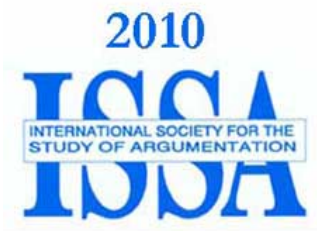# ISSA Proceedings 2010 – Controversy Over Uncertainty: Argumentation Scholarship And Public Debate About Science

1. A rationale for studying "manufactured controversy"
The term *"manufactured controversy"* appears with some frequency in recent scholarship about the public rhetoric of science. But as this paper will show, it tends to be applied in isolated case studies that have not yet been connected with each other into a larger multi-case analysis. As a result, the definitional contours of the term have not been made entirely clear in the rhetoric and argumentation literature. This paper is a first step toward developing a definition of the term.

Scholars in the broader field of science studies have looked at the same phenomenon that rhetoricians have been calling manufactured controversy, but they use a different name for it, calling it the manufacture of public *uncertainty* about science. This paper will argue that the focus of these science studies scholars has been so effectively filtered through the terministic screen of uncertainty production that they miss some important characteristics of the phenomenon that are related to the way in which public *controversy* over scientific claims is constructed in the public sphere. Since one purpose of argumentation scholarship is to engage the theorization of controversy (Goodnight, 1991), argumentation scholars should be especially suited to the study of this aspect of the phenomenon.

To ground a call for scholarship on the argumentative dynamics of the *"manufactured controversy"*, this paper reviews some recent literature on the rhetoric of science and some recent literature from the broader field of science studies that explores cases where public uncertainty is created through the manufacture of scientific controversy in the public sphere. The goal of this paper is to set out a path for scholars of argumentation and rhetoric to make a useful contribution to the study of this phenomenon, and to briefly preview some of my

own findings from a study that I have undertaken along that path, findings that I more fully develop in another longer paper (Ceccarelli, 2011).

2. Why call it a "manufactured" controversy?

The common term *"manufactured"* is used by scholars in rhetoric/argumentation studies and science studies to describe this phenomenon because in each case that they identify, they have established that there is little or no controversy among scientific experts about the science itself. Instead, scientific controversy is being *invented* for a public audience, often by special interest groups, in order to achieve certain political goals like delaying the enactment of regulatory public policy, or forcing the teaching of alternatives to the dominant scientific paradigm in public schools. The political motives of those who "manufacture" scientific controversy in the public sphere are most often revealed by scholars through the publication of "smoking gun" documents where rhetors acknowledge, often in private planning reports that have been leaked to the public, that controversy is being used as a tactic to manipulate the public (Luntz, n.d., pp. 137-138; Brown and Williamson, 1969, p. 4; Discovery Institute, n.d., p. 2, 4). Less often, the manufacture of controversy is revealed as a political tactic through statement inconsistencies that suggest the promotion of a controversy is a matter of expediency in a particular case rather than a matter of genuine belief that significant scientific uncertainty exists.**[i]**

3. Recent case studies in rhetoric and argumentation on "manufactured controversy"

In an article in *Communication and Critical/Cultural Studies*, Marlia Banning (2009) describes the public debate over the science behind global warming as a "manufactured – debate" (p. 291), a "'disingenuous' or 'pseudo-controversy,' in which commercial and political entities labor to generate a perception of widespread debate among a scientific community where instead there is a strong agreement" (pp. 286-287). She argues that commercial and political entities apply this strategy "in order to undermine public opinion and policy" (p. 298).

In addition to using the term "manufactured" to describe this controversy, Banning uses the terms "disingenuous controversy" and "pseudo-controversy." Because there was no multi-case study of the "manufactured controversy" before Banning wrote her paper, she adopts her terminology from another provocatively named individual case study published in *Argumentation and Advocacy*. However, that article has nothing to do with science and actually reports the opposite of

what Banning describes in her own case study. The article that she cites to give credit for the concept of "disingenuous" or "pseudo-controversy" explores a case where controversy is artificially deployed over the political speech of Ward Churchill to close off debate, to "stifle dissent and ... alternative perspectives" and re-center an orthodoxy by diverting attention from the substance of genuinely controversial claims about politics and violent acts (Fritch, Palczewski, Farrell, & Short, 2006, p. 201). The case that Banning describes of public controversy over climate science is characterized in her article as doing the reverse of this – *inventing* scientific dissent where there is none (not silencing it), and *undermining* a scientific orthodoxy (rather than re-centering it). The term "pseudo-controversy" seems on its face to accurately characterize the political strategies being deployed in Banning's case study, but the terminological link between her case and the case studied by Fritch et al. leaves readers with little hint about what might constitute the common characteristics of such cases. Given access to a multi-case study that examines the similarity between different instances of manufactured *scientific* controversy, Banning would not be forced to grasp for a theoretical link to another type of disingenuously manufactured controversy with which her case shares little in common.

In another recent study, this one published in *Quarterly Journal of Speech*, Marcus Paroske (2009) describes the case of AIDS dissent in South Africa as a "version of 'manufactured controversy'" in which "arguments that exploit inherent uncertainty and urge delay" are used to counter the global scientific consensus about the cause of a disease (p. 152). Just as with Banning's article though, Paroske struggles to ground the term in the literature. The citation he supplies for the term "manufactured controversy" is an essay in which the term itself never appears. The essay he cites, from the field of mass communication research, uses the term "manufacturing *doubt*," not manufactured controversy (Stocking & Holstein, 2006). As I will demonstrate in the next section of this paper, the focus on controversy that Paroske offers as an argumentation scholar is different from the focus on doubt that has pervaded the literature that he cites as a theoretical ground for his case study. A multi-case study that examines the common argumentative dynamics of manufactured scientific *controversies* would provide a more solid theoretical grounding for future studies like Paroske's in the field of rhetoric/argumentation studies.

A third example of rhetorical scholarship that introduces the concept of the

"manufactured controversy" is a paper presented by Rachel Avon Whidden at the 2005 Alta conference on Argumentation and published in its proceedings. This paper discusses the "manufacturing of controversy" by intelligent design advocates who create "the illusion of the presence of an actual debate within the scientific literature" (pp. 707-708). Unlike the cases studied by Banning and Paroske, this time a case is described in which controversy is being manufactured not in order to delay public policy, but in order to promote a *new* public policy that requires public schools to teach both sides of the so-called scientific "debate" over evolution. A reader encouraged by Banning and Paroske to think of manufactured scientific controversy as a tactic to *maintain* the status quo by delaying policy change might be surprised to discover the same concept being used to describe a tactic that seeks to *change* the status quo by initiating a new policy. Again, a multi-case study of manufactured scientific controversies would resolve any such potential confusion about the concept by exploring the characteristics that these cases share in common.

The fact that Banning, Paroske, and Whidden never cite each other, but they all use similar language to describe the key argumentative activity explored in their case studies is significant. Rhetoricians are discovering an important phenomenon in contemporary public discourse about science that needs theorizing: the manufactured controversy. A larger multi-case study can help us develop a better understanding of "manufactured controversy," so that future uses of the concept can inform each other in the scholarly literature on public rhetorics of science. By examining the manufacture of controversy in all three of these cases identified by rhetoricians (global warming skepticism, AIDS dissent, and intelligent design), we can better appreciate the scope of this concept, in which the same types of appeals are deployed by those who would postpone government action (for example, to regulate carbon emissions) *and* by those who would create new government policies (like "teach the controversy" directives about evolution in public school science curricula).

4. The "science studies" literature's focus on manufactured uncertainty
So far, I have established that the term "manufactured controversy" is being used by scholars of rhetoric and argumentation, but they have not yet developed a clear cross-citational grounding for the term. When we shift our gaze to the larger scholarly conversation about science policy and public debate, we find that some of the same cases are being studied in other fields, but the central phenomenon

under examination there is called by a different name. Significantly, each of the terms coined for this phenomenon by scholars outside the field of rhetoric and argumentation studies emphasizes the amplification of *uncertainty* by those who deny the scientific consensus.

For example, epidemiologist David Michaels (2008a) details a number of cases where industries have deployed a strategy he calls "manufacturing uncertainty" which entails "preventing or postponing the regulation of hazardous products by questioning the science that reveals the hazards in the first place" (p. x). "Industry has skillfully turned what should be a debate over policy into a debate over science. The retreat from regulation is fueled by the product defense experts who specialize in manufacturing uncertainty and creating not sound science, as they disingenuously claim, but something that sounds like science in order to allow toxic exposures to go unregulated and victims of these chemicals to go uncompensated" (Michaels, 2008a, p. 264).

Michaels (2008b) details numerous "campaigns mounted to question studies documenting the adverse health effects of exposure to beryllium, lead, mercury, vinyl chloride, chromium, benzene, benzinide, nickel, and a long list of other toxic chemicals and pharmaceuticals" (pp. 92-93). He also points to evidence of this strategy being used by the fossil fuel industry when it was "confronted by an overwhelming worldwide scientific consensus" on anthropogenic global warming (p. 92). The title of Michaels' book, *Doubt is Their Product*, is taken from a tobacco industry internal memo which, when faced with evidence that tobacco causes cancer, candidly admits "Doubt is our product since it is the best means of competing with the 'body of fact' that exists in the mind of the general public. It is also the means of establishing a controversy" (Brown & Williamson, 1969, p. 4). Although this memo suggests the manufacture of *controversy* is the purpose of the strategy, Michaels' terminological focus on the production of *doubt* directs our attention to how "mercenary scientists" (2008a, p. 60) exploit the natural limitations of epidemiological and laboratory studies of human disease to create confusion for the public. This terminological focus turns our attention away from how industry employees exploit fairness norms in the public sphere to effectively seed controversy and thus stall regulatory action.

Historian of science Robert Proctor (2008) likewise turns our attention to the manufacture of *uncertainty* (rather than the manufacture of controversy) with his invention of the term "agnogenesis" as a subarea in the new field of agnotology

(the study of ignorance). Agnogenesis refers to the use of ignorance "as a deliberately engineered and strategic ploy" (p. 3). When we study agnogenesis, says Proctor, we explore "ignorance – or doubt or uncertainty – as something that is made, maintained, and manipulated by means of certain arts and sciences" (p. 8).

Like Michaels, the examples Proctor chooses include global warming denial and the tobacco industry's response to cancer studies. He says the latter "must rank as one of the greatest triumphs of American corporate connivance" (pp. 19-20) a strategy to question all assertions that we know the cause of cancer and "all efforts to 'close' the controversy, as if closure itself were a mark of dogma, the enemy of inquiry" (p. 12). So Proctor too recognizes the production of controversy as key to this rhetorical strategy, but he invents a term that focuses our attention on the creation and maintenance of ignorance as if that were the most significant characteristic of these cases.

Sociologists William Freudenburg, Robert Gramling, and Debra Davidson (2008) make a similar move when they coin the term "Scientific Certainty Argumentation Methods," or "SCAMs," to refer to "a clever and surprisingly effective political-economic tactic" that exploits the fact that "most scientific findings are probabilistic and ambiguous" in order to defeat or postpone proposed regulations (p. 2). According to these sociologists, "SCAMs can be remarkably effective even in cases where most scientists see findings as strong or robust – indeed, even in cases where the findings are backed by clear and emphatic statements of scientific consensus from the most prestigious scientific organizations in the world" (p. 5).

Freudenburg et al. describe several cases where controversy is manufactured by politically skilled actors to obscure an existing scientific consensus. But because they look only at how SCAMs manage uncertainty claims, they turn their scholarly gaze away from some of the other rhetorical tools used to invent an ongoing scientific debate in the face of overwhelming scientific consensus.

In studying manufactured *controversy*, scholars of rhetoric and argumentation can examine the same phenomenon scrutinized by those who call it manufactured doubt, agnogenesis, or SCAMs, but the terminological distinction points to a difference in emphasis that will reveal aspects of the phenomenon that are obscured by the broader "science studies" literature's focus on uncertainty production. When the manufacture of *uncertainty* is the subject of analysis,

scholars like Michaels, Proctor, and Freudenberg et al. demonstrate how conventional ignorance claims in scientific articles are taken out of context, data is cherry picked, and statistical methods are manipulated by strengthening evaluation standards for studies with inconvenient results.

The rhetoric and argumentation scholar's focus on the manufacture of *controversy* can reveal instead how the illusion of an ongoing scientific debate is built to sustain that uncertainty through the exploitation of balancing norms and appeals to open-mindedness, freedom of inquiry, and fairness. By examining the common appeals used in global warming skepticism, AIDS dissent, and intelligent design advocacy, we can better recognize how political agents in these cases use argumentative tactics to force scientific controversies into existence in the public sphere, controversies over scientific data that do not exist to any significant degree in the technical sphere.

5. Some common argumentative characteristics of the manufactured controversy
The purpose of this paper is not to set out a detailed comparative analysis of the public argumentation involved in these three cases. To do that would take me beyond the word limit for an entry in this conference proceedings. But I will preview some of my findings from that comparative analysis (Ceccarelli, 2011) in the interest of better defining the concept of the "manufactured controversy" and supporting my argument that a sustained rhetorical study of several cases together can make a productive contribution to the existing literature on this subject.

After undertaking the comparative study of these three cases, I discovered that there are two types of manufactured scientific controversy: the epistemological filibuster that delays policy change (Paroske, 2009), and the fairplay wedge that initiates policy change. In both types of manufactured controversy, contrarian scientists are deployed in the public sphere and their voices are amplified through the exploitation of balancing norms in liberal democratic institutions of journalism, law, politics, and education, where one always expects two sides to be presented with equal force to guarantee an informed citizenry.

By exploiting these balancing norms, those who manufacture scientific controversy create a situation that puts defenders of mainstream science in a bind, where they cannot refuse to debate without seeming dogmatically unscientific and opposed to freedom of speech and freedom of inquiry, but where agreement to debate suggests to the public that there are two equally strong

sides on the matter within the scientific community. To further constrain the response of mainstream scientists, those who manufacture scientific controversy describe academic practices like peer review and tenure as mechanisms for an orthodoxy to inappropriately suppress those who have a dissenting view. By employing this argument, they weaken the persuasive power of the very practices of science that could be employed to contest the quality of oppositional claims in such debates. The narrative of controversy thus produced portrays skeptics as heroes in an unfolding scientific revolution, oppressed by mainstream scientists who are ideologically deaf to their appeals and who try to silence them so that others are not exposed to their heresy.

Without a clear understanding of these argumentative constraints, those scientists who respond to manufactured controversy often fall into the very traps that have been set for them, responding with arrogant dismissal that serves only to confirm their opponents' charges in the eyes of the public. This is why I think it is especially important for scholars of rhetoric to understand the argumentative strategies of those who would manufacture scientific controversy in the public sphere. Only by understanding these strategies can scholars of rhetoric and argumentation who teach scientists begin to help them develop a response that is more sensitive to audience and burden of proof, that reclaims democratic values for science, and that allows the public to see that those who manufacture scientific controversy in the public sphere do not always embody the scientific and democratic values they claim to champion.

The science studies scholar's focus on manufactured uncertainty is important for helping us understand how scientific data can be manipulated in the public sphere, but the argumentation scholar's study of how *controversy* is manufactured to nurture that uncertainty is equally important. It is my contention that a comparative study of the rhetorical strategies used in several cases of manufactured controversy can help us to better understand this important phenomenon that is increasingly the subject of isolated case studies in rhetoric and argumentation studies, and under some circumstances, such comparative study might help prepare scholars of rhetoric and argumentation to teach scientists how to more effectively respond to these strategies in public forums.

NOTES
[i] An example of this is Thabo Mbeki's refusal to distribute drugs to treat HIV infection after becoming president of South Africa because of the "uncertainty"

raised by the scientific "controversy" over whether HIV causes AIDS. That this was a political tactic to justify a reduction in government spending is suggested by the fact that before Mbeki was president, he forcefully argued that even unproven drugs should be distributed to AIDS patients because it is unethical to postpone action until all scientific uncertainty is eliminated. This case is excellently detailed in Paroske, 2009.

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ISSA Proceedings 2010 – The Collective Making Of Temporal Aspects In Public Debates

1. A cross-disciplinary perspective on argumentative indicators in contemporary public controversies

The starting point of this paper is the observation that arguers engaged in the defence of their standpoint in a controversy devote a significant part of their discursive activity to the representation of the debate in which they take part. Such a representation does not contribute directly to the exchange of arguments. It nevertheless provides the addressee with an interpretative frame which may be called upon in order to reach the real, deep meaning of the arguments that are being presented. To take an example, in the controversy surrounding astrology, the representation of the debate as the struggle between reason and obscurantism, or between light and darkness, is one that is favoured by the astrology detractors. As far as the astrology supporters are concerned,

they portray themselves as the Galileo of modern times, as being the victims of a dominant institution – the Inquisition in Galileo's case, the *"official science"* in the case of astrology supporters (Doury 1993).

When representing the controversy, the construction of a temporal frame may constitute an important strategic stake for the participants. This construction has a double nature: it is events-constrained in that it depends on the factual chronology of the debate; it is also fundamentally discursive, in that the participants make a choice among the available events which punctuate the controversy in order to select some of them which will be given a specific argumentative relevance. The combination of the order of events and the order of discourse, to borrow Foucault's terminology, makes the temporal dimension a privileged ground for the integration of sociological and argumentative insights into the study of controversies, an integration that may contribute to the cross-fertilization of Argumentation Theory and Sciences Studies, from which both fields can benefit according to Keith and Rehg (2008).

The discursive construction of the temporality of a controversy may serve as a basis for various argumentative moves, such as arguments from the precedent, arguments from consequences, and analogy arguments. It can be realised linguistically by a number of grammatical or lexical elements. In this paper, we will adopt a lexical approach and focus on the French adverb *"désormais"* [from now on], in particular. We will show how *"désormais"* can be used to introduce a temporal breach in the chronology of a debate and how this temporal breach may be exploited in order to fulfil various argumentative purposes. We thus mean to illustrate how the linguistic investigation of discourse indicators such as *"désormais"* may enrich a sociological questioning within the theoretical frame of a socio-ballistics of controversies (Chateauraynaud 2009).

2. Ways of arguing: a pragmatic approach to argumentation
This part of our paper will briefly present some aspects of a new trend in contemporary French sociology, which tries to articulate a long-term analysis of public controversies, especially controversies involving science and technology issues, with an argumentative approach that takes a close look at the linguistic surface of discourse. In this approach, as mentioned in the introduction, temporality is a key topic. Taking seriously into consideration the way in which actors and arguments are evolving over time, through a long series of events, trials, debates or crises, invites us to consider each argumentative or discursive

activity in its context (*e.g.* occurring before or after an event or a public declaration) and to take a closer look at the ways in which arguers – commonly named actors, players or protagonists in sociology – manage the temporal aspects of the dispute or discussion: how do they invoke the past, the present and the future? How do they deal with emergency, delay, expectancy, anticipation or prophecy, and even more complex cases such as visions of the future already projected in the past? Let us take a short example that illustrates this point:

(1) I *have alerted very early* about the problem of lack of technical control on off-shore platforms and *now* we are *in front of the biggest oil slick in American history*! How would we avoid this kind of catastrophe *in the future*? How to be sure that it will *never occur again*? (intervention by an inspector, in May 2010, in the course of the big controversy surrounding the management of the disaster caused by the explosion of Deepwater HoRizon Platform – fragment extracted from a corpus built from American news sites)

This excerpt includes various discursive markers that contribute to the temporal framing of the off-shore platforms controversy. Different verb tenses are used to refer to different moments related to this controversy: past perfect tense to refer to a previous warning ("I have alerted…"), present to refer to the present disaster ("now we are in front…"), and future to refer to the necessity of adopting security measures ("How to be sure that it will never occur again"). Emphasizing devices ("*very* early", "the *biggest* oil slick", "it will *never* occur again", as well as the exclamation mark) are used in order to stress the significance of this event and to justify its comparison to others in the "American history". Such markers help us pinpoint the temporal aspects of a controversy on the linguistic surface of discourse. One such marker, among others, is the adverb "désormais" on which we focus in section 4.

By following and comparing a great number of public controversies or conflicts, on issues like asbestos, radioactivity, pesticides, endocrine disruptors, genetically modified organisms (GMOs), electro-magnetic fields, nanotechnologies, climate change, and many other issues, we have built a theoretical frame called "socio-ballistics", in order to analyse and explain the different trajectories that public issues follow – especially concerning risk and uncertainty, technological promises and prophecies of doom (Chateauraynaud 2009). Some main questions asked by this sociological approach are: on what context does an argument or a counter-argument emerge? What kind of trajectory does it take, and through which

modifications? What does it mean for an argument or a set of arguments to resist to criticism? Are the arguments immanent in the actor networks or are they produced by the disputing process itself with a contextual relevance impossible to reproduce at a distance? How can an argument travel from small communities through different kinds of arenas and groups, winning in strength and in surface, and becoming, step by step, a watchword, a political tool, a rule of law or a common sense feature?

To understand the turning moments in the trajectories of arguments, we need to engage, in our conceptual and analytical toolbox, a theory of argumentation able to account for the actors' practical and critical reasoning. It is with the aim of describing accurately the argumentative bifurcations – by which some arguments may get more legitimacy or strength in public opinion, or, on the contrary, may lose their relevance, or definitively mark a clearcut opposition between camps (*nuclear can help fighting against climate change* versus *nuclear is too dangerous and toxic to help in anything concerning the environment!*) – that specific investigations on temporal modalities, adverbs and indicators become necessary – even if this level of analysis is seldom taken into account by sociologists. Before elaborating on the analysis of an adverb like "désormais", let us try to summarize a few properties linked to our "argumentative sociology scheme".

A working definition of argumentation, particularly relevant for sociological analysis can be the following: argumentation is a discourse or a device which may be linked to an ongoing action and which is organized through a disputing process – or its anticipation – in order to defend a standpoint, an opinion or a thesis, and designed to resist against hard and relevant contention or criticism. In this sense, argumentation contains, at least as implicit requirement, one or many counter-argumentations. The integration of an argumentative analysis into a pragmatic theoretical perspective**[i]** requires that one account seriously for the techniques by which protagonists themselves perform the tasks of identifying, classifying and evaluating arguments, when making such comments as : "This is not a good argument", "This is an argument ad hominem", "His reasoning lies on totally simplistic economic arguments …", "it is not enough argument for …" etc. (Doury 2004). By analyzing in detail argumentative activities in many arenas, including informal ones – like in everyday life conversation, or in specific negotiations involved in ordinary routines – the integration of external and internal aspects of disputes provide powerful analytic grids to detect what kind of

arguments or counter-arguments an actor takes in charge and what kind of argumentative movement is produced in conversations or monologic texts and discourses.

There are three levels of analysis that a pragmatic approach needs to articulate:

- Frames, situations and arenas in which actors are faced with an argumentative constraint – with different strategies to escape from it (Goffman 1974, Boltanski & Thévenot 1991, Jasper 2005);
- The making of arguments as an activity around argumentative nodes or cores (Anscombre & Ducrot 1983, Perelman & Olbrechts-Tyteca 1988, van Emeeren & Grootendorst. 2004, Plantin 1990, Doury 1997);
- The transformation of arguments over time through a long series of redefinitions generated by disputes and controversies; during this disputing process some arguments are selected and become strengthened enough to join common representations and ordinary discourses (science studies revisited by Socio-Ballistics).

How is an alert, a criticism or a judgment taken into account by different actors and how does it enable them (or not) to transform collective devices, norms and institutions? What kind of disputing procedure is available and how do actors deal with the plurality of debate arenas or with the different forms of public discussion? How do controversies, public debates, court trials and political mobilizations affect the course of social transformations? These questions are part of a larger programme on dispute resolution mechanisms. In this programme, the key issue is: in what conditions can new arguments appear, become common places and have consequences on actions and decisions? Such questioning points to a circular property of social learning processes: it is through disputing trials that common grasps based on tangible assertions, resulting from collective tests, are gradually embedded in ordinary practices and social representations**[ii]**.

Engaging into an argumentative process puts one's basic beliefs at risk: a first reason for this is that one is confronted with other beliefs which challenge his own; a second reason lies in the fact that elements derived from different arguments may come into contradiction with the principles underlying our beliefs and our fundamental values. This explains why, in many debates, accepting to enter a genuine dialogic process quickly leads participants to seek a compromise

if they are oriented towards consensus and cooperation – having recourse to various processes that can help them to close as soon as possible the discussion ("we will not argue on this point", *"this would lead us too far"*). In the case of a dissensus orientation, however, the figure that Lyotard (1988) refers to by the concept of *différend* (or "deep disagreement"), leads to a defence crystallization in order to reduce the views of others and to literally bomb one's opponent's arguments so that the latter cannot respond, aiming at reducing the latter's scope of intervention. In both cases, the use of argument involves the faculties of both action and emotions.

3. The Sociological Ballistics and the dynamics of public issues
In *Les Sombres Précurseurs* ("The Dark Forerunners", Chateauraynaud & Torny 1999), we have tried to distinguish the main configurations (or "regimes of action") which operate as social frames and help actors to organize their actions and judgments. Events, actors and argumentations, and, *a fortiori*, scientific expertise, do not play the same role according to the configurations in which they are mobilized.

– In the use developed here, the word "Ballistics" has no deterministic connotation but rather deals with uncertainty of trajectories in complex processes. This is consistent with the questions the analyst may try to answer about controversies: how do actors detect the right trajectory for an alarm, criticism or mobilization to succeed, and symmetrically, why do they sometimes fail to convince, to mobilize and to achieve their goals?

We thus consider that collective actors are intentional ones and that they develop a ballistics. But does ballistics imply a teleological rationality? Not necessarily, if endowed with a pragmatic sense: that is if we look at variations and bifurcations, unexpected movements and effects, and at the same time, the capacity of actors to adapt, or not, from one context to another, to change their targets in the course of action. Unexpected events and intense moments of argumentation are privileged opportunities for identifying and understanding the turning points in a long series of disputes and mobilizations. The key moments of argumentation are crucial (critical) and play an important role in the shifts, from vigilance to alarm, from alarm to controversy, from controversy to polemics.

Different programmes, called "mapping controversies", deal with such conceptual and methodological problems. But, rather than focusing on "topics", we

endeavour to follow "sets of actors and arguments", and in place of reifying "networks", we account for long-term transformations, in which visions of past, present and future are taken seriously with a strict symmetry. Furthermore, a socio-ballistics allows us to distinguish different phases: emergence (making new signs and problems visible), controversy (agreeing or disagreeing on facts and matters of facts), claims, denunciations and polemics (defining victims, responsibilities and guilt), political mobilization (with the aim of modifying or defending law and conventions), normalization and regulation (putting in practice texts and rules, by involving many actors in a process of governance …).

Fout! Objecten kunnen niet worden gemaakt door veldcodes te bewerken.

We shall speak of argumentative convergence when different arguments are brought together in order to strengthen a standpoint or a position in a field crossed by social tensions and forces, creating a justificatory system around an argumentative node. The difference between convergence and juxtaposition or addition – think of the arithmetics model of argumentation A + B + C used by Bruno Latour (Latour 2005) – is crucial: convergence supposes that different argumentative logics are linked by a form of solidarity – in the case of addition, you can cut one element without affecting the others. For instance, the strength of argumentative devices like the ones used by many activists comes from the articulation of risk issues, democratic questions, governance of sciences by competition and the critique of the "new big brother" developed by states and firms under the concept of "global security". Another good example of argumentative convergence is provided by the GMOs case: in France, anti-GM movement has succeeded in bringing together a health and environmental issue and an economical struggle about property on seeds in agriculture. In order to identify and analyze the way in which a convergence or a divergence occurs, over time, in argumentative devices, we must focus on indicators and marks, often forgotten by social analysts. The following section, devoted to French adverb "désormais" [from now on], aims at illustrating the way a focus on a specific linguistic device can contribute, in connexion with the scrutiny of other temporal organizers, to the ballistics of a specific controversy.

4. The temporality of debates: events and discourse. The case of "désormais"
Let us now try to show how the observation of specific linguistic devices may serve the general research programme outlined above.
According to French grammarians (*e.g.,* Pinchon 1969, p.74), "*désormais*" [from

now on] is considered as having a durative value, as is the case with "always" or "never": it marks the beginning of a period which is supposed to continue unbroken for a certain time. In that, it contrasts with adverbs indicating the moment in which an action takes place ("yesterday"), its frequency ("often", "seldom") or the ordering of the events ("then", "before", "after").

"Désormais", like "depuis" [since] and "dorénavant" [from now on, henceforth], indicates the beginning of a period that is at stake. It may have a framing function (Le Draoulec & Bras 2006) when it appears at sentence initial position. From this position, the adverb has scope over all the sentences that follow it in paratactic coordination as in example 2:

(2) *Désormais*, on connaît parfaitement l'état des centrales à l'Est ; on les inspecte régulièrement ; leurs opérateurs sont formés en Europe ou aux Etats-Unis ; on leur fournit simulateurs, ordinateurs, systèmes d'alarme. (corpus nucléaire)

From now on, the condition of the nuclear power station in the Eastern Europe is well-known; inspections are carried out on a regular basis; the operating staff is trained in Europe or in the United States; they are provided with simulators, computers, alarm devices.

"Désormais" poses a temporal scheme characterized by the stop of an ongoing process at the present moment. The so-called "present moment" may be identified with a specific event that occurred recently, or may be assimilated with the very moment in which the sentence is being uttered. The period which follows this stop is presented as homogeneous and lasting, if not as irreversible.

When combined with future tense, and under certain conditions (which will be detailed below), "désormais" may gain a performative value: it is presented as if, by its very utterance, it could make happen the period that starts after the temporal breach. This performative value may be illustrated with the use of "désormais" introducing local conventions in scientific papers as in example 3:

(3) Cet article s'inspire des réflexions issues de la théorie de l'Argumentation dans la Langue (*désormais* AdL).

This paper builds on insights from the Argumentation Within Language Theory (*henceforth* AwL).

Along the same lines, the performative value of "désormais" may be illustrated by

examples issued from political discourse. For instance Nicolas Sarkozy, since his election as President of France, hammers in his public speeches his will to profoundly re-orientate French politics and to inaugurate a new era through various political reforms. Such an ambition is associated with the recurrent use of the adverb "désormais". Here is an example of the speech he delivered in July 2008 at the Conseil National de l'UMP:

(4) Nicolas Sarkozy : moi j'ai été élu pour agir/ (.) j'ai été élu pour conduire un mouvement de réformes SANS précédent\ (.) dans notre pays \ (.) et j'veux dire à nos partenaires européens\ (.) la France est en train d'changer\ (.) elle change beaucoup plus vite\ (.) et beaucoup plus profondément qu'on ne le croit\ (.) *désormais*/ (.) quand y a une grève ne France personne ne s'en aperçoit [souriant, bras ouverts en fin de phrase] [applaudissements, rires] *désormais*/ (.) cher Jean-Claude Gaudin (.) on peut réformer les ports (.) parce qu'on est JUSTE (.) *désormais* on peut dire que l'problème de la France (.) c'était qu'on travaillait pas assez (.) alors que le monde ne nous attend pas (.) on peut réformer profondément (.) les 35 heures (.) *désormais* (.) on peut faire la politique pour laquelle on a été élu\ (.) tout simplement parce que j'n'ai pas menti aux Français (.) avant l'élection/ (.) et j'n'ai pas davantage l'intention (.) de leur mentir (.) après\ (.) je vous remercie\ [fin du discours]

Nicolas Sarkozy: I have been elected in order to take action, I have been elected in order to lead a reform movement WITHOUT precedent in our country. And I want to tell our European partners that France is in the process of change. It is changing faster and a lot more profoundly that one can imagine. *From now on*/ (.) when there is strike in France none will notice [smiling, opens hands at the end of his sentence] [applauds, laughs] *from now on*/ (.) dear Jean-Claude Gaudin (.) we can reform the ports (.) because we are CORRECT (.) *from now on* we can admit that the problem of France was (.) that we were not working ENOUGH (.) but the world is NOT going to wait for us (.) we can reform PROFOUNDLY (.) the 35 hour workweek (.) *from now on* (.) we can take the political decisions for which we were elected \ (.) simply because I did not lie to the French people (.) before the elections/ (.) and I do not have the intention (.) to lie to them (.) afterwards\ (.) thank you\ [end of speech]

The expression of the will to change French political scene comes before a succession of four instances of "désormais". Nicolas Sarkozy identifies the turning point that is marked by this adverb with his accession to the Presidency. The first

instance of "désormais" introduces some kind of mockery dear to the President. The following three "désormais" characterize the opening era by the emergence of new potentialities, marked by the repetition of "désormais, on peut" ("from now on, we can …")

"Désormais" gains a performative value because of various characteristics of the speech situation:

–   First, the fact that it appears at the end of the speech, which is usually a strategic position for public, media-covered, political discourses;

–   Second, the sentence initial position of "désormais", which constitutes a linguistically strategic position;

–   Third, the fact that the speech, at this moment, is addressed to Nicolas Sarkozy's European partners, which confers a certain degree of solemnity on it;

–   And finally, the fact that "désormais" is uttered by the Head of the State, who is (or at least, is supposed to be) in a position to make the announced change happen.

In brief, it is because Nicolas Sarkozy says that, under the above specified circumstances and in this specified phrasing, that the periodization introduced by "désormais" stands for a political commitment.

On the basis of the preceding linguistic observations, one can suggest that "désormais" constitutes an interesting indicator of the construction and modification of the key moments of a controversy. It often testifies for the arguers' disposition to leave behind them a disowned or, on the contrary, idealized past and to picture themselves in a more or less reversible future which may be hoped or feared. In close connection to this temporal function, "désormais" may re-define the repertoire of arguments available at some point of a controversy.

From this perspective, the case of the nuclear controversy is exemplary: no doubt, there is a "before" and an "after" Chernobyl. The accident of the Ukrainian nuclear plant was argumentatively constructed as a breaching point of the debate, and was used to disqualify former acceptable arguments, such as the accusation of gloom-mongering addressed to the anti-nuclear activists. In example 5, "désormais" helps to elaborate a chronology of the events discussed in the nuclear debate that is argumentatively significant:

(5) Or la catastrophe de Tchernobyl a porté un rude coup aux programmes

nucléaires occidentaux, *désormais* en pleine récession. (*L'Evénement du Jeudi*, 18/04/1996)

Now the Chernobyl disaster has dealt a serious blow to western nuclear programs, which suffer *from now on* from a severe recession.

The remainder is a brief case study on the role of "désormais" as a temporal organizer of a debate on four main controversial issues: GMOs, Nuclear power, Asbestos and Nanotechnologies.

The first range of observations that the study of "désormais" permits is the identification of the events presented as turning points, as marking breaches in the controversy that may re-define the arguments considered as relevant at a given moment of the debate.

Such a turning point may be explicitly matched with a specific event in the sentence that contains "désormais" or in the larger co-text. It may consist in:

An administrative or judicial decision that imposes new norms:
(6) La directive EURATOM du 13 mai 1996 fixe *désormais* les coefficients de dose pour chaque tranche d'âge. (corpus nucléaire)

Euratom n°96-29 directive of 13 May 1996 sets *from now on* the maximum permissible doses for each age bracket.

-A political decision which may have consequences on connected domains:
(7) Dans l'ex-Union soviétique et aux États-Unis, en raison des programmes de démantèlement des armes nucléaires, des quantités considérables de plutonium sont *désormais* disponibles et peuvent être utilisées à la production d'énergie ou doivent être mises à l'abri de détournements à des fins belliqueuses. (corpus nucléaire)

In former Soviet Union and in the United States, because of nuclear weapons disarmament programmes, considerable amounts of plutonium are *from now on* available and may be used for the production of energy or they have to be protected from any traffic for military purposes.

– A technical test which may define a new state of knowledge :
(8) Mais nous avons fait des tests et nous sommes *désormais* sûrs qu'il n'y aura pas de problème lors du passage à la nouvelle année. (corpus nucléaire)

But we made some tests and *from now on* we are sure that there won't be any problem on the arrival of the New Year.

In connection with the identification of the event pointed at by "désormais", the analyst may also discern the characteristics of the new period.

– The rupture may be epistemic, and "désormais" may introduce a period characterized by a new state of knowledge. In turn, this state of knowledge may act upon the arguments that may henceforth be advanced on the issue at stake. From a Perelmanian perspective, arguers try thus to re-define which "facts and truths" are likely to provide "points of agreement" on the disputed matter (Perelman & Olbrechts-Tyteca 1988, p. 89).

Example 9 shows *a contrario* the connection between the definition of new points of agreement and argumentation. The speaker, who is a scientist, admits the validity of studies which establish a connection between nuclear tests and increasing thyroid cancers. Nevertheless, he tries to disconnect these factual assertions from political or judicial claims they might support (claim for a compensation for the Mururoa and Fangataufa veterans).

(9) Si le lien entre essais nucléaires et taux anormalement élevé de cancers thyroïdiens est *désormais* "acquis", la prise en charge des soins des vétérans de Moruroa et Fangataufa paraît-elle légitime ? Je ne veux pas me prononcer là-dessus, je suis un scientifique. (corpus nucléaire)

Assuming that the connection between nuclear tests and an abnormally high rate of thyroid cancers is *from now on* established, are the Moruroa and Fangataufa veterans justified in demanding the reimbursement of their treatment? I don't want to take a stand on that, I am a scientist.

It's up to scientists to bring an epistemic breach in a controversy; it is up to the social actors to draw the political conclusions from the new state of knowledge. The fact that this scientist has to make explicit his argumentative neutrality shows how plausible the argumentative interpretation of his epistemic claim was.

– The rupture may also be deontic. A statistical survey of our four corpora shows an important rate of "désormais" associated with deontic expressions or markers of normativity or juridicity, such as "we must / have to", "we cannot... anymore", "it is mandatory to...", "it is imperative that...".

(10) Le POE rapproche encore un peu plus toutes les fonctions nécessaires à l'exploitation des tranches, mais sa situation interdit *désormais* la reproduction d'une tranche 2 par simple translation de la tranche 1. (corpus nucléaire)

The Operational Pole of Exploitation brings even closer all functions necessary for the exploitation of the blocks, but its location precludes *from now on* the reproduction of a block 2 by a simple transfer of block 1.

(11) Le Conseil des Ministres de la Communauté a également définitivement approuvé la directive concernant l'étiquetage des produits à base d'amiante et les recommandations qui devront *désormais* y être incluses. (corpus amiante)

The Council of Ministers of the Community has also approved permanently the directive dealing with the labelling of asbestos-based products and the recommendations that will have to be included *from now on*.

The event pointed at by "désormais", in this case, is often a political, administrative or judicial decision, which induces a characterisation of the period in terms of emerging constraints on rights and obligations.
Finally, given the content of the controversies we studied, which are connected to science and technology, "désormais" often introduces a new era characterized by new technical possibilities. "Désormais" is then associated with terms such as "to permit/allow", "be able", "be capable", "can", "possible"…

(12) Il est *désormais* capable d'effectuer 135,5 mille milliards d'opérations par seconde, laissant loin derrière lui son concurrent direct, le japonais Earth Simulator de NEC. (corpus OGM)

From now on it is capable of carrying out 135,5 thousand billions operations per second, leaving far behind its direct rival, Japanese NEC Earth Simulator.

(13) L'homme sait *désormais* intervenir à cette dimension, qui est celle de la molécule, là où les lois de la Physique classique ne s'appliquent plus et où les effets dits quantiques permettent des réalisations inouïes. (corpus nanos)

From now on one knows how to operate at the scale of molecules, where laws of classical physics do not hold anymore and where the so-called quantum effects allow unprecedented achievements.

The connection with argumentative matters here might lie in Aristotle's locus

which specifies that in a deliberative context, what is possible should be preferred to what is impossible. More generally, claiming that a given line of action is feasible is a prerequisite for taking a stand on this action, be it for supporting it or for deterring the audience from adopting it.

To conclude, the present paper is part of a research on the temporal dimension of controversies. Of course, the focus on "désormais" we adopted here does not claim to exhaust the question. We only suggest that adverbs like "désormais", in association with other temporal organizers, constitute interesting clues to investigate the discursive elaboration of the temporal dynamics of controversies. "Désormais" thus allows the analyst to identify the events presented as significant by the arguers, inasmuch as they constitute turning points of the debates. The periodization introduced by "désormais" may then be characterized in terms of the constraints imposed on the argument repertoire, to the redefinition of which this adverb contributes. Such an analytical approach, rooted in argumentation theory and discourse analysis, may fruitfully serve a socio-ballistics of controversies, which aims at accounting for the trajectories of sets of actors and arguments, as well as for the emergence of argumentative convergences or divergences.

NOTES

i In this paper, « pragmatic » refers to a sociological trend developed in France at the end of the eighties (Boltanski & Thévenot 1991, Latour 2005). Born at the confluence of ethnomethodology, sociology of science and sociology of critique, this perspective links sociology with other pragmatic trends in philosophy, linguistics and sociolinguistics.

ii On the concepts of « grasp » [*prise*] and « trial » [*épreuve*], see Chateauraynaud 1997.

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ISSA Proceedings 2010 – Going For Broke: The Meta-Argumentation Of Desperation Strategies

I have always been intrigued by Hans Reichenbach's pragmatic justification for induction (Reichenbach 1938; Salmon 1974). It is curiously compelling even as it leaves a lingering and unsatisfying aftertaste. The source for both its attraction and it aftertaste is its almost desperate appeal at the meta-argumentation level: we do not know if anything will work to give us knowledge of patterns in nature – we cannot even assume that there are patterns in nature – but if anything will work, inductive reasoning will work!

When the conditions are right, desperation arguments can be very strong. Reichenbach's argument meets some of those conditions, but only some of them.

1. Measures for arguments

There is something exciting about desperation strategies like the *"Hail Mary"* passes on the last plays of American football games, when a team down to it last play throws caution to the winds and throws the ball up for grabs with hope and a prayer that it might be caught rather than dropped or intercepted, or the decision by a hockey team, down by a goal near the end of regulation time, to pull its goalie for a sixth attacking skater. The chances for success may be small and the risks may be high, but the potential payoff is great and they seem to be perfectly reasonable strategies in the circumstances. However, the reasoning behind those strategies is worth a closer look because not all structurally identical arguments are as compelling as Reichenbach's appeal. We need the resources to tell them apart.

The primary resource is logic, but it only goes so far. Having been taught very well by a logician, we know that it is wrong to say that the present king of France is bald. He also thought it is wrong to say the past king of France was bald, but most of us never paid as much attention to that part of the lesson (Russell 1905,

pp. 484ff.). Extrapolating, I suspect that most of us would also shy away from saying that the future king of France will be bald.

Although both "The present king of France is bald" and "The past king of France was bald" fail to describe the situation, they miss the target in different ways, and the difference becomes immediately obvious when they are put into conversational contexts. Anyone asserting that the king is bald would be corrected: "There is no king!" In contrast, someone making the assertion about the past king would be met with a request for clarification: "Which one do you mean?" If the only yardstick available is a semantic taxonomy consisting of just the two values true and false, the difference is lost. Truth-values are not enough (Strawson 1950). The dialogical context makes that clear.
And, of course, the same thing applies to arguments: the semantic axis is not a sufficient yardstick for all the measures we need to take. Some differences are visible only in context through a dialectical lens.

The future king of France presents an entirely different set of problems but philosophers of language have a well-stocked toolkit at their disposal to account for the future French monarch's shortcomings as a subject: we can identify non-rigid designation or non-attributive referential uses of descriptions (Kripke 1980, pp. 3-15; Donnellan 1966) along with the various speech acts that might be performed using that future indicative sentence (Austin 1975, pp. 4-7; Ryle 1953, Ch. 2). Are we making a prediction, claiming clairvoyance of a sort, or giving re-assurances to the wig industry? Perhaps it is someone declaring his intention of seating Frans van Eemeren on the throne: "The future king of France will be bald!" Before we can decide whether the target has been hit or missed, we need to determine which of the many possible targets was in the sights. The pragmatic perspective has to be brought to bear here.

And, once again, the same thing applies to arguments: the logical and dialectical axes are not enough. We need all the conceptual apparatus we can get! We would be remiss not to exploit all the available resources. Pragmatic considerations are especially important for argumentation theorists because arguments are at least geometrically, if not exponentially, more complex than single, discrete speech acts, but also because there can be so many different purposes and functions and goals and desiderata for arguments – ranging over logical, rhetorical, and dialectical considerations but also including social, epistemological, emotional, political, and ethical factors, along with many others. There are many, many more

targets to hit or miss.

One particularly troublesome complication is that whatever the targets are for any given set of arguers, they are moveable targets. The possibility of hitting the target and achieving closure cannot be assumed. Arguments are open-ended in at least three ways, representing three ways in which the target can be moved out of reach. First, as Aristotle and Pyrrho pointed out, there is the danger of an infinite regress in seeking justification for one's justifying premises. Second, procedural issues can always be raised, moving the argument to the meta-level. Going "meta" can be the first step in another sort of infinite regress (Krabbe 2007, p. 810 is a clever presentation of this). And third, stubborn or creative opponents can always raise new objections, press old ones, or simply refuse to acquiesce in any resolution by filibuster or turning a deaf ear (Cohen 1999). Together, they can be so densely intertwined that it is remarkable that closure is ever reached!

In practice, if the first concern is not put to bed in the opening stages of a critical engagement, it will be finessed further down the process as differences emerge from the common ground that makes argument possible.

The other two concerns, however, are less easily disentangled. The line between the dialectical tier and meta-level argumentation is permeable (Finocchiaro 2007). Ground-level objections to an argument can generally be recast as criticisms of the argument and comments about the argument. Conversely, much of what one might want to say on behalf of an argument can, and perhaps ought, to be included in the argument in the first place.

Of course, the fact that many objections can be cast as meta-commentary, and vice-versa, does not mean that they should be (Cohen 2007). The dialectical tier and the meta-level of argumentation are useful analytic tools for distinguishing otherwise comparable arguments, and that provides a compelling reason why the distinction between these two dimensions to arguments should not be collapsed. The "desperation arguments" behind those last-minute desperation strategies provide cases in point.

2. Reichenbach's "desperation argument"

What Reichenbach's pragmatic justification for induction has in common with Hail Mary passes is that both apparently invoke an "It's-this-or-nothing-so-it-might-as-well-be-this" kind of reasoning. The dialectical lens reveals some differences; taking a meta-perspective reveals others.

There is nothing inherently irrational about going for broke. What would, in some

contexts, be a case of throwing caution to the winds can, in other contexts, be completely rational, a strategy sanctioned by all the resources of game theory. After all, there is nothing in the least bit desperate about opting for the optimum strategy – and when nothing else can possibly succeed, the one strategy with any chance at all is obviously the best. That is, the arguments in support of desperation strategies need not themselves be desperate in any sense of the word.

What distinguishes desperation strategies is the willingness to accept normally unacceptable risks. Sixth attacking skaters do increase the chances for scoring goals all the time, not just at the ends of games. The downside is that to a much greater degree, they also increase the chances of giving up goals, thereby making it an unacceptable risk. Accordingly, let us reserve the term "desperation arguments" for those arguments that employ inferences and appeals that would be unacceptable in less extreme circumstance.

Reichenbach's argument on behalf of induction is just such an argument. It also has some pretty illustrious company in the history of philosophy including Pascal's Wager, James on the Will to Believe, and, in some renderings, Kant's transcendental arguments.

The pivotal premise in Reichenbach's reasoning is that whether induction works or not depends on the nature of the world, which is precisely what induction is supposed to discover. That is, the target conclusion of induction is that the world has discoverable regularities grounding our predictions about the world. The order of nature cannot, then, be a premise for justifying induction. Reichenbach's insight is that if the regularity of nature is a sufficient condition for the viability of induction, the viability of induction is a necessary condition for the regularity of nature – where the sufficiency of the order of nature is causal while the necessity of the viability of induction is epistemological. As he phrased it, "The applicability of the inductive principle is a necessary condition of the existence of a limit of the frequency [of a probabilistic occurrence]," i.e., of our living in what Reichenbach calls a "predictable" world. Therefore, if the world is at all predictable, induction will work. Contrapositively, induction won't work only if the world is unpredictable. But if the world really is completely unpredictable and induction won't work, then nothing else will work either! In other words, if anything works, induction works.

The conclusion, then, is the modest one that we are justified in using induction,

not that induction works. What about our belief in induction; is the belief justified? As an act, yes, we are justified in believing that induction works. In terms of the content of the belief, no, the proposition that induction works is not justified. It is a pretty palatable argument with a pretty bad aftertaste.

The most striking difference between Reichenbach's reasoning and the reasoning behind Hail Mary passes is urgency. The clock is running out on the football team but the problem of induction has been a philosophical staple for centuries and it will be around for centuries more. It is not going anywhere.

We are not desperate for an answer. We are, as Reichenbach's argument implicitly underscores, free to use induction even if it cannot be justified in the way that foundationalists would like or in a manner consonant with the Cartesian quest for certainty. The worst-case scenario in Hail Mary passes is what is already the almost inevitable scenario: losing the game. The worst-case scenario for Reichenbach would be either the dogmatism of insufficiently justified beliefs or the skepticism of only tentatively-held beliefs. Of course, there is no consensus as to how inevitable or how unobjectionable these positions are. Pragmatic fallibilism is, in effect, really just an amalgamation of the two. On even a modest externalist account of knowledge, we might not actually be deprived of any knowledge in this worst-case except possibly some of our second-order beliefs regarding which of our beliefs should be counted as knowledge – a fairly mild worst-case scenario by any reckoning!

3. Desperate circumstances
The decision to use a sixth skater at the end of an ice hockey game brings some additional factors into focus. As noted, it increases the chances of scoring a game-tying goal, but it also increases the chances of yielding a game-clinching goal for the other team even more, so it is not a very good strategy when down by a goal in the middle of the game when lower risk strategies are still available. The problem becomes one of figuring out at what point the balance scale between patience with persistent 5-skater attacks and resorting to 6-skater attacks tips in the other direction. While there is a very significant difference during the course of a game between being down by two goals rather than one, there is no real difference at the end of the game between having lost by one goal and having lost by two. At some point, the sixth skater becomes the best strategy.

Contrast the hockey situation with the following situation from a game of bridge. South, the declarer, has landed in a shaky contract. She is missing the king of

trumps, the evidence from the bidding strongly suggests that it is probably in the West hand, to her left, but her only chance of winning is if the king turns up in the East hand, to her right. Since that is her only chance, she adopts a line of play premised on the assumption that that is indeed where the king is. It is a risky strategy, the evidence is against the premise, but it is her only chance.

What differentiates this case from the hockey team's sixth skater is the fact that the risky strategy based on an unlikely assumption is not merely her best chance, it is her only chance to make the contract. Surely, that would make it a good strategy, right? Not necessarily. Context matters. It might not matter much whether a team loses by one goal or two, but in rubber bridge it does matter whether one goes down by one trick or two, and in duplicate bridge or tournament play it matters even more.

There are several important points of contrast with Reichenbach's argument. First, the bridge example was set up as a genuinely desperate situation because of the negative evidence against the king being on the right. The justification for the strategy relies on an unjustified premise! That premise is too improbable to use in less urgent circumstances, but desperate times call for desperate actions. The urgency justifies the strategy. In contrast, not only is there no comparable urgency in the case for induction, but neither are there any useful probabilities to go on, neither to respect nor to override, when it comes to the premises. Probabilities, understood as the limits of frequencies, are part of what is at stake in induction.

Second, when the circumstances are right, the argument supporting the strategy of playing west for the king is very strong, and what makes it strong, is that it is both the only strategy that can succeed and, a fortiori, the best strategy. That makes dialectical closure very easy: to any objection that the strategy probably will not work there is the ready answer that there is no other option.

Reichenbach's argument has neither that source of strength nor the associated access to easy closure. He does not claim that induction is the only way to discover patterns in nature, and he does not conclude that it is necessarily the best way. All that is claimed is that if there are any ways to that knowledge, induction will be one of them. It could be that any world in which induction works will be a world in which other methods work even better. Consequently, Reichenbach cannot deflect objections the same way. The objections he can counter are those that question whether induction will in fact work (probability,

remember, is not the issue). His reply would simply be, well, in that case nothing will work. It is not so much an admission of defeat as it is recognition that the situation is desperate.

Third, the bridge game can be differentiated from the hockey case by context: in duplicate play, going down by two tricks might be significantly worse than going down by only one. There are still reasons for playing cautiously. There are no counterparts to degrees of defeat for induction, so any counter-considerations against throwing caution to the winds do not apply.

When it comes to induction, then, we find ourselves in a very curious spot: it is not a typical desperate situation because it lacks the urgency of, say, limited time, that characteristically licenses desperate action and it is not an appeal to the only or the best of a limited choice of options, but the usual constraints against acting desperately are also absent.

4. Arguments, strategies, and commitment

The resolution of the apparent paradox of permissible desperation in a non-desperate situation is, appropriately enough, pragmatist. What we need to do is subject Reichenbach's argument, which is itself an explicit meta-argument, to a meta-level analysis of its own. What, for example, is it trying to establish? What are the conditions necessary for its success and what, if it is successful, are the conceptual consequences? Is it the appropriate kind of argument to use here? One final comparison case will bring some additional relevant issues into greater relief.

An alcoholic, having hit rock bottom in her life – failed marriages, a ruined career, alienated friends, etc. – turns to Alcoholics Anonymous as a last resort. She commits to the twelve-step program in its entirety. The program requires that she surrender her life to a higher power, and even though she had never been able muster up that kind of faith before, she does so now because nothing else has worked and she is indeed desperate. "At that point, I had nothing left to lose," she later explained, "so it was either that or nothing." (The example is from a story on All Things Considered on National Public Radio.)

As in the bridge game, there is only one option that is regarded as having any chance at a success. Also like the bridge game, the crucial premise initially had little or even negative credibility. Theism was never something she could credit in her earlier life but, as we know, desperate circumstances call for desperate measures. The situation certainly qualifies as desperate, so the woman's post

facto explanation apparently could just as easily have been a prior justification.

This is where the analogy with the bridge game begins to fall apart. The bridge player can act as if the king is on his right even though when push comes to shove he believes that in all likelihood it is not there. At the card table, acts and beliefs do not have to be in full agreement. That disconnect is what makes the strategy possible, but it is not available to the alcoholic. An essential part of what it means to surrender to a higher power is to believe in that higher power. The act cannot be separated from the belief because the act is first and foremost an act of belief. She cannot act as if she is completely surrendering to a higher power while at the same time harboring serious reservations about it. It would fatally compromise the commitment.

The analogy further deteriorates with respect to voluntarism. Perhaps the Red Queen can believe six impossible things before breakfast, but we cannot always simply choose to believe whatever we want, the way that we can adopt a strategy or a course of action. Some beliefs, at least, are more like events that happen to us than actions on our part. The difference is important because in the alcoholic's case it is a belief that is being justified, not merely a course of action – and a belief that she could not really credit. Still, even if faith involves incredible beliefs and is not something that can in the normal course of events be willfully chosen, the "miracle of theism" does happen, and it happened to the woman in question.

Finally, the comparison completely collapses with respect to when and what kind of justification is possible. The norm of antecedent justification was ruled out for this particular woman by everything in her world-view, thereby creating a dilemma. Analytically, the decision to adopt an unjustifiable strategy is itself unjustified. The decision to embrace an unjustifiable premise, if that were even possible, would be similarly unjustified. However, we cannot rule out the possibility that an antecedently unjustifiable, but momentous, choice will radically alter the agent's circumstances or her epistemic landscape, thereby becoming justifiable, albeit only in retrospect. In the alcoholic's case, we can say that since what was for her an antecedently unjustifiable choice did pay off, the decision became "retroactively justified" in the sense developed by Bernard Williams (Williams 1976).

Because of these three factors – the clear possibility of a disconnect between thought and action, the possible impossibility of being able to choose belief, and the problematic possibility of retroactive justification ¬– the bridge player and the

alcoholic are in radically different epistemic situations.

How do things stand with Reichenbachian inductivists? Are they more like the bridge player or the recovering alcoholic in regards to their epistemic and strategic situations?

Prima facie, it is belief, rather than action, that is at stake. The context is epistemology, after all, and the focus of Reichenbach's discussion is explicitly the "principle" of induction, rather than any specific inductions. The practice of induction is not really the issue: it is a fact of our lives. We will continue to make inductions regardless. What is at question is its epistemic status.

Reichenbach's pragmatism is both more consistent and more extensive than the argument so far reveals. It extends beyond the consequentialist reasoning of desperation arguments to the nature of belief, and it dissolves the boundary between belief and action: "We do not perform... an inductive inference with the pretentions of obtaining a true statement. What we obtain is a wager" (Reichenbach in Pojman p. 500). That is, what gets justified is our expectations, attitudes, and behavior, not merely an academic's commitment to an abstract proposition. The content of the principle of induction is defined by the contours of the practice. Incidentally, this vitiates, but does not completely eliminate, the specific problem of voluntarism with respect to beliefs.

Since extreme desperation entails acting against our best beliefs, does that mean Reichenbach's pragmatism precludes the necessary and enabling disconnect between belief and action that we found in the bridge game? As is so often the case with pragmatism, the answer has to be a nuanced Yes and No because the constitutive concepts are evolving along with the discussion. Thus, Yes, Reichenbach's approach does get in the way of dissociating belief and action because he so conscientiously conflates them. It would be disingenuous of a Riechenbachian inductivist to say that he does not really believe the principle of induction but is just acting that way. When a pragmatist says he believes something, we must be careful in interpreting what he means by believing. What justifies action, justifies belief. There is, then, a new concept of justification in effect. Unlike its verificationist cousin, Pragmatist consequentialism is based on reasons for actions, broadly understood, rather than just evidence for propositions, very narrowly understood (Locke 1935).

Reichenbach is fully aware that no accumulation of evidence from the past could ever suffice close the book on justifying induction, so retroactive justification is

not a possibility here, not even in the looser pragmatic sense of justification. But perhaps even that kind of justification is unnecessary. We already are inductivist beings, and there is a lower bar for existing beliefs (Harman 1984).

On the other hand, we can also say No, Reichenbach's pragmatism is not inconsistent with distancing oneself from one's own beliefs because there is a new concept of belief in effect, too. The "principle" that Reichenbach is arguing for is a rule for action, not an abstract proposition. The goal of his argument is actually very modest, namely, that we agree to accept this guide to action at least on a trial basis. The lack of supporting evidence or the presence of undermining evidence is not a deal-breaker.

Pragmatist belief is characterized by fallibilism. While that serves to immunize pragmatists from dogmatism, it also acts as a damper on commitment. Pragmatist beliefs are held, if not at arm's length, then at least at a finger's breadth remove. If we wanted to put it ungenerously, we could say that pragmatists don't really believe their beliefs, at least not with the complete dogmatic conviction demanded by the 12-step recovery program of Alcoholics Anonymous.

Thus, even though the argument is presented as "It's this or nothing," it really isn't desperate in the same way as the other arguments. If successful, the conclusion is a pragmatically justified pragmatist's belief, i.e., the provisional adoption of a proposed course of action. It is not something that would satisfy hyper-cautious epistemologists, including both Descartes at one end and skeptics at the other, viz., a discrete proposition conclusively supported by a foundationally grounded proof. But neither does it qualify as epistemically reckless – or even particularly desperate.

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ISSA Proceedings 2010 – Agent-Relative Fallacies
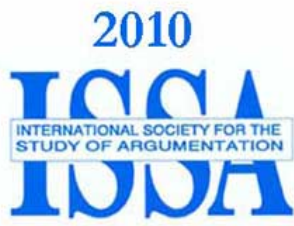
1. Introductory

My topic is an issue in the individuation and epistemology of fallacious inferences **[i]**. My thesis is that there are instances of reasoning that are fallacious not in themselves, that are not intrinsically fallacious, but are fallacious only relative to particular reasoning agents. This seems like a peculiar notion. It would seem that if it was fallacious for you to reason a certain way, and I do the same thing, I would be committing a fallacy as well. Bad reasoning is bad reasoning, no matter who is doing it. But it is useful to ask: What would it take for it to be possible for there to be such a thing as an agent-relative fallacy? Here are two sets of conditions, the obtaining of either of which would be sufficient for the existence of agent-relative, or extrinsic, fallacies. Type One is that there are two agents who are intrinsically alike, molecule-for-molecule doppelgangers, one of whom is reasoning fallaciously while the other is not, due to differences in their respective environments. The other scenario, Type Two, is that there are two agents (who are not doppelgangers) who engage in intrinsically identical instances of reasoning, one of whom reasons fallaciously while the other does not, due to differences located elsewhere in their minds that affect the epistemic status of their respective inferences. I will attempt to demonstrate that it is at least possible for agents to meet either set of conditions, and that in fact some people do meet the Type Two conditions, so agent-relative fallacies are not only possible, but actual.

2. Type One Agent-Relative Fallacies

So could there be agent-relative fallacies of the first sort, Type One, in which one of two intrinsically identical doppelgangers reasons fallaciously and one does not? For such a thing to be possible, I think it is necessary that a strong thesis of internalism, or individualism, about mental content be false. Mental content internalism is the view that the mental supervenes on the physical, meaning that there cannot be a mental difference between two agents without a physical difference between them. Content internalism is a somewhat beleaguered position nowadays, in part because of Hilary Putnam's famous Twin Earth thought experiment (Putnam 1975, *passim*) and arguments from Tyler Burge (Burge 1979, *passim*), in favor of content externalism. Putnam imagined a Twin Earth that is identical to Earth in every way, including Twin Earth counterparts of you and me and this podium, except that where we have water, Twin Earth has a liquid they call "water" that behaves just as water does, but which is not H2O – its chemical

composition is XYZ. While the thoughts of a thirsty earthling turn to water, the denizen of Twin Earth has no thoughts about water, as she has never had any contact with water (i.e. H_2O). Instead, her thoughts run to the stuff that is XYZ, which we might call twin-water. The earthling and her counterpart are doppelgangers (putting aside of course that we are composed in part of water) who behave the same way and make the same sounds, but they are mentally different, since one has water beliefs and desires, and the other does not (provided that content externalism is correct).

Suppose externalism is correct, and molecule-for-molecule doppelgangers can differ mentally. What one is thinking would not be an intrinsic feature of a thinker. Could this engender as well situations in which one doppelganger reasons fallaciously and one does not? Here's how it seems that it might. A widely noted feature of content externalism, for better or worse, is that it seems to undermine to an extent one's introspective knowledge of one's own thought contents. In particular, it seems to allow for errors about comparative content – that is, errors as to whether two thought tokens have the same or different contents, because the sameness or difference in content of two thought tokens depends in part on the respective connections to the environment those thought tokens have, and that's something that is unavailable to introspection, and about which it is easy to be mistaken. For example, one might suppose that one's assent to the sentence "water freezes at 0 Celsius" and one's assent to the sentence "water is now running from the garden hose" mean that one has two beliefs involving the same natural kind concept, *water*. But suppose that one has moved, unawares, from a water-environment to a twin-water-environment, and that the general belief about the conditions at which water freezes was prompted by experiences long ago with water, and is sustained by memories of water, while the current belief about what is coming out of the garden hose is caused by one's perception of twin-water. It is plausible in this circumstance to suppose, if content externalism is right, that one believes that *water freezes at 0 Celsius* and that *twin-water is coming out of the garden hose*, despite the fact that one takes oneself to be employing the same natural kind concept in both instances. Suppose then it occurs to one to infer from those beliefs that *something is both coming out of the garden hose and freezes at 0 Celsius*. This will appear to be valid to the agent, an instance of lambda-abstraction (x is F; x is G; thus something is both F and G), but it will not be valid because the agent equivocates, using a term with different contents in the different premises, and trades on the supposed identity

of content in inferring the conclusion. (I am taking it that the different meanings of 'water' in this argument are sufficient for it being equivocation even though in a fairly straightforward sense the subject seems to be guilty of no shortcoming with respect to her *logical* skills.)

The example might seem too fanciful, as it involves someone being switched unawares from Earth to Twin-Earth (and the notion of Twin-Earth itself is a bit dubious, as it may be physically impossible for there to be a substance that superficially is just like water but has a different molecular substructure). But Tyler Burge's version of externalism holds that an individual's thought contents can be dependent on the practices of the linguistic community to which she defers, and switching unawares from one linguistic community to another is not so far-fetched. For instance, the word 'billion' picks out different numbers in different English speaking linguistic communities. The US has always used the "short scale", on which 'billion' picks out 1,000,000,000 (ten to the ninth power, or a thousand millions). Although this short scale is becoming the dominant scale, there is a long scale according to which 'billion' refers to ten to the twelfth power (or a million millions – a trillion on the short scale). The long scale was operative in Australia, among other places, and is still used on some official documents. Suppose Suzy was raised partly in Australia (when the long scale was popular there) and partly in the US and belongs to both linguistic communities equally. Suppose further that Suzy doesn't know exactly how many a billion is, just as I – I must admit – do not know exactly how many is a googolplex. Just as I can have beliefs that employ the concept of *googolplex*, such as my belief that a googolplex is larger than a trillion, even though I do not know how many a googolplex is, Suzy can have beliefs that employ the concept (or *a* concept) of *billion* without knowing how many a billion is.

Suppose Suzy is living in Australia for the summer and reads in an Australian newspaper that "The US national debt is $13 billion" and she confirms this in her economics class at an Australian university. She comes to believe the (true) proposition expressed by that sentence. That winter she spends in the US and there she reads about Bill Gates and his net worth of $53 billion, and she comes to believe that true proposition too. She defers to the experts and the rules in each of her linguistic communities, intending to mean by 'billion' whatever that terms means in her community. Now it occurs to her to put together her true beliefs about the US national debt and about Gates' net worth, and she concludes

that Gates has more than enough to pay off the US debt (although of course this is not the case). As with the water/twin-water inference, one probably would be reluctant to question Suzy's logical acumen, but it looks like she equivocates (provided that Burgean social externalism is right), and she is open to at least some degree of reproach, for not making sure that she was not doing this. (Though I think you could construct examples where this linguistic shift is so subtle that she's not subject to any reproach at all.) And had both of her linguistic communities used the short scale, she could have had the same experiences and have been the same from the cranium in, but she would not have equivocated, as the premise expressed by "The US national debt is $13 billion" simply would have been false. So *what* she is thinking – and whether she is thinking fallaciously – is not an intrinsic feature of hers. ('Chicory' and 'football' are also examples of terms that have different extensions in different English-speaking communities, but which are similar enough that there is a potential for this sort of confusion.)

There are several ways of resisting this conclusion but I do not think any of them work. For instance, one might insist that because Suzy's inferential behavior indicated that she took the concept expressed by "billion" to be the same in each inference, it must have been the same concept each time. So there must have been a false premise, but no equivocation and no logical error. This has some appeal, as we are reluctant to judge this victim of the vicissitudes of travel as logically deficient. But this, it seems, is to reject content externalism in favor of some sort of internalist theory of the individuation of mental contents, an inferential role theory of some sort. So the first kind of extrinsic or agent-relative fallacy is possible on the condition that content externalism – a leading theory of mental content – is the case. And the sort of content externalism that must be true here is not necessarily as strong as the sort claimed by Putnam and Burge. All you need, I think, is that at least indexical or demonstrative thoughts – involving 'here', 'I', 'now', 'that' and so forth – are individuated in an externalistic manner. For example, from 'You said hello' and 'You smiled', it follows that you both smiled and said hello, only if 'you' picks out the same person each time (and perhaps that you have good grounds for supposing that it does as well). (I'm assuming here that as long as the term is indexed the same way in each premise, or the same thing is demonstrated, and the agent is entitled to suppose that it does, then the conclusion follows validly. David Kaplan has argued against this, actually (Kaplan 1989, pp. 587-590), saying that the *potential* for distinct referents, when there are distinct demonstrations, creates the *actuality* of

equivocation. So it is fallacious, on his view, even if the same object is demonstrated each time. This implies that one cannot deductively reason with premises using demonstratives, or at least not in a way that depends on the identity of the distinctly demonstrated demonstrata. I do not think this is a good idea, though, as the 'water' and 'billion' examples, and cases of two people with the same name, show that there is the potential for distinct referents in a much wider set of situations. I think this too narrowly circumscribes the sort of terms with which we can deduce.)

The possibility and actuality of Type One agent-relative fallacies thus depends only one a fairly plausible metaphysical claim about the individuation of mental thought contents.

3. Type Two Agent-Relative Fallacies
The second type of agent-relative fallacy is that an inference is fallacious for one agent but not for another, because of differences elsewhere in their minds that affect the epistemic status of their respective beliefs. This is to be in a way holistic about fallacies, maintaining that whether an inference is fallacious depends not just on that inference considered in isolation, but on the rest of the agent's web of beliefs as well. One way to illustrate this (and this example is due to my colleague Michael Veber) is to consider the case of *ad verecundiam*, or irrelevant appeal to authority. *Ad verecundiam* is committed when someone argues for a proposition by pointing out that some authority or expert has asserted that proposition, when in fact the proposition is outside the authority's area of expertise. Of course, it can be hard to say whether something falls within one's area of expertise or not, as expertise can be a matter of degree. Suppose I say that we should accept the claim that there is probably intelligent life elsewhere in the universe because scientists Carl Sagan and Stephen Hawking have said so. It would be a commission of *ad verecundiam* to accept a proposition that falls within the purview of science, broadly, just because some famous scientists have asserted the proposition, but it would not be if one had evidence that the proposition was within those scientists' area of expertise. So I take it that whether the appeal to authority is fallacious or not depends not just on whether the cited experts are genuine experts on the matter at hand, but also on whether one has good grounds for taking them to have such expertise. Were I to defend a claim about string theory on the grounds that it was asserted by a stranger on the train, I would be guilty of *ad verecundiam* even if it so happened that this

stranger were, unbeknownst to me, the world's leading expert on string theory. So it seems plausible that two people could make the same appeal to the same authority in defense of the same claim and that one does so fallaciously and one does not, because one lacks the right sort of evidence about the authority's expertise and the other has it.

I suppose that you could resist the claim that these two people with different evidence available to them nevertheless made the *same* appeal to authority, as adducing the evidence of expertise is *part of* the appeal to authority. If the appeal to authority really were the same for each person, then the one agent's superior evidence isn't playing the role that it would need to, in order to stave off *ad verecundiam.*

So consider another type of case. Various philosophers have theorized that particular forms of inference are fallacious – or at least that they don't confer justification on their conclusions. David Hume (arguably) thought this about induction, William Lycan and Vann McGee have argued that *modus ponens* (or at least some instances of it) are invalid, and Baas van Fraassen has argued against abduction (or inference to the best explanation). Let's take van Fraassen. He's argued that inference to the best explanation, or abduction, doesn't confer justification on its conclusions because – and this is just one reason among several – for any good explanation E of a set of data, there is an infinite number of equally good explanations of the data that are inconsistent with E (van Fraassen 1989, p. 146). Van Fraassen is a brilliant philosopher and he has evidence against abduction, but we shall suppose that he is wrong, and that inference to the best explanation is a legitimate way of inferring justified conclusions. Suppose further that while he tries to abstain from inference to the best explanation in his daily life, he frequently engages in it anyway. (C.S. Peirce, who introduced abduction to modern logic, thought that abduction was the first stage of all reasoning, and that nobody could avoid it.) Van Fraassen, for instance, receives a paper from a student that is a word-for-word duplicate of a paper published years ago by a notable philosopher, and infers that the paper is likely plagiarized, rather than that the exact similarity between the papers is a matter of coincidence. So abduction is (generally) not a fallacious form of reasoning, van Fraassen engages in abductive reasoning on a daily basis, but he has a theory that abduction is fallacious and must be eschewed. What are we to say about the status of van Fraassen's own abductive inferences?

Well, they are not fallacious in the sense that they have a form that is particularly likely to lead to error. Presumably, van Fraassen is no more likely to fall into error using abduction than anyone else is; we will stipulate that. There is a question, though, as to whether he'd be epistemically justified in the conclusions he reaches through abduction, given that he has reasons to think abduction is no good. So for this sort of agent-relative fallacy to be possible – where an otherwise perfectly good inference is fallacious because the agent has evidence that it is fallacious but employs it anyhow – two things need to be the case. *One* is that it is sufficient for a truth-preserving inference to be fallacious that it fails to preserve epistemic justification. *Two*, it must be the case that if an agent has evidence that a particular sort of inference is fallacious but draws that inference anyhow, then she is typically epistemically unjustified in the conclusion that she draws. This would mean that the evidence that van Fraassen has against abduction would be a defeater for the particular abductive inferences he makes. If these conditions are met, then the van Fraassen abductive inferences (and similar cases) would be fallacious (even though they are just like yours and yours are not fallacious).

So, the first one: for an inference to be fallacious, is it sufficient that it be unable to deliver epistemic justification of the conclusion, even if the inference is truth-preserving? Well, the question of how to define 'fallacy' has proven quite difficult, and is necessarily beyond the scope of this short paper, so I will just point out that it is difficult to distinguish between fallacies and non-fallacies without bringing epistemic justification into it. Consider 'this entire throne is made of gold, thus the seat of this throne is made of gold'. This does not seem fallacious though superficially it is fallacy of division, and I think this has something to do with the fact that belief in the conclusion is epistemically justified by the premise.

The second condition: if one has evidence a particular inference type is fallacious, but one goes ahead and employs it anyhow, would one's resulting conclusions be unjustified? Let me point out that to answer 'yes' here is not to commit *tu quoque* (as when one says 'your argument in favor of vegetarianism fails, because you're eating a hot dog right now!'); rather, a 'yes' answer would mean that evidence about one's evidence can undermine one's justification for first order propositions, as one must respect the evidence one has about one's evidence. So the situation is not just that one's beliefs are at odds with one's inference, but that one has evidence against the reliability of the inference that one is not

properly respecting. To assert that if one has evidence that an inference type is fallacious, but one draws inferences of that form anyhow, then the inference is epistemically unjustified is perhaps to endorse the following *epistemic descent* principle (a principle moving from second-order epistemic claims to first-order ones **[ii])**:

(EDJ) If S believes with justification that y is unjustified (where y is an inference rule), and S believes that p only as a result of employing y, then S's belief that p is unjustified.

This is not to say that in order for a first-order belief to be justified, one must have any particular second-order belief about the first-order belief – surely children may have justified first-order beliefs even if they lack any second-order beliefs – but that one must *not* have a justified second-order belief that the first-order belief is unjustified. In fact, a stronger principle seems defensible:

(EDU) If S believes without justification that y is unjustified, and S believes that p only as a result of employing y, then S's belief that p is unjustified.

The idea here is that as long as one does believe that a particular first-order belief is unjustified, it would be unjustified for that agent. This is one strand of a broader view: defeaters themselves don't need to be justified in order to defeat justification. (For instance, although one is normally warranted in relying on her memory in forming beliefs about the past, one is not warranted in doing so if one is convinced that her memory is unreliable. This is so even if her reasons for thinking her memory to be unreliable are poor ones – that she believes it is sufficient to make her unjustified in forming beliefs about the past based on her memories.) To commit *tu quoque*, though, one would say that because the agent believes the inference rule is unjustified, or sometimes acts as if it were unjustified, the agent's conclusions gotten through the use of that inference rule must be *false or dismissable*. The epistemic principles above, which underwrite the supposition that there may be Type Two agent-relative fallacies, claim only that the agent's second-order beliefs about justification can defeat the agent's *epistemic justification* for certain first-order beliefs. Very possibly, they would *not* defeat the epistemic justification for someone who lacks the relevant second-order beliefs.

Perhaps we should reject (EDJ) and (EDU), however. Reliabilist theories (which say, in their crudest form, that knowledge is true belief generated by a reliable process and that justified belief is any belief generated by a reliable process) are

thought to counter the intuition behind such principles as (EDJ) and (EDU). So perhaps to get the verdict that one in the van Fraassen situation reasons fallaciously, one must adopt some sort of evidentialism or internalism about epistemic justification, and reject reliabilism. But it isn't so simple. Reliabilism has problems in characterizing processes. Is abduction the process van Fraassen employs in his daily life, drawing conclusions about student plagiarism and many other things? Yes, but so is 'trusting a source when one has evidence it is untrustworthy' or 'dismissing the testimony of an expert epistemologist on the subject of epistemology' and others, which are unreliable processes. (I am indebted to Richard Feldman (2005, *passim*) here.)

Additionally, if a reliabilist theory includes a "no defeater" condition, as Alvin Goldman's in fact does, then having evidence that abduction is unreliable can make one's abductive inferences unjustified, whereas one who had never given abduction any thought at all, would be justified in her abductive inferences. (Perhaps this is another case of epistemology destroying knowledge.) So it is unclear exactly what the verdict of the major epistemic theories would be for a case like this one. There is no clear reliabilist road to denying the possibility of Type Two agent-relative fallacies (by way of denying (EDJ) and (EDU), as various forms of reliabilism allow that one's evidence about one's evidence can affect the epistemic status of one's first-order judgments.

4. Conclusion

In this paper, I've explained the notion of an agent-relative fallacy and I've defended their plausibility. The possibility of such fallacies does not depend on the truth of any outrageous claims. In Type One cases, the thesis that the fallaciousness of an agent's inference is an extrinsic feature of the agent is dependent principally on the thesis that what an agent is thinking is an extrinsic feature of the agent (as per content externalism). In Type Two cases a particular inference is fallacious for one agent but not for another because the inference is epistemically justified for one agent, but not for the other. All we need here are plausible – even to reliabilists – epistemic descent principles about the possession of epistemic defeaters.

NOTES

earlier version of this paper.

ii An epistemic ascent principle, on the other hand, moves from first-order epistemic claims to second-order ones. The so-called "KK" principle – if S knows that p, then S knows that S knows that p – is probably the best-known example of an epistemic ascent principle.

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ISSA Proceedings 2010 – Re-Presenting Argumentation In The Traditional Romanian Parliamentary Debate

1. Introduction

This paper **[i]** is tackling two of the four meta-theoretical principles of pragma-dialectics, that is, *socialization* and *externalization*, in the context of a specific activity type – the parliamentary debate. The paper focuses on some mechanisms used in the traditional Romanian

parliamentary debate for *refutation* (section 2). An overview of the parliamentary debate as an activity type will be given in the first section of the paper, as well as some general historical information about the XIXth century Romanian political world.

Following the pragma-dialectical model of van Eemeren & Grootendorst (2004), van Eemeren et *al*. (2008), socialization is achieved by identifying which members of Parliament (henceforth MPs) take on the roles of protagonist and antagonist in the context of an argumentative discourse. Throughout the interactions, MPs place themselves on different positions which they support with arguments; as far as externalization is concerned, our approach focuses on disagreement, as a discursive activity – a dispreferred marked response to an arguable act.

In the parliamentary debate, the MPs often externalise the implicit discussion; as a result, they position themselves in explicit contrast with other MPs, protagonists of a counter-standpoint, and manoeuvre strategically, in order to obtain the most favourable presentation of the disagreement (van Eemeren & Houtlosser 2002).

1.1. The parliamentary debate as an activity type
Van Eemeren & Houtlosser (2007) consider the communicative *activity types* as an analytic tool for substantiating the "*constraints* of the institutional context" parameter. There are many culturally established variants, some with a more clearly articulated format than others: "The institutional constraints of the argumentative discourse can account for the conventional preconditions, the actual state of affairs in the discourse, the mutual commitment sets, all influencing the strategic maneuvering in a certain type of discourse" (van Eemeren & Houtlosser 2007, p. 376). A political debate is considered one of the varieties with an articulated format. Van Eemeren & Houtlosser (2009, p. 8) speak about some prominent clusters of activity types, "adjudication", "mediation", "negotiation", and "public debate"; for those clusters "the strategic maneuvering will be affected in different ways depending on the constraints and opportunities going with the argumentative activity type in which it takes place" (van Eemeren & Houtlosser 2009, p. 8). We cannot say in absolute certainty what kind of cluster the parliamentary debate is, as the communicative reality can vary, from adjudication to public debate or negotiation.

1.2. Political argumentation
In some views, the political discourse (the parliamentary debate included), is

unregulated and often a free-form. Although this is true, political argumentation is neither random, nor unpredictable (Zarefsky 2009, p. 115).

For Zarefsky (2009, pp. 116-120) the characteristics of political argumentation are: a) the *lack of time limits* (the arguments are sometimes lengthy and indeterminate, the arguers often repeat the same standpoints regardless of the fact that other arguers have already tackled those standpoints); b) the *lack of clear terminus* (it could be very difficult to realize when an argument is closed or to pinpoint the stage the critical discussion has reached, as the arguers might be at different stages); c) the *heterogeneous audience* (the arguers are not in the position to easily attribute commitments to the audience); d) the *open access* ("extensive reconstruction of an argument may be needed before the parties all understand exactly what is at issue or before the argument can be appraised" – Zarefsky 2009, p. 120). We agree with Zarefsky's valuable synthesis, but we would like to add Ieţcu-Fairclough's opinion (Ieţcu-Fairclough 2009, p. 148), pointing out that the need for 'closure' in the decision-making political process imposes ways (nevertheless legitimate) of ending the debates "which have little to do with agreement" (for instance, voting). This observation would add to the second characteristic presented by Zarefsky for the political argumentation the idea of a partial/temporary terminus. Considering these characteristics of the political argumentation, we shall use these theoretical observations as a starting point for the analysis of the parliamentary debates, a subgenre of the political discourse.

1.3. The Romanian world and Parliament at the end of the XIXth century
In order to have a general picture concerning the background of the parliamentary activity, some general historical information should be provided. After the Crimean War, Russia's domination over the Romanian Principalities (Moldavia and Walachia) came to an end; the Principalities were placed under the collective tutelage of the western Powers. The political groupings formed two major political parties after 1859 (when the Union was accomplished) and 1866 (which marked the beginning of the reign of Charles of Hohenzollern-Sigmaringen), the Liberal and the Conservative parties. The two parties dominated the political life until World War I: the important landowners, not many, exercised important political and economic power through the agency of the Conservative Party; in the cities, a middle class of industrialists, high finance, and professionals grew in political and economic status and challenged the great landowners for power, through the agency of the Liberal Party (Hitchins 1996).

The main features of the Romanian parliamentary system were defined during Charles's reign: the king himself was a prominent figure in both domestic and foreign policy, the Parliament had two chambers, elected by means of a suffrage on the basis of income. The mass of the population was excluded from direct participation within the political life. The legislative power was shared by the king and the Parliament, the MPs had the right to question the members of the government, but there was no stipulation concerning the ministers' obligation to answer in Parliament or a sanction if the response wouldn't come.

In the Parliament, the political polarization was evident; thus disagreement in the debates was frequent, and standpoints and counter-standpoints were (more often than not explicitly) formulated and modulated by the political ideology (that seems to have had a great importance at that time). Another characteristic of the XIXth century Parliament was the MPs'tendency to involve themselves in direct disagreement, the interventions and interruptions from the part of the audience were frequent and not overlooked by the speakers or sanctioned by a third party intervention (the Chairman of the Chamber). There was no parliamentary tradition in Romania before 1859 and no modern constitution until 1866. The Romanian Parliament in the late XIXth century created its own tradition and was constantly attentive to other European Parliaments (mostly French)

2. Refutation
Our approach focuses on the *refutatio*, which requires from the arguers "critical thinking skills, strong purposefulness and genuine personal commitment" (Ilie 2007, p. 668), and which can be achieved by resorting to *logos, ethos* and *pathos*. Nevertheless, *refutatio* can sometimes be a fallacious maneuvre (see below), diverting the audience's and the antagonist's attention from the main topic, a maneuvre which is not based on experience (or authority), testimony, or on the reference to the *doxa*.

We will focus on certain types of *refutatio* mechanisms, namely: the strategical use of definitions/ dissociation (2.1), the comparative arguments (including some ludic devices) (2.2), and anticipating or responding to counter-arguments (2.3). These mechanisms were chosen as they are frequent and prominent in our corpus of debates. The fallacious use of some other types of arguments (*ad hominem, straw man*) is also frequent, but it will not be the focus of this paper. The data are selected from several parliamentary speeches, ranging from 1869 to 1905, belonging both to conservative (Al. Lahovari, N. Filipescu) and to liberal (I.C.

Brătianu) prominent leaders.

2.1. Definitions/ dissociation

Definitions are some of the most frequently used means to refute arguments. As already stated by Ilie, "In political disputes the act of defining contributes to further polarisation between adversarial positions and can therefore become rhetorically persuasive or dissuasive" (2007, p. 667).

In the Romanian parliamentary debates of the late XIXth century, many definitions concern the parties, their public roles, and their ideology. Thus, the keywords are often the names of the parties and the ideology represented by that party ("In the process of argumentation, skilful speakers do not necessarily use commonly more or less acknowledged definitions, but they generate instead new context-related and ideologically based definitions" – Ilie 2007, p. 668), sometimes with paraphrases containing the metaphorical surnames (the reds/ the whites).

In the first example, Lahovari, a conservative MP, reacts to some previous liberal speeches, with a refutational two-sided message:

(1) Lahovari: And *no one is allowed to say that democrat and liberal represent one and the same thing. Not after 12 years of Brătianu's regime* (my emphasis)*.*

Yet, *Marat* (my emphasis), who asked for the heads of two million Frenchmen, on account of those heads thinking differently from his own, heads of which he eventually got to a large extent, was he a Liberal? And what about *Robespierre* (my emphasis) (…)? Was he a Liberal?

All these pretended they were democrats, too (my emphasis). You might as well call them like that, although, *in my opinion, they are the people's worst enemies* (my emphasis)*.* Such democrats have stained with blood the French revolution, which partly made one forget about its benefits, and darkened the memory of this movement throughout the history (applause).

Yet, to call *liberals* the people who used to punish by death, not only the spoken or written manifestations, but also the innermost thoughts of the human being, this means either not knowing the value of the words, or distorting their meaning. (Lahovari, 2.12.1888, pp. 28-29, my translation)

Al. Lahovari is an important MP, an excellent and highly educated speaker, a good organiser for the Conservative Party. His speech from December 1888 illustrates an agitated period in the Romanian political life. In 1888 the Liberals lose their

power (I.C. Brătianu's mandate as Prime Minister ended after 12 years of office), in accusations of dictatorship and corruption. Al. Lahovari speaks as a member of the majority and supporter of the new government, while the antagonist is, after 12 years of majority, in the opposition's minority.

Lahovari mentions another MP's equivalence of *liberal* and *democrat,* refuting this idea by means of some counterexamples from the French Revolution (Marat and Robespierre), but he also attacks the liberal MPs with an *ad hominem* fallacy: after 12 years of liberal government, with Brătianu as a prime-minister, no liberal MP can say that the Liberals are also democrats (the MP tried to assign some general commitments to the audience). Is this a derailment or not? Is it a fallacious move from the part of Lahovari?

According to Kienpointner (2009, p. 61), "there is a continuum ranging from cases of strategic maneuvering which are rationally acceptable or at least plausible to a certain degree to other cases where strategic maneuvering is at least dubious or even clearly fallacious"; see also his final remarks: "Strategic maneuvering consisting in attempts to silence an opponent can be justified in exceptional cases, especially when limits to the freedom of speech are not (merely) established by legal sanctions, but (also) justified with reasonable arguments or with arguments which are at least plausible to a certain degree in a specific context" (Kienpointner 2009, p. 73); some attempts to silence the opponent are justifiable to differing degrees in the following contexts: (1) in highly exceptional cases, "restrictions of the freedom of speech can be rationally justified" (Kienpointner 2009, p. 63); (2) dubious strategies, but plausible to a certain degree; (3) highly dubious strategies, exceeding rational techniques of argumentation; (4) clearly fallacious strategies, when the restrictions of the right of freedom of speech are not used only in exceptional cases (Kienpointner 2009, pp. 63-64).

Should a party be restrained from the freedom of speech because its past is considered undemocratic? It could be an ambiguous situation (between cases 2 and 3 from Kienpointner's illustrations), but we tend to label it as a derailment. The phrase: "And no one is allowed to say that democrat and liberal represent one and the same thing. Not after 12 years of Brătianu's regime", implies that the former liberal regime was not a democratic one.

Lahovari's reaction blends the appeal to logos with an ethical approach: there is historical evidence in support of his standpoint, and he presents himself,

simultaneously, as a rational (*phronésis*) and moral (*arété*) human being: at the beginning of his intervention, he presents himself from the perspective of his political role as an MP, whilst, towards the end of the passage, he adopts a more general view, as a person who pays great attention to the metalinguistic use.

The most interesting thing is the way definitions are used: "All these [Marat, Robespierre] pretended they were democrats, too". In Lahovari's view, the Liberals were not democrats; this is the idea that the audience should accommodate, as the use of the presupposition-trigger, the non factive verb *to pretend*, shows. The speaker contests the attribution of the word *liberal* to the revolutionaries, in a metacommunicative approach: "this means either not knowing the value of the words, or distorting their meaning". We should note that the accusations of a non-democratic liberal regime were not new in the Romanian Parliamentary debates; this topic had been frequently used since 1876 (when Brătianu became Prime Minister), illustrating the lack of time limits and the lack of clear terminus in the political debate (as Zarefsky 2009 has rightly argued).

The two examples that follow are definitions used to differentiate the Conservatives from the Liberals, but in a less ideological and more rhetorical manner:

(2) Filipescu: Gentlemen, here are some diverging points between you and us, as they reveal themselves within the discourses of your orators. Yet, *we also differ from each other by our whole conception with regard to what a conservative party should be like* (my emphasis). As far as we are concerned, *a conservative party is supposed to govern with the worthiest, to administrate with the most capable, to legislate with the most independent and the most objective people. This elite is the very warrant of the success for a conservative party, since it is only through the agency of this elite that it can set as the basis of its politics the brightness of the real actions, rather than the instability of the artificial/ factious popularity* (my emphasis).

Certainly, Lascăr Catargiu wasn't a theorist of the conservative doctrine. Yet, he had the instinct of his duties as a conservative. He knew he had the double duty, *to provide the country and his party with great governments, and to keep under control the unhealthy trends within the public opinion* (my emphasis).

It is in this simple formula that lays the core of the conservative doctrine, with all its enriching/ uplifting side, which is a basic feature of the conservatism. Whereas

the liberalism may have a broader basis, the conservatism embodies higher peaks (my emphasis)*. (Filipescu, 7.03.1905, p. 324, my translation)

(3) Filipescu: As I said, *the political parties are not mere fictions, but the result of the work of time; they are like those geological layers, created throughout centuries of accumulations* (my emphasis)*.
(…) because, in my opinion, *the conservatism reaches the climax into the national idea. A conservative party is the one which is faithful to the past, wishing that progress be introduced according to a country's tradition, one which is an obstacle only for those innovations meant to borrow elements that run counter to our national genius* (my emphasis) (applause). (Filipescu, 20.06.1899, p. 331, my translation)

Both definitions belong to N. Filipescu, (2) being uttered 6 years after (3), but shaped in a similar way. Both definitions are uttered while the Conservatives have the governmental power and the parliamentary majority. N. Filipescu is an important figure in the Conservative Party, descendent of two aristocratic families, a highly educated and skilful speaker. The MP creates a metaphorical construction, based on hyperbole (see the rhetoric of superlatives: "to govern with the worthiest, to administrate with the most capable, to legislate with the most independent and the most objective people", and "the brightness of the real actions"; "to provide the country and his party with great governments"; "all its uplifting side, which is a basic feature of the conservatism"; "the conservatism reaches the climax into the national idea") or the organic metaphor ("the political parties are not mere fictions, but the result of the work of time; they are like those geological layers, created throughout centuries of accumulations"). The metaphorical definition is inadequate, taking into account that Romania was a country with only 40 years of pluralistic regime; furthermore, the political groupings coalesced into parties years after the Union – the Liberals have the official status of a party from 1875, while the Conservatives organised their party in 1880. At the same time, there is ambiguity, vagueness in the expressions used for defining the conservative doctrine. We believe that this definition is used to enhance the party's *arété* (the MP's in-group is associated only with [positive] political values), but the MP is showing *eunoia* (trying to please the audience) and a tendency towards *pathos* (all the values attributed to the Conservatives have to be admired, adhered to, while the Liberals' characteristics are to be blamed and disregarded).

There is also a refutational two-sided message here, as the Liberal views are briefly mentioned: "it is only through the agency of this elite that it can set as the basis of its politics the brightness of the real actions (referring to the Conservatives), rather than the instability of the artificial/ factious popularity (referring to the Liberals)", or "A conservative party is the one which is faithful to the past, wishing that progress be introduced according to a country's tradition, one which is an obstacle (introducing the Liberal Party) only for those innovations meant to borrow elements that run counter to our national genius". The ideological difference is placed in a comparison with different domains of reference: the political supporters vs. "the political ideal": "Whereas the liberalism may have a broader basis, the conservatism embodies higher peaks". But there might be also a reference to the political supporters, those who have this political view, who embrace it, are/ represent an "elite", a smaller group. The Conservatives are the representatives of the great landowners, an elite, while the Liberals have as supporter mostly the middle class. Some characteristics of the parliamentary debate (as part of the political (discourse and) argumentation) are evident: for long periods of time the same speaker can repeat his standpoint (lack of time limits); it is not clear what stage of the critical discussion the Conservatives and the Liberal MPs have reached in giving an ideological identity to their parties (lack of clear terminus), and also the extensive reconstruction needed (open access) (characteristics (a), (b) and (d) from Zarefsky 2009, pp. 116-120).

C. Ilie (2007, p. 669) states that three processes (*identification*, *categorisation* and *particularization*) are involved in the act of defining the topic that become important for dissociation/persuasion. Considering the examples given from the debates of the late XIXth century Romanian Parliament, we tend to say that in these cases the act of defining only implies the communicative act of "making something clear and tangible" or determining "the outline and boundaries of the entity or phenomenon to be defined" (Ilie 2007, p. 669). As we have seen, there are rhetorical devices that are sometimes used in order to give the impression of outlining, clarifying, or rendering tangible a certain topic, and nothing more. As they are "instrumental in the process of social construction of identities and ideological polarization" (Ilie 2007, p. 669), definitions are used to maneuver strategically.

As a dialogic and argumentative technique (van Rees 2005), we think that

dissociation (see Gâţă 2007) is being used in these examples in a *reactive* way, making explicit the conceptual basis of an argument that has been externalized.

2.2. Comparative arguments

We agree with Doury (2007) that Perelman's distinction between *comparison arguments* (defined as a subtype of quasi-logic arguments) and *arguments by analogy* (a subtype of arguments establishing the structure of reality), intuitively acceptable, is in practice hard to operate. We shall use M. Doury's proposal to consider this distinction as gradual, from arguments of comparison (bringing together two cases from overlapping domains of reference), to intermediate cases (a comparison involving two situations within the same cultural area, but temporally distant from one another), and to arguments of comparison implying cases issued from maximally distant areas (Doury 2007, p. 344).

We shall now consider only the negative function of comparison arguments – rebutting the adversary's argument. For Doury (2007, p. 344), the refutation by logical analogy could be seen as a subtype of the *ad absurdum* argument.

Although vulnerable to refutation, as the comparative arguments "involve some kind of shift" (Doury 2007: 346) and the degree of factual similarity between the compared elements is sometimes low, we have seen in our corpus that there is not a rejection of this type of polemic arguments, especially if they were transmitted in a humorous way. The *eunoia* aspects of the *ethos*, often observed in the Romanian Parliamentary debates, is frequently achieved by means of wit (jokes, irony, sarcasm, and puns).

The comparative argument in a narrative form may consist of a parable or a fable. In example 4 we have a short fable aimed at political opponents:

(4) I.C. Brătianu: And here *they come to tell us today that, once the mantle is on the people's shoulders, no one can take it away? They ask us: "Who would dare again? Who is still against the liberties and the nation? Who?"* (my emphasis). Well, gentlemen, listen to them come and say, in order to prove the freedom and the Constitution are not being jeopardized, that the very event of May the 2nd has consolidated our liberties. Such words remind me of a fable: *having noticed that mice are avoiding it, a cat put on a cassock and went to the mice saying that it had repented and stopped eating meat* (my emphasis). (applause, hilarity)

Yet, this is just a popular saying, which I don't believe M. Grădişteanu knows, as he has hardly lived among the people: *"Who has eaten (once), will eat again…"*

(my emphasis)/ [fr. "Qui a bu, boira"] (applause) (Brătianu, February 1869, p. 106, my translation)

I.C. Brătianu is the leader of the Liberals, and one of the artisans of installing Prince Charles as ruler of Romania in 1866. The Conservatives are presented as a group with ambiguous political interests, only three years after the political change (the overthrow of Alexandru Ioan Cuza as prince of Romania and his replacement with Charles of Hohenzollern-Sigmaringen). The Conservatives' attitude in 1869 is compared to that of the cat – as the cat is always supposed to eat mice, the Conservatives could jeopardize the liberties and the Constitution. This is an attack to their credibility (trustworthiness), highly dubious (to quote Kienpointner), implicating a comparison from maximally distant areas and evading the burden of proof by the endoxal justification: "Who has eaten (once), will eat again".

The following intervention also uses arguments of comparison, bringing together two cases from the same domain of reference (the economic crisis and the need for an external loan), with temporal proximity:
(5) N. Filipescu: (…) Mr. Panu's proposal reminds me of another solution, with the same simplicity, brought to our attention last year. While we were sighing for the loan, while we were waiting for the telegram, announcing that the loan has been settled, to arrive at any minute, some delegates of a commercial institution came to the Minister of Finance to suggest a solution.

The gentlemen were received by general Manu in his cabinet, and they shared the following thoughts with the minister:
–   Hon. Minister, we have found the solution to the crisis.
–   And what would that be?
–   To get a loan!! (Hilarity).
You may be tempted to answer these solutions as the French do: « Comment? Vous avez trouvé ça tout seul ? »
Gentlemen, if we put aside this only proof of M. Panu's friendly generosity, I have to state that … (Filipescu, 30.11.1900, p. 425, my translation)

The speech is from November 1900, referring also to the previous year. 1899 and 1900 are illustrating a complicated political and economical situation in Romania. After a governmental crisis in the spring of 1899, the Conservative Party forms a new government facing one of the worst crises of that time, due to a severe

drought (Romania's economy depended heavily on agriculture). Both Filipescu and Panu are conservatives, members of the majority, but Filipescu is an aristocrat, an important figure of the party, while Panu, after some former liberal views, is a MP with a delicate position in the party (the king rejected his nomination as a minister in the conservative government. One year later, in 1901, Panu appears as an independent MP in the Parliament).

The short conversational narratives represent one of the main strategies of creating solidarity within a group, and simultaneously ratifying the *self* of the teller (the *eunoia* aspect of the speaker). Connected by analogy, Panu's proposal and the suggestion from the short story are both a rejected anti-model. This time, the analogy brings together two aspects closely connected. Portraying the characters from the joke as stupid and making the analogy with the antagonist's proposal could be an indirect *ad hominem* attack (a surprising attitude among members of the same party; on the other hand, in the Conservative Party there are rivalries, the conservative MPs being less "disciplined" than the Liberals).

The appreciation of the humorous insertions (hilarity, applause) indicates the fact that this was a common practice in the XIXth century Romanian parliamentary debate (and it still is), and that they signal a certain intergroup and interpersonal relation. The funny insertions create the anti-models to be refuted, illustrating the polemic use. The argumentative role could be either to enhance the value of the arguer's own standpoint/argument (*probatio*), or to stress the previously used moves that refuted a counter-argument (*refutatio*).

2.3.Anticipating and responding to counter-arguments
The argumentative move assumed by the arguer in order to anticipate or respond to counter-arguments would be a two-faceted reality, having a justificatory and a refutatory potential. According to van Eemeren & Grootendorst (2004), the arguer succeeds to place himself in a situation in which he has the opportunity to demonstrate the strength of his argumentation (and the acceptability of his standpoint) by anticipating and refuting a countermove attributed to the opponent.

The last example is rather long, so we have decided to divide it into two relevant exchanges between the protagonist (N. Filipescu, a Conservative), the mayor of Bucharest at that time, and his antagonist (Delavrancea, a Liberal). The debate took place after a students' demonstration at the statue of an important historical

figure (Michael the Brave), despite the official interdiction and the presence of the police at the scene:

(6)

(a). N. Filipescu: (...) You will not contest that, at the Liberal club, one/ people applauded as the students passed by, either while they were going to or coming back from the railway station. But you keep saying: Show us a person, an agent. Mr. Delavrancea, I think I'm not wrong when I say that Mr. Cezar Ionescu, who was arrested and brought in front of justice, was a student and a journalist, at the same time.

B. Ştefănescu Delavrancea: You are wrong.

N. Filipescu: I was just asking, not stating that. Nevertheless, it seems to me that that gentleman is a sub-editor at "The Romanian".

B. Ştefănescu Delavrancea: And is 'The Romanian' a national-liberal publication?

N. Filipescu: So far, I thought it was.

B. Ştefănescu Delavrancea: Liberal-democrat, yes, but not national-liberal.

General Gh. Manu: 'The Romanian' is no longer a national-liberal newspaper? I can't wait to see what the oldest liberal publication, that is 'The Romanian', has to say about it (...) (Filipescu, 10.02.1894, p. 140, my translation)

In order to analyse the exchange, we have to clarify the chronology of the political discussion: the local power (represented here by Filipescu) had accused the opposition of being behind the students' manifestation. The opposition has reacted and asked for a proof, that is to name a member of the Liberal Party involved in the events. Filipescu gives the example of a well-known figure, who was both a student and a journalist. As Delavrancea is firm in contradicting him ("You are wrong"), but without any piece of evidence (evading the burden of proof), Filipescu feigns to agree with him, but then he insists on saying that the gentleman he named, Cezar Ionescu, was a journalist for a publication, "The Romanian", with liberal affiliation. Filipescu presents his argument with an attenuated degree of certitude ("I think I'm not wrong when I say that...", "I was just asking, not stating that.", "it seems to me that..."). After Filipescu's affirmation that the young man is a journalist at "The Romanian", Delavrancea contests the newspaper's liberal affiliation (denying an unexpressed premise); although both Filipescu and Manu state the real newspaper's liberal affiliation, Delavrancea contests that affiliation introducing political connotations: "Liberal-democrat, yes, but not national-liberal", which does not stand against the fact that the newspaper was, after all, a paper of the opposition.

Delavrancea is, throughout the debate, an antagonist unwilling to respect the rules, unwilling to accept evidence and to admit that the protagonist has conclusively defended his standpoint (a situation that seems to be repeating in the Romanian political debate), as in (b). In order to conclusively refute counter-arguments, Filipescu chooses to anticipate different attacks by presenting the event through the viewpoint of liberal newspapers. The speaker quotes at length the development of the events, in order to prove that the police was not to blame, and that those producing damages in the centre were the students:

(b). N. Filipescu: Here is what "The Romanian" says, by the voice of its editor, who was an eyewitness to the events: „I was in the first lines; when we approached the statue, we came across a sergeants' cordon, lead by inspector Dristorian.

–   Walk on, gentlemen, walk on, the inspector tells us."

"Yet, his notification was useless and badly timed, as the first lines, pushed by those in the back, could not resist the people's movement and, after having broken through the sergeants' cordons, conquered the statue, from where speeches began to be delivered." Where did the provocation come from, Mr. Delavrancea?

B. Ştefănescu Delavrancea: The Police.

N. Filipescu: If you keep saying that the Police made the provocation, after all these pieces of evidence, then any discussion becomes useless.

B. Ştefănescu Delavrancea: Who put out the lamps? And who made the train break down?

N. Filipescu: You've been provided with all these explanations; now I want to prove how the things happened at the Statue of Michael the Brave, as they are presented in the opposition's newspapers. (…) (Filipescu, 10.02.1894, pp. 143-144, my translation)

After quoting from the newspaper, arriving at a key scene, when the advertisement of the police is transgressed and the students reach the statue, Filipescu asks Delavrancea to admit that the provocation came from the students (it is a strategy used to approach the concluding stage). Instead, Delavrancea considers that the police provoked the students; in his turn, Filipescu claims that the discussion could not continue (the critical discussion can no longer go on since the antagonist does not obey the rules): "If you keep saying that it was the Police who made the provocation, after all these proofs, then any discussion becomes useless". Delavrancea's questions aim at taking the discussion back to

the confrontation stage, but Filipescu states that the response has already been given and he can return to the facts presented in the opposition's papers (argumentation stage); despite Delavrancea's non cooperative attitude, Filipescu goes on quoting from the opposition's papers, as the quotations are not rejected by the opponent. This is Filipescu's anticipating strategy to Delavrancea's countermoves aimed at maintaining a deep disagreement.

3. Conclusion

It has been argued in this paper that the mechanisms used to convey *refutatio* in the parliamentary practice reflect: the prominence of the ideological definitions (derived from the lack of political tradition and the need to create one); the use of wit; the (implicit) denial of the protagonist's successful defence of the standpoint. We assume that the way refutation is used in the XIXth century Romanian Parliament, as reflected in our corpus, is culturally influenced and is a result of the weak institutional constraints at that time.

The analysis of the corpus revealed that the discussion with the antagonist is only an "argumentative/communicative trope", as the real target is beyond the MP that has taken the role of antagonist, and beyond this one to one confrontation (protagonist/ antagonist). This situation involves interpersonal affiliation/ delimitation (in-group affiliation and out-group delimitation) and the need to persuade the public, usually, though not always, a silent and neutral arbiter. This "argumentative/communicative trope" might be taken into account as one of the characteristics of the political argumentation, too.

The pragma-dialectical model of a critical discussion, as well as the strategic manoeuvring are important instruments in the analysis of the political discourse, in general, and of the parliamentary discourse, in particular. Considering the parliamentary debate as a critical discussion offers a coherent model of interpretation. Observing, on the one hand, the stages the critical discussion has reached, and, on the other hand, the way MPs manoeuvre strategically in order to illustrate an explicit disagreement and to attain the most favourable presentation of this disagreement, helps to understand the way this activity type works, and what are its basic characteristics.

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ISSA Proceedings 2010 – Arguments About 'Rhetoric' In The

2008 US Presidential Election Campaign

Barack Obama's prowess in the art of rhetoric, for which he had gained a national reputation with a stirring keynote speech to the 2004 Democratic National Convention, was much commented upon during the 2008 US presidential election campaign and became a stimulus for public debate on the necessity, value, and danger of rhetoric as a political-communicative practice. Extending work by Craig (1996, 1999, 2008; Craig & Tracy 2005) on normative concepts and arguments in ordinary metadiscourse (practically-oriented discourse about discourse), this paper presents an initial survey of arguments about rhetoric that appeared in public metadiscourse of the 2008 campaign. Issues that emerged in this debate engaged classic lines of argument between rhetorical and critical traditions of thought concerning the legitimacy of rhetoric, thus showing the continuing relevance of those traditions and their capacity to illuminate essential tensions in democratic public discourse.

1. "Rhetoric" in the 2008 campaign

US presidential election campaigns follow an extended course in which candidacies for major party nominations are usually announced more than a year in advance of the national election. Candidates campaign to raise money and compete in a long series of intra-party state contests (primary elections and caucuses) that stretch through the early months of the election year and determine the selection of delegates to national party nominating conventions held in the summer. Party candidates are formally designated at those conventions and then campaign as standard bearers of their parties until the early November presidential election. The national discourse that surrounds the campaign is punctuated by the rhythms and contingencies of this long process. Thus, the debate about *"rhetoric",* both leading up to and following the 2008 election, ebbed and flowed through a series of key news events, which it will be useful to chronicle briefly as background to the following analysis.

February 2007 – the John Howard flap. Shortly after Barack Obama formally announced his candidacy on February 10, 2007, the conservative Prime Minister

of Australia, John Howard, was quoted as saying that terrorists would rejoice if Obama (who had opposed the 2003 US invasion of Iraq) were to win the presidency. Although his remarks were almost universally condemned, Howard stood by them. Ironically, it was Obama himself who raised the question of rhetoric in this situation:

(1) "We have close to 140,000 troops in Iraq, Mr Howard has deployed 1400. I would suggest he calls up another 20,000 Australians and sends them to Iraq, otherwise it's just a bunch of empty rhetoric." (quoted by Packham & Balogh 2007)

February 2008 – Obama accused of plagiarism. In a February 16, 2008 speech in Wisconsin, Obama was defending himself against persistent charges by the Hillary Clinton campaign that Obama spouted "empty rhetoric." Arguing that words have inspirational power, he quoted famous American examples:

(2) "'I have a dream' – just words? 'We hold these truths to be self-evident, that all men are created equal' – just words? 'We have nothing to fear but fear itself' – just words? Just speeches?" (quoted by Spillius 2008)

The passage closely resembled one in a speech given two years before by Obama's friend, Massachusetts Governor Deval Patrick. Framing the incident as a serious case of plagiarism, a Clinton campaign spokesman was reported to have said:

(3) "Senator Obama's campaign is largely premised on the strength of his rhetoric and his promises, because he doesn't have a long record in public life. When the origin of his oratory is called into question, it raises questions about his overall candidacy." (quoted by Spillius 2008)

In response, while Obama admitted he should have attributed his words to Patrick, Obama and Patrick both made light of the incident, and Obama defended his rhetoric's essential authenticity:

(4) "It's fair to say that everything that we've been doing and generating excitement and the interest that people have had in the elections is based on the core belief in me that we need change in America," he said. "And that's been heartfelt and that's why I think it's been so effective" (quoted by DeFrank & Saul 2008).

February-March 2008 – "NAFTA-gate." Although the name, "NAFTA-gate," didn't stick, Obama's campaign was briefly on the defensive after allegations that an

Obama advisor had privately assured Canadian officials that Obama's criticism of the North American Free Trade Agreement (NAFTA) was merely campaign rhetoric directed at labor union voters in Ohio.

(5) ... [S]enior Clinton campaign officials repeatedly stressed the importance of the contradiction between Mr. Obama's anti-NAFTA rhetoric and the private assurances of one of his advisers ... "Because it's just flat-out wrong to tell the people of Ohio one thing in public about NAFTA and say something quite different to the government of Canada behind closed doors."

Ms. Clinton said yesterday that she believed the Obama campaign had given the Canadian government "the old wink-wink."

"I think that's the kind of difference between talk and action that I've been talking about," she went on. "It raises questions about Senator Obama coming to Ohio and giving speeches against NAFTA." (Ibbitson 2008)

March 2008 – the "race speech." On March 18, 2008 Obama delivered a major speech in Philadelphia on the subject of race in America. The speech responded to a crescendo of criticism concerning a long history of racially inflammatory sermons by the Rev. Jeremiah Wright, pastor of the Chicago church Obama had attended for 20 years. Obama's speech disavowed Wright's most extreme statements while acknowledging the complexity of race as an issue in American society, the reality of racial injustice, and the anger felt by whites as well as blacks. Reactions to the speech ranged from predictable charges of empty rhetoric to effusive praise for its eloquence and unprecedented candor, which was said to have cleared the air for a more open national discourse on race (Alexovich 2008). Journalists Amanda Paulson and Alexandra Marx summarized some of the extensive commentary on the speech that offered reasons for its importance:

(6) ... "I appreciate that he's taking the platform he's on to say things no politician has said before," says Keith Gilmore, a black man who works at the University of Chicago's business school. "Now politicians know to speak to people directly and honestly. We're looking at race in a different way now."

In Manhattan, Doug Mohrmann, an older white man, was less certain. "I think he adequately divorced himself from some of the more controversial statements," he says. "But I think 20 years of being with that pastor and 20 years of being with that church, and totally committing to that guy and to not have addressed that kind of rhetoric before.... It's just unacceptable."

[...]

On the rhetoric itself, writers lauded the speech's direct, conversational language as well as its nuance and complexity. "It was a sophisticated and honest analysis of the problem," says Terry Edmonds, former director of speechwriting for President Clinton, who called it "one of the best speeches on race in the last 20 years."

Whether American voters agree is still an open question. Even those who believe the address is destined for the annals of great American oratory are unsure.

"As a speech, it was bold, clear, well organized, eloquent in its description of history and current issues and future dreams and ideals that people of good will all share," says Sorensen. "Whether the political strategy was brilliant we'll find out later." (Paulson & Marx 2008)

Example 6 illustrates contrasting modes of commentary on oratory, one emphasizing how the candor and sheer eloquence of the speech can serve as precedents for subsequent discourse, the other emphasizing that rhetorical statements establish political alignments that can be assessed apart from the speech's rhetorical qualities but can also be heightened, for better or worse, by the rhetorical power of the speech.

June 2008 – Father's Day speech. Another speech on racially sensitive matters that elicited commentary was one Obama delivered in a Chicago church on the occasion of Father's Day (June 15, 2008), in which he criticized African American men who abandon responsibility for their children. Illustrative of one line of commentary on the speech is the following example (7), in which a newspaper commentator and fatherhood activist acknowledges the power of words and, while drawing a contrast between words and actions, emphasizes in this case that Obama's personal behavior as a committed father increases the power of his oratory.

(7) This is not the first time Mr. Obama has spoken about the fatherhood crisis in our nation, but these were probably some of his strongest and most direct remarks. No doubt, I am delighted when someone of his stature and influence speaks out about this important issue in such a forceful way. I have been in Washington long enough to know the power of words and the importance of rhetoric.
However, I tend to be more impressed by reality than rhetoric. In this case, the

real story – the underemphasized one – is not Mr. Obama's rhetoric, but rather the reality of his example. Unlike most black fathers, Mr. Obama is married to the mother of his children. No "baby mama" for Mr. Obama. His real "Obama girl" is his wife. (Warren 2008)

July 2008 – Berlin speech. On July 24, Obama delivered a speech before a huge crowd at the Victory Column in Berlin, Germany. The enthusiastic reception was cited either as evidence for Obama's potential to transform international relations or for the emptiness of his rhetoric and his vacuous "rock star" celebrity status.

August 2008 – nomination acceptance speech. Another event that stimulated a flurry of commentaries about rhetoric was Obama's August 28, 2008 speech accepting the nomination of the Democratic Party, which he delivered in a large stadium in Denver, Colorado before a live crowd of more than 70,000 as well as a national television audience. Somewhat contrary to expectations based on Obama's reputation for soaring eloquence, commentators noted, the speech was relatively straightforward and consisted largely of specific policy positions; as one British observer put it, the speech was:
(8) … short on the high falutin' rhetoric and long on specifics. (Harnden 2008)

2009 – health care debate & election results. Public comments about Obama's rhetoric did not, of course, come to an end with the 2008 election campaign but continued after his election. His inauguration as president on January 20, 2009 was a major event, and the speech he delivered on that occasion was widely praised. Increasingly common, however, as the year went on were commentaries that contrasted Obama's successful campaign rhetoric with qualities of his speech that evolved as he faced the realities of governing. While economic problems mounted during 2009, CNN noted:
(9) … with the economy in a recession and people afraid for their financial future, Obama's soaring campaign rhetoric has given way to grim reality. (Acosta 2009)

Moreover, the political difficulties he faced, for example, in persuading the nation to support his health care reform plan, led some to conclude that Obama's rhetoric was becoming less effective. As illustrated by the following excerpts from an analysis by Peter Baker in *The New York Times*, a variety of reasons were advanced to argue that the normal conditions of governing reduce the capacity for even a great orator like Obama consistently to produce great or effective rhetoric.

(10) But the limits of rhetoric were on display last week when the president could not rescue two foundering candidates in governor's races in New Jersey and Virginia. Has Mr. Obama lost his oratorical touch? Is the magic finally beginning to fade? Does the White House rely too heavily on his skills on the stump to advance his priorities?

It may be too soon to reach such conclusions. The Democrats who lost last week, after all, had fatal flaws all their own. But the results do suggest that Mr. Obama's addresses these days may not resonate quite the way they did. Speeches that once set pulses racing now feel more familiar. And if that remains the case heading into next year, it could make it more difficult for the Democrats' own Great Communicator to promote his program and carry along allies in crucial midterm elections. (Baker 2009).

2. Analysis

Data for this study consisted of 89 short texts selected from search results obtained by searching the Internet via Google and the Lexis-Nexis database of major newspapers, using the keyword combination of "Obama" and "rhetoric." Searches focused primarily on the election year of 2008 but with some attention to 2007 and 2009 (3 texts were selected from 2007, 80 from 2008, and 6 from 2009). Texts that presented arguments about Obama's rhetoric or about rhetoric in general with reference to Obama were selected so as to represent a range of themes that were prominent in the discourse of the period.**[i]**

The analysis found that arguments about Obama's rhetoric in the 2008 campaign clustered around three broad issues having to do with the relation of rhetoric and reality, grounds for judging a speaker's sincerity or authenticity, and the danger to democracy posed by a cult of celebrity. These issues are examined in detail in the following sections.

2.1. Rhetoric and reality

Commonplace denunciations of "empty rhetoric" or "mere rhetoric" were, of course, frequently used to dismiss the value of Obama's speech. Detractors claimed that "words are cheap," and that they aren't as credible as actions or experience. Flowery words cannot be trusted. "Solutions" require "reality," "policy," and "pragmatism," all positioned as rhetoric's opposites. Even Obama himself used this line of argument and did not hesitate to denounce the "empty rhetoric" of his opponents, as his criticism of John Howard illustrates (example 1).

Yet, counter-themes also emerged in public discourse that asserted the necessity of rhetoric for inspiring collective visions of the future and for mobilizing people to action: rhetoric as an indispensable element of leadership and a producer of public reality, not merely as fine words divorced from reality.

Several examples introduced above present arguments unfavorably contrasting words to experience or actions (see examples 1, 3, 5, 7). A common assumption of these arguments is that words may be (or are, in a given case) inconsistent with actions and, therefore, should not be trusted. In example 7, however, the fact that Obama's words are backed up by actions (he practices what he preaches) lends credibility to his words.

Example 11, an editorial published in *USA Today* early in the campaign, represents a relatively mild questioning of what Obama's rhetoric meant for the type of president he would become.

(11) Most of what voters do know about Obama involves style more than substance. He's a charismatic speaker who promises to change the nation's divisive and often dysfunctional politics … But the presidency is obviously about more than inspiration … [V]oters would do well to look beyond the unmistakable appeal of Obama's rhetoric and examine his record for clues as to what kind of president he would be. (Obama's Rhetoric 2008, excerpts)

Many judgments of Obama's rhetoric were considerably harsher. In a piece for the *Weekly Standard*, for example, David Barnett asserted:
(12) There's a hollowness to Obama's rhetoric. When Obama delivered his famous (and effective) "just words" rejoinder to Hillary Clinton's barbs, the speech inadvertently revealed the emptiness of Obama's rhetoric. (Barnett 2008)

They were just words, Barnett argued, because Obama wasn't planning on acting at all.

In a critique of a major speech Obama had given in Berlin, Germany, *New York Times* columnist David Brooks argued that rhetoric is more powerful when grounded in reality. Using an interesting (and not uncommon) distinction between rhetoric and argument, Brooks unfavorably compared Obama's to previous speeches in Berlin by two American presidents:
(13) When John F. Kennedy and Ronald Reagan went to Berlin, their rhetoric soared, but their optimism was grounded in the reality of politics, conflict and

hard choices ... In Berlin, Obama made exactly one point with which it was possible to disagree. In the best paragraph of the speech, Obama called on Germans to send more troops to Afghanistan.

The argument will probably fall on deaf ears ... But at least Obama made an argument. Much of the rest of the speech fed the illusion that we could solve our problems if only people mystically come together ... But he has grown accustomed to putting on this sort of saccharine show for the rock concert masses ... His words drift far from reality ... Obama has benefited from a week of good images. But substantively, optimism without reality isn't eloquence. It's just Disney. (Brooks 2008, excerpts; see also Fields 2008)

While claiming like Barnett and Brooks that Obama's rhetoric was too often hollow rather than genuinely inspiring, *Financial Times* blogger Gideon Rachman drew an opposite conclusion for Obama's presidential prospects. Obama, he argued, was actually quite capable of engaging with substantive policy issues, and his vacuous rhetoric was merely a smart political strategy, not indicative of how he would act as president. Here the disconnection between words and actions, rhetoric and reality, works in Obama's favor:

(14) And while Mr Obama's most "inspirational" phrases are vague to the point of vacuity, he has shown in a series of television debates that he is more than capable of serious discussion. You do not get to be president of the Harvard Law Review if you cannot cope with detail.

So Mr Obama is not relying on empty exhortation because that is all he is capable of. It is a deliberate political strategy. And it makes sense. The more a candidate gets stuck into the detail, the more likely he is to bore or antagonise voters. Appealing to people's emotions is less dangerous and more effective.

Bill Clinton has said sniffily of Mr Obama that "I think action counts more than rhetoric". The argument of Hillary Clinton's campaign is that just because Mr Obama gives great speeches, it does not mean that he will be a great president.

I would reverse that. Just because Mr Obama gives lousy, empty speeches, it does not mean that he will be a lousy, empty president. (Rachman 2008)

In contrast to assessments that Obama's rhetoric was vacuous even though strategically effective, others maintained that his speeches were genuinely inspiring and argued that the ability to inspire and give a great speech is part of

the job description: How can action be taken unless leaders mobilize the masses with rhetoric? This was the point Obama (and Deval Patrick) had implied by mentioning the inspiring words of past leaders such as Martin Luther King (example 2). King's "I have a dream" speech was more than just words; it crafted an inspiring vision that energized a great social movement and changed the world. Citing similar examples in a *Washington Post* commentary, Michael Gerson argued that artful rhetoric (contrasted to "thoughtless spontaneity") is an indispensible element of leadership:

(15) The construction of serious speeches forces candidates (or presidents) to grapple with their own beliefs, even when they don't write every word themselves. If those convictions cannot be marshaled in the orderly battalions of formal rhetoric, they are probably incoherent.

The triumph of shoddy, thoughtless spontaneity is the death of rhetorical ambition. A memorable, well-crafted speech includes historical references that cultivate national memory and unity – "Four score and seven years ago." It makes use of rhythm and repetition to build enthusiasm and commitment – "I have a dream." And a great speech finds some way to rephrase the American creed, describing an absolute human equality not always evident to the human eye.

Civil rights leaders possessed few weapons but eloquence – and their words hardly came cheap. Every president eventually needs the tools of rhetoric, to stiffen national resolve in difficult times or to honor the dead unfairly taken.

It is not a failure for Obama to understand and exercise this element of leadership; it is an advantage. (Gerson 2008)

Some writers pointed out the inherent hypocrisy in Hillary Clinton's attacks on Obama's rhetoric, which, of course, employed rhetoric. Obama's defenders argued that the hope he embodied and the excitement he generated were both real and much needed by the millions who wanted political change. Moreover, some argued, the dichotomy between rhetoric and reality is false; there is no contradiction between soaring rhetoric and policy detail:

(16) The fact is that while Obama's rhetoric has garnered a great deal of attention – as it should – he has always had detailed policy proposals as well, both on his Web site and in many of his speeches, some of which have been richer in policy detail than in soaring rhetoric.

Just because Obama knows how to make a spellbinding speech does not mean

that he is incapable of framing a policy. (Pajerek 2008)

Other lines of argument about the power of rhetoric to produce reality are suggested by quoted remarks of Keith Gilmore and Doug Morhmann in example 6 (above): Rhetoric generates models for ways of speaking that enable more or less productive discourse, and rhetoric commits speakers in ways that can create or dissolve political alignments.

Ironically, in light of Obama's reputation for poetic speech, he was criticized a year after the election for being too enmeshed in technocratic policy details and failing to craft a compelling narrative to build public support for his policies. "More poetry, please" was the plea voiced by columnist Thomas L. Friedman in *The New York Times*:

(17) He has not tied all his programs into a single narrative that shows the links between his health care, banking, economic, climate, energy, education and foreign policies. Such a narrative would enable each issue and each constituency to reinforce the other and evoke the kind of popular excitement that got him elected.

Without it, though, the president's eloquence, his unique ability to inspire people to get out of their seats and work for him, has been muted or lost in a thicket of technocratic details. His daring but discrete policies are starting to feel like a work plan that we have to slog through, and endlessly compromise over, just to finish for finishing's sake – not because they are all building blocks of a great national project. (Friedman 2009)

Also interesting in this connection is a story that appeared a few months earlier in *The Onion*, a satirical fake newspaper, under the title "Nation Descends into Chaos as Throat Infection Throws off Obama's Cadence." When "a mild throat infection threw off President Barack Obama's normally reassuring and confident speech cadence," according to this fictional story, "[w]ithout the president's fluid, almost poetic tone to reassure them, the American people have abandoned all semblance of law and order and descended into a nationwide panic" (Nation Descends 2009). The assumption satirized in this piece was that the nation was literally held together by Obama's rhetoric.

To summarize, the public debate on Obama's rhetoric reveals complexities in the discourse of rhetoric and reality. If words are not always consistent with actions, if rhetoric can deceive audiences or lose touch with reality, it is also the case that

rhetoric has an indispensible role in producing the real conditions of discourse, political solidarity, collective action, and social change. Rhetoric not only reflects reality or fails to do so; it also constitutes reality.

2.2. Eloquence and authenticity

The problematic relation between rhetoric and reality is due in part to the equally problematic matter of a speaker's sincerity. Obama's "smoothness" with words was taken by some as a sign of inauthenticity; he was merely a clever salesman, a huckster. Yet the sometimes bumbling speech of Obama's opponent in the general election, John McCain, was taken by others as a sign that McCain was inauthentically pandering to voters rather than addressing the issues he really cared about. Given the power of eloquence to create false impressions of sincerity, how can audiences assess the authenticity of words they are hearing? Does the very question rely on a false dichotomy?

Obama and his opponents agreed that the effectiveness of his rhetoric depended on the impression of his sincere belief in what he was saying but disagreed about the reliability of that impression (compare examples 3, 4, 5, and 13 above). A contradiction between words and actions was frequently cited as a sign to argue that the words were insincere. But artfully crafted eloquence is inherently suspect for its capacity to hide character flaws, as the following assessment of Obama's rhetoric suggests, citing the authority of John Milton:

(18) Mr. Obama's rhetoric is refreshing after George W. Bush's tangled syntax and mangled sentences. His word comfort contrasts favorably with Mr. McCain's bluntness in the awkward cadences of an old soldier. But speeches are not spontaneous; they are carefully crafted and can hide a multitude of sins. The poet John Milton, the most educated man of his time, intentionally wrote dull speeches unenlivened with simile and metaphor when delivered by the character of God in "Paradise Lost." He gave Satan the florid eloquence to persuade and beguile, expecting his readers to see how words can deceive. (Fields 2008)

If by one logic authentic speech is dull and plainspoken while eloquence is not to be trusted, a different logic warrants exactly opposite inferences. In this alternative view, genuine passion for what one is saying inspires eloquence, while inauthentic speech tends to be inarticulate and lackluster. Democrats used this logic to criticize McCain for his "obvious inauthenticity," claiming that all his bumbling came from the fact that he wasn't talking about issues he cared about, only pandering to voters:

(19) John McCain's inauthenticity could not be masked. McCain had no choice but to change his stripes to appeal to the right wing of the Republican base, embracing ultra-conservative religious views and tax-cutting that he had previously opposed. The true believers on the right didn't buy it and neither did McCain, and it showed. He found himself having to talk about things he didn't care about. Last night, in his concession speech, the real John McCain was free of those constraints, and it was stunning. His authentic personality came shining through. If THAT John McCain had been running for President, he would have given Obama a much closer fight. (Greer 2008)

Obama's March 18, 2008 speech on race occasioned much commentary about his authenticity or lack thereof (see example 6, above; see also Alexovich 2008). Supporters described the speech as open, frank, and very eloquent. They championed Obama's effort to talk about an issue that no politicians ever do. His nuanced position and his sympathetic acknowledgment of controversial views with which he did not necessarily agree were taken as signs of his courageous honesty. On the other side, some critics (mostly conservative bloggers; few in the mainstream media) found the speech itself offensive, racist, and contrived, and some accused Obama of outright lying to obscure his relationship to his African American pastor, Jeremiah Wright, whose inflammatory sermons had occasioned the public outcry to which Obama was responding. One of the most common arguments was that Obama claimed to be able to transcend race, and this was a reminder that that was not really the case. The situation that caused Obama to deliver the speech was another sign of its inauthenticity, because he only made the speech to protect himself from criticism, not of his own volition. Since it was made under duress, it could not be believed.

An entirely different line of argument about eloquence and authenticity rejected the underlying dichotomy between artifice and sincerity and argued instead for the higher authenticity of rhetorical art. Gerson (2008) reflected something of this reasoning in his defense of "formal rhetoric" as opposed to "shoddy, thoughtless spontaneity" (example 15). An editorial in *The Irish Times* was more explicit in its preference for unabashed political drama over illusory attempts to convey sincerity:

(20) [Obama] has replaced the 20th-century politics of sincerity (however fake) and intimacy (however illusory) with older, more linguistic and dramatic, forms of political communication.

The leap is so large that it may not succeed at one go. But it seems part of a larger cultural shift, echoing, for example the relative decline of recorded music and the resurgence of live concerts. Maybe, in a post-modern era when culture is ubiquitous, we want our political leaders to be artists again. Maybe we may yet live to see a parliament swayed by the force of oratory rather than a party whip. (Refining of Rhythmic Rhetoric 2008)

2.3. Cult of celebrity
Finally, there was debate on the "cult of celebrity" that developed around Obama and the danger (or not) to democracy that might result. Two sorts of arguments were made about Obama as demagogue. The first wrote him off as silly, using words like "celebrity" and "rockstar." It made him appear insignificant, like a teen idol. McCain's campaign attempted to exploit this theme with a series of ads mocking Obama as "The One." The other argument made him seem more calculating, power hungry, and malevolent. "Emperor Obama," for example, or the common implication that his followers were blind minions like Hitler's or Stalin's:

(21) The Great One's performance tonight harkens back to Hitler's autocratic speeches in front of the throngs of adoring (mindless) followers.

Humility is certainly not a word that one should ever use to describe this ego-maniac. (durtyharry 2008)

In these arguments the emptiness of Obama's rhetoric, its lack of substance, is not criticized for being divorced from actions or truth but instead is taken as a sign that Obama's followers were not listening to what he actually said and were following him blindly, in the manner of a cult. A conservative blogger had the following to say:

(22) A cult of Celebrity has followed Obama around since his elevation to the higher echelons of the Democrat Party. His parade appears dripped in rhetoric with nothing of substance and this election has turned more into a grass roots social movement than a political race.

The danger is people are simply not listening to what Obama is saying, they have been swept away in the moment of this cult of Obama, his words don't actually matter just the fact he is talking is good enough for them (Rt. Hon. E.B. 2008)

Even some commentators who were generally favorable to Obama offered friendly

warnings about the danger to democracy of allowing a cult following to develop. Comparisons to fascism seemed unavoidable, as in the following excerpt from an article by Dominic Lawson for *The Independent*, in which Obama's religious imagery was traced, and he was cautioned to steer clear of this strategy before it was too late and his supporters became uncontrollable:

(23) Obama, of course, is a democrat as well as a Democrat; but there is something in this form of rhetoric that has echoes of fascism, with its idea that the squabbling of mere politicians should be overthrown in favour of one man's uniquely wise interpretation of the National Will. Phrases such as "everything must be changed" were also the stock-in-trade of fascist orators, raising hopes which ended in the most dreadful disillusionment – and worse. (Lawson, 2008)

These arguments do not appeal to premises about rhetoric's relation to truth or signs of Obama's authenticity or lack of it; instead, they appeal to premises about the undemocratic, and therefore wrong, character of rhetoric that becomes too powerful regardless of its truth or the speaker's sincerity. Arguments in response invested the audience with greater agency. In those counter-arguments, people were inspired by Obama not blindly but because they understood that his rhetoric addressed an urgent need for change, producing not a cult following but a genuine social movement.

3. Concluding reflections

In conclusion, I offer three reflective comments on this study of arguments about rhetoric in the 2008 US presidential campaign.

First, the campaign stimulated some interesting journalistic discussions of rhetoric, of course along with much that was nothing more than cliché. In addition to several thoughtful commentaries cited earlier (Brooks 2008; Friedman 2009; Gerson 2008; Lawson 2008; Refining of Rhythmic Rhetoric 2008), also worthy of mention are a *Washington Post* article by Alex MacGillis (2008) that overviewed Obama's complex relationship with rhetoric, a piece by Charlotte Higgins (2008) in *The Guardian* that discussed the affinities of Obama's style to principles of classical Roman rhetoric, and a *New Yorker* commentary (Victory Speech 2008) that analyzed the style of Obama's election night victory speech and described it as "a good night for the English language" (p. 42). Several of these articles made reference to the history of rhetoric as a context for understanding Obama and political rhetoric generally.

Second, as a result of the public interest in rhetoric that arose from Obama's

campaign, academic discourse on rhetoric entered the public sphere (e.g., through blogs and journalistic quotation in articles such as those just cited). Academic rhetoricians were quoted in several articles. Sinclair's (2008) "Obama's Simulacra" blog post is interesting, because the author made the claim that Obama was inauthentic using Baudrillard's theory of simulacra. Academic rhetorical critics participated directly in the public debate through blogs (e.g. jose 2009) and other publications (e.g. Frentz 2008). In such ways, the public argumentation about rhetoric that surrounded the 2008 campaign became a site of interaction between theoretical and practical metadiscourse as envisioned by Craig (1996, 1999).

Third, arguments about rhetoric in the presidential campaign discourse of 2008 echoed classic philosophical critiques of rhetoric going back to Plato (rhetoric as mere appearances versus truth) as well as critiques from contemporary critical theory. My thematic analysis of the arguments revealed three broad issues that interestingly correspond to the three validity claims of truth, sincerity and rightness posited by Habermas's (1984) theory of communicative action. According to Habermas, genuine communicative action seeks unforced mutual understanding and rational consensus rather than strategic advantage. As such, genuine communication requires the possibility of freely questioning the truth, truthfulness (sincerity) and rightness (normative acceptability) of any communicative act. In my analysis, arguments about rhetoric in the 2008 campaign clustered around questions of the relation of rhetoric to reality (truth), the relation of eloquence to authenticity (truthfulness or sincerity), and the threat to democracy arising from a cult of celebrity (rightness or normative acceptability). The fundamental question about rhetoric from the point of view of critical communication theory is whether rhetoric is, or under what conditions rhetoric can be, genuine communication. Insofar as rhetoric is a form of strategic action oriented to instrumental success it is inherently suspect in the critical tradition.**[ii]**

In the campaign discourse that I examined, popular arguments resembling these classic critiques of rhetoric were answered by popular versions of equally classic defenses from the tradition of rhetorical theory. Rhetoric is not only logos but also ethos and pathos. It not only represents reality but also produces reality in forms such as commitments, values, motivating passions, and inspiring visions of a collective future. It is a necessary dimension of democratic political discourse in a

world marked by conflict and practical contingency – the only real world we will ever know. Rhetoric *is* genuine communication in this perspective. And yet, defenders of rhetoric must acknowledge that the potential of rhetoric to produce reality can be abused in ways that mislead, deceive, and manipulate audiences. Rhetoric is both productive and dangerous, and in any case, unavoidable. The tensions involving rhetoric in the dimensions of truth, sincerity and rightness are essential tensions of democratic political life.

What we finally gain by examining the 2008 discourse about rhetoric in a theoretical frame is the insight that the arguments were, in a sense, no accident. Rather, they reflected ambiguities and dilemmas inherent to a political practice that inescapably relies on rhetoric and yet also aspires, in principle at least, to the legitimacy of genuine communication.

Notes
i Katherine Cruger's assistance in research and analysis is gratefully acknowledged.
ii Compare the legitimate but carefully limited role allowed for "strategic manoeuvering" in the pragma-dialectical theory of argumentation (van Eemeren & Houtlosser 1999).

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