbolic realities. Moreover, Bormann's fantasy theme analysis, in combination with cultural studies should be applied to current written or oral accounts of other incidents: Researchers could study events such as the mass suicide of members of Marshall Applewhite's Heaven's Gate sect in California, separatist wars such as in the former Yugoslavia and Chechenya, the rebel war in former Zaire, or the violent historical development of relations between Palestinians and Israelis. These analyses would provide a better

understanding of international crises and, in the best case, would lead to an improvement of peace processes.

NOTES

i. The newspaper's focus on German protests could be related to a historical antipathy between France and Germany that caused several wars and can still be observed today in the permanent political and economic competition.

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ISSA Proceedings 1998 – A Few Remarks On The Individuation Of Arguments

1.

"An argument," Irving Copi tells us in a much-quoted passage, "is any group of propositions of which one is claimed to follow from the others, which are regarded as providing support or grounds for the truth of that one."**[i]** Copi's usual elegance may have temporarily deserted him in the remark quoted, and his definition may be less explanatory than might be desired, but the general idea is clear enough – or at least clear enough for the great majority of people in this room to reject it. Where the Amstel flows and all pragmas are dialectical, propositional definitions of argument, such as Copi's, have about as much purchasing power as the Indonesian rupiah. Not that that's necessarily a mark – or even a guilder – against them, and not that that means that propositional views in general, or Copi's in particular, aren't worth exploring. Indeed, I think that examining what this Snidely Whiplash of argumentation theory – for so he's many times considered – says almost always repays attention, and though my focus won't be his definition of an argument so much as the related issue of the individuation of arguments, I think his views help to clarify both issues.

But let me introduce character number two in this little drama before getting back to Copi, character number one.
A more discourse-oriented definition of argument has been advanced by another arch-villain of argumentation theory, but one not nearly as often targeted for attack and refutation. According to Monroe Beardsley, "an argument is a discourse that not only makes assertions but also asserts that some of the assertions are reasons for others."**[ii]** From the pragma-dialectical perspective, Beardsley's definition may lack the shelter and clothing of the pragma and the dialectical, but at least it partakes of that staff of argumentative life, discourse. More striking than that single but pervasive difference between the two, however, that single but pervasive difference between Copi and Beardsley, are the similarities of their views. Substitute 'set of propositions' for 'discourse,'

'propositions' for 'assertions,' and 'claims' for 'asserts,' and Beardsley's definition coincides almost precisely with Copi's. If we bracket the discourse – or rhetorically- oriented elements of Beardsley's definition, in other words, there is little difference between their views.

2

Which only goes to show that two people can basically agree on one fundamental issue – what an argument is – but profoundly disagree on other fundamental issues, such as what the identity of an argument consists in, and how to individuate arguments. To be clear about what I'm referring to here: the identity of an argument I take to be its self-sameness, the fact, in a sense, that it is what it is – namely, an argument, and, moreover, that argument — and not another thing, not even another argument. I know that's not very enlightening, but it's hard to say much more, on a general level, about what the philosophical issue of identity is than that it's a metaphysical issue and concerns what constitutes, in the most important sense, the fact that a thing is what it is and not some other thing. Bishop Butler would no doubt be proud of me and give me his blessing for my remarks about identity, even if they'd win no awards for advancing the educated public's understanding of philosophy. Anyway, when discussing the identity of a thing, philosophers generally speak of identity conditions for that thing, and many times the kind of a thing whose identity is being specified is built right into the statement of those conditions. In the case at hand, a typical statement of identity conditions would go something like this: x is the (numerically) same argument as y if and only if.....

Closely related is another metaphysical issue, that of individuation. When it come to arguments, the issue here isn't so much what constitutes singleness as what constitutes diversity, or many-ness. Less cryptically, the central question of the individuation of arguments is: What makes discrete, numerically distinct arguments discrete, numerically distinct arguments? Obviously the two questions are related: to know what makes a given argument the argument it is would tell us what makes discrete, numerically distinct arguments exactly that – discrete, numerically distinct arguments. To a lesser extent, the converse holds as well: to know what makes numerically distinct arguments such would lend at least a bit of a hand in telling us what makes an argument the argument it is.
Lastly among these preliminary remarks, I should also mention that the questions of identity and individuation frequently have their closely related, but numerically

distinct, epistemological cousins stand in for them. The ersatz relatives in question are: How do we know that arguments x and y are one and the same? and How can we tell that we're dealing with one, two, three, or however many arguments? (And we also could, of course, ask epistemological questions about our general identity and individuation conditions: How do we know that they're correct?)

3

Back to our principals, Copi and Beardsley. A minute ago I said that Copi and Beardsley basically agree about what an argument is, on what makes something an argument. (This is another way of saying that their definitions are similar.) Their views on individuation, however – I won't be saying much more about identity from now on – are markedly different. The definition shared by Copi and Beardsley answers part of the question of the identity of argument – an argument, in contrast to a non-argument, has propositions that figure in it as premises, and so on – but it doesn't go the full distance, it doesn't tell us what the unique identity or singularity of particular arguments consists in. Nor does it answer the question of individuation: By what principle do we, or should we, count arguments? And, in fact, as already mentioned, Copi and Beardsley have very different views on that matter.

Before I go on to expose and criticize them, and also – surprise of surprises – defend and, in a sense, recover them, I have to make two other comments. The first is that Copi and Beardsley don't discuss individuation under that heading or, indeed, under any heading whatsoever. Their brief remarks are embedded in the discursive prose of logic texts, texts which are intended to teach students basic concepts, techniques, and skills, and they have neither world enough nor time to linger over distinctly theoretical matters. Philosophical niceties, they perfectly well know, have to await occasions like this one, that is, the professional literature. I'll return to the point later, at the end of this paper, as it will make some difference to my final assessment of their views.

Second, and perhaps surprisingly, neither have argumentation theorists paid much attention to the matter. Shame, shame! Since the field is all about arguments, since the metaphysics of arguments is a bound to affect other issues, both within and without argumentation theory, and since, after all, individuation is a central theoretical concern – well, I expected a bit more. As it is, my admittedly cursory inspection of the literature has left me with a handful of nothing – except a hazy memory that Douglas Walton briefly discussed

individuation in one of his books.**[iii]**

4

What, then, are Copi's and Beardsley's views on individuation? Copi straightforwardly declares that "argumentative passages often contain more than a single argument," which certainly seems correct. The simplest arguments, he says, contain a single premise which (purports to) support a conclusion:
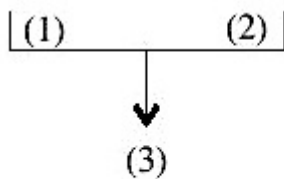
(1)
↓
(2)

[A]

Sometimes, however, an argument contains more than one premise in support of a conclusion. When the premises work together – and let's consider the simple case, an argument with only two premises – such an argument is diagrammed as

```
|(1)          (2)|
 └──────┬──────┘
        │
        ▼
       (3)
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[B]

[B] is also a single argument, Copi thinks. Suppose, though, that two premises operate independently of each other. Suppose, in other words, that we have an argument like
1.[The time for a national high-speed passenger railroad system has come.]
2. [Airlines cannot keep up, and in their frenzied attempt to do so have subjected passengers to poor service and, what is worse, life-threatening conditions.]
3. [The upkeep costs of the heavily travelled interstate highways, never intended or constructed to take such a pounding, are soaring.]**[iv]**

According to Copi, this argument should be diagrammed as:
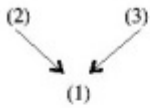
[C]

While some people, such as myself, may think it preferable to diagram it differently, namely, as
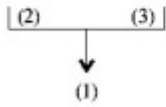
[D]

Let's just assume that Copi's diagram is fine as it stands, that the two premises do operate independently – after all, there surely are such arguments, and that's all that really needs concerns us here – and return to the question of individuation. The question is, How many arguments does the passage, diagram [C], contain? Clearly recognizing that the question is one of individuation, Copi says that a decision must be made at this point about the 'arithmetic' of such arguments. Should we count this as a single argument with two premises and one conclusion, or should we say that here we have two different arguments with the same conclusion? Emerging practice is to say that it is one argument with two independent premises. The principle seems to be that the number of conclusions determines the number of arguments. So by a 'single argument' is meant an argument to a single conclusion, regardless of how many premisses are adduced in its support.**[v]** Count your conclusions, and you've counted your arguments. Thus Copi diagrams the following argumentative passage

1. [Desert mountaintops make good sites for astronomy.]
2. [Being high, they sit above a portion of the atmosphere, enabling a star's light to reach a telescope without having to swim through the entire depth of the atmosphere.]
3. [Being dry, the desert is also relatively cloud-free.]
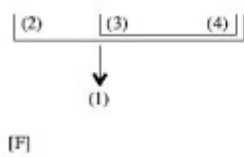4. [The merest veil of haze or cloud can render a sky useless for many astronomical measures.]**[vi]**
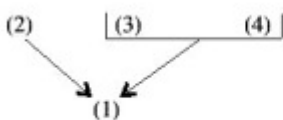
[E]

Given his principle of individuation, he's certainly right to refer to it simply as "an
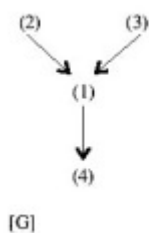
argument."**[vii]**

Here as before, with the earlier quoted passage, a case could be certainly made for an alternative diagram, namely

[F]

In fact, what Copi himself says points in precisely that direction.**[viii]** As mentioned earlier, though, the point shouldn't be pressed in this context. Considerations respecting argument analysis and diagramming are largely irrelevant when the issue at hand is individuation.

5

Beardsley does things rather differently. Without ever explicitly stating a principle of individuation, he considers the following passage Should it be legal for newspaper and television reporters to refuse to reveal their confidential sources? Indeed it should. For the reporter-informant relationship is, after all, similar to those of priest and penitent, lawyer and client, physician and patient – all of which have a degree of privacy under the law; moreover, if it were not protected, the souces of information needed by the public would dry up. It follows that Congress should pass appropriate legislation at once**[ix]** and refers to it as "a fairly simple argument"**[x]** – note the singular. The correct diagram of "the argument,"**[xi]** according to Beardsley, is**[xii]**


[G]

Diagrams, he adds, help us to understand the structure of an argument. This is especially true when an argument is as complex and "confused and confusing" as "the argument"**[xiii]** of the following passage:

1. [The present system of financing political campaigns is far too costly] because
2. [(under the present system it is) almost impossible for anyone who is not a millionaire or a friend (or employee) of millionaires to achieve high public office.]

This is why

3. [the alternative system, under which elections are publicly financed, ought to be adopted;] but there is also the point that

4. [the public-financing system would help to democratize the process of choosing public officials by automatically involving every citizen in the process.]

5. [It would certainly be desirable to free legislators as far as possible from dependence on particular economic interests,] as well as

6. [(it would be desirable) to equalize the opportunities of candidates,] for

7. [their merits ought to count more than their money in elections.]**[xiv]**

Its diagram is**[xv]**
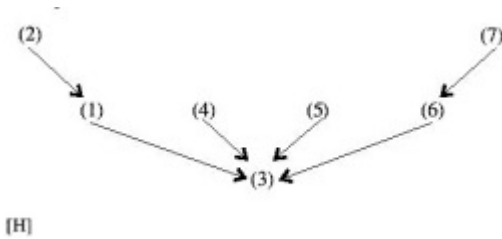
As Beardsley rightly notes, diagramming such a passage helps us to "recast [an] argument... in a more orderly way."**[xvi]** (Yet again, however, a maverick like myself might wonder whether Beardsley's diagram really is correct. Do (1), (4), (5), and (6) really function independently of each other in supporting (3)?)

Further evidence that Beardsley disgrees with Copi can be found in his earlier and lesser-known but more comprehensive and detailed book – and probably better book – *Practical Logic*.**[xvii]** Practical Logic is a groundbreaking book in many ways: written in 1950, it's exhaustive and clear, and among the first books of its kind.**[xviii]** Among other things, it introduced diagramming into the world of informal logic. In any case, and more to the issue of individuation: in *Practical Logic* Beardsley explicitly states that "In a long argument, some of the reasons will also be conclusions, for they will be supported by more fundamental reasons,"**[xix]** and "those conclusions that are not themselves used to support further conclusions we shall call the *final conclusions* of the argument"**[xx]** – note the singular "the argument." Seemingly in agreement with Copi, he also says that "In a *convergent* argument" – note again the singular – "several independent reasons support the same conclusion."**[xxi]** Thus, along with Copi, he holds that

[C]

is a single argument. But in disagreement with him, he thinks that "In a *divergent* argument" – yet again, note the singular – "the same reason supports several conclusions." Thus

[I]
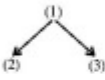
is a single argument for Beardsley, whereas for Copi it's two arguments, because it contains two conclusions. A final clue as to Beardsley's principle of individuation is provided by his remark that "an argument" – singular – "may be both convergent and divergent," or it may even be "a *serial* argument, [which] contains a statement that is both a conclusion and a reason."[xxii] The simplest serial argument would thus be diagrammed as

[J]

A serial argument needn't be so simple, though, Beardsley is quick to add, for not only could a further conclusion, (4), be drawn from (3), but a serial argument could also be convergent, divergent, or both in addition to being serial. All of this is certainly very much in keeping with what Beardsley says in *Thinking Straight*,[xxiii] but he's more explicit here – so much so that he actually comes close to stating a principle of individuation when he writes, in summarizing the chapter from which the preceding quotations have been taken:

An argument consists of

1. one or more conclusions…;

2. one or more reasons… for each conclusion;

3. one or more logical connectives… indicating that the conclusions are inferred from the reasons.[xxiv]

From these hints I infer – and I hope that this is an inference to the best explanation – that Beardsley's principle of individuation is that arguments are individuated by interconnected inferential structures. Count arguments, in other words, by counting interconnected inferential structures, regardless of how many conclusions or inferences there are in such a structure. Thus every diagram above, including even so complex a configuration as [H], is a single argument, according to Beardsley, but (K)
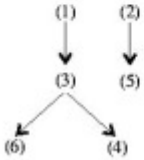
(1)   (2)
 ↓   ↓
(3)   (4)

[K]

is not. [K] counts as two arguments, as do

(1)   (4) |(2)   (3)|
   ↘   ↙   ↓
    (5)   (6)

[L]

and

(1)   (2)
 ↓   ↓
(3)   (5)
 ↙ ↘
(6)   (4)
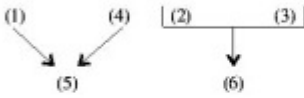
[M]

is not (K) counts as two arguments, as do (L)

and

(M)

In brief, summary form, then: Copi individuates arguments by their conclusions, while Beardsley individuates them by their inteconnected inferential patterns, regardless of the complexity or extent of that pattern. For Copi, there is one argument per conclusion; for Beardsley, there is one argument per interconnected inferential pattern.

6
These are both interesting views, and I'll have something to say in favor of each in a minute, but for now I want to say that, if individuation is taken strictly, neither is correct. Consider Copi's view that (N) – *see Figure N & text – Figure O*

These are both interesting views, and I'll have something to say in favor of each in a minute, but for now I want to say that, if individuation is taken strictly, neither is correct. Consider Copi's view that

(1)   (2)

(3)
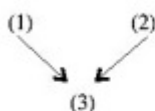
[N]

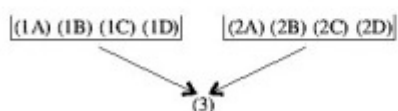is a single argument. Suppose that an ardent theist is trying to show that proposition (3), God exists, is true, and offers (1) and (2), Anselm's proof and Aquinas's Third Way–each duly compressed into a single premise, if we like, or, altering Copi's scheme slightly, as

(1A) (1B) (1C) (1D)   (2A) (2B) (2C) (2D)

(3)

[O]
in support of theism.

Problem number one with Copi's view is that it has the highly counterintuitive implication that [N]/[O] is a single argument. Anslem's proof and Aquinas's Third Way are two different arguments if any arguments are two different arguments. That's true irrespective of the fact that they share the same conclusion, and someone might think both cogent and thus offer both in support of theism. In point of fact, Aquinas himself propounds Five Ways, five proofs of God's existence, and clearly thinks of them as five distinct arguments, even though they share the same conclusion, and even though all five are offered in the same context, *The Summa Theologica*, in the span of two short pages.

Reinforcing the point is a second objection, but one which focuses on argument assessment. Keeping the same example in mind, let's suppose that there are very serious problems with Anselm's proof but not with Aquinas's reasoning. The Third Way is a godly success – as opposed to an ungodly one. Is the argument – remember, this is a single argument, according to Copi – very good, very bad, or somewhere in the middle? None of these answers will do. To say that it is very good ignores the grievous problems with Anselm's proof; to say that it is very bad ignores the celestial success, the vast strengths, of Aquinas's Third Time at Bat; to say that it is somewhere in-between ignores the fact that we've been given sufficient reason for the conclusion. A verdict of "in-between" isn't a judgment made about a single argument but – as I would put it – a grade of "C" given to a passage in which two arguments appear, one excellent, the other not so good. All of this is reflected in our common belief that there can be two independent arguments for the same conclusion, two proofs or strong arguments that Walter L. Weber has rabies, that there are Russian arms in Afghanistan, that the integral of the function f(x) – x between zero and one is one-quarter, or that triangle ABC is congruent to triangle DEF.

7

Since Beardsley would also count [N] as a single argument – it's a single interconnected inferential structure – exactly the same two objections apply to him. Like Copi, he individuates arguments in a coarse-grained way, and counts

what should be two or more as one. And I say "or more" because Copi and Beardsley would also count as a single argument, when simply interating my counterarguments above – let's say that (3) incorporates considerations of design as an additional reason for God's existence – it can be readily seen that the structure contains three arguments, strictly speaking. Beardsley's problems run deeper than Copi's, though, for he's subject to all of the counterexamples that plague Copi, plus some that apply to him alone. Copi, for example, would say that

(7)
↓
(8)
↓
(9)

(1) (2) (3)
  ↘ ↓ ↙
    (4)

[P]
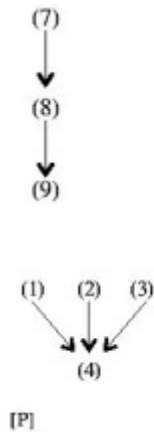
contains two arguments. (For Copi, the number of arguments in a passage has to be at least n-1, where n is the number of vertical levels or lines in the argument diagram of the passage.) I think that Copi's right about this, though not because [Q] contains two conclusions. Beardsley, however, would have to regard [Q] as a single argument. By doing so, he invites precisely the same sorts of objections that attend considering [N], [O], or [P] as a single argument. What, for instance, are we to say about this supposedly single argument if (7) does strongly support (8), but (8) lends virtually no support to (9)? As I've already indicated, the correct answer doesn't seem to be any of the three alternatives, 'very strong,' 'very weak,' 'somewhere in-between.' The correct answer is that [Q] isn't a single argument at all. [Q] contains two arguments, and one is very strong, the other very weak.

8

What, then, is the truth about argument individuation? My own view is probably evident from the above: individuate arguments by inferences. Count inferences, and you've counted arguments. In other words, every inference determines an argument, in the strict sense. Individuating arguments in this way would not only squelch the counterexamples that dog Copi and Beardsley, but also be more in keeping with what constitutes an argument. The essence of an argument, after all, is neither premises nor conclusion, for considered independently of an

inference, both are mere propositions (or sentences, or statements, or beliefs, depending on your theory of argument). It's an inference that makes a proposition a premise, that makes a proposition a conclusion, and thus that makes a batch of propositions an argument – and an argument as defined by both Copi and Beardsley: premises related to conclusion in a certain way. I'm thus lead to individuate arguments by inferences on the basis of three considerations (one not yet mentioned):

(a) the elimination of the counterexamples that plague Copi and Beardsley,

(b) reflection of the nature of argument, and, in truth,

(c) a dearth of plausible alternatives.

Strictly speaking, arguments should be individuated in a fine-grained way, by inferences.

9

But I've repeatedly used the phrase "strictly speaking" in the above, and since The Netherlands is hardly a land known for its strictness – even now we're not five minutes walking distance from the ladies in the window – some people may wonder what I have in mind with this qualifying phrase. Well, what I have in mind is that if Copi and Beardsley were doing philosophy and writing journal articles, they would deserve even more scorn than I, with my big hands, and my brethren here in the audience, with their even bigger hands, could heap upon them. They should have been more attentive, more careful, more thorough than they were – and, honesty requires me to say, at least as far as thoroughness is concerned, than I've been here.**[xxv]**

But, of course – and this is where the "strictly speaking" comes in – they weren't even attempting to do rigorous philosophy or write a journal article. They were each in the middle of the very first chapter of their excellent logic texts, and were trying to help students, at the very beginning of their study of good reasoning, to get a feel for the nature of argument without bogging them down from the start with confusing and unnecessary subtleties. Their job – and this is decidedly practical, even if not pragma – was to inculcate concepts, principles, rules, techniques, strategies, abilities, and attitudes, which is a daunting enough task without simultanelously trying to please a very different crowd, that of punctilious philosophers filled with grief, grievances, and grudges that passeth understanding, and ready to pounce on their fellow philosophers with the only true joy that they find in life. Pardon may not be the word for all, though there is

much to recommend in Shakespeare's remark to the contrary, but certainly something more than mercy is called for in the case of Copi and Beardsley. Justice, rather, demands that the charges be dismissed.

If that isn't clear on pragmatic grounds, on the grounds that their views on individuation are misconstrued if taken as pieces of theoretical philosophy, a further defense is available in the fact that there's an extended but very common sense of the term 'argument' in which we aren't so demanding, so nit-picking, so "strict sense"-oriented, a sense in which don't and aren't even tempted to individuate arguments by inferences. There is a sense of the term, for instance, and one frequently employed in everyday life, in which we do individuate arguments by conclusions – I'm speaking of Copi here, of course, but I'll get to Beardsley in a minute. In this sense – and it's one of several related senses – we say things like "the argument of the passage is that…," where we fill in the dots with a number of different independent reasons offered in support of a single conclusion: The argument of the passage is that John won't be able to make his mortgage payments this month, since his financial over-extension has caught up with him, and he's just suffered several major business set-backs as well. We may recognize all the while that the passage actually contains several independent arguments, in the strict sense of the term, that all share the same conclusion; we may recognize, in other words, that the situation is really like [C], [E], [N], [O], or [P] above. Still, that doesn't stop us, for we know that it's perfectly fine and pragmatically preferable to consider such structures single arguments. No harm is done by individuating arguments this way, by conclusion, and efficient communication and naturalness are gained. It may be loose talk to speak so, to consider [E] or [N] as a single argument, but much of our talk about arguments is loose talk, but innocuous enough for all that.

But if Copi can be vindicated, at least to some extent, by such considerations, so can the even more nefarious Beardsley. The same general points come to the rescue: we speak even more loosely, but not incorrectly, in saying such things as: The argument of the passage (or chapter, or book, or whatever) is that the population of third-world countries is increasing, and so is their demand for consumer goods; we can therefore expect ever-increasing pressures on the environment, and so should immediately take steps to ensure that pollution levels remain within reasonable limits. We may realize that a summarized passage or an argument diagram actually contains numerous, numerous arguments, in the strict sense of the term – the situation may be like [H], or even more complicated – but we also realize that no harm is done by, and there are advantages to, taking the

passage or diagram to contain a single argument, at least as long as there is one interconnected inferential structure that points to – to use Beardsley's terminology – "a final conclusion or final conclusions." If my point here isn't clear in the abstract, think, to cite just one example, of how pedantic and cumbersome it would be to consider a long proof in predicate logic as a series of arguments, say, twenty or thirty, all told. Much better would be to think of it as simply a proof, or a deductively valid argument, with a final conclusion.

And speaking of final conclusions: May you buy the argument – note for the last time the singular – of this paper.

NOTES

[i] Irving Copi and Carl Cohen, Introduction to Logic, 8th edition, Macmillan Publishing Company, New York, New York (1990),p. 6.

[ii] Monroe Beardsley, Thinking Straight, 4th Edition, Prentice-Hall Publishing Company, Engelwood Cliffs, NJ (1975), p. 12.

[iii] When pressed, though, I couldn't locate the passage in question or even remember which book of Walton's it was in. This problem has since been partly remedied, however. At my request, Walton kindly told me that Argument Structure: A Pragmatic Theory, University of Toronto Press, Toronto (1996), contains his latest and most complete discussion of individuation. Unfortunately, I didn't find this out until after this paper was completed. In addition, when this paper was presented at the University of Amsterdam, James Freeman pointed out to me that he has a chapter on argument individuation in "a book sufficiently obscure to ensure that no one knows that it exists." Although I still haven't read Freeman's paper, I'll certainly take it, Walton's work, and other discussions I might have missed into account in future work on individuation.

[iv] Copi, op. cit., p. 19. Copi is quoting Leo D. Marks, "Time to Start on High-Speed National Rail," The New York Times, October 15, 1988.

[v] Copi, op. cit., pp. 19-20.

[vi] Copi, op. cit., p. 21. Copi is quoting Blanchard Hiatt, University of Michigan Research News, vol. 30, nos. 8-9, August-September 1979, p. 5.

[vii] Copi, op. cit., p. 20.

[viii] Copi says that "the two statements (3) and (4) must work together to support the claim that desert locations are good sites for telescopes." By the same token, it could be said that the three statements, (2), (3), and (4), must ultimately work together to support the claim that desert mountaintops which is what the conclusion, statement (1), is about – are good sites for telescopes. Copi, op. cit., p.

21.

[ix] Beardsley, op. cit., p. 16.

[x] Beardsley, op, cit., p. 16.

[xi] Beardsley, op, cit., p. 16

[xii] Beardsley, op. cit., p. 17.

[xiii] Beardsley, op. cit., p. 18

[xiv] Beardsley, op. cit., p. 18.

[xv] Beardsley, op. cit., p. 18

[xvi] Beardsley, op. cit., p. 19.

[xvii] Monroe Beardsley, Practical Logic, Prentice-Hall, Inc., Englewood Cliffs, NJ (1950).

[xviii] I also think of Max Black, Critical Thinking, Prentice-Hall, Inc., Englewood Cliffs, NJ (1946), and Susan Stebbing, Thinking to Some Purpose, Pelican Books, Harmondsworth, Middlesex, England (1938), in this context. Neither of these books, however, is as comprehensive, clear, thorough, or practically-oriented as Beardsley's. Nor are any other pre-1950 books.

[xix] Beardsley, Practical Logic, op. cit., p. 12.

[xx] Beardsley, Practical Logic, op. cit., pp. 12-13.

[xxi] Beardsley, Practical Logic, op. cit., p. 19.

[xxii] Beardsley, Practical Logic, op. cit., p. 19.

[xxiii] A close look at Beardsley's definition of an argument, which is quoted above in section I, shows that he allows an argument to have two or more conclusions. An equally close look at Copi's definition, which is also quoted in section I, shows that he doesn't allow that.

[xxiv] Beardsley, Practical Logic, op. cit., p. 26.

[xxv] This paper just scratches the surface as far as argument identity and individuation are concerned. I address the matter at greater length in a companion piece, "Argument Identity," in preparation.

ISSA Proceedings 1998 – The

Concept Of Resolving Differences Of Opinion And Its Practical Implications In Planning Theory

1. Introduction

There is an anecdote of the famous philosopher G.E. Moore, who was once preparing a paper for a seminar and, being unsatisfied for the closing of his argument, complained about it to his wife over the breakfast table. "Don't worry, darling, I'm sure they will like it," said his wife. To which he responded boldly: "If they like it, they are wrong."

This anecdote illustrates the once clear distinction between being right and succeeding in persuading your audience in thinking so. This attitude, self-evident at least in the analytic tradition in epistemology and philosophy of science, is perhaps in danger of fading away in the midst of rhetorical, discourse analytic, social constructionist, and even some argumentation theoretic studies. Should we miss it, or even defend it? Could be assume that a 'real' solution can be defined, not only in science, philosophy, or formal logic, but also in practical contexts like moral and political debate and planning of the physical environment? This is a question I shall be addressing in this paper, although, like Moore, I am not at all satisfied with the closing of my argument. I would like to say much more about what a solution is, but I shall be saying much more about what it is not. The concept of solution is not only at the heart of argumentation theory and, as might be added, one of its unresolved problems, but it is also the concept through which the applicability of argumentation theory in practical reasoning is measured. It is not uncommon that argumentation theory is in practical contexts dismissed as an idealized, absolutist theory that has very little to offer to practitioners working in an "unclean" environment of power relations, hidden motives and conflicting interests. In this paper I shall discuss this issue by first analysing some classical texts and their ways of dealing with the subject and, secondly, demonstrate how the interpretation of this concept will appear essential in the practical context of spatial or physical land-use planning.

In recent decades, both planning theorists and practicioners have started discussing the so-called communicative or argumentative turn in planning. This is

taken to mean a change in both the rationality conception of planning and in the actual planning practices: away from instrumental rationality and technical expertise that were earlier supposed to be able to define the way that common activities in space can be organized, and towards a communicative approach that will activate people as "stakeholders" to come together to define their priorities and common interests (Healey 1997, Forester 1989, Sager 1994, Fischer and Forester 1993). This entails that the communicative situation and process will get a more central role. If local participation in planning is supposed to provide not only local information and expressions of interests to be interpreted and evaluated by professionals and politicians, but really to provide a way of "making sense together", then the quality of argumentation in the planning process will become central.

Defined in this way, communicative planning theory is a normative-practical theory (Healey 1997, 68), and it would thus seem to fit into the tradition in argumentation theory that will try to combine empirical and normative elements in communication, such as the pragma-dialectical theory (van Eemeren and Grootendorst 1992). However, spatial or land-use planning is also a communicative practice that differs from the more paradigm cases referred to in argumentation theory, such as jurisprudence or science. It is an instance of political or policy discourse and, consequently, strongly dominated by rhetorical communication. But this is not by itself an obstacle. Supposing that the concept of *resolving* differences of opinion (instead of merely *settling* the disputes or negotiating between the parties with conflicting interests) is the dividing line between argumentation theory and rhetorics, then the communicative theory of planning as a normative theory should benefit from the theory of sound, non-fallacious argumentation. This would make it possible to evaluate and criticize argumentation in planning, and even to provide the practicing planner with a toolbox for making better arguments (Lapintie 1998).

However, since communicative planning theory is also a practical theory, this will not be sufficient. Suppose that, in spite of all efforts to avoid fallacies and to take care of relevance in communication, no common solution is found, in the sense that the parties are not ready to accept each other's arguments, or withdraw from their conflicting standpoints? This is usually resolved by lifting the problem from the public meeting to the official political level, or sometimes by letting the expert do his job alone. But this would mean the shipwreck of communicative planning. Another possibility is that a common solution is found, but it is not in every

respect a good solution, because the "best" argument has not won, or it has not even appeared in the discussion. I refer to situations when e.g. severe environmantal risks are created due to an insufficient understanding of the environmental impacts of development. Similarly, the least advantageous groups of the community (children and adolescents, the elderly, the unemployed, the meantally ill, etc.) may have difficulties in getting their voices heard, since they do not or cannot particiapate in the planning process. And even if they do, they have very different cultural capacities to produce sound arguments, and they are perhaps listenend but not taken seriously.

Traditionally, these difficulties have been dealt with through professionalism: the professional planner and policy maker are supposed to take into account also the interests of those who are not present or able to defend themselves. They are also supposed to carry out the relevant investigations in order to assess the environmental impacts, health hazards, etc. This is not always the case, but in any case it is the ideal of professionalism in planning, sometimes called rational or scientific planning. But how is this related to the idea of the communicative turn, according to which rationalist expertise is to be discredited, and local participation and consensus-formation should take over? Are we not facing the classical dilemma of Aristotelian rhetorics: "Even if we had the most accurate scientific investigation in use, it would be very difficult to get some of our audience convinced by arguing only on that basis." (Aristotle, Rhet. I 1, 1355a25) The communicative planning practice may thus be said to solve some problems of traditional planning (authoritarian governance, closed an insensitive expertise, the predominance of certain private interests, etc.) at the price of creating new ones, which had already been solved through professionalism.

The actual situation is much more compex, however. One of the reasons for the growing interest in direct participation in planning has to do with the general level of education, as well as the multiplicity of disciplines relevant to planning. The communicative process in planning is no longer (if it ever was) one between a few experts (the planner, the architect, the engineer) and a number of lay persons, the former explaining and the latter protesting. Instead, the planner is often dealing with a number of issues (such as ecology, ethics, economy, social life) of which he does not have any specific expertise. He may or may not be backed by some special experts, but his role is in any case rather one of combining and interpreting, and possibly negotiating and communicating, than providing some kind of universal super-expertise. On the other hand, the

'stakeholders' may today hold expertise in many fields far superior to that of the planner.

Thus we end up in a combination of different types of expertise, local knowledge and ignorance, and different levels of professionalism and ethical concerns. What is the role of argumentation in this context? In order to address this dilemma, we have to consider the possibilities of argumentation theory to grasp such an interdisciplinary and public-private field of argumentation.

2. Logic, Argumentation and Rhetoric in Perelman and Toulmin

There are important features combining the new rhetoric by Perelman and the argumentation theory by Stephen Toulmin, and it is evident that these features have also had a wide influence, not only in argumentation theory but also in the many applications of the argumentative or rhetorical turn in social sciences and social practices. Some of these features are positive, of course, but in what follows I shall discuss two of the features that have proved to be problematic from the philosophical and theoretical point of view, and consequently also in practical applications.

The first is their relation to formal logic: both writers take care to dissociate their idea of argumentation from formal, analytic reasoning, and they both see Descartes and the rationalist tradition as their main opponent. They do so in different ways, however: whereas Perelman offers a caricature description of what logic is, Toulmin suggests a "revolution" in logic, comprising a dethrowning of analytic reasoning in favour of a more tolerant applied, empirically based logic. Secondly, neither of the modern classics respects the classical distinction between dialectic and rhetoric, or the corresponding modern distinction between argumentation and rhetoric. In Perelman and Olbrecht-Tyteca (1971), the terms dialectic, rhetoric and argumentation are simply used as synonyms, or nearly equivalent. Toulmin does not mention the term rhetoric in *The Uses of Argument* (1995), nor does he consider the classical roots of his theory. What he clearly is after is, however, a theory of dialectic, but since he is unable to make explicit the distinction between his "practical logic" and rhetoric, the two tend to get mixed.

We can say, today, that the attempt to dethrown logic by Perelman and Toulmin was, although historically undestandable, essentially unnecessary. *The Cartesian legacy* – in spite of Descartes' original intentions, was never so strong as both Toulmin and Perelman led us to believe – at least no more in the 1950's, when they were both writing. What they almost totally ignored was the other side of

Descartes, his reflections on uncertainty and the methodological doubt, which have dominated modern epistemology ever since. As a result, it is the awareness of the fallibility of scientific knowledge – and the inability of pure logic and mathematics to provide information of the empirical world – which we can find in all modern theories of epistemology and the philosophy of science. On the other hand, the development of modern formal logic has made it an invaluable and inescapable tool in all argumentation – though by no means a sufficient one in the case of non-analytic reasoning. But who ever said in the 20th Century that it would be sufficient?

Secondly, we may contend that the classical distinction between dialectic and rhetoric, in spite of Perelman's attempt to dissolve them, is still important, and, if we want to produce a comprehensive theory of argumentation, inevitable. Consequently I would suggest that the term argumentation should be reserved only to the modern descendants of dialectics. This would be consistent with the implicit meaning given to the term in both mainstream philosophy and scientific reasoning, and also the modern developments in argumentation theory, for instance the pragma-dialectical approach by van Eemeren and Grootendorst.

Although both Perelman and Toulmin share a common distaste of analytic reasoning and Descartes, they handle it in different ways. Perelman and Olbrechts-Tyteca give a rather short and rough picture of the logician, who "is free to elaborate as he pleases the artificial language of the system he is building, free to fix the symbols and combinations of symbols that may be used. It is for him to decide which are the axioms, that is, the expressions considered without proof as valid in his system, and to say which are the rules of transformation he introduces which will make it possible to deduce, from the valid expressions, other expressions of equal validity in the system." (Perelman & Olbrects-Tyteca 1971:13)

In reality, of course, choosing axioms and rules of inference is by no means free, and the business of formal logic is not only to deduce theorems from any set of axioms, but to develop different logical systems in order to analyse the validity conditions of different types of logical inference. Formal logic is formal, of course, but the different systems of formal logic can be used, at least in philosophy, in analysing the logical structure of argumentation that is usually expressed in natural language.

But this crude vision of logic is given in *The New Rhetoric* in order to make the distinction between demonstration and argumentation. Argumentation, according to Perelman and Olbrechts-Tyteca, aims at gaining the adherence of minds, and it

is thus essentially dependent on the audience. While logical validity is totally dependent on ther form of the statements (the premisses and the conclusion), the success of rhetoric or argumentation is totally dependent on how the defender of the claim succeeds in persuading his interlocutors.

The writers don't claim that logical inference could not be used in argumentation. In fact, one of the schemes that they use in *The New Rhetoric* and *The Realm of Rhetoric* is the so-called quasi-logical argument, which looks like a logical inference, although it does not comprise a formally valid deduction. These arguments would need a conscious process of reduction in order to make them formally valid, but still they derive their persuasive strength from this likeness to well-established modes of reasoning (Perelman & Olbrechts-Tyteca 1971, 193).

Given these definitions, does this dichotomy make sense? Can there be formally valid logical argumets at all? Perelman and Olbrechts-Tyteca seems to think not, since "the very nature of deliberation and argumentation is opposed to necessity and self-evidence, since no one deliberates where the solution is necessary or argues against what is self-evident."(Ibid, 1) But this seems strange, since mathematical proofs are logically valid and necessary, and thus conceptually self-evident, but they are not easily seen as such, and mathematicians certainly deliberate about the validity of difficult theorems. Similarly, philosophers often argue against theses which they claim to be inconsistent, but which are not necessarily seen as such. The a-temporal nature of demonstration that Perelman often refers to is far from reality, considering the difficulty of logical and mathematical reasoning.

However, this is a minor difficulty in comparison with another implication of this demonstration/argumentation dichotomy. Perelman insists that argumentation is not only audience-dependent but also non-compulsive (Ibid., 1), so that the audience is in fact free to accept or reject any of the arguments presented to it. Effectiveness, thus, becomers the primary criterion of good argumentation. How, then, will it be possible to define rationality or reasonability within argumentation, which is the expressed objective of Perelman, namely to "break with a concept of reason and reasoning due to Descartes"?

Does this mean that truth and reasonability also become audience-dependent, in the sense that each audience has its own truth? In order to avoid this kind of extreme cognitive relativism, Perelman was forced to introduce his famous concept of "universal audience". The universal audience is "anybody who is able to understand us, who is able to follow our argument. (…) The universal audience implies, in short, a group of reasonable human beings who are capable of

responding to a logical discourse."(1982b:8) He seems to imply that the universal audience will become convinced only by true statements (1971:31-32, 1992a:32). However, the universal audience is not, for him, a universal idealization, but only a construct made by the arguer: "Each individual, each culture, has thus its own conception of the universal audience." (1971:33).

Not surprisingly, many sociologists find this notion too philosophical. For instance, Ricca Edmondson argues that "history gives no grounds for assuming that any all-embracing conglomerate of actual audiences would ever have personal and political preconceptions which balanced each other into a transcendent accuracy" (Edmondson 1984:158). This criticism is, however, somewhat beside the point, since nothing will prevent the arguer of constructing such a conglomerate in his or her mind. But Edmondson may be right in the sense that, given our knowledge of the diversity of opinion among quite rational men, such as scientists, it would be rather foolish for us to make such constructions.

But there are also purely logical problems with this concept. Using an already relativized concept like this is hardly a suitable way to escape relativism. The difference between a particular audience and a universal audience as constructions is that the former has a real counterpart, so that the image formed by the arguer may thus be more or less adequate. The real audience is either persuaded or not. If our only objective is to reach adherence, then this is the criterion of reasonable argumentation. But the universal audience does not exist except as a construction, and thus it cannot react to the arguments presented to it. What does it mean, then, that the criterion of convincing argumentation is the adherence of a universal audience? Perelman and Olbrechts-Tyteca write that "this refers of course, in this case, not to an experimentally proven fact, but to a universality and unanimity imagined by the speaker, to the agreement of an audience which should be universal, since, for legitimate reasons, we need not take into consideration those which are not part of it."(1971:31)

This means that a purely imagined unanimity is enough to make the argument convincing, if only the arguer has a *legitimate reason* to disregard those that he knows would disagree. "The agreement of a universal audience is thus a matter, not of fact, but of right."(NR 31) Thus if a scholar presents a theory that does not convince everybody in the scientific community, he can claim to have convinced the universal audience (and thus be right) only if he has a legitimate reason to disregard his critics? But what could this reason be? And where does this legitimacy come from?

Usually we do not, in scientific argumentation at least, try to disregard our critics

simply by virtue of their stupidity or whatever, but rather we try to see whether their comments are reasonable: Have they understood what we have said? Have they produced genuine counterexamples that would refute our theory? Have they produced empirical evidence that is inconsistent with what we have said, etc.? In order to do this, we shall have to have some idea of reasonable argumentation in science, as well as in practice. But if we already need to know the criteria of sound argumentation before we can decide about the legitimate disregard of our critics, where do we need the concept of universal audience in the first place?

Toulmin's strategy was equally based on an attempt to dethrown formal logic, and we can understand his preoccupation with the concept *'field of argument'* better in that context. As van Eemeren et. al. have pointed out, the concept was left somewhat vague in his writing, referring sometimes to problem fields (such as weather forecasting or mathematical problem solving), sometimes to sciences or disciplines (van Eemeren et. al. 1996, 155). Be that as it may, the essential meaning of this structure was to introduce the concepts of field-dependent and field-independent criteria of good argumentation: the mistake of traditional logic and epistemology was, according to Toulmin, that the criteria of one field – analytic reasoning or formal logic – have been applied in all fields. "There is no justification for applying analytic criteria in all fields of argument indiscriminately, and doing so consistently will lead one (as Hume found) into a state of philosophical delirium." (Toulmin 1995, 176)

Toulmin's objective was apparently to avoid Cartesian scepticism, but unfortunately his strategy will lead the argumentation theorist and practitioner into trouble. If the criteria of good argumentation are not generally field-independent, they will have to be determined in each field. And this is exactly what Toulmin says: "When we ask how far the authority of the Court of Reason extends, therefore, we must put on one side the question how far in any field it is possible for arguments to be analytic: we must focus our attention instead on the rather different question, to what extent there are already established warrants in science, in ethics or morality, in law, art-criticism, character-judging, or whatever it may be; and how far the procedures for deciding what principles are sound, and what warrants are acceptable, are generally understood and agreed." (*ibid.*)

Certainly there are such standards in most fields, but the problems that we face in practical situations of argumentation are not only conventional and intra-field but also interdisciplinary, and they also have to do with critizising existing and established criteria of acceptable warrants. For instance, the field of spatial planning has a long tradition and professional culture, and it has been part of this

culture to define the acceptable criteria of planning arguments. What will happen when these criteria are critizised by radical planners or plannig theorists, or ecologists, or sociologists, or the local people? Which criteria should prevail, or are there field-independent criteria that could be used in situations like this?

3. The concept of resolving differences of opinion and the pragma-dialectical approach

In contrast to these modern classical approaches, the pragma-dialectical theory of argumentation is deductivist, in the sense that the protagonist of a claim is supposed to be committed to a set of premises making the deduction of his thesis logically valid. I shall not discuss this controversial thesis in this context (for the discussion of deductivism, see e.g. Govier 1987; Berg 1992; Groarke 1992; Woods 1994; Gerritsen 1994; Lapintie 1998), but I shall rather concentrate on the concept of resolution in this theory. Since van Eemeren and Grootendorst do not see the need to depart from analytic reasoning (this being in essence the basis of all argumentation), they, conversely, wish to make a distinction between the normative merits of argumentation in making critical discussion possible, and the empirical or pragmatic merits of rhetorical persuasion. The purpose of argumentation or critical discussion is not the adherence of minds, as Perelman would have it, that is, *settling* the differences of opinion, but rather *resolving* them (van Eemeren & Grootendorst 1992, 34).

A dispute is resolved, according to pragma-dialectics, only if somebody retracts his doubts because he has been convinced by the other party's argumentation, or if he withdraws his standpoint because he has realised that his argumentation cannot stand up to the other party's critique. Van Eemeren and Grootendorst thus contrast the resolution with the usual ways of getting rid of such conflicts, such as calling on an unbiased third party (a jury, an ombudsman, a judge, or a referee), or negotiating a compromise solution (ibid.). The paradigm case of good argumentation they seem to have in mind is, obviously, scientific discourse, where referees certainly have to be used, but the actual resolution of scientific debates is supposed to be guaranteed only by free and open discussion, where fallacies should be avoided as much as possible. There are no judges or juries in science.

Since this is an empirical or factual criterion, the definition of good argumentation cannot be that it has succeeded in getting the antagonists to retract their doubts or withdraw their conflicting standpoints. This may of course happen for many reasons, for instance out of respect for a reknown scientific authority, or out of an unconscious fear of becoming unpopular, or for any other

"unscientific" – though perhaps strategically rational – reason. Resolution, defined in this way, is therefore not tantamount to truth or the best policy decision, if one wants to avoid the problematic consequencies of cognitive and moral relativism. But if so, then one may wonder whether there is such a great difference between settling and resolving differences of opinion, although van Eemeren and Grootendorst present it as a demarcation line.

If we consider the solution to a mathematical problem, the criterion cannot be the adherence of the minds of mathematicians, nor the willingness of critics to retract their doubt, but it must be a *real* solution. Correspondingly, the absence of unanimity is no criterion for the failure of the suggested solution, if the proof is valid, and no one can find any mistake in it. Is it really not possible that *something of this kind* is also meant by the practitioners trying to find solutions to social, political, ethical, or planning problems? Not simply unanimity, but the real, or at least a good enough solution?

In that case van Eemeren's and Grootendorst's definition of resolution is somewhat counter-intuitive. We might, of course, understand this as the empirical element of resolution (say solution1), and do the usual philosophical idealization trick to arrive at the 'real' solution (solution2). The differences of opinions would thus be 'really' resolved, if the parties would in their debate conform to all of the rules of critical discussion specified by the pragma-dialectical theory (ibid. 202-209). Thus the above mentioned examples about the uncritical scientific audience would not be examples of critical discussion, since fear and too great respect for authority should not affect the proceedings of critical discussion.

Could we go as far as assuming solution2 to be tantamount to truth, or the best solution to a political or social problem? This would be a much more promising idea than the cognitive relativism lurking behind the rhetorical or constructivist conceptions of solution? But this would not do, at least not without additional rules of critical discussion on top of the ten specified by van Eemeren and Grootendorst (ibid.). The problem is, namely, that these rules are meant to create the precondition of free presenting, defending and challenging of standpoints, *if the parties wish to do so*. There is no rule requiring the antagonist to challenge a standpoint that is not warranted, or the protagonist to present arguments if nobody has casted doubt on the standpoint. Thus we may imagine a communicative situation where, for social or cultural reasons, no one wishes to create a controversial situation. In a community like that, solution 2 will not

necessarily represent truth or the best policy option. It is perfectly possible for such a community to end up, for instance, in a development that will cause disastrous environmental consequen-ces. 'Real' solution would thus represent a third type, say solution3.

4. Solutions and the Communicative Theory of Planning
Although our original attempt to define the 'real' solution is still unanswered, this distinction between solution1, solution2 and solution 3, would perhaps help to clarify the somewhat vague conceptual scheme that planning theorists are putting forward. Consider the following description of the the so-called inclusionary approach to argumentation in planning:
"The challenge for an inclusionary approach to strategic spatial planning is to experiment with, and test out, strategic ideas in initially tentative ways, to 'open out' possibilities for both evaluation and invention of better alternatives, before allowing a 'preferred' discourse to emerge, and 'crowd out' the alternative. This suggests that a discursive process needs to be designed which explicitly explores different 'storylines' about possible actions and offers up different 'discursive keys' for critical attention, maintaining a critical attitude until there is broad support for a new strategic discourse. Having thus generated a knowledgeable consensus around a particular storyline, the task of consolidating the discourse and developing its implications can then proceed. The discourse community can be said by this time to have collaboratively chosen a strategy, over which they are then likely to have some sense of 'ownership'. A new 'cultural community' has been formed around the strategy." (Healey 1997, 278-279).

What kind of solution are we talking about here? Communicative planning, according to Healey, would seem to consist of the following steps:
1. opening up the discourse, in order to allow the different alternatives, meanings and visions to come forward,
2. closing it down again through a careful timing and consensus-formation and
3. forming a new "cultural community" around the chosen strategy.
The problem is, however, that the theory still does not address the two original questions that were mentioned earlier:
1. why would the participants finally give up their differences of opinion concerning, for instance, a planned motorway through a residential area,
2. even if they do, is this a guarantee for its being the right solution in any sense of the word? Since unanimity is not the basic social feature of a large community,

and, as we saw, it does not even produce truth or the best solutions to problems, then what kind of consensus-formation are we talkin about? A rhetorical success? Or is it at all possible to arrive at such a "cultural community" after a successful opening up of real alternatives?

In its essence, Healey is describing a solution1, since the participants are not forced to arrive at a specific desicion, nor do they use an unbiased third party for arbitration. But it is not only that, since the organizer of the process, the 'communicative planner', is supposed to take care that all the strategic ideas and possibilities are called for evaluation, and that a "critical attitude is maintained until there is broad support for a new strategic discourse." There are, thus, many elements of critical discussion present in this description, but they are mainly concentrated on the opening phase, by removing obstacles of free discussion. The "consolidation" or consensus-formation remains a black box.

In order to arrive at a solution2, the other resouces of argumentation should be taken to use, in the sense that participants would learn to challenge the relevant alternatives and defend their standpoints with relevant arguments, but also to develop readiness to alter and even to reject their standpoints, if they cannot be defended. The strategy of communicative planning could thus be described as a turn from expert-oriented planning and solution1 towards solution 2. Although this will not guarantee that the best solution (solution 3) is reached, it is still the best available option for the reflective practitioner.

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ISSA Proceedings 1998 – Shifting Legitimation Strategies In The Public Sphere: The Case Of The National Endowment For The Arts

1. Introduction

Public discourse surrounding the National Endowment for the Arts (NEA) is both perplexing and complex. This discourse is marked as argument and is further characterized by a principle of dissensus (Willard, 1986). The disagreement is increasingly debated publicly (most visibly in the American press and United States (US) congressional hearings) where differing parties oftentimes exchange vitriolic and polarized arguments concerning the legitimacy of the NEA. This battle is often demarcated along political, economic, cultural, and ideological lines, which address the interests of the US government in subsidizing non-profit art. Analysis demonstrates that these arguments address the most powerful and influential groups in the public sphere; accordingly, analysis also uncovers the characteristics of the particular public whose set of knowledge, symbols, and ideas are most legitimate. An understanding of these arguments is informed by Jurgen Habermas's conception of the bourgeois public sphere (1962/1995), further elaborated to include differing and contending publics.

Yet, analysis of the public discourse concerning the NEA indicates that strategic arguments are employed in a manner less indicative the idea of a consensus building process: the idea resting on a "communicative practice…that rests on the intersubjective recognition of criticizable validity claims" (1981, p.17). Instead, the NEA employs a legitimation strategy that shifts its arguments towards the public who hold the most power in the public sphere. The strategy of the arguer to tailor a message to pre-conceived publics also points to a process wherein publics hold and loose legitimacy. In this respect, legitimation tends to mean the process whereby one public's set of symbols, knowledge, and ideas, gains power and influence over another public or other publics. Also inherent in this process is the de-legitimation of the public losing power and influence in the public sphere. I will show that investigation of the NEA's case is best informed by an emphasis upon such legitimation strategies.

The *American Canvas* report released by the NEA on 16 October 1997 is a policy proposal whose rhetorical nature employs strategic appeals to the most influential and powerful segments of the public sphere. The *American Canvas* is a document widely distributed, free of charge, and described as an "analysis and distillation of the major issues we face in the non-profit arts.…[raising] red flags about the current state of the arts in America.…[concluding] with challenges and

opportunities for everyone in the arts to consider" (Larson, 1997, p.6). The *American Canvas* and other texts indicative of this public issue serve as the main data for this project.

The crux of the disagreement concerns the role of the United States' government funding for the non-profit arts. Currently, for the Fiscal Year (FY) 1998, the NEA received the same budget ($99.5 million) as it did in the two previous fiscal years; however, appropriations have dramatically dropped from an all time high of $175,954,680 in 1992 (NEA Annual Report, 1996) [inflationary adjustments not factored in my account of appropriation figures from FY1966-1996]. NEA appropriation hearings in the U.S. House of Representatives and the Senate for FY 1998 were marked by conflicting motions of re-authorization, phasing out, and termination, and the resulting budget was still 39% less then the amount requested by President Clinton. And although the NEA's total budget accounts for "less than one one hundredth of 1% of the federal budget" (http://arts.endow.gov/Guide/Facts/DidYa2.html, 6/10/1998), these debates are quite impassioned and highly publicized. Many officials and constituents still adhere to the message of the NEA's foundation in 1965; detailing that support for the arts and humanities are "appropriate matters of concern to the national government" (National Foundation of the Arts and the Humanities, 1965). Yet others see no place for the government in the funding of the arts, which represents yet another example of the over-reaching hand of government in a realm which would do fine if left to private sector funding. The issue most central to this paper concerns the NEA's legitimacy among the conflicting artistic "elite" public and the "populist" public. This question will be addressed in detail below. But all these concerns contribute to a legitimation crisis for the NEA. Even if pending appropriation bills are passed reauthorizing the NEA, questioning the NEA's legitimacy has become an annual drama that has pervaded many dimensions of discourse in the public sphere. Examining this public discourse is critical, for the outcome of these deliberations involve real decisions and real choices, arguably with major cultural and economic implications. Ultimately, they define the role of governmental support for the non-profit arts in American society.

This paper has two main parts. First, I will define and operationalize my inquiry of argument in the public sphere. Second, I will demonstrate how the *American Canvas* represents a strategic shift from an "elite" public towards a "populist" public as indicative of a process of legitimation.

2. Theoretical foundations

This study addresses the following question: What happens when the elite audience, made of the public once deemed most knowledgeable to decide policy, ceases to hold influence in the public sphere? In the past, the NEA warranted many of its policies based on artistic merits arising from decisions beholden to the artists most apt to make such judgments. Yet increasingly these artists have been charged as being representative of an elite public. As we shall see, in this case the NEA constructs a normative argument that shifts towards that public whose influence or knowledge is – at least perceived to be – more influential, or more legitimate. Commentors have long observed that publics vary in degrees of deliberative importance, and special emphasis has been placed upon the process by which particular publics are left out of the dominant public discourse (Fraser, 1992, Spivak, 1988). Interestingly, the *American Canvas* reports that the neglected audience is not some subaltern public or even a minoritarian one. Analysis of this case, shows that it is the very majoritarian or "populist" public, that the NEA itself states has been excluded by an elite public. The notion of exclusion can be defined here as the process wherein one group's symbolic meaning system overpowers that of another group through legitimation and de-legitimation. I will demonstrate below that the NEA shifts from tailoring its policy decisions and arguments with deference to the aforementioned "elite" public, and instead moves to embrace a hitherto neglected "populist" public. This shift in the NEA's argument reveals the very legitimation of the knowledge of the populist public, or more precisely, the successful de-legitimation of the knowledge base of the elite public. A more legitimate public holds greater of influence over others. The characteristics of these publics are revealed through identification of argumentation strategies in the public sphere, from institutions like the NEA who seek to ensure their own legitimation.

By classifying policy-orientated deliberative messages as public argument, this study assumes a pluralistic and representative view of democracy in America. Discourse in the public sphere is argumentatively structured, where reasons are tailored to a specific public (or publics) within the public sphere. This public possesses agency in the affairs of the state. While this notion of the public sphere relies on the ideal of a pluralistic democracy, the very notion of pluralism assumes different and differing publics within that sphere, some of which compete with the bourgeois public. Nancy Fraser upholds that "virtually contemporaneous with the bourgeois public there arose a host of competing counterpublics....there were

competing publics from the start, not just in the elate nineteenth and twentieth centuries, as Habermas implies. Moreover, not only were there always a plurality of competing publics, but the relations between bourgeois publics and other publics were always conflictual (Fraser, 1996, p.116).

I argue that this investigation of the NEA, as with similar cases, involves an inspection of arguments played out in the public sphere (in a massified and encompassing sense); furthermore, I suggest that any such inquiry should utilize the concept of legitimation, which involves power relations and exclusionary strategies. The idea that the public sphere embodies publics and that such publics posses an exclusionary function are notions already seen in Habermas (1962/1992): "an analysis of the exclusionary aspects of established public spheres is particularly revealing in this respect, the critique of that which has been excluded from the public sphere and from my analysis of it too: gender, ethnicity, class, popular culture" (1992, p.466). This project's framework employs the process of legitimation to explain exclusionary as well as inclusionary, argument strategies.

In this respect, legitimation strategies necessarily invoke an emphasis on power relations. Yet, I would like to the displace primary assumption that such an emphasis is associated with a process which conjures up images of symbolic violence and ruthless power struggles. This legitimation process, while agnostic in nature and rooted in power relations, need not contain negative connotations. A legitimation processes in the public sphere based on concepts of power relations and strategic arguments is informed by Foucault's point:

"The idea that there could exist a state of communication that would allow games of truth to circulate freely, without any constraints or coercive effects, seems utopian to me. This is precisely a failure to see that power relations, if by that one means *strategies by which individuals try to direct and control the conduct of others*. The problem, then, is not to try to dissolve them in the utopia of completely transparent communication but to acquire the rules of law, the management techniques, and also the morality, the *ethos,* the practice of the self, that will allow us to play these games with as little domination as possible" (Foucault, 1994, p.298) [emphasis added].

The strategies uncovered in the arguments of the NEA (themselves legitimizing in nature) reveal characteristics of the publics they draw upon for support.

3. Case analysis

There are particulars to the case of the NEA that deserve some brief attention. First, why has such a vehement debate been stirred by an investment that amounts to less than $0.38 per year for each American? What is at stake here is the legitimation of a type of knowledge held by contending publics within the public sphere. The current political climate in the elected legislature of the United States is heavily influenced by the Republicans, which may seem like the most pressing public for the NEA. Yet I hold that the NEA's legitimation strategy is directed towards the larger, "populist" American constituency, 57% of which support government support for the arts as reported by the NEA (NEA, 1998).

Also involved here are issues of traditional class structures, and culture wars. Even with the blurring of the distinction between high culture and popular culture (Gans, 1974, 1992 (in Smith & Berman)), these issues are manifest in the discourse analyzed below. A lengthy discussion on these issues is not appropriate here; suffice it to say that they problematize any sort of neat categorization of which public actually exists or which is being addressed in the public sphere.

One might also ask what texts "count" as discourse within the public sphere? My study doesn't embrace sharp distinctions between the state and public sphere of discourse; my use of the *American Canvas* (essentially a government publication) as this project's text is illustrative of this point. While the American Canvas report maintains a governmental ethos, it also includes (and was heavily informed by) discussions of the *American Canvas* forums: six privately-funded forums in regional cities across American which invited diverse participants, "first on the community level, then on the National level" (NEA, 1997), to discuss strategies for its legitimation. These forums were meant to facilitate the national discussion on the state of the arts and the NEA (Larson, 1997), and an overview of the regional forums appears in the *American Canvas*'s appendix.

In the same respect, I will also include the National Foundation on the Arts and Humanities Act of 1965 (which instituted the NEA) to be a text "in" the public sphere. Not only were many voices from the public sphere influential in the struggle to establish the Act (Larson, 1983; Mulcahy & Wyszomirski, 1995)), but it is of public record and access; furthermore, the act is often cited and referred to in arguments concerning the NEA. In fact, the NEA has avidly produced "official" statements (arguments) – such as the *American Canvas,* press releases, and a web site – in the public sphere via diverse media to gardener support, especially in these times of crisis.

The aforementioned state documents serve as texts in the public sphere of

discourse as do a newspaper articles and editorials, video programs, Internet transmissions, and talk. In this regard my notion of the public sphere is broadly inclusive. Katz, Kim, & Wyatt argue that "theories of the public sphere assume that the press, political conversation, and public opinion are all elements of a single system" (1997, p.6) and that "media, conversation, opinion formation, and political action should not – indeed cannot – be disconnected from each other (p.2).

The "common interest" of the public sphere at hand is in the government role in the non-profit arts, or simply, taxing citizens to subsidize the NEA. But the message or (more precisely) the argument is highly stylized and inherently strategic, directed to conceptions of an ideal public. Scrutiny of the *American Canvas*, as the main text, demonstrates that the public being primarily addressed is that which holds the most legitimacy in terms of power and influence in the public sphere. This analysis will always refer to the *American Canvas,* yet a comprehensive reading of the report's 194 pages might not elicit a startling response. The report taken holistically might not seem to be much different in substance than National Foundation on the Arts and the Humanities Act of 1965 which sought to "promote progress and scholarship in the humanities and the arts in the United States" (20 U.S.C 951, P.L. 89-209, 1965). But the particulars within the report do signal the shift towards a particular public as part of a legitimation strategy.

A good starting point is the reactions to the *American Canvas* in the American press. The first major response to the *American Canvas* was actually a preemptive one by the *New York Times* (the report was "leaked" three days prior to its national release). The front page headline reads "Study Says Elitist Attitude Reduces Support for the Arts," the article is titled "Study cites gulf between artists, public" (Miller, 1997). Miller states that the "report holds artists themselves partly responsible for the growing alienation it sees between the public and the arts – a gap that made recent cuts in government arts spending possible" (Miller, 1997). This public is what I will call the "populist" public and the artists represent an "elite" public. This language infers that the populist public is an entity that holds power and influence over government spending decisions. It also suggests that the populist public holds more influence over the arts than the arts community, or the elite public, involved with the NEA.

NEA employs self-critique in the *American Canvas* largely through voices like Alberto Duron, an attorney and "cultural activist" speaking at an *American*

Canvas forum in Los Angeles. He argued that the "arts establishment" and its "institutions must be opened up to the communities which they claim to serve but don't" (qtd. in Larson, 1997, p.76). Could this self-critique be a strategy giving credence to the de-legitimation arguments usually associated with the conservative right? Bruce Handy of the TIME magazine sardonically adds that the *American Canvas* "accuses the arts world, and by implication the NEA, of elitism and a disregard for key American values.... the zany twist is that the report isn't the work of Newt Gingrich or Jesse Helms; it's the loving handiwork of the NEA itself" (1997). From the *American Canvas*:

"The arts community itself bears a measure of responsibility for the marginalization of the nonprofit culture. In the course of its justifiable concern with professionalization, institution-building, and experimentation during the 60s and 70s, for example, the arts community neglected those aspects of participation, democratization, and popularization that might have helped sustain the arts when the political climate turned sour" (Larson,1997, p.14).

Various factions of the political spectrum such as the conservative Heritage Foundation (1997) have continually attacked the NEA. But the key here is that these views of dissatisfaction with the NEA are now being equated with the "public" (Miller, 1997) and this populist public's "communities" (Duron qtd. in Larson, 1997). A populist public viewed as a majority who are dissatisfied with tax money spend on the arts, or any government agency in a democracy – spells crisis for the NEA (Netzer, 1978). And more importantly for this paper, a public gaining legitimacy over another requires a shift in appeal.

The *American Canvas* tries to examine this populist public: "Failing to acknowledge their own expressive activities as part of the full spectrum of the arts, many of these Americans are apt to look with suspicion at an "arts world" that seems alternately intimidating, incomprehensible, expensive, alien, and, thanks to the generally poor job that the mass media have done in covering the arts, often disreputable" (Larson, 1997). The NEA attempts to fix this image by tailoring its argument to the newly conceived populist public and not the artistic elite public, the latter being those who are thought to be most knowledgeable about the arts. The strategic shift employed in this message reveals both the more powerful legitimacy of this populist public and the less powerful elite public.

Again Duron is quoted saying "What's happened to the public arts funding is in no small measure the fault of the arts institutions and the individuals who run them...... critics in congress and elsewhere would never have been able to

galvanize large segments of the public if it were not for the vulnerability of the arts community brought on by its isolation and intransigence" (1997, Duron qtd, in Larson, p.77). The arts community, now conceived of as the elite public is struggling against the populist public at large.

Pulitzer Prize winning playwright Tony Kushner (himself referenced in the report) downplays the cultural implications of the art's elitism. Rather, he focuses on the new economic arguments forwarded by the NEA; "essentially the ideological capitulation in evidence has been performed on economic, rather than cultural grounds" (Kushner, 1997). Kushner focuses on an admitted sound-bite from the report calling for a "reexamination of the structural underpinnings of the nonprofit arts and for speculation on the development of a new support system: *one based less on traditional charitable practices and more on the exchange of goods and services*" (Larson, 1997, p.12). For Kushner, this "appalling" stance on art as economic or exchange value is nothing less than a concession to "barbarism" (1997). Economic justifications for establishing sponsorships of the arts as an "essential function of the modern state" are well known (Galbraith, 1973, p.282). However, when economic considerations dictate art's *content* Kushner insists that the line to barbarism has been crossed. Previous arguments which insisted on funding for the NEA based on aesthetic grounds and on artistic freedom (State of the Art), are now touted by the NEA as being elitist and isolationist. Bruce Handy of TIME observes that strings are inevitably attached to governmental support "when you take money from the government, you subject yourself to the mercies of the political process – which is open, as the recent history of the NEA (not to mention history, period) proves, to philistines and worse" (1997). Carrol Dadisman of the Tallahassee Democrat adds "one point is clear: In both government and the private sector today, economic considerations are eclipsing artistic merit in determining levels of financial support for the arts" (1997).

To summarize and simplify this rhetorical situation: the NEA faces dissensus and crisis; the NEA has traditionally appealed its arguments to the audience of an elite (artistic) public; the *American Canvas* criticizes this public as being, in part, responsible for the decline in NEA's funding, resonating with arguments de-legitimizing the NEA; the NEA attempts a normative strategy by appealing to (and empathizing with) the populist public deemed more powerful to legitimate the NEA, yet a public seen by some to lack the knowledge in deliberations concerning artistic merit.

4. Problematizing the NEA's strategy: Publics in conflict

While this recent case makes it clear that differing publics are at work in deliberating upon governmental funding of the non-profit arts, this notion is not entirely new. Mulcahy and Wyszomirski state that "American arts policy-making has revealed a sharp cleavage between populist and elitist conceptions of public culture (1995, p.180).

An analogy can be drawn between the populist public (audience) and Habermas' "plebeian public" or a "culture of the common people" (1992, p.427). Habermas's (recent) elaboration on this conceives of this public as a culturally and politically distinct "lower strata entail[ing] a pluralization of the public sphere in the very process of its conception" (1992, p.426). Yet to proceed hastily with this analogy seems rather premature here. Instead I will continue to cast these two publics, admittedly generalized, in the more traditional categories of the populist and elitist.

I will attempt to employ a more refined [but no less problematic] notion of the elite than depicted in the arguments analyzed above. The elite is that public whose set of knowledge and symbolic apparatus is deemed most apt to judge decisions which rely on that very knowledge. An appeal to an elite public is simply to gain support from those deemed qualified to know. The NEA walks a precarious line between policy decisions giving to artists concerning art, and the policy decision concerning a government agency based on the broader, populist, American public. Mulcahy and Wyszomirski state that:

"the NEA has sought a balanced' cultural policy… this political strategy has not been without cost. In accepting Caesar's embrace, the muses have become publicly dependent and accountable. The value of the arts has to be justified to the taxpayers… For some this obligation constitutes politicization of the arts; for others, it is a cost of doing public business. Historically this political strategy had been an important ingredient in the NEA's bureaucratic success"
(1982, p.181).

This balance, however, is perhaps associated with a consensus model of deliberation in the public sphere. In light of my argument, the success of the NEA todya can be better understood as a power struggle for legitimacy. For in the *American Canvas* the elite are not simply those qualified to know, or an ideal audience of those most apt to judge. This conception of an elite public (of knowledge) has shifted towards a *politically* elite public, the latter associated with high-mindedness, high-class, and indifference to the concerns of the common

public. In the NEA's efforts to legitimate its own role, its strategy shows an effort to tailor its message towards a more legitimate populist public, rather than towards a de-legitimated elite public. The NEA's internal conflicts in adhering to this legitimation strategy are quite profound. For herein is a de-legitimation of the artistic elite. Already since FY1996, a ban has been placed on giving grants to most individual artists. In the NEA's own struggle for legitimacy, their apparent strategy will have a major impact on government supported non-profit art in America.

5. Conclusions

The message of the NEA – as seen in its own messages and in the public discourse – shifts its conception of an elitist public to contending populist public within the public sphere. My argument forwards the position that the case of the NEA, and others, can be viewed in terms of a strategic process of legitimation based on power struggles rather than consensus building, the result being that the ideal pluralistic democracy is not lessened but better understood. By analyzing discourse manifest as texts in the public sphere, concepts of the public who hold the most legitimate knowledge and power and influence in the decision making process emerges.

Still, further probematics and questions abound. Among these are issues concerning the conception of the elite public and, moreover, the populist public, both of which still needs more definition. Perhaps research into the plebeian public sphere, or popular culture generally, can inform this issue.

Yet the most pressing question here is what is to become of the crisis of the NEA, as the agency continues to struggle with its normative policy in light of legitimized an de-legitimized publics.

Comments by Bruce Robbins (1993) relate to this point: Just because professional insiders invent publics for themselves, therefore, it does not follow that the outside is imaginary or that there is no real connection between what is invented inside and the forces outside that must be managed, assuaged, responded to, negotiated or compromised with. We know... that the autonomy of the profession seems to abandon momentarily when faced with the demand for a generally accessible account of itself is never more relative or provisional. It is granted by social bodies outside the profession, whether the' estate... or 'public opinion' or some mixture thereof. And it can be sustained only for as long as its support continues – an long as the profession's authority in a given area is judged, by enough of those people who have the power to withdrawal that authority, to be

not only legitimate, but more legitimate than the other contenders.

The NEA seems to have accepted that its authority depends on a legitimized populist public, yet perhaps even they are unsure of this deferral.

The American *Canvas* states that "the future of the arts in America depends upon the will of the people. The spirit to grow is there, but a flower can be crushed with a single step" (Larson, 1997, p.6). The NEA has put its stakes in the hands of the populist public, time will see whether it gets crushed under that public's weight.

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ISSA Proceedings 1998 – From Arguing Within To Arguing Across Boundaries: Globalization As A Challenge To Argumentation Studies

Is it possible to argue across the boundaries of self-contained, ideologically or culturally incompatible formations (e.g., East and West, North and South, Islamic and Christian civilizations)? In other words, can controversies be discussed and resolved rationally without there being even a common, general intellectual or cultural tradition for disputants to fall back on as the final guarantee for an eventual agreement? The default answer to this question, for a number of reasons, is "No."

Analytical and neo-pragmatist philosophers by and large have long expressed their doubt that a rational agreement can ever be reached argumentatively between radically different systems. W. V. Quine undercuts such a possibility with his influential doctrine of the "indeterminacy of translation." For Quine, outsiders "cannot even say what native locutions to count as analogues of terms as we know them, much less equate them with ours term for term," and the "native may achieve the same net effects through linguistic structures so different that any eventual construing of our devices in the native language and vice versa can prove unnatural and largely arbitrary" (1960:53). Richard Rorty believes that "there is no way to step outside the various vocabularies we have employed and find a metavocabulary which somehow takes account of *all possible* vocabularies, all possible ways of judging and feeling," which has led him to reject argumentation as the mode of cross-"vocabulary" interactions (1989: xvi, 8).

Postmodern thinkers in general not only accept the premise of a radical incommensurability between different life-worlds, but also add an ethical dimension to the issue, making it even more difficult to contemplate the possibility of rational, non-coercive means of cross-cultural conflict resolution.

Jean-François Leyotard, for instance, introduces the concept of a *différend* as "a case of conflict, between (at least) two parties, that cannot be equitably resolved for lack of a rule of judgment applicable to both arguments." When "a universal rule of judgment between heterogeneous genres is lacking in general," a "wrong" would necessarily result from the fact that "the rules of the genre of discourse by which one judges are not those of the judged genre or genres of discourse" (1988: xi). Even Jügen Habermas has acknowledged that his earlier formulation of a "discourse ethics," based on the principle that "a norm can be considered objectively right if it would be consented to in free discussion by all concerned as consonant with their interests," fails to take into proper account "the power of history over against the transcending claims and interests of reason," the "ideas of the 'good life'" which "form an integrated component of the particular culture," and "*Sittlichkeit*, the concrete customs of a community" (Dews 1986: 17-18).

And anthropologists lend further support to this general skepticism with vivid stories of their personal encounters with other cultures. Clifford Geertz, in an account of how, during a 1971 trip to Indonesia, he had a "debate" with a local religious master over the issue of whether American astronauts had indeed landed on the moon, shows what an impossible task it could be trying to argue with people locked in an acutely different cultural framework. The setting was a religious school in Sumatra. His opponent, the teacher-director of the institution, opened with the declaration that "no Muslim could believe [the moon-landing]," because the Prophet was "held to have said that an enormous ocean lies between the earth and the moon and this was the source of [Noah's] flood." If the Americans had indeed gone to the moon, then
1. they "would have put a hole in this ocean and a flood like Noah's" would have ensued and would have drowned us all;
2. they would have proved that the Prophet was wrong, which was impossible;
3. what they did was most likely to be a trick played by God who "had constructed a fake moon off to the side somewhere for them to land on."

Geertz, feeling that he had better not question the "authority of a *hadith* [a tradition from the Prophet]" there and then, and not quite knowing "what to do with [the master's] argument," chose to confine himself to describing what Western science considered the moon to be. And he suggested in conclusion that "maybe the best thing would be for a Muslim to go along on the trip next time." This invocation of the "seeing is believing" presumption, however, apparently did

not sound particular persuasive to people who had accepted the premise that the almighty God could easily construct a "fake moon" in the first place. As a result, what promised to be a "great debate" between two cultures quickly fizzled into a "clash of narratives," with "nothing" being "disturbed" (1995: 82-84).

Even though they have been, and to a significant extent remain, the dominant assumptions, these perspectives have come under criticism from the very beginning. Donald Davidson famously challenges the notion of "incommensurability" on the basis of its own "incoherence." For if two different "conceptual schemes" were indeed as radically incommensurable as has been suggested, they would be *mutually unintelligible*. And it would not be possible for us to find other conceptual schemes incompatible to ours on the basis of a comparison (1973-1974). Richard J. Bernstein speaks for many when he points out that "[incommensurable] languages and traditions are not to be thought of as self-contained windowless monads that share nothing in common. . . . There are always points of overlap and crisscrossing, even if there is not perfect commensuration" (1991:92). And Geert-Lueke Lueken calls attention to the fact that whether "systems of orientation" (SOs) are incommensurable or not "depends on our interpretations of them," which can be "improved and revised," and that incommensurability should be "regarded as a matter of degree" (1991: 244).

While perspectives such as these have alleviated our anxiety over an incommensurability-caused breakdown in cross-cultural communication (not to mention argumentation), there is still no denying the fact that neither a neutral ground nor a commonly acceptable "meta-vocabulary" is available when symbolic exchanges take place between independent formations such as the above-mentioned. A culture is definable precisely by the uniqueness of the basic assumptions and beliefs its members subscribe to. If the disputants insist on invoking their own first premises, as in the case of Geertz "debating" the Indonesian religious master, there can be no way a mutually agreed-upon decision can be reached on what should be the point of controversy (e.g., the question "Did American astronauts actually land on the moon?" would have invited scorn rather than argument had it been raised in an

intra-cultural context of the Western discourse), much less that a position can be justified rationally. Large international or inter-cultural formations, moreover, came into being because of an irreconcilable conflict, real or imagined, in vital interests. As a result, much of the "argumentation" that pits one of those

formations against another (e.g., the daily debates in the U.N.), upon a close examination, turns out to be little more than veiled exercises of *realpolitik*, calculated horse tradings, self-advertising exchanges between the deaf, etc.. Within this context, the "complexities of [international] political life are reduced to a calculus of power, justice is reduced to self-interest, appearances are reduced to the reality they conceal, and, ultimately, language is reduced to the world it would represent" (Beer and Hariman 1996: 390).

It must be a keen awareness of this intrinsically realist nature of international or intercultural relations that has discouraged argumentation scholars from going beyond an *intra*-cultural context in pursuit of a normative theoretical model applicable to *inter*-cultural debates as well. An incredulity toward the possibility of what the Self and the Other would *both* regard as a rational exchange between them is deeply embedded in the practices of argumentation studies. Perelman and Olbrechts-Tyteca point out in their *The New Rhetoric* that argumentation presupposes an "effective community of minds" whose "minimum" conditions of possibility include everything from a "common language" to a shared body of "norms set by social life" and a mutual "wish to enter into conversation." As an illustration of what could result had one tried to argue in the absence of such a community, they refer to Alice's helplessness and frustration over her failed attempts to communicate with the denizens of the Wonderland. The need for a community remains as much a going assumption as Alice's story continues to function as a cautionary tale for the discipline of argumentation studies as a whole (1969: 14-15). Even though among theorists of "argument fields" or "argument spheres," an interest in inter-field border crossing has been developed since the 1980's, the multiple "fields" or "spheres" in question are clearly understood to have come into being within, and to depend for their existence and normal functioning on, the same cultural formation of the West (Eemeren et al. 1996: 204-206).

Since in its most fundamental orientation, argumentation studies is devoted to studying conflict resolution through exchanges of reasons, which is hardly the normative mode of international or intercultural interactions, its disciplinary inclination to focus attention on intra- rather than inter-cultural disputation is not without its justification. And the propensity would stay warranted were it not for the fact that a new world-wide rhetorical situation is taking shape and the clarification of this emerging situation is posing a serious challenge to this field of

inquiry. With the end of the Cold War and the unprecedented and unstoppable drive toward globalization, a brave new era has forced itself upon us. The world as a whole has become to such an extent interconnected financially, economically, environmentally and communicatively that the notion of a "generalized interest" begins to make sense, and scholars and public commentators alike, most of whom are by no means naïve and sentimental idealists, have started to talk openly about formulating "universal ethics" or codifying "planetary legal standards." In days gone by, writes international relations scholar Stephen Schlesinger, ideological constructs ranging from "nationalism" to "historical memories" had had such a hold on people that "the idea of a world of laws" would have seemed "a laughable proposition." Today, however, "the imperatives behind worldwide trade . . . are [so] tightening the bonds among nations" that not only have we been witnessing a steady movement toward "working together in a lawful fashion around the world," we have actually started to forge a "juridical global community," with treaties governing trade, global warming, land-mines, etc., as its "building blocks," and we may even have "become a world legal society without admitting it" (1997). Columnist Flora Lewis maintains that "globalization of economics and technology is no longer a contentious thesis but an irresistible reality with concrete effect on people's lives." As a result, the idea of "articulating . . . a global ethic" applicable to "everybody everywhere" is "spreading with increasing insistence" (1997). And in a critical survey of new theories on globalization and communication, Annabelle Sreberny-Mohammadi presents a whole range of scholarly arguments "around the public sphere and its apparent or possible growth into a transnational civil society," from the suggestion that "the only possible response to global market forces is . . . a universal public sphere in which common interests can be recognized and acted on" to calls for "the creation of a global perspective and values in the depths of people's hearts and minds, establishing the idea of a global civil society" (1997: 11-12).

One cannot imagine a "world legal society" or a "global ethic" being instituted without there already being a "global rhetorical regime" in place to serve as one of its indispensable institutional infrastructures. What shape the "trans-national public sphere" would eventually take remains vague and controversial at this moment. What is beyond any doubt, however, is that the construction of such a sphere must necessarily be based on a global consensus that results from *rational* discussions and debates among *all* its would-be members. Whereas the principle of give-and-take on the basis of cold calculation of private interests and power

relations has been the principal means of international conflict resolution, it would never work as far as building up a "global civil society" is concerned. As an indication that preliminary work to build up this society is already underway, controversies have erupted in recent years over issues such as "democracy," "human rights," or "Asian values." A close look into the mode of verbal exchanges typically found in efforts to resolve issues such as these yields some unexpected findings.

First, no incommensurability-caused problems seem to be plaguing the contentious cross-cultural, inter-continental or even inter-civilizational exchange of opinions. The representative "voices" of the East, the South, or the non-Western cultures in general do not come from people like Geertz's interlocutor in the above-mentioned episode, much less from the denizens of Alice's Wonderland. Rather, they typically come from people such as former Singaporean prime minister Lee Kuan Yew or the current Malaysian prime minister Mahathir Mohamad, who tend to be Western-educated Third World elite and who are conversant in Western rhetoric to such an extent that they usually have no problem whatsoever in understanding, communicating with, and debating champions of Western values. An example is Bilahari Kausikan, Singapore's representative to the United Nations. Not only did he defend "Asian values" vigorously in Western mass media or public forums, he also contributed rhetorically sophisticated articles to influential American academic journals such as *Journal of Democracy*.

Second, as their primary strategy, these (often self-proclaimed) spokesmen for the non-Western world tend to draw from *Western* discursive resources and to frame, formulate, and defend their positions in Western, rather than their native terms. The arguments, presumptions, and modes of reasoning they characteristically deploy are likely to be those authorized or even valorized by Western, especially contemporary Western, discourses. Thus in his defense of Singapore's political system, Kausikan appeals only to authoritative Western sources (e.g. C.B. Macpherson's theory of democracy, David Hitchcock's comparative study of Asian and American values) and invokes only currently valorized Western beliefs, presumptions or values (e.g., contingency, particularism, diversity) (Kausican 1997). And in none of his speeches addressed to an international audience has Prime Minister Mahathir invoked any Islamic doctrine as the warrant or backing of his position.

In pleading for a globally regulated currency trading (which mainstream West opinion makers had found to be an absurd idea) following the outbreak of the

Asian crisis in July 1997, for example, Mahathir draws an analogy with three milestones in the development of modern capitalist market in the U.S.: the anti-trust legislation that effectively outlawed monopolies; the legislation to prevent anyone from "acquiring controlling interest in companies and then stripping their assets" at the expense of other shareholders; and the legislation that stopped "insider trading" by making it illegal. The market, he argues, has always been subject to regulations, and if a financial community such as the U.S.'s deems it necessary, and can always find the right legislative or legal means, to protect small investors, ordinary shareholders, common people, from being victimized by big wheelers and dealers, why cannot the *international community* find a way to prevent similar victimization of small financial entities or players in a globalized market? (1997).

Third, even though – or perhaps because – the debates are conducted in Western terms, Western interlocutors in general do not appear as effective argumentatively as one would expect them to be. Public commentators and scholars alike tend either to ignore the arguments presented by people like Mahathir or to greet them with rire d'exclusion or with ideologically inspired indignation/condemnation, rejecting them off-hand as self-evident anti-Western nonsense or self-serving sophistry in defense of undemocratic institutions and practices at home, not to be dignified with reasoned rebuttals. When they do respond, the counter-arguments are often of suspect validity and currency in contemporary Western discourse (e.g., resorting to universalism, apriorism, the notion of "intrinsic value," etc. to counter attempts to relativize human rights culturally). In spite of the protests from the non-Western interlocutors against what Kausican terms "willful misunderstanding" of their positions, the Western representation of these positions by and large remains unsatisfactory to the represented. Samuel Huntington, for example, characterizes Singaporean leaders as believing that what their people want and need is "not democratic government but good government – that is, government that will provide economic well-being, political stability, social order, communal harmony, and efficient and honest administration" (1997: 11). And yet he leaves out "democratic accountability" from their announced list of the components for a good government. And as one suspects must be the case, no Singapore spokesman has pitted "good government" against "democratic government" (cf. Kausican 1997).

Such an approach is not only ineffectual, it violates the communication ethics observed in the West. The rhetorical awkwardness is indicative of an unexpected

encounter with rhetorical difficulties that the overnight breakdown of what used to look like a permanent binary structure has created. Whereas this structure rendered it unnecessary to think about the norms of argumentation with anyone other than a fellow Westerner, the clear-cut distinction between us and them, and the sense of communicative security such a distinction provided, are no longer there. Among the disturbing questions the new situation has raised are:

1. Will concepts, arguments and procedures keep their intra- communal status in legitimacy, validity, or strength when applied inter-communally?
"Democracy," for example, is regarded as an "essentially contested" concept within the Western discourse of political science, its meaning having been interpreted differently and debated upon constantly (e.g., the recent debate over the distinction between "liberal" and "illiberal" democracies). And yet there has been a reluctance on the part of Western interlocutors to discuss with non-Western critics what it should mean, for the simple reason that to agree to argue about the meaning of democracy is to admit implicitly the "debatability" of whether the current model of Western liberal democracy, as such, is suitable for non-Western parts of the world, and to imply a willingness to accept whatever comes out of a debate. Another example, can those powerful arguments that have been formulated and presented for cultural diversity in the U.S. be admitted if they were employed by people like Mahathir or Lee Kuan Yew in pleading for what they claim to be the need to maintain a world-wide diversity in cultural values?

2. Must the ethical guidelines applicable within the Western world apply inter-communally to its rhetorical interactions with the non-Western world also?
Within the framework of the Western rhetoric, for example, the going assumption is that one should distinguish between the message and the messenger. And yet *ad hominem* is frequently applied inter-communally (e.g., "Mahathir is an anti-Semitic authoritarian and there is no way we should take what he says seriously").

3. What should be the basis for defining the relationship between argumentation and interests?
When participating in intra-communal argumentation, there is a clear understanding that one is willing to make serious commitment to the adjudicating authority of argumentation, and would subject one's interests to the regulation and conditioning of good reasons. Could we expect, or ought to expect,

participants to the inter-communal argumentation to make the same commitment?

4. What should be the guideline for dealing with the relationship between argumentation and ideology?
Ideological differences do not prevent people within a community from arguing with one another (e.g. the Republicans vs. the Democrats in American domestic politics). Should considerations for international ideology be allowed to preempt one's obligation to justify positions which are domestically correct and yet controversial in a global context, or to preempt one's obligation to respond to counter-arguments presented by one's perceived ideological Other from the non-Western world?

Reflections on these issues against the background of an ever-intensifying process of globalization have begun to produce new approaches and fresh thinking in cross-boundary argumentation. Scholars who have interacted intimately with their non-Western counterparts have become increasingly aware of the need for a less ethnocentric attitude toward cross-cultural disputes. Many human rights experts have realized, for instance, that "it is not realistic to deny the real or apparent insufficiency of cultural legitimacy of some human rights standards," and have sought to "explore the possibilities of cultural reinterpretation and reconstruction through *internal cultural discourse and cross-cultural dialogue*," as a more effective means for "enhancing the universal legitimacy of human rights." Such an approach abandons the assumption that "sufficient cultural support for the full range of human rights is either already present or completely lacking in any given cultural tradition," for the new view that "prevailing interpretations and perceptions of each cultural tradition can be expected to support some human rights while disagreeing with or even completely rejecting other existing human rights" (An-Na'im 1992: 3). Accepting this new foundational assumption makes it possible to have real argumentation among different cultural traditions.
Western political leaders have also become sensitive to issues standing in the way toward an international dialogue. U. S. President Clinton in an important speech on the issue of China, for example, declares that American criticism of Chinese human rights records has been made "in the hope of a dialogue, and in dialogue we must also admit that we in America are not blameless in our social fabric.... And if we expect other people to listen to us about the problems they have, we must be prepared to listen to them about the problems we have" (1997). And in an

interview given to *The New York Times* shortly after she became the U. N. Human Rights High Commissioner, Mary Robinson "stresses balance in approaching human rights," pointing out that "[it] is only a moral voice if you have real credibility," and credibility grows from impartiality" and fairness. And she promises "open debate about Western and Eastern values," observing that "[we're] not going to make real progress for women in Afghanistan unless we can do it within their culture" (1997).

Argumentation theorists, similarly, have started to turn their attention on these issues. From his effort to address the implications of the concept of incommensurability to argumentation, Lueken hits on the insight that since "the intersubjective constitution of objects and rules does not work in cases of incommensurability" and there is "no possibility to refer to common meanings, perceptions and rules," participants in an "inter-paradigmatic controversy" should enter "a kind of mutual field research, an open exchange released from the pressure of reasoning, rules, validity questions and performed to understand the alien SO by participation or to create a new one commonly" (1991: 249). This new approach, which Lueken calls "anticipatory practice," is precisely the one adopted by non-Western elite in their effort to enter a meaningful dialogue with the West on behalf of their cultures. And as more and more Western scholars come to realize the importance of turning their interlocutor's resources to their use in order to be effective in cross-cultural debates, "anticipatory approach" will be more commonly adopted.

This trend toward strategic application of "anticipatory practice," however, goes against what Lueken emphasizes as its central aim, i.e., "mutual understanding." Yet a Habermasian orientation toward "understanding" is problematic in this context, for a freedom from "the pressure of reasoning, rules, validity questions," which Lueken prescribes for the new practice, could only spell an end to argumentation as a symbolic practice. Contrary to Lueken's claim that "rule-reconstruction," such as what van Eemeren and Grootendorst has done when they formulated their famous ten ethical guidelines for argumentative exchanges, is "no solution" to argumentation across SOs (1991: 245), what such an argumentation urgently needs is precisely a special set of ethical rules for its practice. Both President Clinton and Mary Robinson came to grips with this need, if only intuitively, when they reiterated "reciprocity," "impartiality," "fairness" as the principles for inter-cultural dialogues. And as Richard Bernstein points out, "the response to the threat of [a] practical failure [to understand 'alien'

traditions]… should be an ethical one, namely, to assume the responsibility to listen carefully, to use our linguistic, emotional, and cognitive imagination to grasp what is being expressed and said in 'alien' traditions" (1991: 92-93). If a shared "will to argue," which the perception of a widely shared or "generalized" interest in a globalized world has given rise to, and the technique of "appealing to the Other's cultural resources for the justification of the Self's position," have made it unnecessary, as a precondition to argumentation, to have the kind of "community of minds" which we used to take for granted, for cross-communal argumentation to proceed in a civil and productive manner, we do need to define a number of ethical guidelines for all parties to follow.

No definition of such guidelines can become binding without its being legitimated through a truly international dialogue on this subject. For such a dialogue to be at all possible, however, argumentation theorists are expected to open up a space for the global discussion with their thematization on the issues involved and with a drafted list of such guidelines. On the basis of Eemeren and Grootendorst's "ten commandments," some general maxims can in fact be tentatively drawn for argumentation *across* cultural formations:

1. maxim of argumentative burden:

what is presumed to be true or valid on one side of the boundary does not necessarily retain its presumption cross-communally;

2. maxim of attitude:

once entering a debate, parties involved should bracket off their own group' received judgments, perception, etc. of the other group, treating each other as rhetorically equal partners and consider each other's arguments seriously throughout the process of argumentation;

3. maxim of argumentative stance:

no party should expect from the other what is unacceptable within *its own* group;

4. maxim of argumentative strength:

what is granted certain degree of argumentative validity on one side retains the same degree of its *intra*-group validity when advanced by the party from the *other* side in *inter*-group argumentation;

5. maxim of audience:

a *good* cross-communal argument advanced by members of one group should be able to persuade rational judges of the *other* group;

6. maximum of strategy:

it follows from maximum 5 that each group should strive to find support for its

standpoint from the other group's culturally sanctioned pool of arguments;

7. maxim of commitment:

parties should be committed to making appropriate adjustments in perceptions, conducts, policies, etc. in accordance with the outcome of a cross-cultural debate.

These candidates for a normative set of ethical guidelines are meant to be an invitation for open discussions on how argumentation theory should adapt itself to the new reality of globalization, much more than to offer a solution to the numerous problems and issues that have been touched upon in this discussion. Given the urgency of finding a solution to these problems, it is high time that argumentation scholars turn their attention to the new task, and contribute to the successful formation of a future "global civil society" or "global public sphere" with their careful identification and analysis of the conceptual, technical and ethical difficulties lying under those issues.

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