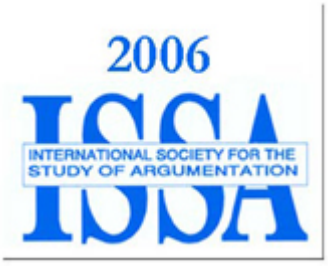
ISSA Proceedings 2006 ~ Putin's Terrorism Discourse As Part of Democracy And Governance Debate In Russia



Abstract

This paper **[i]** presents a study of President Putin's use of the issue of terrorism in public debate in Russia. President Putin's speech made in the wake of the Beslan tragedy, on September 4th, 2004, is examined. The logico-pragma-stylistic analysis employed in the paper describes communicative strategies of persuasion employed by the speaker and investigates how the Russian leader uses the issue of terrorism to further his political goals. The terrorism debate is analysed within a wider context of democracy and governance debate between the President and the liberal opposition.

Key words: argumentative discourse, rhetoric, pragmatics, pragma-dialectics, fallacies.

This paper is a study of the use of the issue of terrorism in public debate in Russia. It examines President Putin's address to the nation in the wake of the Beslan terrorist attack, on 4 September 2004.

The study doesn't pretend to be an exhaustive treatment of the topic; rather it aims to present a logico-pragma-stylistic analysis of the speech, to identify communicative strategies of persuasion employed by the speaker, and to investigate how the Russian leader used the problem of terrorism to further his political goals. The terrorism debate is analysed within a wider context of the democracy and governance debate between the President and a liberal opposition.

In trying to persuade his or her audience a skilled arguer assesses the audience and the issues at hand. When composing a message the speaker takes into account of several factors: the medium of communication (electronic mass media, print media), topic of discussion, audience (gender, level of education, expertise

in the topic under discussion, rationality/emotionality, degree of involvement in the problem, level of life threat presented by the problem, etc), nature of the discussion (i.e. whether it is a direct dialogue with an opponent in a studio or an indirect dialogue through electronic or print media), applicable conventions (e.g. parliamentary procedures), and finally a broader, cultural and political context in which communication is taking place including such elements as openness/restrictiveness of the political regime, moral dilemmas and cultural taboos existing in the society, and traditions of conducting discussions inherent in the culture.

The process of assessment and adaptation of the issues to the audience establishes a communicative strategy of persuasion. The key decisions in a communicative strategy are to choose targets to appeal to and to prioritize them. While there are a wide variety of possible targets of appeal, it is possible to identify three major ones, people's mind, emotions, and aesthetic feeling. An appeal to people's reason or rational appeal is based on the strength of arguments. Emotional appeals arouse in the reader or listener various emotions ranging from a feeling of insecurity to fear, from a sense of injustice to pity, mercy, and compassion. Aesthetic appeals are based on people's appreciation of linguistic and stylistic beauty of the message, its stylistic originality, rich language, sharp humour and wit.

Rational appeals can be effective in changing beliefs and motives of the audience because they directly influence human reason, which plays a role in beliefs and motives. Emotional appeals are persuasively effective because they exploit concerns, worries, and desires — the arguer "speaks to people's hearts". Aesthetic appeals are persuasively effective when they change people's attitudes to the message and through the message to its author. By changing attitudes from those of disapproval or reservation to appreciation or even admiration, the author increases the recipient's susceptibility to persuasion. People will be more willing to accept the arguer's reasoning after they have experienced the communicator's giftedness as the author of the message (Goloubev 1999). The three components of the logico-pragma-stylistic analysis roughly correspond to these three major appeals of the argumentative discourse: rational, emotional and aesthetic.

Let us now turn to Putin's speech. The breakdown into paragraphs follows the version published on the official site of the President of the Russian Federation. The only amendments change the translation of some sentences to make the

English follow more closely the original Russian, syntactically and semantically. The speech is divided into explicit parts; paragraphs are numbered to facilitate analysis.

4 September 2004
Moscow, Kremlin

Address by President Vladimir Putin

Part 1

1. Speaking is hard. And painful.

2. A terrible tragedy has taken place in our world. Over these last few days each and every one of us has suffered greatly and taken deeply to heart all that was happening in the Russian town of Beslan. There, we found ourselves confronting not just murderers, but people who turned their weapons against defenceless children.

3. I would like now, first of all, to address words of support and condolence to those people who have lost what we treasure most in this life – our children, our loved and dear ones.

4. I ask that we all remember those who lost their lives at the hands of terrorists over these last days.

Part 2

5. Russia has lived through many tragic events and terrible ordeals over the course of its history. Today, we live in a time that follows the collapse of a vast and great state. A state that, unfortunately, proved unable to survive in a rapidly changing world. But despite all the difficulties, we were able to preserve the core of that giant – the Soviet Union. And we named this new country the Russian Federation.

6. We all hoped for change. Change for the better. But many of the changes that took place in our lives found us unprepared. Why?

7. We are living at a time of an economy in transition, of a political system that does not yet correspond to the state and level of our society’s development.

8. We are living through a time when internal conflicts and interethnic divisions that were once firmly suppressed by the ruling ideology have now flared up.

9. We stopped paying the required attention to defence and security issues and we allowed corruption to undermine our judicial and law enforcement system.

10. Furthermore, our country, formerly protected by the most powerful defence system along the length of its external frontiers overnight found itself defenceless both from the east and the west.

11. It will take many years and billions of roubles to create new, modern and genuinely protected borders.

12. But even so, we could have been more effective if we had acted professionally and at the right moment.

13. In general, we need to admit that we did not fully understand the complexity and the dangers of the processes at work in our own country and in the world. In any case, we proved unable to react adequately. We showed ourselves to be weak. And the weak get beaten.

14. Some would like to tear from us a "fat chunk" of the territory. Others help them. They help, reasoning that Russia still remains one of the world's major nuclear powers, and as such still represents a threat to them. And so they reason that this threat should be removed.

15. And terrorism, of course, is just an instrument to achieve these aims.

16. As I have said many times already, we have found ourselves confronting crises, revolts and terrorist acts on more than one occasion. But what has happened now, this crime committed by terrorists, is unprecedented in its inhumanness and cruelty. This is not a challenge to the President, parliament or government. It is a challenge to all of Russia. To our entire people. It is an attack on our country.

Part 3

17. The terrorists think they are stronger than us. They think they can frighten us with their cruelty, paralyse our will and sow disintegration in our society. It would seem that we have a choice – either to resist them or to agree to their demands.

To give in, to let them destroy and have Russia disintegrate in the hope that they will finally leave us in peace.

18. As the President, the head of the Russian state, as someone who swore an oath to defend this country and its territorial integrity, and simply as a citizen of Russia, I am convinced that in reality we have no choice at all. Because to allow ourselves to be blackmailed and succumb to panic would be to immediately condemn millions of people to an endless series of bloody conflicts like those of Nagorny Karabakh, Trans-Dniester and other well-known tragedies. We should not turn away from this obvious fact.

19. What we are dealing with are not isolated acts intended to frighten us, not isolated terrorist attacks. What we are facing is direct intervention of international terror directed against Russia. A total, cruel and full-scale war that again and again is taking the lives of our fellow citizens.

20. World experience shows us that, unfortunately, such wars do not end quickly. In this situation we simply cannot and should not live in as carefree a manner as previously. We must create a much more effective security system and we must demand from our law enforcement agencies action that corresponds to the level and scale of the new threats that have emerged.

21. But most important is to mobilise the entire nation in the face of this common danger. Events in other countries have shown that terrorists meet the most effective resistance in places where they not only encounter the state's power but also find themselves facing an organised and united civil society.

Part 4

22. Dear fellow citizens,

23. Those who sent these bandits to carry out this horrible crime made it their aim to set our peoples against each other, put fear into the hearts of Russian citizens and unleash bloody interethnic strife in the North Caucasus. In this connection I have the following words to say.

24. First. A series of measures aimed at strengthening our country's unity will soon be prepared.

25. Second. I think it is necessary to create a new system of coordinating the

forces and means responsible for exercising control over the situation in the North Caucasus. Third. We need to create an effective anti-crisis management system including entirely new approaches to the way the law enforcement agencies work.

26. I want to stress that all of these measures will be implemented in full accordance with our country's Constitution.

Part 5

27. Dear friends,

28. We all are living through very difficult and painful days. I would like now to thank all those who showed endurance and responsibility as citizens.

29. We were and always will be stronger than them, stronger through our morals, our courage and our sense of solidarity.

30. I saw this again last night.

31. In Beslan, which is literally soaked with grief and pain, people were showing care and support for each other more than ever.

32. They were not afraid to risk their own lives in the name of the lives and peace of others.

33. Even in the most inhuman conditions they remained human beings.

34. It is impossible to accept the pain caused by such loss, but these trials have brought us even closer together and have forced us to re-evaluate a lot of things.

35. Today we must be together. Only so we will vanquish the enemy.

This message was delivered the next day after the end of the standoff between terrorists and Russian security forces during a school siege in Beslan, in Russia's southern republic of Northern Ossetia. There were more than 1,200 people taken hostage during the three days of terror. Nearly 340 people died, 176 of them children. More than 500 were wounded. A message posted on a pro-Chechen website afterwards confirmed what many believed: that the architect of the violence was Shamil Basaev, the most notorious of the Chechen militants. Russia was in shock.

Obviously such an emotional subject demands an emotional response from the country's President. Rightly, therefore, the speaker makes an emotional appeal a priority. The message is clearly meant to comfort and uplift, unify and instil confidence in the people. In Part 1 especially and throughout the text, we see expressions of sympathy and condolence. But who must these words comfort and uplift, in whom must they invoke hope and confidence? Who is the audience the speaker addresses his message to? These questions are not as straightforward as they seems. The primary audience is not the people of Beslan whom the terrorist attack immediately affected (although they are mentioned in the concluding part of the speech). The primary audience is all the people of Russia. Even the town of Beslan is referred to as a Russian town rather than a Northern Ossetian town (2), which would have distanced it from the country as a whole. The recipients of the message are referred to as *fellow citizens* (22), *citizens of Russia* (23), and *friends* (27) but never as Ossetians.

This is done to achieve two objectives. On the one hand, it serves to indicate that Russians are a united nation (inspiring confidence). On the other hand, it acts to reinforce the identification of the speaker, the President of the country, with his audience, his fellow countrymen (expression of empathy). Several linguistic devices are employed to produce the said effect. One of them is the repetition of key words or phrases: the noun *Russia* and adjective *Russian* are mentioned 9 times in the Russian original text, the personal pronoun we and the possessive pronoun our in different grammatical cases are used a record 33 times. The phrases we *must be together,… only together* (43) are other key words that are repeated.

An interesting case to examine is the use of the word *people*, which is found in the text both in the singular and the plural form. Used in the singular (a) *people* refers to the whole Russian nation: *This is not a challenge to the President, parliament or government. It is a challenge to all of Russia, to our entire people* (16). In the plural the word *peoples* refers to various ethnic groups composing the Russian Federation: *Those who sent these bandits to carry out this horrible crime made it their aim to set our peoples against each other, put fear into the hearts of Russian citizens and unleash bloody interethnic strife in the North Caucasus* (23). In this sentence, Putin takes great care to emphasise that different ethnic groups living in the Northern Caucuses are one nation. He does that by using an umbrella term citizens of Russia to refer to the people belonging to these ethnic

groups. The speaker not only talks about a united Russia but emphasizes the country's greatness: *Russia is referred to as the core of a great state, the giant – the Soviet Union* (5)*, as a country protected by the most powerful defence system along the length of its external frontiers* (10)*, as one of the world's major nuclear powers* (14).

Having built up the idea of unity in Part 1 and Part 2, President Putin, at the end of Part 2, introduces one of his main theses: *all of Russia is under attack* (16). Later he reinforces his claim: *What we are dealing with are not isolated acts intended to frighten us, not isolated terrorist attacks. What we are facing is direct intervention of international terror directed against Russia. A total, cruel and full-scale war that again and again is taking the lives of our fellow citizens* (19).

The message contains an important juxtaposition: Russia versus her enemies. And that is the only juxtaposition. There is no division within Russia itself: the State and the People are one whole.

Let us examine the rhetorical images of the opposing parties. The speaker creates an image of the Russian people as caring, courageous, humane people and juxtaposes this image with the enemies' image as *not just murderers but murderers of defenceless children* (2), *terrorists* (4, 16, 17, 21, and 27), *international terror(ists)* (19), and *bandits* (23). In fact, the speaker ends his message with the word *enemy* (35), which indicates the importance President Putin attaches to the concept. Describing the enemy the speaker avoids any mention of their demands to withdraw Russian troops from Chechnya. Interestingly, never once was the word Chechnya mentioned in the whole speech. This is done to remove any connection between Beslan and the ongoing conflict in the neighbouring republic. The speaker creates the impression that Northern Caucasus is currently a peaceful region and the bandits who committed the crime strive to spark a bloody feud between the peoples of the region similar to bloody conflicts in Nagorny Karabakh between Azerbaijan and Armenia, in the Trans-Dniestr Republic between this self-proclaimed, unrecognized state and Moldova it had been part of, and *other well-known tragedies* (18).

Putin's emphasis is on the international character of the threat that plagues the modern world, hence the mention of the popular term *the new threats* (20), the reference to other countries in the next paragraph (21), as well the implication that the bandits who carried out the crime did not act on their own accord but

were sent by those abroad who masterminded the terrorist attack (23). Even more striking is the reference to world conspiracy of presumably foreign policy-makers who condone terrorism against Russia. Some of them condone it because they see an opportunity to chip away a "fat chunk" of Russian territory, others see in Russia, one of world's biggest nuclear powers, a threat to them, *the threat that has to be removed* (14).

As we have noticed before the message is of a highly rhetorical character. It abounds in stylistic devices which enhances its aesthetic appeal. Note the use of repetition of the word we throughout the text, parallelism of expression in Part 2: *we live in a time …* (5), *we all hoped…* (6), *we are living …* (7), *we are living …* (8), and *we stopped…* (9). As William Strunk Jr. points out in his book The Elements of Style a good writer should express coordinate ideas in similar form. "This principle, that of parallel construction requires that expressions similar in content and function be outwardly similar. The likeness of form enables the reader to recognize more readily the likeness of content and function" (Strunk and White 1979: 26). Many important statements are expressed in very short sentences, which helps attract the attention of the audience: *And the weak get beaten* (13); *It is an attack on our country* (16); *Today we must be together. Only so we will vanquish the enemy* (35). The speaker deliberately breaks his sentences into two, which again allows him to repeat certain key words, achieve sharpness of expression and increase the aesthetic and emotional effects of the message: *Speaking is hard. And painful* (1); *We all hoped for change. Change for the better* (6); *This is not a challenge to the President, parliament or government. It is a challenge to all of Russia. To our entire people. It is an attack on our country* (16). The latter sequence is also an example of the afore-mentioned stylistic device of parallelism. Another stylistic device employed to enhance the aesthetic appeal is the rhetorical question *Why?* (6) The question allows the arguer to make a pause and draw the listener's attention to the points to follow.

Rational appeal appears to be the last target in President Putin's communicative strategy. This assessment is based on the number of sentences containing argumentation, which is comparatively small. As we have already mentioned, the purpose of the message is not to convince but rather to empathize and explain. As far as specific proposals for a course of action are concerned the speaker makes only a few blueprint points, leaving proper arguments for concrete proposals for a later message.

Having said that, the message does contain a clear line of argument whose purpose is to justify the tough line President Putin is pursuing towards Chechnya and vindicate his actions during the crisis. We have touched upon the first issue already. The 'other' clearly receives a biased representation: the perpetrators are not Chechen terrorists or Chechen militants but international terrorists. Hence any connection between Russian actions in Chechnya and the Beslan events is invalidated. Consequently, the Russian authorities are cleared of any blame of at least provoking this atrocity. All the blame stays with the terrorists themselves. This constitutes the first fallacy the discourse contains, the fallacy of shifting the issue. Instead of presenting a true picture the speaker provides an interpretation of the events convenient for him.

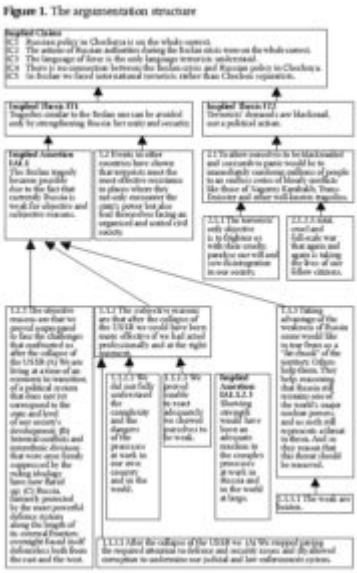
Another fallacy the argue commits is that of a false dilemma in which a contrary opposition is presented as a contradiction (van Eemeren, Grootendorst 1992: 190). President Putin suggests in paragraph 21 that there appears to be a choice: to strike back or to give in to the demands of terrorists and to allow the terrorists to destroy and split up Russia, hoping that in the end they will leave Russia alone. In 22, he says, however, that in reality Russia simply has no choice: if the Russian Government gives in to the blackmail of the terrorists and start panicking millions of Russians will be plunged into an endless series of bloody conflicts such as the Armenia-Azerbaijan Karabakh conflict or the Moldova-Dniestr conflict. Therefore, only one avenue is open to Russia – hold strong and defend herself. The false dilemma is contained in the assertion that there are only two options that are in contradictory relation to each other: to give up the fight and let the country be destroyed or continue fighting and keep the country from breaking up. However, as opponents of the war in Chechnya point out there may be a third option, quoting at least one example of a peaceful resolution of a deep-rooted violent conflict through negotiations with terrorists, that of the Northern Ireland settlement. The British Government had made several attempts to enter into negotiations with the IRA before finally reaching a compromise that brought peace to Northern Ireland. Northern Ireland has not broken away from the United Kingdom as a result of this; the UK is still a united country. It is this third way – negotiations with terrorists – that is branded by Putin succumbing to the terrorists' blackmail.

Another fallacy committed by the author is evading the burden of proof by making an argument immune to criticism. Paragraph 18 concludes with a statement *We*

should not turn away from this obvious fact that means that the point made is an obvious one and needs not be defended. Such a statement violates Rule 2 of the critical discussion rules developed in the pragma-dialectical theory of argumentation. "An obvious way of evading one's own burden of proof is to present the standpoint in such a way that there is no need to defend it in the first place. This can be done by giving the impression that the antagonist is quite wrong to cast doubt on the standpoint or that there is no point in calling it into question. In either case, the protagonist is guilty of the fallacy of evading the burden of proof. The first way of evading the burden of proof amounts to presenting the standpoint as self-evident" (van Eemeren, Grootendorst 1992: 118). As we have already noted, the claim the arguer makes in this paragraph is not self-evident at all.

Another point worth mention in relation to fallacies is a shift of definition in the speech. If we examine paragraph 21 we will see that by the term *civil society* the speaker understands something different from what his liberal opponents do. For President Putin civil society doesn't mean an open, self-organized society in which the government is under tighter control of the populace, but rather a society with a vigilant community closely cooperating with law enforcement agencies in preventing terrorist attacks, perhaps through community or vigilante patrols, e.g. the Guardian Angels in New York. Obviously, this shift of definition isn't a fallacy; rather it is a different interpretation of the term. Thus what would seem at first sight a sign of commitment to democratic values is in effect another argument for the tightening of security in the face of terrorism.

The structure of the argumentation can be represented in the following way:



Let us start our overview of the above figure with an explanation of the different designations applied to the various elements of the argumentation. As you can see from the figure, the argumentation contains two types of statements: expressed statements and implied statements. The latter are divided into Implied Claims, Implied Theses, and Implied Assertions. All these terms basically mean the same thing, an argued statement or point of view, but derive from different traditions of argumentation theory: the terms *claim* and *assertion* were introduced by Toulmin working within the framework of Procedural Informal Logic, while the term *thesis* was introduced by Aristotle belonging to the tradition of Classical Dialectic (van Eemeren et al 2001: 27-47). The purpose of assigning the implicit statements different names is to differentiate them in terms of argumentative importance and the degree of implicitness: ICs are the least apparent statements in the fabric of the message and therefore the justification of ascribing these statements to the speaker can be subjected to doubt more than any other implied statements; while the theses are hierarchically more important than the assertions because the latter are themselves arguments put forward in support of the former. Both the ITs and the IAs are but slightly paraphrased statements that are already available in the discourse.

It is also important to note that the ICs themselves form an argumentation which can be interpreted as leading to any one of them. However, in our opinion the most crucial IC for President Putin is IC1 and thus, it is IC1 that crowns the whole argumentation of the message. As we have already mentioned, Putin is engaged in an implicit debate with those in opposition to his regime over two main accusations. The first accusation concerns his actions during the siege that

resulted in so many deaths: had the demands of the terrorists about the withdrawal of Russian troops from Chechnya been met the school would not have been blown up. The second accusation concerns the overall policy in and around Chechnya: it is this policy that has incited the terrorist act. The Russian President's reasoning develops along two main lines of argument. While the two lines are interwoven, as is shown in Figure 1 in which both lines of argument lead to the same implied claims, and the arguments supporting one line of argument serve the other as well, we can say that the second line of argument is shorter and more clear-cut. It terminates in the text in IT2 and points indirectly to all the ICs but most directly to IC2, IC3 and IC5. The first line of argument is longer and the statements involved in it are better substantiated in the message than those of the first one. The second argumentation terminates in the text in IT1 and while pointing to all the ICs most directly it supports the very important implied claims IC1, IC4 and IC5.

We have already touched upon the evaluation of the two lines of reasoning and pointed out that the first one is weightier than the second. It is precisely the problem with Putin's argumentation: his *apologia* is not well enough argued. IC1, IC4 and IC5 are not proven to be the case. They lack solid explicit arguments in the message. However, to make this conclusion we must justify our reconstruction of the implicit elements in the argumentation including the ICs.

In our reconstruction of the structure of the author's reasoning we followed informal logic's approach to argument reconstruction, rather than formal logic's approach, for the following reasons. Van Rees (van Eemeren et al 2001) points out that while both informal logic and formal logic aim to isolate the premises and conclusion of the reasoning underlying an argument, the approaches differ in two major aspects. "First, for informal logicians, deductive validity is no longer necessarily the prime or only standard for evaluating and argument. One of the important issues in informal logic concerns exactly this question of the validity standard to be applied. Most informal logicians hold that some arguments lend themselves to evaluation in terms of deductive validity, while others may be more appropriately evaluated in terms of other standards. This issue has important implications for reconstruction. It means that not all arguments must necessarily be reconstructed as deductively valid. This is especially relevant in the matter of reconstructing unexpressed premises (van Eemeren et al 2001: 180).

For our purposes it means that we don't seek to fill in missing premises all the

time, in all individual arguments (syllogisms) but only where necessary, e.g. in the argumentation consisting of the conclusion 1.1.2 and the premises 1.1.2.1 – IA1.1.2.3. Implied Assertion IA1.1.2.3 is an unexpressed premise that goes together with the explicit premise 1.1.2.3 constituting a single argumentative support for 1.1.2.1. The weakness argument is central to President Putin's reasoning. In IA1.1.2.3 and especially in the explicit statement *And the weak get beaten* the speaker emphasizes the necessity of strong action in dealing with Chechen separatists who resort to terrorist attacks on Russian troops and civilians (e.g. in IC3). According to our reconstruction the statement *And the weak get beaten* lies at the very foundation of a long chain of arguments (1.1.3.1).

"Second, informal logicians view arguments as elements of ordinary, contextually embedded language use, directed by one language user to another in an attempt to convince him of the plausibility (not necessarily the truth) of the conclusion. For reconstruction, this implies taking into account the situated character of the discourse to be reconstructed" (van Eemeren et al 2001: 180).

This aspect is especially important for reconstructing ICs. In doing that we have taken into account not only the immediate context, i.e. the message as it has been spoken, but also a broader context of public debate over Putin's policy in Chechnya, and therefore, the need for the speaker to present some kind of *apologia.* The President's earlier statements concerning terrorism and the conflict in Chechnya (which lies outside the scope of this paper) have informed the above formulations of the ICs.

Let us now return to the pragmatic aspect of our analysis. According to the theory of argumentation there are three types of propositions or statements: propositions of fact, value and policy. "These correspond to the most common sources of controversy:
1. disputes over what happened, what is happening, or what will happen;
2. disputes asserting something to be good or bad, right or wrong, effective or ineffective; and
3. disputes over what should or should not be done" (Rybacki, Rybacki 1191: 27-28).

In pragmatic terms propositions of fact and value fall into the same category of utterances performed by way of assertive speech acts and propositions of policy correspond to the category of utterances performed by way of directive speech

acts. The argument structure represented above contains exclusively statements of fact and value, of which the latter are only IC1 and IC2. Meanwhile the message contains utterances performed by way directive and commissive speech acts.

Commissive speech acts express the speaker's intention to commit themselves to a certain course of action. Such acts include pledges, promises, agreements, disagreements etc. *A series of measures aimed at strengthening our country's unity will soon be prepared* (24) and *I want to stress that all of these measures will be implemented in full accordance with our country's Constitution* (26) are examples of commissives. *We must create a much more effective security system and we must demand from our law enforcement agencies action that corresponds to the level and scale of the new threats that have emerged* (20) and *I think it is necessary to create a new system of coordinating the forces and means responsible for exercising control over the situation in the North Caucasus* (25) are examples of directives. In effect, the above directives are indirect commissives through which President Putin informs the country of his commitment to introduce new measures to strengthen Russia's security.

The pragmatic analysis shows that most speech acts performed in the discourse are assertive and expressive acts. The former include claims, assertions, and statements and the latter include expressions of sympaphy and condolence. Directives and commissives serve an extremely important purpose of confidence building in the discourse. However seemingly insignificant and secondary among the components of the arguer's communicative strategy they are still a valuable part of it. With the help of all types of speech acts the speaker achieves his objectives: to explain the reasons of the Beslan tragedy, lift the spirits of the people, vindicate his policy in Chechnya and in the Beslan crisis, and justify the proposed reforms in Russia's governance. To quote President Putin, "And terrorism, of course, is just an instrument to achieve these aims."

NOTE

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ISSA Proceedings 2006 ~ Changing Our Minds: On The Value Of Analogies For Extending Similitude

Analogies are important in invention and argumentation fundamentally because they facilitate the development and extension of thought. (Chaim Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric*)**[i]**

In a recent article, A. Juthe notes that “it is not obvious that the most plausible interpretation [of an “argument by conclusive analogy”] is a deductive argument”; reconstructing those arguments as deductive, Juthe suggests, reveals “the perhaps too great influence of the deductive perspective in philosophy” (2005: 23). Juthe goes on to argue that “argument by analogy is a type of argument in its own right and not reducible to any other type” (16). In this paper, I extend Juthe’s analysis of analogical arguments in the interest of supporting an expansion of the category of argumentation in the public sphere beyond the traditional conception

that's valorized in Habermas's conception of "communicative action."

Analogical arguments may be assessed as valid, Juthe argues, by virtue of "a correlation or an intuitive connection based on our experience and background knowledge" (15). This conception suggests that there's a major shift in orientation that's needed to appropriately assess the value of analogical argumentation. More precisely, there are three shifts in orientation: reversing the relative importance usually allotted to properties in contrast to relations as well as to substances in contrast to events, when constructing arguments, and reversing the relative importance usually allotted to "warrant" in contrast to "background" when using the Toulmin model for argument analysis. Analysis of discussion of topics in public sphere argumentation suggests that we often rely upon analogical reasoning to propose alternatives to views propounded by discourse partners. Thus, examples in that domain inform my sense of the importance of analogical argumentation, background knowledge, temporality (events rather than substances) and relationality (correlations and counterparts, rather than identities) in mundane concept formation. It may be helpful to note that I am not concerned to reject the value of warranted arguments involving properties and substances. Rather, my interest is in valorizing analogical argument as worthy in its own right; as irreducible to other forms; and as a form of argument that bypasses what I suspect is a lurking remnant of that "perhaps too great influence of the deductive perspective in philosophy" that Juthe notices. That same influence, I suggest, may well be efficacious in what I argue elsewhere (Langsdorf 2000, 2002b) is a constrained conception of argumentation that limits, and even distorts, Habermas's conception of "communicative action."**[ii]**

This paper continues my previous work on the ontological aspect of articulation by focusing on analogical reasoning's revelatory power in argumentation that seeks truth in Heidegger's sense of "*aletheia*," or "uncovering." But that concept easily suggests a realist, in contrast to constitutive, basis for inquiry. Thus my initial task is to delineate the contrasts between realist and constitutive ontological starting points, in relation to dramatically different expectations as to what analogical arguments may accomplish. My further task concerns the implications that follow from acknowledging that these expectations are embedded in constitutive rather than realist ontologies; namely, we must assess their truth value by standards other than those more traditionally used in argumentation theory. In this paper I pursue only the initial task. The titles I use

for the two orientations rely upon John Dewey's identification of philosophy's "proper task of liberating and clarifying meanings" as one for which "truth and falsity as such are irrelevant" (1925/1981, p. 307). Yet Dewey modifies that separation of "meanings" and "truth" by his recognition that "constituent truths," in contrast to "ultimate truths," rely on a "realm of meanings [that] is wider than that of true-and-false meanings." My thesis, then, is that analogical reasoning's value lies in uncovering alternate meanings by using the implicit "background knowledge" that's intrinsic to any communicative situation. That knowledge includes "intuitive connections" that shape "wider" meanings – those meanings that propose "constituent truths" – and so "facilitate the development and extension of thought." For that process of developing alternative possibilities and extending conventionally accepted meanings, I suspect, is crucial for that little-understood process we call changing our minds.

I would summarize the contrasts involved in analogical, in contrast to more traditional, argumentation in these terms:**[iii]**

traditional argumentation	analogical argumentation
focus	
substances	events
static universals	temporal particulars
sameness	relations
confirming hierarchies of concepts	creative formation of concepts
warrant-reliant	background-reliant
reality as given	reality as constituted
goal	
clarity	complexity
limiting options (what is)	expanding options (what might be)
achieve agreement/consensus	induce consideration/deliberation
aim: truth (as correspondence)	aim: truth (as *aletheia*)
inductive strength/deductive certainty	possibility, plausibility, probability
action in accord with justified true belief	action motivated by identification or adherence
"ultimate truths" (Dewey)	"constituent truths" (Dewey)

There may well be an historical shift in interest in, and even preference for, each of these two modes of argumentation. Ronald Schleifer finds that "some time around the turn of the 20th century a new mode of comprehension arose," which supplemented those "received Enlightenment ideas concerning the nature of understanding and explanation" as culminating in Cartesian ideals of "'clear and distinct ideas' and the large assumption, central to Enlightenment science from Newton to Einstein, that the criteria for scientific explanation entailed . . . accuracy, simplicity, and generality" and which understood "reduction and hierarchy to be the 'methods' of science and wisdom" (2000, p. 1). The "analogical thinking" that "supplemented without replacing the reductive

hierarchies of Enlightenment explanation," Schleifer continues, relies upon "metonymic series rather than synechdochial hierarchies"; more specifically, it encourages thinking in concrete and particular terms, rather than abstract and universal terms – and thus, valorizes an orientation toward the particular and transient, rather that the universal and stable; toward complexity and plurality, rather than simplicity and univocity (pp. 8-9). "Analogical knowledge," Schleifer reminds us, "is irreducibly complex. It traffics in similarity and difference that cannot be reduced to one another," and so "suspends the law of excluded middle" (pp. 14-15). It "embodies the serial work of the negative" in proposing relations, similarities, and differences that may be discerned in "momentary or emergent insights" (p. 24).

The conceptions of knowledge, logic, and argumentation predominant in each of these modes of comprehension rely upon remarkably diverse ontological assumptions. Traditional argumentation correlates well with Schleifer's characterization of "Enlightenment ideas . . . of understanding and explanation," which rest upon an assumption that reality – including human beings – is given to inquiry, although physically as well as psychologically malleable. Traditional argumentation thus seeks clarity and consensus in regard to propositions that assert generalizable points of correspondence between claims and reality; between what we know and what is the case for what is, independent of the human interaction with reality that's a necessary condition for any particular process of inquiry. Jürgen Habermas adopts this mode of argument in his delineation of communicative action as a process of representation and transmission. What's implied here is the presence of a given – whether objects, events, or sense-data – that is identified in language. Communicative action's task, then, is accurate representation of that given, in language that can be used in deductive or inductive reasoning toward an epistemic goal. This is so whether that goal is sought through speakers' communicative action engaged in cognitive efforts toward accurate knowledge of the natural world, or interactive efforts toward correct interpersonal establishment of our social world, or expressive efforts toward truthful disclosure of their subjectivity.**[iv]**

Without requiring rejection of that conception of knowing and being, analogical thinking – particularly as carried out in analogical argumentation that marshals premises in support of a conclusion – seeks to comprehend the complexity of matters. Within this alternate mode of comprehension, inquiry is oriented toward

uncovering *how* matters might be, rather than positing propositions that correspond to *what* things are. A multiplicity of meanings emerge in the interaction between (in Kenneth Burke's terms) "beings that by nature respond to symbols" (1962, p. 567) and the elements that engage those beings' attention. For those beings – we who essentially and extensively engage in communicative action – evoke an apparently inexhaustible wealth of perspectives on, and ways of assigning meaning to, elements that engage our attention. In so doing, we constitute a multiplicity of ways that matters could present themselves to us and ways that we, and they, could be related. Comprehending human being as using our symbolic capacities in constitutive, rather than representational, ways enables us to recognize the goal of analogical argument as inducing cooperation among distinctly diverse beings who devise ways of signifying what engages their particular attention, from within their particular perspectives and in relation to their particular goals. The meanings that emerge from the interaction between symbolically active beings and their environments range in plausibility from possibility to probability, and each of us seeks to induce others' consideration of, and even, identification with, those meanings that win our adherence – even, transiently.

Karlyn Kohrs Campbell, in what may be the earliest explicit consideration of distinct ontological assumptions underlying rhetorical theory, emphasizes that a focus, such as Burke's, on human beings' symbolic abilities encourages investigation of "the rhetorical dimension present in all language use" (1970, p. 105) rather than delineating discourse that articulates a perspective as worthy of consideration as either "logical argumentation" or "rhetorical persuasion." Contrary to ontological assumptions that understand human being as primarily rational or volitional, cognitive or affective – and so, inspire rationalistic or behavioristic theories of human being – she proposes understanding human being as intrinsically symbolic. She grants that doing so sacrifices the "neatness and order" offered by the "analytical and empirical perspectives" adopted by (formal) logic and (physical) science. What's gained, I would add, is appreciation of the argumentative dimension of communicative action as informed by analogical as well as propositional characterizations. Further, what's enabled is recognition, in Thomas Farrell's words, that "every major institutional practice associated with a vital public sphere . . . seems to embody the creative strain of reason which we call rhetorical art" (1993, p. 237). That "creative strain of reason" seems to me to be especially exercised when we devise analogies to argue for how things both

are and are not related to other things.

We can now look more closely at some examples that illustrate how analogies work to develop and expand thought. Analogies, in contrast to propositions, persistently signify both what is and what is not; or, what may be and what may not be the case. Assessing the value of a particular analogy requires us to look beyond the concepts that it joins via tentative and transient relation in a particular situation. But this looking "beyond" the particular situation in which the analogy is proposed involves looking into the background and goals that may be operative in proposing that analogy, while refraining from positing causal efficacy between background and analogical relation, or between analogical relation and goals – and also, refraining from positing general (even, universal) hierarchical structures.

Our first example is provided in the film, entitled *Capote*, that focuses on Truman Capote's book, *In Cold Blood*, in the context of documenting his life. Gerald Clarke, author of the biography that provided the basis for the film, asked Capote about his feelings for Perry Smith – one of the two men executed for the murder that is the central event in Capote's book. In the film, the actor who plays Capote, Philip Seymour Hoffman, replies by suggesting both similarity and difference: "It's almost like we grew up in the same house, and I went out the front door and he went out the back." I reconstruct the analogy implicated in this response in order to direct our attention to the background knowledge – which may well be culturally specific – that supplies its force:

(1) Socially acceptable character : socially unacceptable character : : front door : back door
(e.g., author) (e.g., murderer)

Empathy (an expressive attitude; Habermas's third category) is articulated here not by approximating measurement of a property (such as "I felt a strong sense of empathy with Smith") but by identifying a process (leaving the shared house by doors that connote positive and negative relation with the inhabitants) that reaches into another domain for explanatory efficacy. The terms that are used evoke our understanding, which may be quite vague, of growing up within the same household (i.e., environment), but leaving that physical and social commonality in either a positive (author) or negative (murderer) way. Thus the response sketches a connection, rather than describing a propositional state of

affairs, and so may invite reflection on the relation between upbringing and character development.

A second example relies on patterns of personality development within social interaction (Habermas's second category) to imply something about the nature of an entity (Habermas's first category). The source is an editorial in *The New York Times* on the topic of Vice-President Cheney's shooting accident, which wounded a fellow bird-hunter. The editorial writer articulates a less-than-complimentary assessment of Mr. Chaney with these words: "The vice president appears to have behaved like a teenager who thinks that if he keeps quiet about the wreck, no one will notice that the family car is missing its right door" (2005, February 14). I would reconstruct the analogy here so as focus on one element in background knowledge that's highlighted – and which may generate greater trans-cultural efficacy than the first example:

(2) Vice President : immature person : : keep quiet about a misdeed : no one will notice it

The analogical relation here is provided by only one element in the target – Mr. Cheney's behavior in this incident, but not his size, or age, or particular office – in relation an element in the source – practices in which we ourselves, or others in our experience, may have engaged. Such first-person or hearsay evidence provides supporting, although uncertain, evidence: Sometimes, although not certainly, what remains unspoken remains unnoticed. Here also, understanding comes by way of sketching a process (remaining quiet about an accident) and relation (vice president or teenager to audience, whether immediate family or voting public) rather than through describing a propositional state of affairs, and so may invite reflection – in this case, on the possibility of recognizing other immature actions by this, or other, government figure.

A third example relies upon actions by animals that may well be less familiar than are the positive and negative associations of front and back doors, or the wishful behavior of immature persons. The source is a news article in *The New York Times* (February 14, 2006) that reports on the growth of online real estate transactions. In the context of responding to a reporter's questions concerning the extent of change involved in real estate services provided online, rather than in face-to-face communication with a real estate salesperson, Glenn Kelman, chief executive of Redfin.com, a new online real estate agency, is quoted as recognizing

“that change might be difficult . . . We are like the penguins on the edge of an iceberg when no one wants to jump in first. Redfin in going in first.” But, Mr. Kelman continued, “Maybe that isn’t such a good analogy. The first penguin in usually gets eaten by sharks or something.” I would reconstruct this analogy so as to focus on the speaker’s uncertainty about an element in the natural world (that is, an aspect of Habermas’s first category) that seems to instigate immediate reassessment and thus retraction:

(3) Redfin (online agency) : real estate industry : : first penguin into water : flock of penguins

The analogical relation here is one that’s immediately re-evaluated by the speaker, who shifts the relation involved from one of adventuresome or brave action to that of foolish and even self-destructive action, and so indicates unwillingness to adhere to, or continue to identify with, his own proposal for relation based in similar action. Here again, one element – this time, an explicitly temporal one, being first into a situation – provides the basis of similarity. When that element is re-assessed negatively, the speaker rapidly retracts the analogy. A listener may, however, wish to retain the analogy in order to suggest that Mr. Kelman’s firm is, so to speak, shooting itself in the foot by taking the lead in bringing about the demise of its own industry.

The last example is far more contentious. The source is a response from Ward Churchill, a professor at the University of Colorado, to criticism of his characterization of certain persons who died in the attack on the World Trade Center as “little Eichmanns” because of their jobs as “technocrats of empire” within the U.S. economy.**[v]** He compared their employment to Adolph Eichmann’s job within the Nazi economy, which involved “ensuring the smooth running of the infrastructure that enabled the Nazi genocide.” I reconstruct his argument in order to focus on what appears to be the crucial element, the process of “enabling”:

(4) WTC “technicians” : Eichmann : : enabling U.S. aggression : enabling Nazi aggression

By extension, Churchill continues, “American citizens now” are analogous to “good Germans of the 1930s & ’40s” in regard to a set of practices that constitute only one element of their being: U.S. citizens’ “complicity” in accepting the

consequences of government standards for "'justified . . . collateral damage'" (namely, "economic sanctions" leading to the death of civilians) which he proposes is analogous to German citizens' complicity in accepting the consequences of Nazi racial standards (namely, genocide).

The controversy provoked by Professor Churchill's analogies illustrates the intense complexity of language choice, and thus, of communicative action, in comparison to the relative simplicity of Habermas's fourth category, language. That is: in contrast to the validity claim of truthfulness in regard to disclosing one's subjectivity, or rightness in regard to establishing interpersonal relations, or truth in regard to representing nature, Habermas links language to a validity claim of "comprehensibility." Yet there is an intellectual and emotional space that separates comprehensible linguistic formulations such as propositions that can be assessed through traditional standards for argumentation, from communicated symbolic action that is evaluated by the standards of analogical argumentation. The importance of that space is suggested by Churchill's reminder, in the response from which I take the particular terms I've quoted here, that his "analysis . . . presents questions that must be addressed in academic and public debate." That is, he is sketching a perspective that invites – even demands – reflection on the extent of similitude between the processes and events he evokes from our background knowledge in relation to certain current events, rather than proposing a description of any entity.

Earlier, I quoted Juthe's characterization of analogical argumentation as that which proposes "a correlation or an intuitive connection based on our experience and background knowledge" (2005, p. 15). The relatively acceptable analogy underlying Churchill's contentious claims relies upon background knowledge that is at least vaguely familiar to generations not far removed from an agricultural economy: chickens let out into the barnyard will return to their nests. Also, it evokes language familiar to adherents of major faith traditions in the U.S., who have some degree of adherence to the principle that the sins of the fathers are visited upon the children, or, that human beings reap what they sow. More abstractly stated, actors cannot expect to avoid the consequences of their actions. More contentiously than in the first three examples we've considered, Churchill's argument, by weaving analogies together, uncovers connections, relations, and correlations that may be as resistant to complete rejection as they are reminiscent of background knowledge to which we give implicit, and perhaps only

partial, adherence.

In contrast to epistemic orientations that traditionally valorize clear and distinct ideas, articulated in propositional form and evaluated by means of traditional logic, analogical argumentation is ontologically efficacious. This is not to say that communicative action creates a natural, or social, or even individual state of affairs. It is to propose that analogical argumentation performs the constitutive function that Lloyd Bitzer identified with rhetoric's functioning as "a mode of altering reality, not by the direct application of energy to objects, but by the creation of a discourse which changes reality through the mediation of thought and action" (1968, p. 3). Or, to return to the quotation from Perelman and Olbrechts-Tyteca with which we began: analogical argumentation, and particularly the type of analogy that Juthe calls "incomplete" – which would include the four examples we've considered here, all of which rely on highlighting one element in the many that constitute any event – enables the "development and extension of thought" by (in Juthe's words) by foregrounding elements that "determine . . . only probably and not definitely," and so evoke "only a correlation or an intuitive connection, based on our experience and background knowledge" (2005, pp. 14-15).

NOTES

i. The epigraph is from page 385.

ii. The particular impetus for these remarks on the nature and value of analogical argumentation, by way of reconsidering the ontological assumptions underlying diverse assessments of that value, comes from an event within the contemporary US-American educational context. The Scholastic Aptitude Test (SAT) is created and administered by a private corporation, The College Board, and used by most US colleges and universities (with diverse levels of reliance) for determining admission to their institutions. The 2005 edition of the SAT replaced the segment that measured analogical reasoning ability with an expanded segment the measures writing skills. I have argued elsewhere (Langsdorf 2005) that argumentation theorists and teachers ought to join their colleagues in composition in urging reconsideration of that change. In this paper, I focus on a question that's implied by that proposal: just why is analogical argumentation valuable for communicative action? In other words, my focus here is on the value of analogical argumentation for the informal logic-in-use in mundane communication, in contrast to the formal logic that characterizes abstract

conceptualization.

iii. By "traditional" I mean deductive and inductive – but also, for some theorists, abductive and conductive – argumentation that is particularly relevant to work in the formal and physical sciences (e.g., mathematics, logic, physics), in contrast to work in the human sciences and humanities (e.g. rhetoric, literary studies, cultural studies). The social sciences (e.g., anthropology, communication studies, sociology) encompass (with diverse predominance in particular times and places) orientations toward both categories. In articulating these contrasts, I rely upon Chaim Perelman's analysis in The New Rhetoric and The Realm of Rhetoric as well as on Kenneth Burke's A Grammar of Motives and A Rhetoric of Motives

iv. I refer here to the four-dimensional analysis of communicative action delineated in Habermas (1984: 238) for discussion, see Langsdorf (2000b). Here is Habermas's diagram (slightly modified) of the ontological dimensions or domains in which communicative action is operative:

v. The fullest development of Churchill's argument is in his widely circulated essay (Churchill, 2005) although the responses to it may well rely upon excerpts from that source or the number of articles and speeches he has given which repeat the contentious phrases.

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ISSA Proceedings 2006 ~ From Figure To Argument: Contrarium In Roman Rhetoric

1. *Introduction*

Roman rhetoricians knew about a certain rhetorical device called *contrarium*, which they, however, variably considered either a figure of speech or a certain type of argument, at times even both. This paper will try to analyze the function of this term that vacillates between the realms of stylistic embellishment and argumentation and to elucidate both its logical background and linguistic appearance. In a first section, the development of the concept of *contrarium* from the *Rhetoric to Herennius* to Cicero and Quintilian will be sketched. Next, Cicero's account of the enthymeme in his Topics and its relationship to *contrarium* will be analyzed and, based on the examples offered by those authors, an analysis of the typical pattern of this type of argument will be given. A study of a selection of examples from Cicero's writings will reveal their underlying argumentative basis, before finally the persuasive force of the standard phrasing as rhetorical questions will be discussed.

2. *Contrarium in Roman Rhetoric*

2.1. *Contrarium in the Rhetoric to Herennius*

In the fourth book of the anonymous *Rhetoric to Herennius*, which is arguably the oldest extant rhetorical handbook in Latin, most commonly dated to the mid-80s of the first century B.C.E., a feature called contrarium appears within a lengthy list of figures of diction (*Rhet. ad Her.* 4.25-26). It is defined as a figure "which, of two opposite statements, uses one so as neatly and directly to prove the other." Unfortunately, the anonymous author does not go into any greater analytic detail.

Instead, he prefers to offer a whole series of examples, as follows (trans. Caplan 1954, p. 293, modified):

(1) Now how should you expect one who has ever been hostile to his own interests to be friendly to another's?
(2) Now why should you think that one who is, as you have learned, a faithless friend, can be an honourable enemy?
(3) How should you expect a person whose arrogance has been insufferable in private life, to be agreeable and self-knowing when in power, and
(4) one who in conversation among friends has never spoken the truth, to refrain from lies before public assemblies?
(5) Do we fear to fight them on the plains when we have hurled them down from the hills?
(6) When they outnumbered us, they were not equal to us; now that we outnumber them, do we fear that they will be superior to us?

It is obvious that in each of these examples one or more pairs of opposites are involved:
(1) own interests versus another's; hostile versus friendly;
(2) friend versus enemy;
(3) arrogance versus agreeability; private life versus position in power;
(4) truth versus lies; conversation among friends versus public assemblies;
(5) plains versus hills;
(6) them outnumbering us versus us outnumbering them; not even equal versus superior.

As the entire fourth book of the *Rhetoric to Herennius* is dedicated to *elocutio* and the theory of rhetorical figures, it would at first sight appear natural that what is being illustrated by these examples must correspond to some particular figure of diction. And, judging from the list of oppositions just quoted, it would further seem obvious that the figure in question can be no other but Antithesis. This clearly is Cicero's definition of contrarium in his juvenile work *De inventione*, roughly contemporaneous with the *Rhetoric to Herennius.* Contrarium, Cicero states (*De inv*. 1.42), is what is most distant from that to which it is said to be the contrary, such as cold to heat or death to life.

Yet in the *Rhetoric to Herennius* Antithesis has already been treated a few paragraphs prior to our passage, in 4.21, under the name of *contentio*, defined as

language built upon contraries (*ex contrariis*). Later in the book (4.58-59), contrarium is in fact closely associated with *contentio/antithesis* as a purely stylistic device and part of *ornatus*. At 4.26, however, the author immediately points out that the feature in question "is not only agreeable to the ear on account of its brief and complete rounding-off, but by means of the contrary statement also forcibly proves (*vehementer … conprobat*) what the speaker needs to prove; and from a statement which is unquestionable it infers what is questionable, in such a way that the inference cannot be refuted, or can be refuted only with the greatest difficulty." So what is in fact being demonstrated here is after all not simply the figure of Antithesis, not a mere embellishment of style, but a particular type of argument. Such a shift in meaning need not necessarily be surprising, as that author is guilty of frequent equivocations in nomenclature. But as the author leaves us abruptly at this point to pass on to the next figure of his catalogue, we are left on our own for making sense of this puzzling perception.

Besides the undeniable employment of pairs of opposites, there is, however, an even more striking stylistic feature that is common to all the examples, but which our author, strangely enough, does not address at all. All examples without exception are phrased as rhetorical questions. Yet a rhetorical question may indeed rightly be addressed as a figure of diction. Might it perhaps be this stylistic feature that makes contrarium justly appear within a list of figures of diction?

Such a guess is clearly supported by the closer context in which contrarium appears in the fourth book. It is presented as the last item within a more or less close-knit subset of related features described in paragraphs 21-26. Some of those also involve interrogative elements, viz. *Interrogatio* (4.22) and *Ratiocinatio* (4.23-24), the latter of which, judging by the examples presented, appears to be a kind of reasoning by question and answer. In 4.22, immediately following Antithesis, Exclamation (*exclamatio*) is treated in close connection with Interrogation; the last of the examples given for Exclamation in fact even *is* a question. This will become important. In 4.24-25 then, immediately preceding contrarium, there is a treatment of Maxim, both without and with an accompanying rationale (ratio). Yet a maxim accompanied by a rationale is one of the classical manifestations and definitions of the enthymeme (cf. *Arist., Rhet*. 2.21, 1394a31-b6; Quint., *Inst. Or*. 8.5.11). Thus this whole sequence of six manners of stylistic expression centres round the ideas of questions, antitheses,

and reasoning.

If we further take into account that later on Quintilian, in his account of the enthymeme (Inst. Or. 5.10.2), remarks that a certain Cornificius used to call the enthymeme by the name of contrarium, we may fairly confidently assume that the *Rhetoric ad Herennium* is also referring to some such kind of argument. In fact, based on Quintilian's remark, some scholars have sought to identify the author of the *Ad Herennium* with the said Cornificius.

But the argument in question is not identical with the enthymeme "from contraries" either, which is mentioned by Aristotle within his list of topical enthymemes in book 2, chapter 23 of his Rhetoric (1397a7-19), and which in Latin is known as the *argumentum e contrario* (e.g. "if war is a bad thing, peace must be a good thing."). For in that case example (1) would have to run: "Who has been hostile to his own interests, will be *friendly* to another's". For in an argumentum e contrario, two pairs of contraries are shown to be mutually concomitant. Here, however, the conclusion drawn is exactly the opposite: The person in question will be *even less friendly* (i.e.: *even more hostile*) to another's interests. For the meaning of a rhetorical question is tantamount to the denial of the questioned proposition. So what is involved is rather a different topos, i.e. the topos a *maiore ad minus* or vice versa (cf. Aristotle, *Rhet.* 2.23, 1397b12-29). Quite similarly so for the rest of the examples. What needs to be noted after all is that the anonymous author, although he appreciates the argumentative value of contrarium, primarily assigns to it a position among figures of speech. He chiefly regards it as a means of stylistic embellishment that ought to be completed briefly and tightly within one period.

2.2. *Contrarium in Cicero, De Oratore*

In his *De oratore* from his mature period (55 B.C.E.) Cicero also mentions contrarium in a catalogue of rhetorical figures (*De or*. 3.207). The heading again clearly is embellishment of diction. In this catalogue, contrarium features in the same group with items such as gradation of clauses, epiphora, inversion of words, asyndeton, paraleipsis, correction, exclamation etc. Quintilian quotes this passage at length (*Inst. Or.* 9.1.34), but is not always sure of the precise meaning of each individual term. As Cicero unfortunately does not provide any examples, it is impossible to ascertain exactly what he means by contrarium here, but the context seems to indicate that he refers to a stylistic figure.

Almost the same catalogue recurs in the Orator from Cicero's later years (46 B.C.E.) in a passage (*Or.* 135) that is again quoted verbatim by Quintilian (*Inst. Or.* 9.1.39). But whereas most of the other features such as gradation, asyndeton, correction, or exclamation reappear, contrarium is now omitted. Quintilian (*Inst. Or.* 9.3.90) tries to explain this fact by suggesting that in the Orator Cicero may have rejected some of the figures, because he had realized that they were not really to be regarded as figures of speech, but as figures of thought. In this respect he explicitly names contrarium, and suggests that it might be used here in the same sense as Greek *enantiótēs*, which, unfortunately, is no great help, as the meaning of that term is equally vague. But the context would suggest that what is intended is an antithesis between complete sentences. Butler's interpretive translation by "arguments drawn from opposites" (Butler 1922, p. 499) is therefore somewhat misleading.

2.3. *Quintilian on contrarium*

Quintilian, unlike the earlier Roman writers we just reviewed, is quite positive that contrarium is primarily a type of argument. Antithesis, he says, would be called either *contentio* or *contrapositum* (*Inst. Or.* 9.3.81; 9.4.18). According to Quintilian contrarium is one of the traditional Latin appellations for the enthymeme, a view he attributes in particular to the aforementioned Cornificius (Quint., *Inst. Or.* 5.10.2; 5.14.2-3; 8.5.9-11). As the enthymeme drawn from contraries or incompatibles (*ex repugnantibus or ex contrariis*) is the most efficient of all, it has provided the general name for this kind of argument. Inversely to what we saw in the *Ad Herennium*, Quintilian even feels compelled to emphasize that "the use of the enthymeme is not confined to proof, but may sometimes be employed for the purpose of ornament" (*Inst. Or.* 8.5.10). Quintilian's account, however, is clearly reminiscent of Cicero's logical analysis of the enthymeme in the *Topics.*

3. *Cicero's Account of the Enthymeme in the Topics*

3.1. *Context*

In his *Topics* (44 B.C.E.) Cicero devotes an entire section (§§ 53-57) to the presentation of a number of "modes of inference" that may provide the logical structure for arguments. These "modes of inference" are a set of different types of syllogisms, strictly speaking Stoic syllogisms. They can be identified as the so-called 'indemonstrables' (*anapódeiktoi*) or rather 'undemonstrated' (Mates 1953, p. 67; Hitchcock 2005, p. 239, note 3) syllogisms of Stoic dialectics (Diogenes

Laertius 7.79; Sextus Empiricus, *Against the Logicians* 2.223), which form a set of basic syllogisms, to which all valid arguments within the Stoic system are reducible (Mates 1953, pp. 67-74; Frede 1974, pp. 127-167; Bobzien 1996, pp. 134-141).

3.2. *Definition*

Cicero describes the third type of those argument as follows: "But when you deny a conjunction of propositions, and take as posited one or more constituent propositions of this conjunction so that that which is left is to be refuted, this is called the third type of argument. From this spring the rhetoricians' arguments concluded from contraries which they themselves call enthymemes." (*Topics* 54-55; trans. Reinhardt 2003, p. 143). A few lines later he adds that this type of argument "is called third mode by the dialecticians, enthymeme by the rhetoricians" (*Topics* 56; Reinhardt 2003, p. 145).

3.3. *Logical Background*

A third Stoic indemonstrable is usually described by the following mode: "Not both the first and the second; but the first; therefore, not the second" (O'Toole & Jennings 2004, p. 476), or, in formal language: $\neg (p \wedge q); p \rightarrow \neg q$ (see Sextus, *Against the Logicians* 2.226; *Pyrrhonian Hypotheses* 2.158; Diogenes Laertius 7.80; Galen, *Institutio Logica* 14.4). The standard example given by the Stoics is: "Not both it is day and it is night; but it is day; therefore not it is night."

It must be pointed out that a negated conjunction in the Stoic sense is not equivalent to an exclusive disjunction (The problem of the Stoic understanding of disjunction is discussed at some length in O'Toole & Jennings 2004, pp. 497-520). For as a conjunction is true, if and only if both its conjuncts are true, a negated conjunction will be true, if at least one of its conjuncts is false. But they may as well both be false, as in the following example: "Not both Dion is in Rome and Dion is in Athens", if Dion happens to be at a third place. Consequently, nothing follows from the negation of one of the conjuncts. A negated conjunction may thus be truth-functionally described by the truth-table 0111.

In addition to this truth-functional relation of "incompossibility", as O'Toole and Jennings (2004, p. 490) prefer to call it, it is further required for a third indemonstrable to serve as a tool for sensible proof that the conjuncts be somehow 'in conflict' with each other, i.e. that it be logically or physically impossible that they can both be true. Otherwise this pattern of argument would

be completely useless for proof. O'Toole and Jennings (2004, p. 490) may well be right in stating that this is the true sense of the Stoic concept of *mákhē* ('conflict'), reflected in the Latin *ex repugnantibus,* and usually translated as 'incompatibility'. I will not have time to dwell on the intricate details and peculiarities of Cicero's description of the Stoic indemonstrables. What is most interresting for us, however, is Cicero's examples.

3.4. *Examples*

Cicero himself does not give a detailed analysis of his account of the enthymeme, nor does he specify how exactly it is related to a third Stoic indemonstrable. Instead, just like the author of the *Ad Herennium*, he gives a number of examples, as follows (*Topics* 55; see Reinhardt 2003, p. 145):

(7) To fear this, and not to be afraid of the other!
(8) Do you condemn the woman whom you accuse of nothing?
(9) Do you assert that the woman you say has deserved well deserves ill?
(10) What you do know does no good; does what you don't know do harm?

Apart from the fact that all the examples are in iambic metre and thus probably stem from some lost Roman tragedy or tragedies, it is evident that both in logical pattern and stylistic appearance these examples are strikingly parallel to those given in the *Ad Herennium.* The arguments are all stated in extremely succinct form, as is typical of enthymemes. And, exactly like the examples in the *Ad Herennium*, they are all phrased as rhetorical questions. A thorough analysis of their syllogistic structure as third indemonstrables is given by Boethius in his commentary on the *Topics* (Stump 1988, pp. 149-152; see Riposati 1947, pp. 125-126). Expanded to full syllogistic form, (7) would read: "Not both fearing this and not being afraid of the other; but you fear this; therefore you should also be afraid of the other." Myles Burnyeat (1994, pp. 41-42) is surely mistaken in taking this, by virtue of the exclamation mark, to be a double imperative ("Fear this, and do not get into a panic about the other!"). For we will remember from the *Ad Herennium* that exclamations, when uttered in a tone of indignation, may come very close to rhetorical questions. Yet the sense of this line as an indignant exclamation is attested beyond reasonable doubt, as it is one of Cicero's favourite quotations, which he twice employs elsewhere to support his respective claims that it would be foolish to worry about one's loss of dignity but not about one's financial difficulties, or to have feared Caesar, but not to be afraid of Antony (*Letters to Atticus* 12.51,3; 14.21,3). This exclamation is thus tantamount to a

rhetorical question, which is equivalent to the denial of the second conjunct (Schmidt-Radefeldt 1977, p. 378; Abdullaev 1977, p. 268).

In like manner, (8) would read: “Not both no accusation and yet condemnation; but no accusation; therefore no condemnation.” (9): “Not both saying the woman has deserved well and asserting she deserves ill; but you say she has deserved well; therefore you must not assert she deserves ill.” (10): “Not both what you do know does no good and what you don’t know does harm; but what you do know does no good; therefore what you don’t know cannot do any harm.”

Such analysis can easily be applied to the examples from the *Ad Herennium* as well. For instance, example (1) would read: “Not both being hostile to one’s own interests and being friendly to another’s; but this person is hostile to his or her own interests; therefore he or she cannot be friendly to another’s”. Similarly (2): “Not both being a faithless friend and being an honourable enemy; but this person is a faithless friend; therefore he or she cannot be an honourable enemy.” And so forth.

In each case, in accordance with the pattern of a third indemonstrable, first a conjunction of two propositions is denied and then the first conjunct asserted, so that, as a consequence, the second conjunct is denied. The outward syllogistic form of these arguments is thus impeccable. Nevertheless they all have a decidedly probabilistic ring. One instantly feels that it will be quite easy to raise serious objections. As for (8), many examples in history testify to the fact that it is highly debatable whether having nothing to reproach a person of is strictly incompatible with condemning that person (in the same way as its being day is incompatible with its being night). And if (7) were to draw on, say, the incompatibility of fearing a dog and not dreading a lion, lots of exceptions can be conceived of: What if the dog is a trained bloodhound and the lion just a kitten? Or else the lion may be safely behind bars, but the dog at large.

Obviously the conclusiveness of such arguments vitally depends upon the different kinds of incompatibilities presupposed. Yet whereas the standard examples of Stoic logic are all based on strictly exclusive logical or physical incompatibilities (day/night, in Rome/in Athens), Cicero’s and the *Ad Herennium*’s clearly are not. The alleged incompatibilities they draw on, on closer inspection turn out to hold only in general or for the most part or in the absence of exceptional conditions. None of them are logical truisms or proven facts. They are

not even universally valid, but allow for various exceptions and rebuttals. This is where the weak point of these arguments is to be found that marks them off from proper syllogisms. Even Cicero himself does not maintain that his enthymemes *are* third indemonstrables, but only that they "spring from" that particular argumentative pattern.

On the other hand, it cannot be denied either that in real practice arguments of that type can have a highly persuasive effect, which of course is of decisive importance in a rhetorical argument. In this respect, it is important to recall that Cicero's examples are all phrased as rhetorical questions (or, similarly, as an indignant exclamation), a striking feature Cicero does not address either in his analysis.

For an appropriate assessment of both the conclusiveness and persuasiveness of the kind of argument both Cicero and the *Ad Herennium* describe, thus, Cicero's account in purely syllogistic terms apparently proves insufficient and needs to be supplemented by a thorough analysis of the different types of incompatibilities that serve as the pivotal warrants in the individual arguments, authorising the transition from given data to a proposed claim. I have tried to show elsewhere (Kraus 2006) that the model of the layout of arguments expounded by Stephen E. Toulmin in his book on *The Uses of Argument* (Toulmin 1958) can be profitably applied to the analysis of such arguments. We must therefore now look at the respective incompatibility warrants.

4. *Variants of Incompatibilities*

Cicero explicitly states that the type of argument he describes is as popular with philosophers as it is with orators (*Topics* 56; Reinhardt 2003, p. 145), a statement for which both his philosophical writings and his speeches offer ample evidence. This, fortunately, considerably broadens the basis for an analysis of practical examples. A sample analysis of the individual character of the 'incompatibility' warrants presupposed in each case, yields that the alleged incompatibilities turn out to be ultimately based on a comparatively small variety of standard argumentative patterns.

By far the most popular type appears to be the one based on what one would call an *argumentum a minore,* such as in Cicero's first example (8): "If you fear this, you should also be afraid of the other (as it is even more frightful)". Another fine instance of this type is found in *Tusculan Disputations* 2.34: "Can boys do this and

shall men prove unable?" The same pattern applies to most of the *Ad Herennium* examples, such as (3): If a person is intolerably arrogant in private life, he or she will be even more so when in political power. Or (5): An enemy defeated on the hills will be even easier to fight on the plains. A most celebrated example is found in In *Catilinam* 1.3: "Shall that distinguished man, Publius Scipio, the Pontifex Maximus, though he was a private cititzen, have killed Tiberius Gracchus, who was only slightly undermining the foundations of the state, and shall we, who are consuls, put up with Catiline, who is anxious to destroy the whole world with murder and fire?"; and a no less famous one in *Philippics* 2.86: "What is more shameful than that he should be living who set on the diadem, while all men confess that he was rightly slain who flung it away?" The list could be as long as desired.

Conversely, an *argumentum a maiore* may also be used, such as in *Pro Caecina* 43: "Shall not that which is called 'force' in war be called the same in peace?", and maybe also in *Ad Herennium* (1): Who has ever been hostile to his or her own interests, will be even less friendly to another person's.

In other cases the argument is based on some kind of parallelism or analogy, such as in *De finibus* 2.13: "If these gentlemen can understand what Epicurus means, cannot I?" Or in *Tusculan Disputations* 2.39: "Shall the veteran soldier be able to act like this, and the trained philosopher be unable?"

An *argumentum e contrario* is involved e.g. in Cicero's last example in the *Topics* (10): If what one knows does no good, what one does not know cannot do any harm. This veritable pattern of *e contrario* must of course not be confused with the appellation of the entire type of argument as contrarium in *Ad Herennium* (4.25-26) or in *Quintilian* (5.10.2).

Sometimes, if rarely, an argument is produced from semantically correlated terms, such as in *Orator* 142: "Why is it shameful to learn what is honourable to know? Why is it not glorious to teach that which it is most excellent to know?"

An even more sophisticated type of argument is the one from parts to whole used in *De natura deorum* 2.87: "When you see a statue or painting, you recognize the exercise of art … how then can it be consistent to suppose that the world, which includes the works of art in question … can be devoid of purpose and of reason?"

Lastly, there are also arguments from cause to effect, as (tentatively) in Cicero's

second example in the *Topics* (8): if there is no accusation, there can't be any condemnation either; or, conversely, from effect to cause, such as in *Pro Caecina* 44: "Can you deny the cause when you admit the effect?"

Evidently, it is such or similar argumentative patterns that constitute the substantial warrants Cicero's enthymemes are ultimately based on. These are the argumentative backings one might produce in support of the incompatibility warrants. These are, however, simple common sense arguments without any syllogistic structure, which may only account for inferences of a certain limited probability. To rhetoricians they are known as topical enthymemes.

This makes clear, why Cicero's arguments from incompatibilities appear so poorly warranted and why it is necessary to hide those ultimate premises as best one can, when arguing by such an enthymeme. For once their topical background is unveiled, any opponent will easily find the appropriate rebuttals to counter or rebuke any such argument. Viewed from this angle, Cicero's whole theory of incompatibility appears to be a quasi-syllogistic construct devised to conceal the basic weak point of arguments of that type and to make them appear logically sound, as in fact Stoic rhetorical theory would demand. But on the other hand, it would also appear that, after all, this theory is not inappropriately placed in a work such as the *Topics*.

One last question is left for us to answer: If the arguments Cicero and the *Ad Herennium* describe are imperfect from a logical point of view, why should they appear persuasive at all?

5. *Arguing by Rhetorical Questions*

5.1. *Rhetorical Questions as Statements*

We will remember the striking fact that both the *Ad Herennium*'s and Cicero's examples are unanimously phrased as rhetorical questions. Yet rhetorical questions can be regarded as indirect speech acts (Searle 1975; 1979, p. 31; Anzilotti 1982; van Eemeren & Grootendorst 1984, pp. 52-53; Fogelin 1987, pp. 264-266), whose true function is not, as in real questions (cf. Belnap 1963; Åqvist 1965), to elicit information, but to make a statement or exhortation. There is thus a discrepancy between their outward form and their illocutionary function (Ilie 1994, pp. 45-51; see also Sadock 1971; Slot 1993; "constrained questions", van Rooy 2003; "redundant interrogatives", Rohde 2006). Only so rhetorical questions

comply with the rule that participants in a discussion may not perform any speech acts other than "assertives, commissives, directives and usage declaratives" (van Eemeren & Grootendorst 1984, p. 152). Furthermore, the statement implied in a rhetorical question is equivalent to the contradictory of its propositional content. This is what Cornelia Ilie calls the "polarity shift" between question and implied statement (1994, pp. 45; 51-52). "Can you condemn this woman?" is tantamount to "You cannot condemn her" (see Schmidt-Radefeldt 1977, p. 384; Abdullaev 1977, pp. 266-268; Grésillon 1980, pp. 277-280; Conrad 1982, pp. 420-421; Meibauer 1986, p. 128; Krifka 1995; van Rooy 2003).

5.2. *Persuasive Force*

But rhetorical questions can do much more than that. They can exert a strong persuasive force. Ilie (1994, p. 59-60) has demonstrated that rhetorical questions are basically multifunctional and that one of their major functions is eliciting agreement from the addressee. Rhetorical questions often are what one might call "loaded" or "leading" questions. They invite the addressee to infer and thereby to share the one and only answer intended by the proponent. At the same time they convey the impression of a strong commitment of the proponent to his or her statement (Ilie 1994, pp. 53-59, 217). Clearly, the effect of the employment of rhetorical questions in an argumentative context will be not so much "to communicate doubt, perplexity, uncertainty" (Schmidt-Radefeldt 1977, p. 389), but the "strengthening [of] persuasive effects" (Frank 1990, p. 737). Frank even goes so far as to assert that "the primary function of [rhetorical questions] is to persuade" (1990, p. 737). The claim that the persuasive force of arguments is strengthened by their formulation as rhetorical questions (see also Blankenship & Craig 2006) has also been clearly supported by recent research in cognitive psychology (Zillman 1972, 1974; Petty, Cacioppo & Heesacker 1981; Cacioppo & Petty 1982).

Most certainly this is exactly the reason why Cicero's enthymemes are in fact phrased as rhetorical questions. Instead of proper argumentative backing the rhetorical questions are employed in order to compensate the weakness of the respective implied warrants. The form of the rhetorical question ("How can you …?") puts strong psychological and moral pressure on the audience in order to make them accept without protest what is highly debatable, but vitally needed to make the argument work.

5.3. *Strategic Maneuverings and Fallacies*

This persuasive force of rhetorical questions in enthymemes as described by Cicero is ultimately assured or enhanced by a number of strategic maneuverings which, from a pragma-dialectical point of view, may be regarded as fallacious, i.e. as violations of some of the basic rules for Critical Discussion (see van Eemeren & Grootendorst 1995b, pp. 135-136; 2004, pp. 135-157, 162-186; on the pragma-dialectical concept of "strategic maneuverings" and their possible "derailments" see van Eemeren & Houtlosser 1999; 2002a; on the general possibility of fallacious moves in questions, see Walton 1988; 1991b).

5.3.1. *Shifting the Burden of Proof*

Van Eemeren's and Grootendorst's second rule for the opening stage of a Critical Discussion postulates that whoever advances a standpoint is obliged to defend it on the other party's demand, i.e. has to accept the burden of proof (van Eemeren & Grootendorst 1995b, p. 135). If an argument is phrased as a rhetorical question, however, the burden of proof may fallaciously appear to be shifted onto the side of the respondent, who, if not convinced by the argument, will now feel obliged to defend his or her conflicting standpoint, especially so with questions exerting strong moral pressure such as the "How can you …?" type, as the respondent will literally feel being asked for evidence ("On what reasons can you …?") (van Eemeren & Grootendorst 1992a, pp. 120-122; van Eemeren & Houtlosser 2002b, pp. 22-24; cf. also Walton 1998, p. 136).

5.3.2. *Evading the Burden of Proof*

Whoever advances an enthymeme in a rhetorical question, may also be held guilty of evading the burden of proof in a twofold sense: first, because he or she obviously refuses to produce appropriate arguments, but replaces them by a rhetorical device instead (cf. Walton 1996; van Eemeren & Grootendorst 1992a, pp. 117-120; van Eemeren & Houtlosser 2002b, pp. 22-24); second, because the proponent may, if he or she were to meet with unexpectedly fierce resistance from the part of the respondent, easily deny commitment and withdraw to the excuse that after all he or she only wanted to ask a question (Grésillon 1980, p. 275; but see Meibauer 1986, pp. 168-169).

5.3.3. *Arguing ad hominem*

In certain cases, rhetorical questions may even result in an *argumentum ad hominem*, particularly so in aggressively put second person questions of the "How can you … ?" type, by which the addressee may with good reason feel personally attacked (Ilie 1994, pp. 167-168; 206-208), as he or she may feel accused of

logical (or moral) inconsistency and thus of intellectual (or, for that reason, moral) inferiority. Especially the so called *tu quoque* subtype of the ad hominem argument aims at discrediting the opponent's personal self by pointing out an inconsistency in his or her words or actions (van Eemeren & Grootendorst 1984, pp. 191-192; 1992a, pp. 110-113; 1995a, pp. 225-226; Woods & Walton 1976; Walton 1985, p. 243; 1987; 1988, pp. 206-207; 1991b, pp. 354-357; 1998, pp. 6, 135-136, 211-213; Engel 1994, p. 31), which is precisely what many of the above examples, such as e.g. (7), (8) or (9), do. By trying to silence the other party in this way, any such argument violates the first pragma-dialectical rule for Critical Discussion that parties must not prevent each other from advancing standpoints or casting doubt on standpoints (van Eemeren & Grootendorst 1992b, p. 153; 1995a, p. 224; 1995b, p. 135, 138-139). Regardless of whether ad hominem arguments are to be generally regarded as fallacious or rather as a basically legitimate kind of "ethotic" argument (for such a more favourable view, see e.g. Hamblin 1970, 160-164; Barth & Martens 1977/78; Brinton 1985; 1995; Hitchcock 2006), it can hardly be denied that aggressive rhetorical questions can attack the personal self of the opponent and that this may have a highly persuasive effect (see van Eemeren, Garssen & Meuffels 2005, pp. 350-351).

5.3.4. *Begging the question*

Rhetorical questions of the kind used in such arguments may even be said in a certain sense to beg the question. For any such question may be taken to imply both warrant and conclusion at a time. Any expression such as "How can you condemn this person whom you accuse of nothing?" may on the one hand be interpreted as logically equivalent to the argumentative warrant "You can't both not accuse and yet condemn a person", but on the other hand also as a way of straightaway asserting the conclusion itself as incontestable and self-evident: "You can't condemn this particular person" (see Walton 1991a, pp. 233-235; 310-311; for a critical view, see Jacquette 1994, pp. 287-288). Begging the question in such manner is of course also a way of evading the burden of proof (van Eemeren & Grootendorst 1995b, p. 140).

It is these and similar strategic maneuverings and fallacies inherent in the kind of rhetorical questions used in Ciceronian enthymemes that account for much of the persuasive force and moral pressure they exert on their audiences.

6. *Conclusion*

Our analysis of the type of argument referred to as contrarium by the author of

the *Rhetoric to Herennius* but as enthymeme by Cicero in the Topics has yielded that arguments of this type, in spite of their ostensible syllogistic pattern primarily emphasized by Cicero, are, as a rule, rather poorly warranted, which is due to the fact that they are ultimately based on topical common-sense arguments. Their persuasiveness is rather assured by their pointed stylistic form. In this respect it appears that the ultimate reason for the standard phrasing of such arguments as rhetorical questions lies in the fact that the persuasive force of rhetorical questions, by way of various kinds of strategic maneuverings, will exert strong enough psychological or moral pressure on the audience to make them accept the implicit warrants without any protest or further request for argumentative backing.

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ISSA Proceedings 2006 – Ehninger's Argument Violin

Douglas Ehninger's theoretical gem, "Argument as Method" (1970), introduces us to two unsavory debate characters. First, there is the "neutralist" – an interlocutor who eschews commitment at every turn. Following the Greek philosopher Pyrrho, the neutralist thinks that since nothing can be known, standpoints should float freely, unanchored by the tethers of belief. The neutralist's counterpart is the "naked persuader" – someone who approaches argument like Plato's Callicles – clinging doggedly to preconceived beliefs and resisting any shift no matter how compelling the counterpoints (Ehninger 1970, p. 104).

Naked persuaders and neutralists each have difficulty engaging in argument, but for different reasons. According to Ehninger (1970, p. 104), argumentation is a "person risking enterprise," and by entering into an argument, "a disputant opens the possibility that as a result of the interchange he too may be persuaded of his opponent's view, or, failing that, at least may be forced to make major alterations in his own." In this account, naked persuaders are hamstrung by their

unwillingness to risk the possibility that the force of reason will prompt alteration of their views. Neutralists, on the other hand, prevent the "person risking enterprise" from ever getting off the ground in the first place, since they place nothing on the table to risk.

Ehninger's unsavory characters illustrate how the concept of standpoint commitment has salience in any theory of "argument as process" (Wenzel 1990). To reap the full benefits of the process of argumentation, interlocutors must adopt stances vis-à-vis their standpoints that strike an appropriate balance between perspectives of the naked persuader and the neutralist. For Ehninger (1970, p. 104), such a balanced posture consists of "restrained partisanship," where advocates drive dialectic forward with tentative conviction, while remaining open to the possibility that the course of argument may dictate that their initial standpoints require amendment or retraction. Finding this delicate balance resembles the tuning of violin strings – a metaphor that underscores his point that the proper stance of restrained partisanship must be tailored to fit each situation.

The public argument prior to the 2003 Iraq War offers a clear example of a poorly tuned deliberative exchange. While several official investigations (e.g. US Commission 2005; US Senate 2004) have explained the breakdown in prewar decision-making as a case of faulty data driving bad policy, this paper explores how the technical concept of foreign policy "intelligence failure" (Matthias 2001) can be expanded to offer a more fine-grained explanation for the ill-fated war decision, which stemmed in part from a failure of the argumentative process in public spheres of deliberation. Part one revisits Ehninger's concept of standpoint commitment, framing it in light of related argumentation theories that address similar aspects of the argumentative process. This discussion paves the way for a case study of public argument concerning the run-up to the 2003 Iraq War. Finally, possible implications of the case study for foreign policy rhetoric and argumentation theory are considered.

1. *Standpoint commitment in argumentation*

From a pragma-dialectical perspective, an argument is a "critical discussion" between interlocutors, undertaken for the purpose of resolving a difference of opinion (van Eemeren & Grootendorst 2003, 1984; van Eemeren, Grootendorst & Snoeck Henkemans 1996, pp. 274-311). In the "confrontation stage," parties lay their cards on the table and establish the central bone of contention. By elucidating their divergent standpoints, disputants provide the impetus that sets

into motion the process of critical discussion. This step is essential, since "a difference of opinion cannot be resolved if it is not clear to the parties involved that there actually is a difference and what this difference involves" (van Eemeren, Grootendorst & Snoeck Henkemans 1996, p. 284). However, in pragma-dialectical argumentation theory, once interlocutors advance standpoints, critical discussion norms oblige them to proceed in certain ways. For example, the ninth pragma-dialectical "commandment" requires arguers to retract standpoints if they are refuted in the course of argument, and conversely, to accept successfully defended standpoints offered by their counterparts (van Eemeren & Grootendorst 1992, pp. 208-209).

Here, it becomes apparent that pragma-dialectical theory presupposes the ability of interlocutors to enact a version of Ehninger's "restrained partisanship." Arguers are expected to advance standpoints clearly and with conviction, but also to couple this performance with a double gesture that signals a willingness to amend or retract such standpoints should they be refuted during the course of argument. This delicate balancing act challenges participants to find an appropriate middle ground between two poles that have served as perennial topics of inquiry for a wide variety of argumentation theorists.

Consider Chaim Perelman & Lucie Olbrechts-Tyteca's distinction between "discussion" and "debate." For Perelman and Olbrechts-Tyteca (1969), while discussion is a heuristic activity, "in which the interlocutors search honestly and without bias for the best solution to a controversial problem" (p. 37), debate is eristic, where the focus is on "overpowering the opponent" (p. 39), regardless of the truth of the propositions at hand. Occluded in this neat polarity, of course, is the subtle fact that discussion and debate are Siamese twins. They cannot be fully separated without placing the argumentative enterprise at risk. For example, the activity that Perelman and Olbrechts-Tyteca call "discussion" requires interlocutors to embrace, *to some extent*, a "debating" posture that moves them to contribute concrete standpoints to the conversation. This caveat does not deny that an overly aggressive debating stance runs at cross purposes with the heuristic goals of discussion, but it does, once again, point to the importance of finding that proper balance that Ehninger calls "restrained partisanship."

One can isolate other vectors of this pattern playing out in discussions about the proper role of argument in society. For example, the subtitle of Deborah Tannen's bestseller (1998) *The Argument Culture* is "Moving from Debate to Dialogue."

Tannen's distinction between debate and dialogue mirrors Perelman and Olbrechts-Tyteca's debate-discussion polarity. While Tannen thoroughly criticizes excessively adversarial and combative styles of debating, she points out that there is still value in constructive forms of argument that allow interlocutors to vet opposing viewpoints (see also Foss & Griffin 1995; Makau & Marty 2001). In fact, she underscored this point by changing the subtitle of *The Argument Culture* for the paperback edition to "Stopping America's War of Words" (Tannen 1999).

A similar pattern of analysis appears in the work of James Crosswhite (1996), who posits a distinction between argumentation as "inquiry" and argumentation as "persuasion." To elucidate the relationship between these categories, Crosswhite (1996, pp. 256-58) compares inquiry with the "context of discovery" and persuasion with the "context of justification" in philosophy of science. In this scheme, argument-as-persuasion involves attempts to convince others of settled beliefs that have already been justified, while argument-as-inquiry is a process of discovery initiated to yield new insights when clear answers may not yet be apparent. As Crosswhite (1996) explains: "There is a difference between the kind of reasoning we engage in when we have already made up our minds about some issue and simply need to persuade other people to take our side, and the kind of reasoning that goes on when we have not yet made up our minds but are trying to come to a conclusion ourselves" (p. 256; see also Meiland 1989). Notably, Crosswhite locates the key difference between these two modes of reasoning in the "kinds of audiences that are active in the argumentation" (Crosswhite 1996, 257).

In pragama-dialectics, this distinction between modes of reasoning is connected to a corresponding differentiation between rhetoric and dialectic. Drawing on Leff (2000), Frans van Eemeren & Peter Houtlousser (2002, pp. 15-17) identify as rhetorical those aims and objectives that interlocutors pursue in their quest to achieve effective persuasion in a critical discussion. Alternately, dialectical obligations flow from the argumentative procedures that parties must respect in order for a critical discussion to proceed. Echoing the other theorists considered in the preceding paragraphs, van Eemeren & Houtlousser develop this polarity synergistically, arguing that rhetoric and dialectic are complementary concepts. If a critical discussion were an airplane, rhetoric would be the force that drives the propeller and dialectic would be the navigational system that keeps the aircraft calibrated and on course. Without a strong propeller (standpoint commitment by

interlocutors), the plane cannot get off the ground. Without a sound navigational system (disputants' fealty to discussion norms), the plane cannot reach the destination point of mutually acceptable resolution of a difference of opinion.

In working out this relationship between rhetoric and dialectic, van Eemeren & Houtlousser have expounded another important concept – *strategic maneuvering.* This concept stems from their insight that "there is indeed a potential discrepancy between pursuing dialectical objectives and rhetorical aims" (van Eemeren & Houtlousser 2002, p. 16). Arguers want to persuade their counterparts to accept their standpoints, yet the passion driving such commitments may sometimes conflict with the procedural requirements for carrying on a critical discussion. Rather than declare that in these cases, dialectical obligations always trump rhetorical aims, van Eemeren & Houtlousser stipulate that interlocutors have a middle option of strategic maneuvering, a mode of arguing that bends the dialectical rules of critical discussion in a protagonist's rhetorical favor, yet stops just short of breaking them and thereby committing a fallacy.

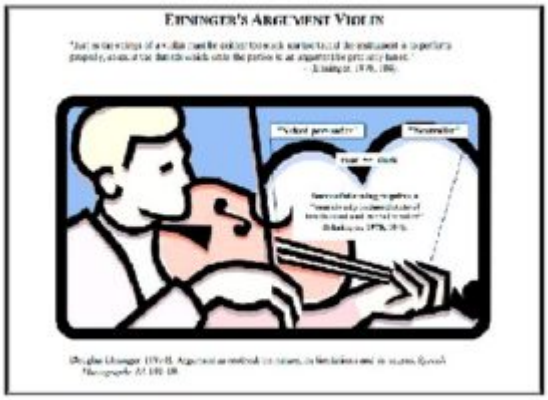
For example, in the context of establishing the burden of proof for a given critical discussion, interlocutors may engage in strategic maneuvering by highlighting certain features of their standpoints (e.g. scope, precision, moral content) so as to configure their burden of proof in a rhetorically advantageous way (van Eemeren & Houtlousser 2002, pp. 22-25). However, there are limits to this process. Taken too far, strategic maneuvering moves beyond bending the rules for critical discussion, resulting in a "fallacious derailment" of the discussion (van Eemeren & Houtlousser 2002, pp. 22-25).

While the exact location of this boundary line that separates legitimate strategic maneuvering from fallacious derailment remains elusive, it is clear that the concept of strategic maneuvering represents an inventive response to the theoretical challenge of developing sound accounts of the relationship between "discussion" and "debate" (Perelman and Olbrechts-Tyteca 1969); "inquiry" and "persuasion" (Crosswhite 1996); and "dialectic" and "rhetoric" (van Eemeren & Houtlousser 2002, pp. 22-25). This same challenge motivates Ehninger's (1970) effort to explain the complementary relationship between the "naked persuader" and "neutralist" outlined in the introduction to this paper.

Anticipating a key element of pragma-dialectical argumentation theory, Ehninger (1970, p. 102) explains that the speech act of joining an argument involves an

implicit agreement that the exchange will exert bilateral influence on the argumentative process. This insight dovetails with his view that argument should be a "person risking" enterprise, and that by entering such an exchange, participants signal that they are ready to place their standpoints in middle space, where tentative commitment drives the exchange, yet is contingent on what transpires in the course of argument. Ehninger (1970, p. 104) elaborates on this posture of "restrained partisanship" by comparing it to the process of tuning a violin: "Just as the strings of a violin must be neither too slack nor too taut if the instrument is to perform properly, so must the threads which unite the parties to an argument be precisely tuned."

Figure 1. Ehninger's argument violin



Ehninger's violin metaphor may provide insight that contributes to pragma-dialectical argumentation theory's project of delineating the boundary lines that mark off legitimate strategic maneuvering from fallacious derailment. Further insight on this point can be gleaned by considering a specific case study where the issue of standpoint commitment looms large.

2. *Prewar public argument on Iraq*

The U.S. decision to invade Iraq in 2003 is widely perceived as an "intelligence failure," in large part because official investigations conducted by a presidential commission (US Commission 2005) and a congressional panel (US Senate 2004) have explained the ill-fated preventive war as a bad policy outcome driven by poor data provided by official intelligence analysts to political leaders. While it is the case that the U.S. Intelligence Community's prewar analyses on Iraq were imperfect, this is only part of the story. Journalists, citizens, members of Congress and the White House also played key roles in the breakdown. According to Chaim Kaufmann (2004, p. 7), a "failure of the marketplace of ideas" resulted in

breakdown of the U.S. political system's ability to "weed out exaggerated threat claims and policy proposals based on them." Peter Neumann and M.L.R. Smith (2005, p. 96) call this phenomenon a "discourse failure," where "constriction of the language and vocabulary" produced a "failure of comprehension." Elsewhere, I have drawn upon argumentation theory to explain dynamics of this "discourse failure" (see Mitchell 2006; Keller & Mitchell 2006). Here, I isolate a specific element of this phenomenon that has not yet received rigorous scrutiny – derailments in the process of public argument caused by poor tuning of the deliberative exchange with respect to standpoint commitment.

In President George W. Bush's September, 2002 letter to Congress, he explained that since possible war with Iraq was "an important decision that must be made with great thought and care," he called for argumentation on the matter: "I welcome and encourage discussion and debate" (Bush 2002a). Bush (2002b) emphasized this point two days later during a fundraising luncheon, inviting "debate" on the Iraq situation, calling for "the American people to listen and have a dialog about Iraq," and for "an open discussion about the threats that face America." What exactly did these statements mean? From a pragma-dialectical argumentation perspective, they would seem to constitute "external" evidence that Bush sought to enter into a critical discussion with interlocutors, engaging in argumentation as a way to reach an informed decision on optimal U.S. policy toward Iraq. On this reading, one would expect Bush to proceed as a protagonist in the critical discussion, advancing standpoints, listening to counterarguments, isolating key differences of opinion, and working toward resolution of those differences.

As the first section of this paper established, one key element of this mode of constructive participation in a critical discussion involves tentative standpoint commitment that seeks a middle ground between the postures of Ehninger's hypothetical interlocutors, the naked persuader and the neutralist. As Ehninger explains further, as disputants search for this middle ground, "investigation not only must precede decision, but is an integral part of the decision-making process" (Ehninger 1959, 284). In other words, a crucial part of an interlocutor's constructive argument stance involves deferral of a final decision pending completion of the critical discussion. This position has a corollary in pragma-dialectical argumentation theory, where "Rule (9) is aimed at ensuring that the protagonist and the antagonist ascertain in a correct manner what the result of

the discussion is. A difference of opinion is truly resolved only if the parties agree in the concluding stage whether or not the attempt at defense on the part of the protagonist has succeeded. An apparently smooth-running discussion may still fail if the protagonist wrongly claims to have successfully defended a standpoint or even wrongly claims to have proved it true, or if the antagonist wrongly denies that the defense was successful or even claims the opposite standpoint to have been proven" (van Eemeren, Grootendorst & Snoeck Henkemans 1996, pp. 285-286).

In the case of President Bush's argument regarding U.S. policy toward Iraq, Bush's own statements seemed to express commitment to these principles. After calling for the initiation of a debate on Iraq policy in September 2002, Bush set forth arguments justifying the ouster of Saddam Hussein, but also qualified these standpoints with gestures of "restrained partisanship" (Ehninger 1970, p. 104). For example, during a 6 March 2003 press conference, Bush (2003) stated: "I've not made up our mind about military action."

However, recent disclosure of official documents and insider accounts complicate this picture. We now know that British intelligence chief Sir Richard Dearlove visited the U.S. in July 2002 for meetings where the possibility of war against Iraq was discussed. Regarding developments in Washington, Dearlove briefed Prime Minister Tony Blair on 23 July 2002 that, "there was a perceptible shift in attitude. Military action was now seen as inevitable. Bush wanted to remove Saddam, through military action, justified by the conjunction of terrorism and WMD. But the intelligence and facts were being fixed around the policy." The memo goes on to say that it "seemed clear the Bush had made up his mind to go to war, even if the timing was not yet decided" (*Sunday Times* 2005). According to National Security Archive Senior Fellow John Prados, the Dearlove memo shows, "with stunning clarity," that "that the goal of overthrowing Saddam Hussein was set at least a year in advance," and that "President Bush's repeated assertions that no decision had been made about attacking Iraq were plainly false" (Prados 2005). Further evidence in support of this view comes from insider accounts of White House communication during the September 2002 – March 2003 "discussion and debate" period. For example, journalist Bob Woodward explains that while Bush was publicly maintaining a posture of "restrained partisanship" during the public argument on Iraq, he privately told National Security Advisor Condoleezza Rice in January 2003 that, "We're gonna have to go. It's war" (qtd. in

Woodward 2004). Further, Woodward indicates that in another meeting that month, Bush wanted Saudi Prince Bandar "to know that this is for real. That we're really doing it" (Woodward 2004). A separate leaked British memorandum detailed that later in January 2003, Bush even gave British Prime Minister Blair a specific date (10 March 2003) when he should expect war against Iraq to commence (Regan 2003; see also Sands 2005).

Figure 2. Iraq prewar deliberation timeline

Bearing in mind the tension between speech acts arrayed on the top portion of the timeline in Figure 2 and the speech acts falling in the bottom portion of the timeline, it becomes apparent that Bush's (2003) statement on 6 March 2003 that "I've not made up our mind about military action" was a strategic maneuver, one designed to improve rhetorically his position in the unfolding public argument. The political windfall from such a statement is clear, given the political and military necessity that the decision to invade Iraq be justified on the basis of democratically sound procedures (see Payne 2006). But this returns us to the question that percolated out of the first section of this paper – how should Bush's strategic maneuvering be classified? Was it a legitimate argumentative move, or a fallacious derailment of a critical discussion, or something else altogether? Considering each possibility in turn provides an opportunity to apply and develop the theoretical concepts regarding the role of standpoint commitment in argumentation.

A charitable interpretation of Bush's prewar rhetoric would explain the tension between his professed commitments to the process of critical discussion and his early private decision to invade Iraq as the product of legitimate strategic maneuvering, undertaken to enhance the persuasiveness of his standpoint in a

critical discussion. In this reading, one might interpret Bush's private comments to Rice, Bandar and Blair as mere instances of contingency planning designed to prepare the groundwork for execution of a future *official* decision to attack Iraq. Similarly, Bush's 6 March 2003 statement that, "I've not made up our mind about military action" could be seen as a subtle strategic maneuver designed to add purchase to his rhetorical appeals for war by projecting a generous deliberative posture. The soundness of this line of argumentative reconstruction would hinge on the degree to which it could be established that Bush's maneuvering stopped short of actually transgressing dialectical rules governing conduct of a critical discussion.

Alternately, it is possible to reconstruct the episode by interpreting Bush's rhetoric as a fallacious derailment of a critical discussion. In this reading, Bush's 2002 statements regarding the desirability of debate, discussion and dialogue would be seen as speech acts that set into motion a cooperative process of critical discussion and concomitantly signaled a public commitment by Bush to adhere to certain dialectical rules governing conduct of the public argument (see Payne 2006). As we have seen, one of the key responsibilities of an interlocutor in such a context is to maintain a stance of restrained partisanship vis-à-vis standpoints offered in the course of the critical discussion. However, it is plausible to conclude that such a "middle ground" stance would be impossible for a protagonist such as Bush to maintain in a situation where he had already decided to act on his standpoint (Iraq should be invaded), while simultaneously continuing the critical discussion. On this reading, the excesses of Bush's rhetoric overwhelmed his commitment to dialectical norms of argumentation, resulting in a fallacious derailment of the critical discussion.

A third possible reconstruction of the episode would proceed from the premise that Bush never actually performed a speech act that signaled commitment to norms of critical discussion. This interpretation would frame Bush's September 2002 statements regarding the need for "dialogue" and "debate" on Iraq as announcements that a peculiar form of argumentation was about to commence, one perhaps consistent with Ehninger's (1970, p. 101) model of "corrective coercion." According to Ehninger, protagonists in this mode operate unilaterally: "Not only does the corrector initiate the exchange and direct it throughout its history, but he also dictates the conditions under which it will terminate." Furthermore, in corrective coercion, unlike the "person-risking" enterprise of

cooperative argumentation, standpoints are not contingent, since failure to persuade interlocutors is an outcome that indicates deficiency in the passive audience, not the standpoint being advocated: “If, in spite of the corrector’s best efforts, the correctee stubbornly continues to resist, the corrector may attribute his failure to a breakdown in communication or an inability to summon the necessary degree of authority; or he may write the correctee off as ignorant or incorrigible” (Ehninger 1970, p. 102). This perspective on the prewar argument reconfigures the relationship between Bush’s public and private statements from one of tension to one of consistency. Arguers engaging in coercive correction need not worry about fine-tuning their degrees of standpoint commitment, since the purpose of the argument is not to test or refine their positions. Here, Bush’s statements to Rice, Bandar and Blair indicating that he had already decided the outcome of the dispute regarding the proper course of U.S. policy toward Iraq can be squared with his public arguments designed to coerce audiences to accept the same view.

The aim of the preceding analysis is not to argue that one particular reconstruction of the argumentative episode is necessarily correct. Rather, the point is to show how argumentation theory generates several possible descriptions of an ambiguous deliberative exchange. Similarly, a robust treatment of the normative implications flowing from each reconstruction falls beyond the scope of this limited paper, whose more modest theoretical contributions are explored in the final section.

3. *Conclusion*

The relationship between rhetoric and dialectic is moving up the research agenda in argumentation studies (Blair 2002). In pragma-dialectical argumentation theory, the concept of strategic maneuvering is emerging as a bridging concept to elucidate the rhetoric-dialectic interplay. Strategic maneuvering’s value in this regard hinges in part on the degree to which theorists can elucidate perspicacious distinctions between legitimate acts of strategic maneuvering and fallacious derailments of critical discussions. This paper has considered how a focus on standpoint commitment offers a means of generating such distinctions, and how Ehninger’s (1970) notions of “restrained partisanship” and the “argument violin” help to peg the appropriate degree of standpoint commitment in any given argument. Ehninger suggests that for cooperative argumentation to proceed constructively, it is incumbent on interlocutors to seek a “consciously

induced state of intellectual and moral tension" that fine-tunes, like violin strings, their rhetorical aims and dialectical obligations (p. 104; see also Ehninger & Brockriede 1966).

Application of these theoretical concepts to a case study concerning public argument prior to the 2003 Iraq War yielded several insights. Most basically, the attempt to reconstruct the prewar public argument highlighted the salience of Gerald Graff's (2003, p. 88) observation: "Which mode we are in – debate or dialogue? – is not always self-evident." External cues apparently signaling an interlocutor's commitment to the process of critical discussion may take on different meanings when viewed in the context of subsequent strategic maneuvering. For example, one possible reconstruction of George W. Bush's contributions to the prewar public argument on Iraq reveals that his utterances expressing commitment to processes of "debate" and "discussion" signal something very different from the sorts of speech acts that in pragma-dialectical argumentation theory indicate an interlocutor's implied acceptance of critical discussion norms. This possibility serves as a reminder that in generating argumentative reconstructions, critics should be keenly aware of the possibility that they are dealing with mixed disputes, where parties approach the argument from incommensurate normative assumptions regarding proper conduct of the dispute. The lucid exchange between James Klumpp and Kathryn Olson following Klumpp's keynote address at the 2005 Alta Argumentation Conference illustrates the value of this critical approach.

Finally, my paper provides an occasion for scholars of argumentation to take note of the trend that the argumentation is growing in prominence as a category of analysis in the field of international relations. Consider Douglas Hart and Steven Simon's proposition that one major cause of the intelligence community's misjudgments on Iraq was "poor argumentation and analysis within the intelligence directorate." As a remedy, Hart and Simon recommend that intelligence agencies encourage analysts to engage in "structured arguments and dialogues" designed to facilitate "sharing and expression of multiple points of view" and cultivate "critical thinking skills." This suggestion comes on the heels of political scientist Thomas Risse's (2000, p. 21) call for international relations scholars to focus more on "arguing in the international public sphere." These comments, coupled with the finding of this paper regarding the need to "rhetoricize" the technical concept of "intelligence failure," suggest promising

paths of future research that fuse parallel tracks of argumentation theory and international relations scholarship.

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ISSA Proceedings 2006 ~ On How To Get Beyond The Opening Stage

1. *Introduction*
What is the opening stage? And why would it be hard to get beyond it?

The opening stage – as many will know – is one of the four discussion stages contained in the familiar pragma-dialectical model of critical discussion (Van Eemeren & Grootendorst 1984, 1992, 2004), which constitutes a normative model for argumentative activities aimed at the resolution of a difference of opinion. It is one of the merits of this model that, in its description of the ideal argumentative process, it does not limit itself to argumentation in the proper, but narrow, sense of advancing arguments for a standpoint, but includes discussion stages where other necessary steps for the resolution of differences of opinion are located.

Remember that there are just four stages, and that they are, in order, the following:

1. Confrontation Stage
2. Opening Stage
3. Argumentation stage
4. Concluding Stage.

Contrary to what may be expected, the opening stage does not figure as the first stage (whereas the concluding stage finds itself indeed neatly placed at the end). This is a vagary of nomenclature that sometimes breeds confusion even among experts. Apart from that, it is clear that the process of argumentation proper has been placed in the third stage, the argumentation stage, and that the first two stages figure as preparatory stages.

The problem I want to discuss actually pertains to both preparatory stages, namely: how can one get them completed, in a satisfactory way and within a reasonable time, to move on to what is properly called argumentation. However I will discuss this problem with special reference to the opening stage.

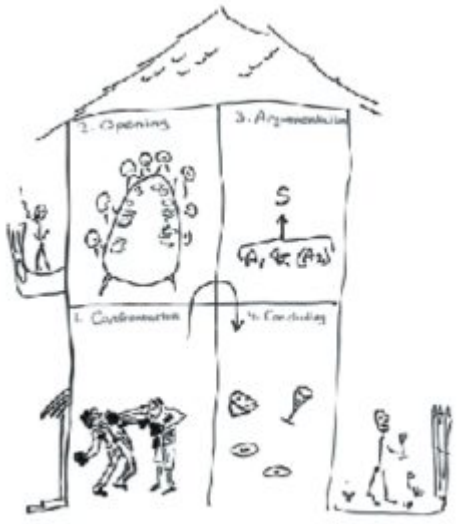

Figure 1: The House of Stages

To enhance a more lively remembrance of the four stages of discussion you could picture them as a house with four rooms (see Figure 1).

When guests enter into this house they start on the ground floor in Room 1, a kind of gym – a place suitable for boxing exercises – which represents the confrontation stage, i.e., the stage where a difference of opinion is made explicit. The goal is to get, ultimately, to Room 4, another ground floor room, giving on to the garden, where refreshments are served – drinks and tidbits – which room represents the concluding stage, i.e., the stage where agreements are achieved.

Now to get there, our guests have to pass through two other rooms, both on the upper floor, which represent the opening stage (Room 2) and the argumentation stage (Room 3). In Room 3, the actual business of argumentation is going on: for instance, a standpoint S is being supported by argument. But before one gets there, a lot of preparatory work needs to be done. The agenda will be presented in the next section, but one thing that has to be settled is the choice of a system of discussion rules that the parties are going to adhere to. No wonder Room 2 is packed with theorists of argumentation debating these rules. The complexity of issues and the multiplicity of perspectives is making one wonder whether any agreement will ever be reached at all. One would be fortunate to see the people in Room 2 manage to come to an agreement about just the shape of their table. Even that issue can be nasty, as was the case at the opening stage of the Paris Peace Conference about Vietnam. As some will remember, in 1968-69 the shape of the table was debated for months. This, of course, was a case of opening a negotiation dialogue, not a persuasion dialogue or argumentative discussion. Yet, the case of the Paris Peace Conference constitutes a classical illustration of how difficult it may be to get beyond the opening stage of a discussion. (Which is not to say that the issue of the shape of the table was unimportant at the time.)

The rest of this paper will be organized as follows. As I announced before, I shall first present the agenda for Room 2, i.e., a task list for the opening stage, assembled from pragma-dialectic writings (Section 2). Then I shall illustrate these tasks in a dialogue (Section 3), point out some problems (Section 4) and start on some sketch of a way to adapt the architecture of critical discussion in order to overcome these problems (Section 5).

2. *The Agenda*

Coming from downstairs (the gym) with a freshly formulated difference of opinion our guests must now, in Room 2, consider what they will do about their dispute. Fortunately there is, put up on the wall, a large piece of paper on which their tasks are listed. They must come to agreements on the following issues:

1. whether to opt for discussion, i.e., whether to engage in some kind of discussion at all, or rather do something else, for instance, draw lots or have recourse to violence (Van Eemeren & Grootendorst 1984, pp. 85, 88, 105; 1992, p. 35; 2004, pp. 68, 137);

2. whether to opt for argumentative discussion (persuasion dialogue), which is

aiming at rational conviction (rather than, for instance, negotiation dialogue aiming at a compromise or an eristic altercation;**[i]**

3. what global discussion rules to use to organize the discussion, i.e. what system of persuasion dialogue to adopt (Van Eemeren & Grootendorst 1984, pp. 88, 105; 1992, pp. 35, 39; 2004, pp. 60, 68, 137, 142-43);

4. who will perform the role of Protagonist and who will perform the role of Antagonist, with respect to each of the propositions constituting the difference of opinion (Van Eemeren & Grootendorst 1984, pp. 85, 88, 105; 1992, p. 35, 39; 2004, pp. 60, 105, 137, 141-42);

5a. what logic system is to determine the underlying concepts of validity and consistency (Van Eemeren & Grootendorst 1992, p. 94; 2004, p. 148);
5b. what procedures to adopt for testing for validity and consistency in concrete cases that may arise at the argumentation stage (Van Eemeren & Grootendorst 2004, p. 148);

6a. what argument schemes to admit and to what standards applications of these schemes should conform in order to be correct (Van Eemeren & Grootendorst 1992, p. 159; 2004, p. 149);
6b. what procedures to adopt for testing for admissibility and correctness of application of argument schemes in concrete cases that may arise at the argumentation stage (Van Eemeren & Grootendorst 1992, p. 158-59; 2004, p. 149-50);

7a. what propositions to accept as basic premises, whether as axioms or as defeasible presumptions, to function as starting points for arguments (Van Eemeren & Grootendorst 1992, p. 35, 149, 151; 2004, p. 60, 68, 137, 145);
7b. what procedures to adopt for testing for acceptability of basic premises in concrete cases that may arise at the argumentation stage (Van Eemeren & Grootendorst 2004, p. 145-48).

A glance at this paper on the wall should convince the participants that they need not fear to run out of work, unless they would skip, or only summarily discuss, large parts of the agenda. The dialogue in the next section will serve as an illustration.

3. *A Dialogue*

In their conversation, as recorded below, Ophelia and her father will demonstrate the various tasks that need to be performed to complete an ideal opening stage. Numbers in brackets indicate the various items on the agenda.

Polonius: To say it just simply and in unadorned language: dolphins are astoundingly intelligent.
Ophelia: Why do you say so, father?
Polonius: Oh dear, didn't you see the latest issue of the Proceedings of the National Academy of Science?
Ophelia: Stop, daddy. If this is an argument, you are skipping the opening stage.
Polonius: Am I?
Ophelia: Yes, before you can present an argument we must first agree what to do about our difference of opinion. [1] Shall we discuss it?
Polonius: By all means.
Ophelia: [2] Contentiously? Or by rational persuasion?
Polonius: Rational persuasion would be perfect, sweetheart. Someone will try to convince the other that dolphins are really smart.
Ophelia: And someone else will try to cast doubt on that proposition. [3] What discussion rules shall we use? How about the pragma-dialectic model?
Polonius: Fine. [4] Let me be the Protagonist.
Ophelia: And I shall be the Antagonist. [5a] I suggest we use classical propositional logic.
Polonius: [5b] And we'll check specific cases by truth tables. [6a] I suppose arguments from authority will be acceptable?
Ophelia: I do not fancy them. But OK, provided the authority is impeccable.
Polonius: [6b] Scientific journals would count as such?
Ophelia: And the bible.
Polonius: [7a] Now, what propositions do we agree about to begin with? I presume that if a species uses proper names they must be astoundingly intelligent?
Ophelia Absolutely! But only humans do.
Polonius: Ho stop! We are not yet through with the opening stage.
Ophelia: What more?
Polonius: [7b] As a general procedure to agree on basic premises, I suppose you will gladly accept Freeman's manual (2005) in its entirety?
Ophelia: With pleasure. But now let's have our argument.

It is obvious that in this conversation between Ophelia and Polonius the opening stage was cut down so as to retain just the barest exchange needed to address each item on the agenda. (Nevertheless what was said sufficed to give Polonius a very strong position as a Protagonist in the next room.) It is not hard to imagine that a more serious opening stage would have to be much more involved and protracted.

4. *Problems*

The most striking problem about the opening stage is its tremendous workload. Given that it is at that stage unknown what arguments will turn up in the next room, how can one make sure that enough argument schemes, procedural methods, and substantive propositions have been agreed on to have a fruitful argumentation stage? When is an opening stage completed? This I shall call the *completion problem*.

The completion problem becomes even more pressing on three counts. First there is the indefinitely long list of propositions to be screened for eligibility as basic premises. Perhaps this list can be handled more systematically and more efficiently by agreeing on procedures to establish basic premises instead of considering them one by one. Even so the discussants need to consider, section by section the issues in Freeman's book (2005).

Second, what if the discussants do not immediately agree on a proposed basic premise, or on the appropriateness of a type of argument, or its conditions of correctness, or on some matter of logical theory, or on some detail of one of the testing procedures? How do they settle their differences? If they decide to resolve them by critical discussion, this would lead to yet another opening stage to prepare for the argumentation stage of this inserted discussion. And if differences of opinion were again to arise in the opening stage of this inserted discussion, this could lead to yet another inserted discussion, and so on. Thus, the danger of an infinite regress looms ahead.

Third, even when both parties agree after some time that their discussions at the opening stage now provide a sufficient basis for them to proceed to the next room, they could, at the argumentation stage, run into unforeseen problems that necessitate a return to the opening stage. According to Van Eemeren and Grootendorst, as soon as the Antagonist overtly doubts some explicit or implicit premise used by the Protagonist, a new difference of opinion (a subdispute) arises

occasioning a new discussion (a subdiscussion):

Besides advancing contra-argumentation against all or part of his opponent's argumentation, a discussant can also indicate that he does not accept all or part of it. This he does by casting doubt on the statement or statements concerned or by describing them as insufficient justification or refutation. In all these cases this means that strictly speaking a *new* dispute has arisen which in turn gives rise to a *new* discussion, the outcome of which may, however, be crucial to the resolution of the original dispute. (Van Eemeren & Grootendorst 1984, p. 89, original emphasis)

Applying the pragma-dialectical model of critical discussion to this new discussion (the subdiscussion), one must conclude that, upon entering a subdiscussion, another opening stage is called for. Since the opening stage of the original discussion may be so construed as to include the opening stages of the subdiscussions, one may also express this by saying that a return to the opening stage of the original discussion is required. For instance, a return to the opening stage would be required if Polonius, in the argumentation stage, were to present an argument that is thereupon criticized by Ophelia. (The example continues the dialogue recorded above at the point where the discussants enter the argumentation stage.)

Polonius: Dolphins are astoundingly intelligent, because they are a species that uses proper names and if a species uses proper names they must be astoundingly intelligent.
Ophelia: But how do you know they use proper names?
Polonius: That was in the Proceedings of the National Academy of Science**.[ii]**
Ophelia: Ho stop, daddy. Mine was an expression of doubt, so we are having a subdispute and must first return to the opening stage.

Van Eemeren and Grootendorst suggest that for subdiscussions one could do with the blanket stipulation that they must be "conducted in accordance with the same premises and the same discussion rules accepted in the original discussion" (Van Eemeren & Grootendorst 2004, p. 147). But it seems hard to exclude the possibility that the special character of some premise would require some special provisions as to the way it should be defended. For instance, the original discussion may be about some moral proposition, and not require a deductive proof, whereas one of the premises used by the Protagonist may belong to applied

mathematics. If so, upon each utterance of doubt, expressing a difference of opinion, a return to the opening stage would have to follow, a circumstance that would aggravate the problem of getting beyond the opening stage.

There is, however, also a reverse problem, which arises if the parties would indeed succeed in bringing their opening stage to definite completion. This is the *fixity problem*, the problem that, once the opening stage has been completed, hardly anything is left for the argumentation stage. The decisions taken at the opening stage seem to suffice to determine completely the formal and informal logic that governs the argumentation stage as well as the set of available basic premises. Thus it seems to be determined whether or no an acceptable argument for the initial standpoint can be put forward. Hence the opening stage all but determines the outcome of the argumentation stage, all interesting matters having been discussed at the earlier stage. Given that the argumentation stage is usually seen as the heart of the argumentative process, this is at least an odd result.

A more technical and theoretical problem is that of the relation between the concepts of metadialogue and that of an opening stage. This is the *status problem*: does the opening stage belong to metadialogue? In a former paper I used the opening stage as an example of metadialogue (Krabbe 2003) because it contains dialogue about dialogue. But within pragma-dialectical theory the opening stage is clearly positioned as one of the stages of the ground level dialogue. This needs to be sorted out.

5. *Solutions*

At this point I would be glad to conclude my paper since, as usual, I see many problems but hardly any solutions. Nevertheless I shall present some suggestions to steer between the Scylla of the completion problem and the Charybdis of the fixity problem. The goal is of course to get a more realistic, yet normatively strict, set of rules for dialectic.

Foremost, I think it would be a good idea not to try to treat all tasks on the agenda of the opening stage on an equal footing. These tasks may be relocated at different points of the dialectic procedure.

As far as I see there are four possible locations for these tasks:

1. outside the discussion;

2. at the opening stage of the discussion;
3. in a metadialogue embedded in the discussion;
4. at the argumentation stage of the discussion.

The first location lies outside the dialectic process. The idea is to remove some tasks from the dialectic procedure and to presuppose that these tasks were performed before the discussion starts. This way of removing items from the agenda could be considered for
(1) the decision whether to engage in discussion at all and
(2) the decision to engage in persuasion dialogue and
(3) the decision to engage in a specific type of persuasion dialogue which is characterized by a specific set of discussion rules. The task of the dialectician is just to describe a certain system of discussion rules and does not include the description of rules that govern the decision to select the very system he describes.

The second location coincides with the present location of these tasks at the opening stage as a preparatory stage of the dialectic process. The following tasks on the agenda could keep their place at this stage: (4) the decision who is to perform what role; (5a) the decision on logical theory and (6a) the decision on appropriate argument schemes including some of the theory of correct application of these schemes; for the other items, which concern procedures ((5b), (6b), and (7b)) or propositions ((7a), and (7b) again) it could be made optional to what extent they are to be discussed at the opening stage.

The third option for locating tasks on the agenda would be to execute them in a metadialogue, which in a sense amounts to returning to the opening stage. This metadialogue must however be embedded in the argumentation stage, i.e., at the point where the participants enter the metadialogue, it must be functionally relevant for the purpose of that stage. This option is suitable for discussing details of the procedures that take care of (5b) the application of logic, of (6b) the application of argumentation schemes, and of (7b) the testing for acceptability of basic premises. Consequently, these matters will be discussed only when, at the argumentation stage, the occasion arises to do so. Metadialogue can also be used for (7a) the determination of the status of proposed basic premises.

The fourth location is the ground level discussion itself. It is another suitable location for (7a) the introduction of basic premises, supposing that the Antagonist

is free to concede propositions that may be used as basic premises in addition to those granted at the opening stage.

The reorganization of the agenda of the opening state may not, in all respects, provide a solution for the completion problem, but it will at least mitigate the trouble. For if such a reorganization is accepted, one forgoes the ambition to achieve completion of the original agenda at the opening stage. Even for the part of the agenda that remains at the opening stage completion is not necessary, since there is lots of room to make repairs later in the metadialogues.

But how about the danger of an infinite regress? To avoid an infinite regress in the opening stage, it suffices to stipulate that the opening stage, in its reduced form, should not itself exhibit argumentative discussion but rather be limited to some uncomplicated version of negotiation dialogue.**[iii]** However, a theoretical regress in the metadialogues cannot be ruled out in this way, since, presumably, these must be argumentative. In this case, however, infinite regress can be condoned as an acceptable idealization. Moreover, infinite regress will not occur in practice, since, as we know, real discussions are all finite in length.

About the other two problems I shall be brief. Upon reorganizing the agenda, the fixity problem disappears now that more of the tasks are left to the argumentation stage. As to the status problem: we see that not all of the tasks of the original opening stage need to be performed at a metadialogical level, though some will. So part of what used to be the opening stage will retain the status of ground level discussion, and part will be reassigned to the metalevel.

NOTES

i. In the pragma-dialectical writings this item and the preceding one occur as one issue of deciding to discuss.

ii. May 2006.

iii. I am thinking of a simple system of offering, accepting, and rejecting, without recursion, and without embeddings of dialogues of other types.

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ISSA Proceedings 2006 ~ Pragma-Dialectics And The Function Of Argumentation

1. *Introduction: Pragma-Dialectics and the Aims of this Paper*

During the last 25 years Frans van Eemeren and Rob Grootendorst have very impressively developed Pragma-Dialectics, i.e. a consensualistic theory of argumentative discourse, which sees the elimination of a difference of opinion as the aim of such discourses and of argumentation. Currently this is the most famous and most discussed approach in argumentation theory in the world.

In what follows I will discuss Pragma-Dialcetics mainly from an epistemological standpoint, i.e. what this theory has to tell us with respect to acquiring true or justified beliefs and knowledge.

Technical note: The discussion rules are the constructional core of Pragma-Dialectics; in addition to a few material changes and to stylistic improvements, these rules have undergone a change in numbering. In this text I will refer to

their first English version (E&G 1984, p. 151-175) as "Ro1" etc. ("original (or old) rule no. 1") and to their most recent statement (E&G 2004, pp. 135-157) as "Rs1" etc. ("Rule in 'Systematic Theory of Argumentation' no. 1"). The material changes regard, first, the possibilities of defending (or attacking) a premise (Ro9/Rs7 (E&G 1984, p. 168; 2004, p. 147 f.)); the originally included possibility of common observation has been deleted – which is surprising – and the originally lacking possibility of argumentatively defending a premise included, which is a clear improvement. The second and most important change concerns the argument schemes that may be used for defending a claim: originally only deductive arguments were permitted now non-deductive argument schemes have been added (Ro10/Rs8 (E&G 1984, p. 169; 2004, p. 150)) – a substantial improvement. The following discussion usually refers only to the best version.

2. *The Aim of Argumentation and Argumentative Discourse: Elimination of a Difference of Opinion*

The whole approach of Pragma-Dialectics is constructed starting from one central theorem about the function of argumentative discourse and argumentation in general. The aim of argumentative discourse and of argumentation, as these are seen and constructed by Pragma-Dialectics, is to eliminate a difference of (expressed) opinion (e.g. E&G 1984, p. 1; 1992, xiii; p. 10; 2004, pp. 52; 57; Eemeren et al. 1996, p. 277) or to resolve a dispute – where "dispute" is understood as: expressed difference of opinion (e.g. E&G 1984, pp. 2; 3; 151). This resolution has taken place if the participants both explicitly agree about the opinion in question. The central task of the theory is to develop rules for rational discussions or discourses; and the value of the rules to be developed is regarded as being identical to the extent to which these rules help to attain the goal of resolving disputes (E&G 1984, pp. 151; 152; cf. 2004, pp. 132-134).

This, obviously, is a *consensualistic* conception of argumentative discourse and of argumentation, which aims at an *unqualified consensus,* i.e. a consensus that is not subjected to further conditions.**[i]** Consensualism defines a clear aim for argumentation and argumentative discourse, which can be the basis for developing a complete argumentation theory, including criteria for good argumentation, good discourse, theory of fallacies, theory of argumentation interpretation, etc. Thus, consensus theory in general, and Pragma-Dialectics in particular, is a full-fledged approach to argumentation theory. Similar and competing full-fledged approaches are, first, the *rhetorical approach*, which sees

convincing an addressee, i.e. creating or raising an addressee's belief in a thesis, as the aim of argumentation (e.g. Perelman & Olbrechts-Tyteca 1958; Hamblin 1970; Tindale 2004), and, second, the *epistemological approach*, which sees generating the addressee's justified belief in the argumentation's thesis as the standard function of argumentation (e.g. Biro & Siegel 1992,; Feldman 1994; Goldman 1999, ch. 5; Johnson 2000; Lumer 1990; 1991; 2005/2006; Siegel & Biro 1997). As opposed to epistemological theories, both consensus theory and rhetoric aim at an *unqualified* belief (though in Pragma-Dialectics this is more an expression of a belief than the belief itself); but consensus theory then, unlike rhetoric, requires that both participants share this opinion.

It is quite astonishing that even though Van Eemeren and Grootendorst repeat their aim for argumentative discourse, i.e. dispute resolution, countless times, they practically do not justify this most central assumption of their approach. They incidentally justify the need for dispute resolution with the remark that "otherwise we become intellectually isolated and can ultimately even end up in a state of spiritual and mental inertia" (E&G 1984, p. 1). However, "not being intellectually isolated" could be an euphemism for "conformism". Of course, not being intellectually isolated is good; but it is of secondary importance. It is much more important that one's beliefs are true (and justifiedly true) and thus can help one orient herself or himself in the world. Intellectual isolation could simply be the price of truth, or more precisely, of justified true beliefs that others are not able or not willing to understand or accept – think of Galileo or Frege.

So what is the problem with conflicting beliefs and why is it important to resolve differences of opinion? The most simple and straightforward answer is: At least one of these opinions must be false. And having false opinions means having a false and disorienting picture of the world, which e.g. makes us miss our goals. What is completely missing in Pragma-Dialectics is any systematic relation to truth or its epistemological counterparts, knowledge and justified belief. Pragma-Dialectics has this in common with rhetorical approaches. Aiming at unqualified beliefs or shared beliefs that are not systematically related to truth in the sense that they are true or (because of the epistemologically founded cognizing procedures used) at least *acceptable* in the sense of being true, probably true or truthlike, of course, leads to much less true or truthlike beliefs than aiming at justified beliefs. The consequence is much less orientation and more disorientation about the world's real state, which, finally, leads to more grossly

suboptimum or even disastrous decisions. This was already Socrates' and Plato's critique of rhetorical argumentation theory (e.g. Plato, Phaidros 259e-262c; Gorgias 452e-455d; 458e-460a; Philebos 58a-59b). To aim at unqualified *consensus* instead of unqualified belief of a single person does not make the situation any better because truth does not depend on anyone sharing it but on objective fulfilment of truth conditions. Of course, an unqualified consensus can be true; but it would be true by chance and thus not reliable.

Let me extend the discussion by considering consensus theory in a more general form. The problem with normative consensus theories of argumentative discourse is not that they aim at consensus but that they take an *unqualified* consensus to be the aim of such discourse. Theories of argumentative discourse have also been proposed in *epistemological* argumentation theories, which see such discourses as enterprises for collectively seeking truth (Goldman 1999, pp. 139-149; Lumer 1988). Even in these theories the internal end of the game is to reach consensus. But it is a *qualified, justified* consensus, where both parties not only share the final opinion but – ideally – also their subjective justification for it. To take justified consensus as the aim of argumentative discourse avoids all the problems listed so far because justification – correctly conceived – is related to truth. It is based on cognizing procedures that guarantee the truth or at least the acceptability, i.e. truth, high probability or verisimilitude, of the results. What I would suggest to Pragma-Dialecticians then is to adopt justified consensus as the aim of argumentative discourse.

3. *Elements of Epistemic Rationality in Pragma-Dialectical Discourse*

Actually, Pragma-Dialectics is much nearer to the suggestion just intimated than it may at first, and in particular as a consequence of its determination of the goal of argumentation and argumentative discourse, appear. This is so due to a continuous incoherence in Pragma-Dialectics, namely the inclusion of important elements of epistemic rationality in its consensualistic programme. This incoherence is most evident in the Pragma-Dialectical rules for argumentative discourse.

Completely in line with the just criticized unqualified consensualistic determination of discourse's aim as dispute resolution, as their criterion for good discourse rules Van Eemeren and Grootendorst establish that such rules have to promote that aim. Strangely enough, Van Eemeren and Grootendorst never go on to prove that the rules they propose are the best in these terms. And actually

these rules are not developed consequently along these lines but according to a vague idea of a rational discourse that includes many elements of epistemic rationality. As a consequence, Pragma-Dialectics is a hybrid theory, mixed of incompatible elements of unqualified consensualism and epistemic rationality.

Let us take a closer look at this inconsistency. As Goldman nicely caricatures, the most effective way to reach unqualified consensus may be to engage a professional mediator, whose secret strategy would consist in finding out which party is more prone to make concessions and then to canvass this party for pulling it in the opponent's direction (Goldman 1999, pp. 159 f.). Other means for reaching unqualified consensus include rhetorical and psychological tricks, eristic devices, a strategy of friendly offers and giving up one's own opinion (this is particularly efficacious if only *verbal* consensus is what counts). None of these means will be the one that is best in all situations, however the best strategy for reaching unqualified consensus probably will include them all, each for particular situations.

Actually, Van Eemeren and Grootendorst do not include any of these means in their list and even explicitly oppose rhetoric (E&G 1992, p. 5). This is due to their strong claims of rationality. However again it is typical of Pragma-Dialectics that these claims are ambiguous. On the one hand there are purely verbal claims of rationality, which at a closer look turn out to be merely consensualistic or rhetorical. On the other hand there are many elements of real epistemic rationality in the Pragma-Dialectical theory in general and in its discourse rules in particular.

One example of a merely verbal declaration for epistemic rationalism is this. Van Eemeren and Grootendorst declare: "Argumentation is […] designed to justify […] an expressed opinion and calculated […] to convince a *rational* judge […]" (E&G 1984, p. 18; the emphasis is mine, C.L.; similar: ibid. p. 9; 2004, pp. 1; 10; 12 f.) But then they define this 'rational judge' simply in consensualistic terms as someone who follows such acceptable rules "which can lead to a resolution of the dispute" (E&G 1984, p. 18; cf. p. 5; 2004, pp. 16; 17 f.; 132).

On the other hand Pragma-Dialectics contains clear and strong epistemologically rational elements. A first such element is the prescription of a certain argumentative structure as the obligatory way to consensus, namely the use of argumentation, premises and inferences (Ro9-11/Rs7-9 (E&G 1984, p. 168; 2004,

p. 148); more generally: E&G 1992, pp. 34; 158 f.; 169; 184-194). A second element is the strong use of logic and deductive arguments in the argumentation stage of discourse. A third rational element is the use of joint observation as part of the intersubjective testing procedure (E&G 1984, p. 167) and of statistical arguments (E&G 1992, p. 96; 2004, p. 150, note 20) again in the argumentation stage. But, unfortunately, again Van Eemeren and Grootendorst relativize even these clear elements of epistemic rationality in a consensualistic fashion. They see these elements as their personal proposals, which in order to be valid would then have to be jointly adopted by the respective discussants (E&G 1984, p. 163; 2004, p. 142). Thus, Pragma-Dialectics' final determination of the aim of argumentative discoures amounts to unqualified consensus in a broader sense: the consensus about the *claim* in the end is subjected to *rules,* but now these rules depend only on an unqualified consensus (cf. note 1).

4. *Some Philosophical Sources of Pragma-Dialectical Ideas of Epistemic Rationality*

On the whole the writings of Van Eemeren and Grootendorst show a strong inclination towards standards of epistemological rationality, which then are corrupted by their adherence to unqualified consensualism. One reason why these two elements have not been brought together in a more satisfying way, specifically by taking justified consensus as the aim of rational discourse, may be the particular theories of epistemic rationality used by Van Eemeren and Grootendorst, namely Critical Rationalism and the Erlangen Constructivism, especially Lorenzen's Dialogic Logic. Both these theories contain quite confused parts, which have been adopted by Van Eemeren and Grootendorst.

From Critical Rationalism they have taken in particular Albert's critique of justificationism by his "Münchhausen-Trilemma", which says that the attempt to justify every belief must lead to one of three bad alternatives,
(1) an infinite regress,
(2) a logical circle or
(3) arbitrarily and dogmatically breaking off the justification (Albert 1980, pp. 10-15; referred to by Van Eemeren and Grootendorst: E&G 1984, pp. 16; 194, note 9; 2004, p. 131).

The Münchhausen-Trilemma for Van Eemeren and Grootendorst is the reason, first, to give up the idea of positive justification and, second, to bet on negative criticism instead and thereby on dialectics, i.e. the inclusion of other persons,

critics, as necessary elements in the process of epistemic rationality (E&G 1984, p. 16; 2004, pp. 131 f.). This decision seems to have been their main reason for not seeking further positive forms of arguments beyond deductive ones and to stress the unforeseeable critical potential of an antagonist instead. And this, as will soon be shown, is one of the main weaknesses of Pragma-Dialectics. Now the Münchhausen-Trilemma is simply false.**[ii]** It rests on a hidden and false premise, namely that deduction from true premises is the only form of acceptable justification. Together with the well-known properties of deductive justification, namely, first, to presuppose already justified premises and, second, to maximally preserve, mostly to reduce but never to increase the informational content of the justified conclusion compared with the premises, that premise leads to the exposed trilemma. But of course, there are forms of justification that do not rely on already justified premises, in particular observation; and there are ampliative forms of justification (i.e. forms of justification that increase the thesis' informational content), in particular inductive reasoning. Thus there is no need to give up justificationism, on the contrary, and non-deductive forms of monological argumentation have to be studied and reconstructed in argumentation theory.

From Lorenzen's and the Erlangen School's theories in general Van Eemeren and Grootendorst have adopted the Dialogic Logic as their own conception of logic. They approve this logic for its dialogical, communicative and interactive character (E&G, pp. 12; 14; 193, n6; 2004, p. 50) as well as its enlargement by Barth & Krabbe (E&G 1984, p. 193, n6; 2004, pp. 50 f.), they use this logic themselves (e.g. E&G 1984, pp. 12-15) and they suggest it as the central tool in deductive argumentation (E&G 1984, p. 169; 2004, p. 148; Eemeren et al. 1996, p. 274). There are four elements of the Erlangen School's programme and Dialogic Logic that are relevant in our context:
(1) logical intuitionism,
(2) anti-platonism,
(3) constructivism and
(4) the dialogical conception of logic.
Van Eemeren and Grootendorst are interested in these elements in ascending order. All four elements are highly problematic. However, limitation of space allows me to show this for only two of them, constructivism and the dialogical conception of logic.

(3) "*Constructivism*" means that all reasoning schemes and terms have to be

explicitly introduced and that all reasoning steps like the introduction of premises and pieces of inferences have to be explicitly executed. The correct ideas behind constructivism are clarity and – in particular in mathematical contexts – avoidance of illusory "short-cuts" in reasoning. But constructivism is an exaggeration of these ideas, which, first, ignores that in discourses we can and must rely on a shared language and common knowledge. It would be absurd each time to try to "introduce" our complete vocabulary and common knowledge. The much more feasible and efficient way is *knowledge exploitation*, i.e. to rely on these common bases as far as one thinks they reach in the specific case, to make language usage explicit when one thinks that there could be ambiguities, to make premises explicit when they are used etc. Second, in its mania for explicit introducing and agreements, constructivism has a strong tendency towards a false form of conventionalism, namely to regard inference, reasoning and argumentation rules as something that is valid by *convention* and not as objective truths. If the meaning of logical operators and of terms is conventionally fixed, given the actual world, propositions' truth thereby is fixed as well. Whether certain inference schemes lead from true premises to true conclusions then is no longer a question of convention but of analytical truth; analoguous considerations hold for uncertain ways of reasoning. And whether a given addressee already accepts particular premises and reasoning schemes is an empirical question.

(4) *Dialogic Logic* is a kind of logic that conceives logical proofs as dialogue games, where a proponent "defends" his thesis in an exactly regimented way against an opponent's "attacks" by logically decomposing it into elementary formulas already accepted by the opponent (cf. e.g. Kamlah & Lorenzen 1973, pp. 209-231; Lorenzen & Schwemmer 1975, pp. 56-147). Dialogic Logic probably is the most confusing element of the Erlangen programme. Its origins are Beth's semantic tableaux, i.e. a semantic way of proving an inference's logical validity. You take a sheet of paper and divide it into a left and a right half by drawing a vertical line down the middle. The left half is reserved for the true propositions and the right half for the false propositions. The aim of the procedure is to systematically search for a consistent interpretation of the inference in question that shows it, the inference, to be invalid. This is an interpretation where the premises are true and the conclusion is false. If you do not find such an interpretation, the inference is valid. So at the top of the left column, i.e. the truths side, you write the premises, and at the top of the right, i.e. the falsities side, you write the conclusion. Premises and conclusions then have to be

decomposed into elementary formulas, according to logical rules. If in the end the same elementary formula appears on the left as well as on the right side, this means that this formula has to be true and false at the same time. So it was impossible to construct a consistent falsifying interpretation of the inference (i.e. an interpretation where the premises are true but the conclusion is not). Therefore, the inference is valid. (In figure 1.1. this is illustrated with a simple example: the inference '*p* => *q*->*p*' is scrutinized for its logical validity. For disproving its validity one has to find an interpretation where the premise *p* is true – therefore p appears in row 1 on the truths side – and the conclusion *q* -> *p* is false – so *q* -> *p* appears on the falsities side. For *q* -> *p* to be false *q* must be true and *p* false; therefore the false *q* -> *p* of row 1 in row 2 is decomposed into a true *q* and a false *p*. But now *p* appears on the falsities side (in row 2) as well as on the truths side (in row 1), which means that to make the inference invalid *p* must be true and false at the same time, which is impossible. Therefore, the inference is valid.) This is a pencil-and-paper test that can be executed by one person; all the steps are exactly prescribed. Now some sequences of steps in semantic tableaux resemble sequences of turns in an argumentative dialogue. This has led Lorenzen and Lorenz (in the late 1950s and the 1960s) (reprints: Lorenzen & Lorenz 1978) to interpret the semantic tableaux as a dialogue game and to assign the right, falsities side, which contains the conclusion, to a "proponent", and the left, truths side, which contains the premises, to the "opponent", where the premises now are mutated to the opponent's concessions (cf. figure 1.2).**[iii]** This is a nice gewgaw as long as one is aware of the theoretic background. But it is heavily confusing when the dialogic nature is taken seriously, and the "Dialogic Logic" is taken as proof that logic is something dialogical. And it is confusing because many sequences in logical dialogue games do not make sense in a real argumentative discourse – because they have a quite different function. Why for example may ¬*p* only be attacked by claiming *p* and not by asking for a justification?**[iv]** Actually, Dialogic Logic contains nothing *really* dialogical, one and the same person can play both roles because all the steps to be executed are meticulously prescribed.**[v]** And of course, logical reasoning can be executed internally by one person by proceeding from a belief in some premises, recognizing a logical implication, to believing in the conclusion.

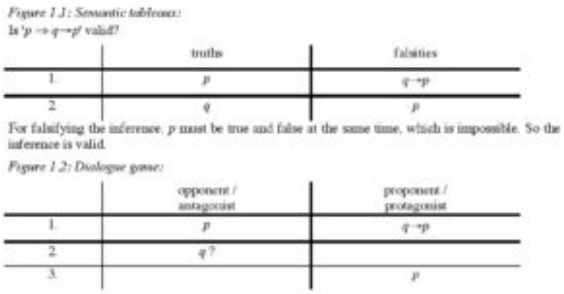

Figure 1.1: Semantic tableaux:
Is '$p \Rightarrow q \rightarrow p$' valid?

	truths	falsities
1.	p	$q \rightarrow p$
2.	q	p

For falsifying the inference, p must be true and false at the same time, which is impossible. So the inference is valid.

Figure 1.2: Dialogue game:

	opponent / antagonist	proponent / protagonist
1.	p	$q \rightarrow p$
2.	q ?	
3.		p

Figure 1.1: Semantic tableaux: Is 'p => q -> p' valid?

Now Van Eemeren and Grootendorst have adopted Dialogic Logic as their favourite logic (E&G 1984, pp. 169; 201, note 68; 2004, p. 148; Eemeren et al. 1996, p. 274). This is harmless to a certain degree. But it is terribly misleading if Dialogic Logic is taken seriously and regarded as a proof of the necessary dialogic character of argumentation (E&G 1984, pp. 12-14; 193, note 6). Actually, argumentation (in the sense of "presenting an argument") is mostly a monologic activity, where someone argues for a certain thesis.**[vi]** And argument schemes have to be developed on this basis. A systematically second step then is to develop a theory of argumentations' integration into argumentative discourse. Fortunately, Pragma-Dialectics has not taken its theoretical profession of the necessary dialogical character of argumentation too seriously; in the official definition (E&G 1984, pp. 7; 18; 2004, p. 1), in the discussion rules (e.g. Ro8/Rs6, E&G 1984, p. 165; 2004, p. 144) and in analytic practice argumentation is always conceptualized *monologically* (in the sense explained in note 6) as the protagonist's advancing his thesis plus his defensive moves. Nonetheless the theoretical assumption of the necessary dialogic character of argumentation may have been one of the reasons for Pragma-Dialectics' neglecting argumentation theory in the narrow sense, specifially for neglecting the study of non-deductive argument schemes.

One of the lessons that could be learned from these scathing criticisms of Pragma-Dialectics' epistemological foundations is that much could probably be improved by changing the epistemological basis of Pragma-Dialectics. Pragma-Dialectics is mainly a theory of argumentative discussion and not of (monological) argumentation. Combining it with the epistemological theory of argumentation and its epistemological foundations could already be the beginning of important progress.

5. *The Procedural Rules for a Critical Discussion*

The constructive core of Pragma-Dialectics are the rules of conduct it proposes for critical discussions. In this section, the real discourse rules, i.e. the rules for integrating argumentation in discourses, will be discussed; the next section is dedicated to the rules for the argumentative core.

The Pragma-Dialectical discourse rules are designed for *simple, i.e. single and nonmixed, discussion* (originally called: "simple single discussion"), in which exactly one thesis (not even its negation) is discussed (E&G 1984, p. 152; 2004, p. 135; terminology: E&G 1992, pp. 16-22). This implies that the antagonist can accept the protagonist's thesis, or express non-acceptance or can ask for a justification, but he cannot advance an incompatible counter-thesis, specifically he cannot say that the protagonist's thesis is false. The same limitation holds for the antagonist's "attacks" on the single reasons and the argumentative relation between reasons and thesis. This means real, offensive attacks are missing.**[vii]** And therefore the antagonist cannot point to the protagonist's *errors*; no real *critique* is taking place. As a consequence the discussants cannot obtain certification of their respective theses by having them exposed to intersubjective critique. In addition, the antagonist cannot contribute his own knowledge to a cooperative search for truth. So the most important aims of a real discourse cannot be reached by Pragma-Dialectical "discourses". Pragma-Dialectical discourses are not really dialogical discussions. They are monological argumentations enlarged by possibilities to adapt this argumentation to the addressee's epistemic situation. Ironically enough, Van Eemeren and Grootendorst here have completely set aside the criticism of Critical Rationalism, which, of course, requires refutations by positive counter-evidence, and returned to justificationism. And again ironically enough, epistemological argumentation theories, often decried for their monological conception of argumentation, compared to Pragma-Dialectics are much more and only really dialogical when it comes to integrating argumentation in argumentative discourse (cf. Goldman 1999, pp. 139-149; Lumer 1988).

Under procedural aspects Ro7/Rs5 (E&G 1984, pp. 163 f.; 2004, p. 143) is the most irritating rule. It quite innocently requires that, in the preparation stage the discussants agree about the rules that shall govern and be binding for the entire discussion that follows. Only subsequent rules, in particular Ro9/Rs7 and Ro10/Rs8, reveal how many agreements are meant to be included: agreement

about the intersubjective identification procedure (for identifying shared premises), the intersubjective testing procedure (which regiments observation (E&G 1984, p. 167) and the use of non-deductive argument schemes (E&G 2004, pp. 149 f.), respectively), the intersubjective explicitization procedure (for making implicit premises explicit), the intersubjective reasoning procedure (i.e. the deductive logic) and the premises themselves as well (E&G 1984, pp. 165 f.; 2004, p. 145). In order to be fully consistent with this logic of agreements, rules Ro8/Rs6 to Ro17/Rs14 should have been included in that list. Of course, this list should have been made explicit in Ro7/Rs5.

These agreement requirements are a heritage of constructivism, which in general has already been criticized (section 4). Some more specific problems are the following. First, the agreement requests are illusory, people cannot make all these things explicit and do not have the time to try to do so. Second, the agreement requirement is a simple *fiat*; nothing is said about how it could be reached. Considering that it includes encyclopedias, logics, epistemologies etc. it is not to be expected that discussants find an agreement. Third, an initial agreement is too rigid. The discussants may change their opinion about one or the other point. – Van Eemeren and Grootendorst seem to have seen some of these problems and therefore provide that the discussants commonly "assume tacitly that they accept more or less the same rules for the discussion" (E&G 1984, p. 163; similar: 2004, p. 142) and a common knowledge (E&G 1984, p. 166; 2004, p. 146). But if this is so and if constructivism is illusory, they should give up the constructivist rule Ro7/Rs5 altogether and adopt the concept of knowledge exploitation. And because knowledge exploitation is not trivial this requires the introduction of new substantive rules about how to make assumptions about the other discussant's knowledge, what to do if such assumptions are false etc.

6. *The Argumentation Rules for a Critical Discussion*

The second part of my discussion of the Pragma-Dialectical discourse rules regards the rules for the argumentative core, its argumentation theory proper.

In a perfect consensualistic fashion, Pragma-Dialectics conceives argumentation rules as something that must be agreed upon by the discussants, i.e. as *conventions* (E&G 1984, p. 163; 2004, p. 142). And consequently, the Pragma-Dialectical argumentation rules are advanced only as proposals for such conventions, without which they would not have any validity (*ibid*.). But what is the aim of such conventions? According to Pragma-Dialectics, it is to resolve

differences of opinion. However the question can be repeated, why should people try to do so? In particular if one speaks of *expressed* opinions only, one could introduce such conventions like rules of an entertaining game like chess, where one finally arrives at an explicit but meaningless "consensus", which has nothing to do with one's opinions. Of course, Van Eemeren and Grootendorst do not want this. Why should we want a *real* consensus? Convincing someone of a particular thesis in a *rhetorical* vein may have strategic advantages, but why should the arguer want to share this opinion? Pragma-Dialectics is silent about these questions; it simply does not contain a theory about the *function of argumentation* and about the way in which this function can be fulfilled by argumentation. And without such a function analysis argumentation rules will be arbitrary or only accidentally useful.

The straightforward answers to these questions are epistemological; and the usually recognized argumentation rules can best be explained epistemologically. The function of argumentation is to provide justified belief, which is systematically (though not strictly) connected to truth (Lumer 2005a, sect. 4; 2005b, sect. 1); and shared justified belief is a greater guarantee that this belief is really true. Argumentations help to achieve justified belief by guiding an addressee's cognizing the thesis etc. (Lumer 2005a, sect. 5; 1990, pp. 45-48; 280-281; 1991, pp. 102-104). If one adopts this epistemological function analysis of argumentation, argumentation rules cannot simply be conventions. As Siegel, Biro and Goldman have already criticized, agreeing on fallacious argumentation rules like the gambler's fallacy or plainly absurd or arbitrary argumentation rules like admitting only arguments with an even number of premises, simply does not lead to true or at least acceptable belief (Biro & Siegel 1992, p. 91; Goldman 1999, p. 159). Argumentation rules have to fulfil two essential functions, first, following them should guarantee the thesis' truth or *acceptability*, i.e. truth, high probability or verisimilitude, and second, following them should provide epistemic *accessibility* of the truth (or acceptability) to the addressee, e.g. by requiring that the premises be known to the addressee. If a particular set of argumentation rules fulfils these functions does not depend on convention but is an objective fact – like the functioning of a machine; it depends e.g. on how these rules refer to theses' truth conditions. Someone can find out these rules, follow them for the first time in trying to convince a particular addressee who does not know anything about these rules, and they could still fulfil their function. Think for example of rules for logical deduction. Whether such rules always lead from true premises to true

conclusions depends on the definitions of truth functional operators, which determine the truth-value of complex propositions dependent on the truth-value of elementary propositions; given such definitions it is not a question of agreement. Independence of agreement makes monological argumentation possible and, of course, facilitates discourses; the bulk of the Pragma-Dialectical opening stage becomes superfluous.

What just has been said about argumentation rules analogously holds for premises or, more generally, for reasons too. Pragma-Dialectics is completely consensualistic here in prescribing only shared acceptance of premises (Ro9/Rs7 (E&G 1984, p. 168; 2004, p. 147) and E&G 1984, pp. 165 f.; 2004, p. 145). But, of course, such consensus does not imply the premises' truth or acceptability.

Originally, Van Eemeren and Grootendorst proposed only one type of argumentation, namely deductive argumentation (cf. Ro10/Rs8 (E&G 1984, p. 169; 2004, p. 150)) – which has been criticized e.g. by Pinto (Pinto 2001, p. 133). More recently Van Eemeren and Grootendorst also included some further argument schemes (E&G 1992, pp. 94-102; 2004, pp. 149 f.; 150, Rs8), namely:
(1) *symptomatic argumentation* of the form '*a* is *F*; *F*'s are typically *G*; therefore *a* is *G*';
(2) *comparison argumentation or argumentation by analogy* of the form '*a* and *b* are similar or analogous; *a* is *F;* therefore *b* is *F';* and
(3) *instrumental argumentation* with the form '*p* is *F*; events of type *F* cause events of type *G*; therefore there will be an event of type *G*' (E&G 1992, pp. 96 f.).

However, this is not much of an extension of the theory of argument schemes. *Symptomatic arguments* are a *particular type* of probabilistic arguments (with a sure singular and a statistical premise); analogies are good heuristic devices but, because of the unclear extension of the *analogy*, bad arguments; *instrumental arguments*, finally, are only particular forms of *deductive* arguments. So these additional argument types are too special, and the resulting list of argument types is very unsystematic. But the major problem is that still most argument types are missing: probabilistic and statistical arguments in general, theoretical arguments for empirical theories and theoretical theses, practical arguments for value judgments etc. (cf. Lumer 2005b, sect. 3). These problems at least in part are due to the lack of a function analysis of argumentation in Pragma-Dialectics.

Let me sum up some major results of this discussion of Pragma-Dialectics.

(1) Its two main aims make Pragma-Dialectics a heterogeneous theory composed of unqualified and therefore unsatisfactory consensualism and an ill-conceived form of epistemic rationalism. A better synthesis of the useful parts of these ideas would be to take justified consensus as the aim of argumentative discourse.
(2) Pragma-Dialectics relies on very problematic epistemologies, namely Critical Rationalism and Dialogic Logic. Pragma-Dialecticians should look for a better partner in this field.
(3) The procedural rules for a critical discussion are a strong point of Pragma-Dialectics. But they should be expanded to rules for a complete discourse and be corrected in several details with an eye on the function of argumentative discourse, i.e. to cooperatively search for truth and to certify justified beliefs by exposing them to intersubjective criticism.
(4) The rules for argumentation proper are a weak point of Pragma-Dialectics. This is due to the unqualified consensualism and to the lack of a function analysis of argumentation. Epistemological argumentation theories have much more to offer in this respect. Thus they could provide the necessary complement to the procedural rules, which are a strong point of Pragma-Dialectics.

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NOTES

i. As we will see in the following section, in a systematically later stage Pragma-Dialectics goes beyond this initially fixed aim and requires that the dispute resolution be reached by a regimented discussion. But even the consensus resulting from these discussions is still unqualified in a broader sense, namely in the sense that now the discussion and argumentation rules governing the discussion as well as the premises to be used are established by an unqualified consensus which is not subject to further conditions – e.g. epistemic principles (cf. E&G 1984, pp. 163-168, in particular Ro7; 2004, p. 143, Rs5).

ii. For a detailed criticism of Albert's Münchhausen-Trilemma see: Lumer 1990, pp. 197-209.

iii. Lorenzen himself originally admitted that his own dialogical notation, apart from the question marks, is exactly identical to Beth's semantic tableaux (Lorenzen 1959/1961 in: Lorenzen & Lorenz 1978, p. 11). Subsequently Lorenzen and his followers have hidden this connection.

iv. Some further examples of Dialogic Logic's rules that make no sense in argumentative discourse are given in: Lumer 1988, p. 446.
v. A more extensive criticism of Dialogic Logic on these lines is given in: Lumer 1990, pp. 317 f. In particular, some members of the Erlangen School are quoted who later dissociated themselves from the dialogic conception of logic.
vi. Please note that "monologic" is meant here only in the weak sense, i.e. that one and the same person presents the whole (perhaps complex) argument. It is not meant in the strong sense that only one person is speaking during the conversation. The intended weak sense of "monologic" does not exclude that the arguer's presentation of his argument be distributed over several turns in a dialogue and interrupted by the questions or objections of another speaker. However, usually such questions and objections mainly have the function of fitting the argument to the addressee; but it remains the arguer's argument.
vii. In my own model of argumentative dialogues groups of possible moves are distinguished: A-moves, which allow argumentation, B-moves, which include agreements and requests of justification by the opponent, C-moves, which allow the opponent's attacks, etc. (Lumer 1988, pp. 450-457). Pragma-Dialectical discourses correspond to what I have called "simple argumentative dialogue", which consists of A- and B-moves only (Lumer 1988, p. 454); in particular equivalents to the C-moves are missing.

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