ISSA Proceedings 2010 – The Appeal For Transcendence: A Possible Response To Cases Of Deep Disagreement

1. *The emphasis on agreement*

It is almost a truism in argumentation studies that productive disagreement must be grounded in agreement. Shared understandings of the goal, shared commitment to particular procedures, and shared adherence to basic truth-claims are thought to be necessary in order for arguers to engage each other rather than to talk past each other. Among the many writers who offer some version of this postulate are Perelman and Olbrechts-Tyteca (1969: 65), who say, "The unfolding as well as the starting point of the argumentation presuppose indeed the agreement of the audience. … from start to finish, analysis of argumentation is concerned with what is supposed to be accepted by the audience." In a similar vein, Ehninger (1958: 28) wrote, "Debate is not a species of conflict but of co-operation. Debaters … co-operate in the process of submitting a proposition to rigorous tests. … They believe … not so firmly that they are unwilling to put their convictions to a severe test and to abide by the decision of another concerning them." These underlying beliefs about purpose and mode of procedure are agreed to by all disputants. Brockriede (1975: 182), identifying indicators of argumentation, includes among them "a frame of reference shared optimally." Argument is pointless, he suggests, if two people share too much in their underlying presuppositions, but it is impossible if they share too little. And MacIntyre (1984: 8) notes the impossibility of reasoning with one another when there are no shared standards to undergird rational talk. These are only four representative examples.

It is not hard to see why there would be so much agreement on the need for agreement. First, as Aristotle acknowledged, we do not argue about matters that are certain. But claims that are not self-evident must be evaluated by reference to some standards to determine whether they are strong or weak, better or worse. Second, though, neither the foundationalism of traditional philosophy nor

the universal standards of formal logic and mathematics encompasses ordinary argumentation. So consensus of the arguers about standards becomes the substitute for formal validity.

2. Deep disagreement

But what happens when this underlying stratum of agreement is, or is thought to be, lacking? Then any claim advanced by one arguer can be challenged by the other, in a potentially infinite regress, because there is no point at which the interlocutor, by virtue of his or her own prior commitments, is obligated to accept any standpoint. This state of affairs was first characterized by Robert J. Fogelin (1985) as deep disagreement. Each arguer's claims are based on assumptions that the other arguer rejects. Deep disagreement is the limiting condition at which argumentation becomes impossible. Most discussions of *deep disagreement* assume that it is a relatively rare occurrence that hardly denies the utility of argumentation for enabling ordinary arguers to resolve their disagreements peacefully. And because many discussions of argumentation presume a dialogue framework, deep disagreement is often dismissed as if it had no serious consequences beyond the immediate dialogue participants.

Both of these assumptions are dubious: the first because of the growth of fundamentalism and the second because deep disagreement has been found politically useful. The past generation has seen the increased appeal of fundamentalism within many of the world's major religious traditions – ultra-Orthodox Judaism, evangelical Christianity, and radical Islam. Fundamentalism rejects the modernist assumption of human fallibility and the resulting tolerance of diverse viewpoints. Fundamentalists believe that it is possible to know God's will for sure. God has made it clear, and the Divine Word can be read and understood by anyone willing to try. Deviation from God's word in order to demonstrate tolerance to misguided others is not only unnecessary but perverse, implicating the righteous in the sins of the godless.

Because of the conflict between fundamentalism and modernism (or, even more so, postmodernism), many disagreements are understood by one side in moral and religious terms and by the other in pragmatic and secular terms. This is true not only with respect to matters of personal identity and rights, such as abortion, feminism, and gay rights, but increasingly to issues ranging from taxation and fiscal policy, to protection of the environment, to theories of criminal justice and penology. Even when shorn of an obviously religious dimension, public

discussions of health care, economic stimulus, and financial regulation seem with increasing frequency to devolve very quickly to bedrock assumptions about the rights of the individual and the role of the state, assumptions on which agreement seems impossible. So advocates on either side of these issues talk increasingly to the like-minded, and the belief that argumentation can be used productively to resolve differences is hollowed out and withers. The difficulty may be more pronounced in the U.S. because of the greater influence of fundamentalism there. Yet from what I read about the immigration issue, the economic integration of the EU, and the question of whether religion has a public role, it seems that Europe is moving in the same direction.

The second assumption also is questionable. If deep disagreement is politically useful, it may affect all who are interested in the policy that is at issue. This has happened in the United States particularly over the past twenty years. The minority party often has seen more advantage in simply opposing the administration in power than in working cooperatively to solve problems. They have behaved as if the two parties were in a state of deep disagreement, and this produces an impasse in public deliberation. Issues will be unsolved or will be settled by numbers, money, or force, rather than by reasoned discourse.

If anything, this tendency has become more pronounced since the election of Barack Obama. Republicans in the Senate and House of Representatives have voted almost unanimously against most of the president's initiatives, delaying or obstructing their passage and making it necessary for Obama to make old-fashioned political deals to hold the Democrats together. This may not be a true case of deep disagreement, although it is argued as if it were. When Obama has incorporated into his legislation initiatives that Republicans previously had supported, they have changed stance and voted against them. They have portrayed Obama's center-left positions as "socialism" and have seen the contest as one between extending the reach of government and protecting the liberty of the people – ostensibly a sharp clash between incompatible world-views. The Obama administration has not been the unique object of such partisan division, although it does seem to be more extensive and systematic than under either George W. Bush or Bill Clinton.

If deep disagreement is prevalent and consequential, then argumentation studies should pay more attention to it. Nearly a decade ago, Nola Heidlebaugh (2001: xi) explored these concerns in depth. As she posed the question, "Without consensus

on standards of reason, how can we have good public argument? And without the eloquence and enriched conversation of good public argument, how can we reason together in order to reach consensus on the issues before us?" These questions give argumentation scholars an interest in exploring means to surmount deep disagreement and get deliberation back on a productive track.

3. Incommensurability: end or beginning of analysis?

Heidlebaugh observes that in a case of deep disagreement, the competing positions are incommensurable. They cannot be compared because they do not rely on the same rule-based way of making and legitimizing judgments. But if incommensurability makes further discussion impossible for the logician, she says, for the rhetorician the fun is just beginning. One or more of the arguers must find a way to transcend the deadlock and pursue the argument on another basis. As Heidlebaugh (2001:74) describes it, "the rhetor has to find something to say that will aid in solving a particular problem perceived by the rhetor." Incommensurability is not something to be "cured" but a situation calling for practical wisdom. The arguer's task is to discover "a particular vantage point from which new similarities and differences emerge," because doing so "places value on discovering new things to say" (Heidlebaugh, 2001: 128). Although Heidlebaugh combs the tradition of classical rhetoric and claims that commonplaces, topics, and *stasis* offer resources for the task of invention, she does not identify particular strategies of transcendence. I would like to do that now, by way of speculation based in experience and in the analysis of case studies.

4. Possibilities for overcoming deep disagreement

I group these possible strategies in pairs under the headings of inconsistency, packaging, time, and changing the ground. Each of these moves reflects the assumption that advancing one's own claim in an ordinary manner will be unproductive in breaking the impasse because it is not commensurable with the other's standpoint. One must think in different ways about the clash between standpoints.

4.1. Inconsistency: hypocrisy and the circumstantial ad hominem

The first two moves attempt to get inside the opponent's frame of reference and discredit it on grounds of inconsistency. They rely on the law of non-contradiction, that a soundly reasoned claim cannot be at odds with itself.

The charge of *hypocrisy* is that the advocate now maintains a position that is inconsistent with one he or she has maintained previously. In the absence of any explanation for the change, the reasonable implication is that the advocate is being hypocritical and represents only expediency, not principle.

In early 2010, some leading Republicans in the U.S. opposed more government funding to stimulate the economy because it would add to an already large budget deficit and swell the national debt. Many of the same Republicans, however, had voted for even larger deficits during the Bush administration, to support the costs of the war in Iraq or the prescription drug benefit for senior citizens, or as a consequence of tax cuts that were enacted without comparable spending reductions. A Democrat might respond to the Republican complaints about deficit spending as follows:
1. You are bothered by the deficit now.
1. But you were not bothered by it when your party was in power.
2. [There is no apparent explanation for the change in your position.]
3. Therefore you are a hypocrite. Your concern is not with the deficit but just political expediency. You just want to insulate yourself from the Tea Party supporters and to shore up your political base.
4. Therefore your argument is not sustained by any principle and should be rejected.
5. Since your standpoint cannot satisfy the consistency test and your standard is in conflict with mine, my standpoint prevails by the process of elimination.

Not all of these steps will be articulated explicitly, but these are the steps in the move. My standpoint is advanced not by my supporting it with additional reasons but by my demonstration that yours cannot withstand the test of consistency.

Of course, this strategic move is vulnerable. It depends on the unstated assumption that there is no apparent explanation for the change in position. People generally do not knowingly maintain inconsistent positions that will open them to the charge of hypocrisy, so the opponent will work hard to distinguish between the positions. It may be that deficit spending is justified for national security but not for economic stimulus. Or perhaps it is all right if it stimulated the economy by putting more money in individuals' hands but not if it involves government spending. Or maybe it is acceptable if targeted to senior citizens but not if it supports the general population. Any of these explanations would need support, of course, but the burden of proof would be light precisely because we

assume that advocates generally do not advance hypocritical claims.

Related to the charge of hypocrisy is the *circumstantial ad hominem*. This is not a personal attack on the opponent's character. Rather, it is an assertion that the adversary's expressed standpoints are at odds with his or her own behavior in a specific situation. On the commonplace belief that "actions speak louder than words," the inference is that one's actions reveal one's true commitments far more than do one's words (Walton 1998: 2-6,108-112). So the standpoint fails because it cannot be supported by the arguer's own actions. Since my standpoint is the alternative to yours, mine prevails, again through residues. Johnstone (1959) has gone so far as to suggest that all valid philosophical argumentation is of this type.

Suppose that A is a lawyer for whom protection of civil liberties is a prominent value. A spoke out against the efforts during the Bush administration to expand the president's powers in response to terrorism, believing that these measures unduly violated individuals' rights to privacy. Yet A accepts an invitation to argue before the Supreme Court in defense of those expanded powers when the Obama administration seeks to retain them. "You must not really be committed to civil liberties," a critic alleges, "when you abandon that commitment for a chance to appear before the Supreme Court to defend President Obama." A's actions reveal his true commitment – to the Obama administration – and discredit A's professed commitment to civil liberties. That position having lost, the alternative position prevails by elimination: A thinks that defense of the nation against terrorists outweighs protection of civil liberties, at least with regard to the case at hand – the hierarchy that A's interlocutor is trying to discredit.

As in the hypocrisy example, the opponent's likely response will be to distinguish between the two situations, placing statements and actions on two different planes. He or she might oppose new restrictions on civil liberties and yet maintaining that removal of existing restrictions would convey to other nations the impression that the U.S. was weak. Or the opponent might want to keep the current restrictions because of trust that Obama will use them judiciously and as a last resort, trust that was lacking with respect to President Bush. If the adversary can succeed in distinguishing between the situation in which one made commitments and the situation in which one is called to the test, then the circumstantial *ad hominem* will lose its force and the perception of deep disagreement will be maintained. Alternatively, the opponent might claim that he

or she is just doing the job of a lawyer, seeing that each client receives the strongest possible defense.

4.2. Packaging: incorporation and subsumption

A second pair of strategies has to do with packaging arguments. One is *incorporation*, in which an advocate includes incommensurable arguments (and the proposals that accompany them) into a larger package. The success of this strategy depends upon a perception by both advocates that simply perpetuating the impasse is intolerable. Neither advocate is willing to concede but neither is willing to prolong the stalemate. The Obama administration attempted this approach in fashioning its health-care bill, when it incorporated some Republican proposals, such as "tort reform" to curtail lawsuits for malpractice. Obama's supporters did not concede their own standpoints about the causes of health-care costs – indeed they maintained that "tort reform" would address only a very small part of the problem – but they included some degree of "tort reform" in the bill so that Republicans could act consistently with their professed principles and still support health care reform.

This effort clearly failed, and the failure exposes the difficulty with the strategy of incorporation. Both advocates must desire to overcome the impasse. In this case, passage of health-care legislation was not an important priority for the Republican opponents unless it could be passed on their own terms. Even though tort reform was part of the bill, they did not have enough incentive to swallow other elements of the bill that they found objectionable. Some actually preferred to vote against the bill while others, noting that the administration wanted desperately to get a bill passed, could hold out to see whether their hard-line stance would yield even more concessions.

Related to incorporation is *subsumption*, a strategy which seeks to subsume both of the irreconcilable standpoints within a larger frame. One advocate initiates the move, inviting the other to cooperate. The standard form of the argument would be something like this:
6. Our positions X and Y appear to be incommensurable.
7. If you support X, you should support Z because it will advance the cause of X.
8. If I support Y, I should support Z because it will advance the cause of Y.
9. So we can subsume the disagreement about X and Y under our agreement on Z.

The difference between incorporation and subsumption is that incorporation aims

only to overcome the impasse in arguments whereas subsumption also aims to develop positive identification with the common term Z.

The abortion controversy offers an interesting example of an attempt at subsumption. The controversy between "pro-life" and "pro-choice" quickly reaches an impasse; the competing standpoints reflect incommensurable world-views and differ on such basic questions as whether we are in control of our own bodies. But arguers may be willing to subsume these differences under the question, How can we best prevent unwanted pregnancies? Both sides have an interest in this question, because it will reduce the circumstances under which the moral dilemma of abortion presents itself. As a practical matter, it might work.

Then again, the phrase "as a practical matter" is a warning signal. The dispute between "pro-life" and "pro-choice" does not take place on the ground of practicality but as a matter of principle. One can imagine the dispute playing out almost the same way regardless of whether the two sides support a program to reduce unwanted pregnancies. Either side could accept the reduction of unwarranted pregnancies as well and good, taking that benefit off the table, and then immediately revert to its standpoint rooted in incommensurable principles and world-views.

Incorporation and subsumption can be combined. A famous example is the U.S. Senate debate over the Compromise of 1850, originally presented as an omnibus bill to resolve all outstanding disputes over slavery. Incompatible goals were somewhat incorporated into a package, but these individual actions were subsumed under the rubric of finality. Those on either side could see the appeal of settling the controversy, regarding every square inch of U.S. territory, once and for all. Both political parties committed themselves in their 1852 election platforms to the Compromise of 1850 as the final resolution of the controversy. Yet the compromise was vulnerable. Over time each side could (and ultimately did) think it gave up more than it gained, suffering a raw deal. This is approximately what happened during the years leading to the American Civil War.

4.3. Time: Exhaustion and urgency
The third pair of strategic moves deploy time and timing as a way to break the argumentative impasse. One such move is the appeal to *exhaustion*. Cases of deep disagreement can remain in an impasse for some time. Eventually, one party may

decide that the duration of the controversy has become disproportionate to its importance and try to entice the other to move on. The original disputants may even have passed from the scene, and their successors may be less disposed to carry on the fight. Or time may have passed the controversy by as the consequences of either participant's position have diminished. Or the impasse may itself become uncomfortable because "life's too short" to obsess over it. For any of these reasons, one party may try to convince the other that the time has come, not necessarily to resolve the deep disagreement but at least to set it aside and move on.

Something like this attitude motivated the late Israeli Prime Minister Yitzhak Rabin in the early 1990s to make overtures toward peace negotiations with the Palestinians. Bitter enmity over the years had exacted a terrible toll. The Palestinians had not become Israel's friends, but as Rabin pointedly noted, one does not need to make peace with one's friends.

Like some of the other moves, the pitfall of this one is that it depends upon a mutual state of exhaustion. The party making the argument must convince the other to feel the same way. Otherwise one arguer may see the other's appeal to exhaustion as a confession of weakness. If the non-exhausted party will just hold on, the other may lose heart and give up the fight. This is about what happened in the case of the Vietnam war.

More often than appealing to exhaustion, though, advocates will appeal to *urgency* caused by a crisis in order to get beyond a deep disagreement. The suggestion is that while deep disagreement is a luxury to be tolerated during normal times, we cannot afford it now; time is of the essence and the severity of the situation demands a prompt response.

During the fall of 2008, the U.S. financial system was threatened with implosion, with major repercussions likely around the world. To avert disaster, the Bush administration advocated massive infusions of cash and loan guarantees in order to restore confidence in the U.S. economy. These proposed "bailouts" were castigated by many in Bush's own party who were convinced of the resilience of an unaided free market. Even President Bush acknowledged that he was uncomfortable with the measures he was proposing and that in normal times he would not suggest them. But the belief that a major crisis was looming required him to set his ideological commitments aside. Not so for many Republicans in the

House of Representatives.

Not prepared to accept that the U.S. faced financial meltdown, they initially defeated the proposed bailout. Only when the stock market plunged in response did they reassess their position and pass a modified version of the bailout bill.

Recognizing a state of affairs as a crisis is in the eye of the beholder. If one party holds out and refuses to regard the situation as a crisis, the argument from crisis will be ineffective and perhaps even counterproductive. On the other hand, the perception of a situation as a crisis is a powerful impetus to action. This perhaps is the reason that White House Chief of Staff Rahm Emanuel reportedly said, "never let a crisis go to waste."

4.4. Changing the ground: Interfield borrowing and frame-shifting

The final pair of moves may be the most ambitious in that they focus on shifting the ground on which the deep disagreement takes place. One such move is what Willard (1983: 267-270) called *interfield borrowing*. Willard observes that argument fields have distinctive standards of evidence and modes of reasoning, but also observes that many disputes cannot be assigned uniquely to a particular field. Euthanasia, for instance, is both a scientific and a moral issue, but scientists and moralists will be likely to see the question differently. Deep disagreement will result unless one set of advocates is willing – for the sake of the argument – to invoke the other field's standards for the purpose of defeating the adversary on his own terms. With respect to accounting for human origins, for example, moralists might "borrow" the scientific understanding of evolution and then attempt on scientific grounds to reduce evolution to the status of an unproved theory. Or, conversely, the scientist may take on the persona of a moralist in order to contend that a Biblical account of creation is not at odds with judgments regarding evolution.

The point of "borrowing" from another field is to put both sides of the argument onto the same plane and then to discredit the "other" field on its own terms. But the borrower never will be as knowledgeable as the person who genuinely occupies the field from which the advocate borrows. The second party can find reasons that the borrowing is not genuine or fair, or allege that the borrower has a stereotyped and limited notion of the other party's field.

The other strategic move related to changing the argumentative ground is *frame-shifting*, in which one party will seek to move the argument from one context or

frame of reference to another. The famous Lincoln-Douglas debates of 1858 offer an interesting example. The central issue was whether it was right or wrong to permit slavery to spread into new territories. Lincoln believed that it was wrong because slavery itself was wrong and it made no sense to say that it was right to expand what was wrong. His standpoint was defended with a substantive moral argument (Zarefsky 1990). But for Douglas the real question was who should decide whether slavery was right or wrong. It was a complex moral question on which good people disagreed, and he did not presume to make the decision for the people who actually would go to the territories and live with the results. Accordingly, he championed "popular sovereignty" and his standpoint was buttressed by a procedural argument. The substantive and procedural positions were incommensurable. This may be why arguments about the morality of extending slavery occupied such a small portion of the debate time. Instead the two candidates disputed about, among other things, what the nation's founders would have done about the issue if they were alive. The candidates thus shifted the debate from a moral frame to a historical one. Here there could be shared standards, because both men venerated the founding fathers and both believed that their insight could inform present deliberations. And there could be argument, because the question could not be answered conclusively. The founders never were confronted with the question at hand, so one would need to infer their likely position from statements made and actions taken on other topics over the years.

Frame-shifting was helpful to the Lincoln-Douglas debates because both candidates could accept the surrogate frame, each believing that it worked to his advantage. But this is not always the case. The advocate who tries to shift the frame of reference might encounter resistance. For example, Lincoln or Douglas could have insisted that historical speculation was an irrelevant distraction from the issues of the moment. Or the candidates might have experienced deep disagreement about what was the relevant historical evidence or whether it was being understood correctly.

5. Two case studies
It should be noticed that each of these eight strategies for moving beyond deep disagreement is an available option with probative force but that none is assured of success. Like all rhetorical moves, they must be adapted to the particular situation. Sometimes an advocate will be able to show that they fit well and

sometimes another advocate will succeed in showing them to be inapplicable. This will be clear from two brief case studies, one a success and the other a failure.

5.1. Johnson on education

In the U.S., elementary and secondary education traditionally has been seen as a responsibility of state and local governments and of the private sector. While there have been some exceptions, such as federal subsidies for schools located near military bases that add to their enrollment, general federal aid to education did not become government policy until the 1960s even though a majority of legislators and of the population supported it. Part of the reason was that supporters were divided on the question of whether federal aid should be extended to religious schools. Some said that to do so would be to dissolve the separation between church and state, creating an establishment of religion in violation of the U.S. Constitution. Were such a provision in the aid to education bill, they would oppose the legislation, even though they supported federal aid to education in principle. But it was no solution simply to keep religious schools out of the bill, because other legislators were convinced that omitting it would be discriminatory, denying equal protection of the laws to those families who sought a religious education for their children. Their tax money would be used to support education but they would be unable to receive the benefit. This, some legislators said, was interference with the free exercise of religion – also a violation of the U.S. Constitution. Meanwhile, the minority who opposed federal aid to education under any circumstances hardly needed to defend their standpoint since supporters of federal aid were in deep disagreement over a subsidiary question.

So matters stood at an impasse until the ascendancy of Lyndon Johnson to the presidency of the United States. Johnson successfully engaged in frame-shifting. He urged that the matter be seen not as aid to either secular or religious schools, but to children (Dallek 1998:197). His proposal involved aid formulas that were based on the number of children in a jurisdiction whose families had incomes below the poverty line. Figuratively, the children would take the aid to whatever school they attended. In practice, schools acted as agents for the children, applying for aid based on their number of qualifying children. This reformulation of the issue, shifting the frame, satisfied both groups who previously were at an impasse. Both sides could view the reformulated proposal as consistent with their strongly held convictions.

5.2. Zarefsky on abortion

My second case study has a less salutary result, particularly since it involves me. Some years ago I produced an audio- and videocourse on argumentation for commercial sale (Zarefsky 2005). In one of the early lectures I made the point that argumentation presumes uncertainty because there is no need to dispute matters that we know for sure. One of my examples was that there was no way to know for sure when human life began; I said that this was a major reason that the abortion controversy was so intractable.

Some time later I received a group of nearly identical letters from several home-schooled teenagers in Minnesota. The letters took strong exception to my statement that there was no way to know when human life began. Of course there is, they replied. Everyone knows that human life begins at conception; it says so in the Bible. They quoted what they thought were applicable Biblical verses. So abortion is murder, they told me. Some people apparently believe that it is acceptable for society and the government to condone murder of the unborn. That's why there is a controversy.

I could have ignored these letters, but I wanted to recognize their serious and respectful tone. So I wrote the students back. I tried interfield borrowing – specifically, to use the Bible, their source of privileged evidence – to argue that the origin of human life was uncertain. I quoted passages from Exodus saying that if a man struck a pregnant woman and she died, the man would be punished for murder. If the woman lived but miscarried, there was a lesser penalty limited to monetary damages. The fetus was valued less than a living person. Here was evidence, I said, that challenged their view that the Bible regarded abortion as murder. My goal, remember, was not to deny their claim outright but only to argue that its status was uncertain, because the point at which human (as distinct from animal) life began was itself uncertain. It seemed like a relatively weak burden of proof and I thought I had shouldered it.

I was surprised when I received a reply not from the students but from their teacher. She thanked me for writing to the students but complained that I was misleading them. Her translation of the Exodus text distinguished between the expulsion of a live fetus and the death of the fetus on the womb. She said that monetary penalties applied in one case but capital punishment was warranted in the other. Since my translation did not make this distinction, she said, it was erroneous if not fraudulent, and for the sake of my own enlightenment I should obtain a better text and recant my heresy. She prayed for my soul. (I note in

passing that she did not ask or seem to care what my text was.)

I am not a sophisticated Biblical scholar, but I think the problem here is that the original Hebrew verb is ambiguous with respect to whether the fetus is expelled alive or dead. I have some reason to think that my translation was more authoritative than hers, since it reflects usage conventions at the time the Biblical text was redacted. But all I was trying to establish was that the matter was uncertain and hence a fit and necessary subject for argument.

At this point I abandoned the discussion. My correspondent's attack on my source without ever knowing what it was suggested to me that her world-view would brook no uncertainty. Counter-evidence would be dismissed in advance so that the argument was self-sealing. This was a case of fundamentalism vs. modernism. My position depended at its root on uncertainty; hers on certainty; and there seemed no way to bridge the two. My effort at interfield borrowing was unsuccessful because in her view I could not establish my bona fides within her field.

Now perhaps I did the wrong thing. Maybe I should have tried harder, whether by defending my choice of text, or trying to find a passage in her own translation that worked against her claim, or perhaps even looking for different ground than the authority of the Bible. But I thought such efforts would be futile, I had other things to do, and so I left the discussion agreeing to disagree. I would not change the statement in my lecture that when human life began was uncertain, and she would not abandon her conviction that this statement in my lecture was inaccurate. Remaining at an impasse was a harmless outcome for an interpersonal dialogue between two individuals. As I have suggested above, though, it is not so innocuous when multiplied many times over and when it affects social policy as well as individual judgment.

6. Conclusion

In models of dialogical argument, the outcomes generally affect only the individual arguers. In models of rhetorical argument, however, there is a third party, an audience that is affected by the exchange. As Schmitt (2010: 10) recently wrote, "The consequences of this apocalyptic rhetoric and all-or-nothing politics fall on the rest of us when government can't act." The audience is ill served by continued deep disagreement. Its demand to advance the discussion can put external pressure on the disputants to overcome their impasse. Currently

in the U.S., audience dissatisfaction with stalemated political argument is widespread. But it is manifested in an unsophisticated and, in my view, unhelpful way: as largely indiscriminate right-wing populism symbolized by the Tea Party and its demands to "take our government back." It has unleashed a widespread prejudice against incumbent office-holders and a political discourse in which inexperience is exalted as a virtue. This popular prejudice of the moment stymies efforts to work collaboratively for compromise solutions, because that represents consorting with the enemy. And fear of being accused of such treachery further deepens the sense of fundamental disagreement between the dominant U.S. political parties. But there is a sizeable if underrepresented middle ground consisting of people who also are unhappy with the current impasse but who are unwilling to yield to the oversimplification and further polarization exemplified by Tea Party supporters. They are the ones who must be aroused to demand that our political discourse move past the polarization of deep disagreement to recover the tradition of deliberation through public argument. Some of the strategic moves I've discussed here, if skillfully executed, might be means to accomplish that goal. At least they are places to start.

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ISSA Proceedings 2010 – The Challenges Of Training Critical Discussants: Dialectical Effectiveness And Responsibility In Strategic Maneuvering And In Science Education
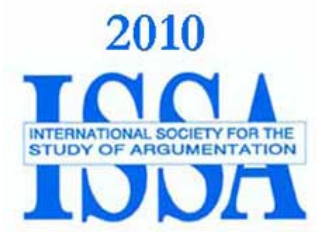
1. Lessons on Teaching Argumentation from Science Education[i]

Teaching argumentation has an obvious entry point in most educational systems through science courses and teaching science. As editors of a recent edited volume summarize: " … there is an increasing emphasis on resting the science curriculum on a more appropriate balance between science process and citizenship skills, and factual or content knowledge of science. The main rationale for the inclusion of argumentation in the science curriculum has been twofold. First, there is the need to educate for informed citizenship where science is related to its social, economic, cultural and political roots. Second, the reliance on

evidence has been problematised and linked in the context of scientific processes such as investigation, inquiries and practical work." (Erduran and Jiménez-Aleixandre 2008, p. 19). These curricular reforms – most often connected to NOS (Nature of Science) or SSI (Socio-Scientific Issues), and CT (Critical Thinking) discussions in science education – recognize the need for the explicit teaching of argumentation, and the importance of developing students' existing argumentative skills.

The curricular reforms, however, have rarely born the fruits that supporters and enthusiasts have expected, and that curricular descriptions demand. The results so far are somewhat discouraging with respect to NOS, SSI, and CT, and to the more general argumentative skills. They show that effective teaching of argumentation in science classes is not without difficulties: "Only a minority of people progress to the final, evaluative epistemology, in which all opinions are not equal and knowing is understood as a process that entails judgment, evaluation and argument." (Zohar 2008, p. 256). One can argue that the curricular expectations are set too high, and do not take the cognitive development of students fully into account. Setting realistic desiderata, however, runs into methodological difficulties. The fact that the results of high-achievers is more informative of the one end of the ability spectrum than the result of weak students (Voss, Segal, and Perkins 1991) is one of the problems that need to be addressed. At present it appears that: "Some desiderata concerning epistemological understanding are never reached by a large percentage of students. This is a serious problem that most curriculum-development has to face and tackle." (Garcia-Mila and Andersen 2008, p. 39). But whether the cognitive constraints of the students or the didactical ineffectiveness of the educational system is the (main) culprit for the rather disappointing results, is hard to tell. Didactics can surely improve, as, despite the efforts at the level of international policies about the science curriculum, "the systematic uptake of argumentation work in everyday science classrooms remains minimal" (Erduran and Jiménez-Aleixandre 2008, p. 20).

Didactic effectiveness is affected by many factors, starting from the theoretical frameworks used in science classroom, through the approaches utilized to reconcile the critical attitude with the authoritative image of science (Donnelly 2002, Zemplén 2007), to the management of the group dynamics in the classroom. Not providing an exhaustive list, this last mentioned aspect needs to

be highlighted, as research indicates that: "Arguments by peers may be accepted more easily or defended more robustly according to group dynamics –the impact of social relationships within a group can have a bearing on the course of the argument" (Kolsto and Ratcliffe 2008, p. 123).

Recognizing the importance of social relationships implies that for optimally effective didactic interventions the teachers need to actively seek didactical settings that enhance the desired argumentative performances. The setting needs to take into account – among others – that there is an optimum of emotional involvement on the side of the students: too little of it precludes commitment and defence of positions, while too much of it is detrimental to the argumentative performance. Also, the teacher's role has to depart from the traditionally authoritative image associated with science teachers; otherwise the students can easily assume that the teacher is not willing to change his/her position. (In this case why should they take part in argumentation?)

Understanding that many factors influence the success-rate of teaching argumentation, science educators have been focusing on framing the didactical situation in ways that are conducive to developing argumentation-related skills (see e.g. Adúriz-Bravo et al. 2005). As an example, in the HIPST project (an European 7th Framework funded science education project the authors participated in) a special spatial allocation of reflective thinking in the classroom was proposed; in this "reflection corner" the students could make statements about science and the scientific method that could be challenged and debated in class. While these situational framing effects might be seen as lying outside the territory of argumentation theory, they clearly affect the argumentative performance: to what extent are students willing to take part in argumentative activity in the first place, to what extent do they utilize their already acquired argumentative skills, and to what extent are they learning how to change their positions as well as argumentative practices reasonably. Situational framing is, therefore, a key to successful teaching of argumentation, as, without creating the perception in the students that they are in a situation where (rational) argumentation is the right behavioural response, they will not even start to argue. Framing situations in certain ways is also important for *maintaining* the preferred attitude.

In most cases the framing is carried out via linguistic means. The teacher has to say utterances that have a specific regulative function with respect to the

pragmatic situation: the students should engage in and continue with the argumentative activity, and not end up making jokes, start a fight, etc. This aspect of framing is linguistic, and has relevance for theories of argumentation, as we show below. We start by investigating the so-called appeal-framing and discuss its treatment in one specific theory of argumentation, the extended pragma-dialectical framework.

2. *Can linguistic framing be normatively dubious?*

In a recent article Daniel O'Keefe (2007) raised interesting questions concerning the relationship of argumentation studies with persuasion effect studies in psychology and elsewhere. He draws attention to cases, where arguers are using appeal framing; in these instances different "ways of expressing an appeal involve the same underlying substantive consideration" (O'Keefe 2007, p. 154). It is an established fact in social psychology that the different formulations of logically isomorphic contents might have a causal influence on the mind of the recipient beyond the causal effect of the information given. This extra persuasive effect of the speech act comes from the presentational device used and might affect the evaluation in specific directions (consider: Kahneman & Tversky 1986). Taking an example from O'Keefe, a medical expert might describe identical situations in various ways (O'Keefe 2007, p. 153, 155):

(a1) – success rate framing – *"this surgical procedure has 90% survival rate"*
(a2) – failure rate framing – *"this surgical procedure has 10% mortality rate"*

It is reasonable to expect, that if two utterances have the same informational content then people will react with the same decision. No matter if a1 or a2 is presented, the reaction will be the same. But this expectation is false. We know from social psychology that recipients will more probably answer with an affirmative decision to a1 than to a2. This means that the decision is not only conditional upon the informational content.

The question for O'Keefe is whether we are normatively indifferent with respect to the choice of presentational formats or not. As he writes: "the common intuition would be that there is something wrong with knowingly and purposefully choosing one or another of these formulations" (O'Keefe 2007, p. 156). The reason identified behind this common intuition is that people are usually unaware of the fact that their choices are influenced by the way the information presented was framed. The use of appeal framing can therefore be regarded as

manipulative. O'Keefe adds: "This way of putting things makes appeal framing look rather like a fallacy, at least in some traditional ways of thinking about fallacies. A long-standing characteristic worry about fallacies is that they lead an unsuspecting audience to be influenced in ways it otherwise would not have been." (O'Keefe 2007, p. 157)

We think O'Kefee has a good point. And we also agree with him that from the point of view of argumentation theory, normative pragmatics or pragma-dialectics it is not easy to see for these cases what the problem would be with using this or that presentational format, or how the use of a framing device could generally be normatively dubious. In the pragma-dialectical theory, for example, if both a1 and a2 are uttered in the course of an argumentative exchange, then the analytical overview collapses these distinctions (due to their logical equivalence**[ii]**). There is, however, massive empirical basis for claiming that certain formulations that are logically seen as equivalent are in fact influencing participants in various ways, in situations where this difference in persuasiveness can result in radically different decisions. People trying to be reasonable arguers, when in need of making e.g. medical decisions, are more or less likely to accept a specific position depending on the appeal framing**[iii]**.

As such, these cases may constitute anomalies (in a strong, Kuhnian sense) for certain normative theories of argumentation when rhetorical perspectives are incorporated into them. For this reason we now look at the possibility of finding a place for these framing effects in the notion of "strategic maneuvering", as it has been used in the extended pragma-dialectical theory to unite dialectical and rhetorical insights. There are certainly other respectable and insightful accounts of argumentative discourse, but at present pragma-dialectics appears to be the most systematized and developed research program. Furthermore, the pragma-dialectical method of argument reconstruction is in accordance with the received logic-based accounts of critical thinking that prevail in contemporary approaches to science education, and the method has comparatively clear standards for both reconstruction, and (normative) analysis.

But, although we think that pragma-dialectics is a suitable framework to unfold the fruitful implications of the problems posed earlier, there is some conceptual work to be done before we can turn our full attention to reformulate our problem as the problem of effectively using presentational devices in a rhetorical and in a dialectical sense.

3. *Strategic maneuvering, derailments, and appeal framing*

In the last decade pragma-dialecticians have worked on incorporating rhetorical insights into their framework under the name of strategic maneuvering (henceforth SM). As they formulated: "The gap between dialectic and rhetoric can in our view be bridged by introducing the theoretical notion of 'strategic maneuvering' to do justice to the fact that engaging in argumentative discourse always means being at the same time out for critical reasonableness and artful effectiveness. […] strategic maneuvering refers to the continual efforts made in principle by all parties in argumentative discourse to reconcile their simultaneous pursuit of rhetorical aims of effectiveness with maintaining dialectical standards of reasonableness" (Eemeren and Houtlosser 2009, p. 4-5). According to the latest exposition (Eemeren 2010) the analysis of strategic maneuvers divides the rhetorical dimension into three inseparable aspects that are mutually attuned to each other: topical choices, adjustments to audience demand and presentational choices.

The presentational device aspect was earlier described as "the phrasing of moves in light of their discursive and stylistic effectiveness" (Eemeren and Houtlosser 2001, p. 152), and in the contemporary version this aspect is seen as 'framing'. In Eemeren's view "exploiting the possibilities of presentational variation in strategic maneuvering […] boils down […] to 'framing' one's argumentative moves in a communicatively and interactionally functional way" (Eemeren 2010, p. 117). Although we posed a problem in the context of social psychology, as the presentational device aspect of strategic maneuvering 'boils down' to framing moves, incorporating insights from social psychology can contribute to the understanding (and possibly also to the normative regulation) of the presentational device aspect of the new pragma-dialectical framework**[iv]**.

Let us return to the question whether the use of appeal framing (a kind of presentational device) is normatively problematic in the pragma-dialectical framework. In this theory a group of norms limit strategic maneuvers. No maneuver is allowed to violate the so called first order conditions, the (ten) dialectical rules worked out in the pragma-dialectical theory, presupposed as necessary for any reasonable discussion (Eemeren & Grootendorst 2004, p. 187-195). The extended pragma-dialectical theory also accounts for constraints linked to the specific institutional context (e.g. extra discussion rules in the court room) where the discussion takes place, but these are taken as specifications of

the general first order rules (Eemeren 2010, p. 197). If a strategic maneuver does not comply with the first order rules, then it is classified as a *derailment*, and is normatively objectionable (fallacious). If it follows the track marked by these rules then it is a *sound strategic maneuver*.

On the one hand, it is hard to see how the appeal-framing scenarios we discuss could violate any of the first order conditions for a critical discussion**[v]**. On the other hand it is easy to imagine cases where the use of appeal framing fits the following loose definition of derailment, which states that "If a party allows his commitment to a critical exchange of argumentative moves to be overruled by the aim of persuading the opponent [...] we say that the strategic maneuvering has got 'derailed'" (Eemeren and Houtlosser 2009, p. 13). The reason behind these derailments is that people "also and perhaps even primarily [are] interested in resolving the difference of opinion effectively in favor of their case, i.e. in agreement with their own standpoint or the position of those they represent." (Eemeren 2010, p. 39). So, a derailment occurs when the attempt to reconcile the two, in part, contradictory goals of arguers is unsuccessful, that is the "rhetorical aim has gained the upper hand at the expense of achieving the dialectical goal" (Eemeren and Houtlosser 2009, p. 5). If the cases of appeal framing we discussed can constitute derailments in SM, we have examples that raise interesting normative questions but which are not treated in the detailed exposition of strategic maneuvering.

How can we know whether there are cases of appeal framing where "strategic maneuvering has got 'derailed'" in the above sense? In certain contexts the argumentative use of the kind of appeal framing discussed earlier can be considered as manipulative. (In such cases in the eyes of a pragma-dialectician the other party "allows his commitment to a critical exchange of argumentative moves to be overruled by the aim of persuading the opponent.") Social psychology also knows of many cases where moves considered as manipulative produce a *boomerang-effect***[vi]** as people act to protect their sense of freedom (Kruglanski & Higgins 2007, p. 267)**[vii]**. It is therefore possible that a party quits the kind of argumentative discourse preferred by the pragma-dialectical theory because this party identifies a move, a presentation device used by the other party as manipulative. A critical discussion can derail without violating the first order rules, as certain behavioural responses block the parties from reaching the dialectical aim of the discussion.

The discussed framing effects are achieved by presentational devices, but their contribution to reaching or not reaching the dialectical aims cannot be subjected to evaluation in the extended pragma-dialectical theory. Although they have a place in the analytic overview, the presentational devices used in a discourse can be effective or ineffective means of persuasion, but cannot be evaluated normatively. We think that this fact conjoined with the possible behavioural responses to framing raise interesting and possibly fruitful questions for the pragma-dialectical theory. How should we treat moves that can obstruct the dialectical aims, when the best current theory does not account for such obstructions? Or, if the uses of appeal-framing are not regulated by any norms in the pragma-dialectical theory, how can we say that they derail the SM?

4. *From second order conditions to dialectical effectiveness*
The pragma-dialectical theory has resources to overcome this problem. In his new book van Eemeren devotes a concise section to the so called higher order conditions of a critical discussion: "in order for people to be willing and ready and to have the opportunity for concluding a critical discussion, certain further prerequisites need to be fulfilled" (Eemeren 2010, p. 35). Parts of these prerequisites for a reasonable discussion are psychological, *second order conditions*. If these are not satisfied, then critical reasonableness cannot be fully realized in practice (Eemeren & Grootendorst 2004, p. 189). There is, however, no detailed discussion of these conditions, only their limited controllability is stressed: "Sometimes there are factors beyond the control of the arguers that hinder the adoption of the reasonable attitude toward discussion assumed in the code of behavior." (Eemeren & Grootendorst 2004, p. 36). And: "To some extent, everyone who wants to satisfy the second-order conditions can do so, but in practice, people's freedom is sometimes more or less severely limited by psychological factors that are beyond their control, such as emotional restraint and personal pressure." (Eemeren & Grootendorst 2004, p. 189).

This suggests that there is a second way to hamper the realization of the dialectical goals, distinct from violating any of the first order discussion rules by committing fallacies. Second order conditions can be influenced negatively by presentation techniques without the violation of first order discussion rules, and therefore there is room for the discussed framing examples in the pragma-dialectical theory. Considering this, and in line with the loose formulation of derailment we have quoted in the previous section we suggest some

terminological clarification.

In cases where a move is not fallacious (i.e. no first order rule is violated) but results in an uncooperative behaviour of the other party (i.e. second order conditions are violated) we believe that it is sensible to classify these moves as derailments. Pragma-dialectical theory currently treats 'fallacy' and 'derailment' as co-referent**[viii]**, but some of the definitional attempts suggest that derailment could be used for any move that hampers the full realization of critical reasonableness. Second order conditions currently play a marginal role in most discussions of the theory, even though their violations can also derail conversations.

This terminological differentiation has interesting consequences. During sound strategic maneuvering the parties want to realize their dialectical objectives to the best advantage of the position they have adopted. Strategic maneuvering that achieves the speaker's rhetorical aim of winning without violating the dialectical standards of reasonableness is effective in reaching these aims.

Effectiveness can also be understood in a different sense when the autonomous causal effects that rhetorical devices can have on second-order conditions are investigated. If the cooperative behaviour of discussants is maintained then the use of presentational devices was effective with respect to the dialectical aims (i.e. maintaining the dialectical standards of reasonableness). As the aim of rational discussion in pragma-dialectical terms is the resolution of the difference of opinion on the merits, moves that hinder this aim are considered derailments. If, for example, a boomerang-effect occurs, an analyst can conclude (and in fact a participator often does conclude) that a specific speech act derailed the critical discussion. Those moves are effective in reaching the dialectical aims that do not hinder the resolution process. This sense of effective communication is a prerequisite of critical discussions.

As presentational devices (and the rhetorical dimension in general) can be used effectively (or not) in both senses, we will distinguish them as "rhetorical effectiveness" Er and "dialectical effectiveness" Ed**[ix]**:

Er: Effectiveness in the sense that the utterances of a party serve the advantage of the position held by that party (helps the party to win).
Ed: Effectiveness in the sense that the utterances of a party facilitate cooperative

behaviour that is in line with the dialectical aims of the discussion.

As we have seen dialectical effectiveness (E*d*) is conditional upon the limited controllability of the psychological processes or second order conditions. Nevertheless, a *derailment-free discussion* of the parties need not only follow the first-order rules, but also has to be dialectically effective.

5. *Critical rationalism and the epistemic and didactical significance of dialectical effectiveness*

The analyst can concentrate on either the rhetorical or the dialectical effectiveness of the presentational devices used when analyzing the rhetorical dimension of argumentative discourse. Certain types of argumentative discussions may provide reasons for focusing on either E*r* on E*r*. If the analyst believes that the arguers "in their assiduity to win the other party over to their side" (Eemeren & Houtlosser 2002, p. 142) neglect commitment to the critical ideal, then this can support the analytical decision to focus on E*r* and disregard E*d*.

When arguers prioritize winning over the dialectical aims, as in forensic debates, the search for rhetorical effectiveness dominates the argumentative activity types. In other activity types (like rational/critical discussion) dialectical efficiency (E*d*) is prioritized over winning (E*r*).

This distinction can be used to delineate argumentative activity types and can also come handy for those who believe that critical discussions can be epistemically valuable. Commitment to various epistemological positions, including critical rationalism (which gave rise to pragma-dialectics in the first place) entails commitment to dialectical effectiveness, and implies using moves that have a specific function. The function is to maintain the second order conditions necessary for achieving the dialectical aims. If a move has a specific function in an argumentative discourse, then it can be considered as part of the argumentation**[x]**.

The extended pragma-dialectical approach functionalizes the rhetorical dimension independently of the resolution-oriented dialectical goals. What we tried to prove above is that there are dialectically important rhetorical aspects of discussions that cannot be evaluated in this framework. The functionalization of rhetoric in the new theory yielded mixed results. Rhetorical aspects could be seen as a) violating or being in conflict with dialectical rules or as b) sound maneuvers of the

resolution-process (the actualization of a potentiality, in quaint parlance). Many dialectically functional audience- and persuasion-oriented aspects are left out if we draw the boundaries of evaluation here. Dialectical effectiveness pertains to second order conditions that need to be satisfied for critical reasonableness to be realized. A communicative move can be seen as (psychological) facilitator or hinderer of the resolution process. The function of the rhetorical aspect of such a move is to maintain the second order conditions. This rhetorical aspect of communicative moves can be evaluated through the notion of dialectical effectiveness in our view.

Let us try to unfold a scenario where such rhetorical aspects might be of significance. In the intellectual climate of the 17th century, scientists living in different countries who differed as regards religious, political and personal outlook, often openly professed to differences of opinion. They made contradictory claims about data (simple measurements), about the validity of inferences (whether a proposition has been demonstrated or not) and about the scientific method. Is it natural to assume that these people from different countries maintain a critical discussion over years and request copies of each others' letters in case one is lost? What maintains the second order conditions of the participants in the debate? In one concrete example of the this scenario Isaac Newton writes several pages, full of precise descriptions of his different prisms, different measurements of image-lengths in different atmospheric conditions. This is the most detailed data about spectra (and prisms) available at the time, and therefore has scientific significance. From a rhetorical point of view the *ethos* of the meticulous observer Newton is established on these pages. From a pragma-dialectical point of view what function is assigned to these pages? To respond to four lines of a previous letter by Anthony Lucas, a Jesuit living in Liége? The answer is unnecessarily detailed, disproportionately long for the meaningful function we can ascribe to it and potentially irrelevant as a wider readership (and not Lucas) is addressed explicitly as audience (Zemplén 2008, p. 264.). But pages like these play an important role in maintaining second-order conditions.

Meticulous observers become trusted observers, and social historians have a host of other examples that these detailed descriptions functioned as trust-enhancing devices in the community of intellectuals in Early Modernity. This building up of trust is seen as a major impetus for the scientific revolution (Shapin 1994), and is also present in contemporary knowledge-production in many institutionalized

forms. The *ethos* of the speaker therefore influences dialectical effectiveness.

A certain amount of trust is necessary for a critical exchange, and some aspect of this trust can be translated as the willingness of the discussant to entertain his fallibility. Entertaining fallibility can be conditional upon the trust in the knower. If I believe that my expressed opinion is the rationally most acceptable position available then I trust myself as a knower. If I believe this to characterize someone else's position then I trust that person's position on the issue. Fallibility in this sense is the measure of distrust towards a knower's position. It is a prerequisite of critical discussion that the parties have some distrust towards themselves as knowers, and have some trust towards the other party as knower. Idealized models of symmetrical rational debate usually presuppose that the trust that positions receive is not affected by the trust in the proponent of that position as knower. One property of this debate-type is that if differences of opinion emerge then the models base the resolution-process on the consideration of the merits of argument. A critical rationalist in our view prefers this process to others and accepts that the trust in the proponent of a position as a knower itself has to be decided on the merits of argument if differences of opinion emerge with respect to this**[xi]**.

Maintaining dialectical effectiveness in the process of argumentation is one behavioural property of (ideal) critical debaters, and so an ideal critical debater is dialectically effective. Dialectical effectiveness is furthermore required to realize dialectical goals, as we can only talk of a derailment-free resolution process of a critical discussion if dialectical effectiveness is a property of that discussion.

An example discussed earlier can be used to illustrate this point. A teacher teaching argumentation 'has to say utterances that have a specific regulative function with respect to the pragmatic situation: the students should continue with the argumentative activity, and not end up making jokes, start a fight, etc.' If students do not engage in critical discussion or break up the discussion, due to the peer pressure they experience then the teacher is not dialectically effective. This lack of dialectical effectiveness also implies that the dialectical goals have not been met, a characteristic of didactical interventions that teachers of argumentation try to avoid. But is anyone responsible for this dialectical ineffectiveness? Does a critical discussant have dialectical responsibility?

6. *Dialectical responsibility and the didactical challenges of training critical*

discussants

Responsibility implies freedom of choice. Dialectical responsibility emerges when a party aims to be dialectically effective and is able to choose dialectically effective moves. To the extent that dialectical effectiveness of moves can be calculated such a party is responsible to pick dialectically effective moves. Dialectical effectiveness of the parties is a prerequisite to a critical discussion, and is therefore a key element of successful teaching of argumentative skills. Pragma-dialecticians appear to say something similar when they state that: "The fulfillment of the second-order conditions can be promoted by good training" (Eemeren & Grootendorst 2004, p. 37). Their didactic advice, however, is needlessly limited in our view. This training should encourage "reflection on the aims and merits of argumentation" as "compliance with second-order conditions can to some extent be stimulated by education that is methodically directed at reflection on the first-order rules and understanding their rationale." (Eemeren & Grootendorst 2004, p. 37, 189)

As we argued, complience with "second order conditions" is conditional upon many factors. Reflecting on first-order rules and understanding their rationale prepares the arguers to use non-fallacious moves. But derailment-free argumentative activity also implies that the arguers are dialectically effective, their utterances facilitate cooperative behavior that is in line with the dialectical aims of the discussion.

If we think of any teaching situation, any kind of didactic intervention, where the aim is to develop skills for critical discussion, we can think of many ways to increase the dialectical effectiveness of the parties. In the opening section of this paper we mentioned a number of factors that influence argumentative performance in a school-setting. Group dynamics, optimal emotional involvement, and instructional strategy all influence the success of developing argumentation-related skills. These factors all have something to do with second order conditions, therefore compliance with second-order conditions can be stimulated in many ways.

In practical terms, this means that optimal learning (or testing) environments need to be designed to increase the dialectical effectiveness of the parties. As good arguers – or, more specifically, good critical discussants – are expected to behave in certain ways, some behavioural cues can be used to judge certain didactical settings preferable to others. If changes of opinion are seen as one such

behavioral cue (as is generally assumed in science education), then didactical settings that induce this behavior are valuable in teaching critical discussion. If, for example, a researcher finds that discussion of issues in role-play "was the first [of all the studies we have conducted so far] in which changes of opinion were observed" (Simonneaux, 2008, p. 185), we can use this as an argument for designing learning environments that scaffold argumentative performance using role-plays. The teacher, in this example, seeks to create an environment conducive to (developing skills for) critical discussion within a classroom with the use of specific instructions.

Much of the empirical knowledge of social psychology can be used to improve the dialectical effectiveness. And remedies can likely be offered to common derailments that result in dialectical ineffectiveness. If the earlier discussed boomerang-effect is likely to deem the parties (and therefore the situation) dialectically ineffective, practical suggestions to decrease the likelihood of the boomerang-effect taking place are conducive to dialectical effectiveness. But this kind of knowledge comes with responsibilities. If a critical discussant has even limited / partial knowledge about the dialectical effectiveness of various communicative moves, then he has a responsibility to choose the dialectically more effective move. This move facilitates more / hinders less the resolution process that is the preferred epistemic route for a critical rationalist, so achieving dialectical effectiveness is a dialectical responsibility of critical rationalists. This perspective suggests that much work is to be done.

7. Conclusion
In this paper we showed that incorporating insights from social psychology can contribute to the understanding (and to the normative regulation) of the presentational device aspect of the new pragma-dialectical framework. During this investigation we developed the notion of dialectical effectiveness. Dialectically effective utterances of a party facilitate cooperative behaviour that is in line with the dialectical aims of the discussion. And any discussion that achieves these dialectical aims is also dialectically effective. This perspective opened up a position where the aim of a critical rationalist discussant matches the goal set for the critical discussion. This connection was used to introduce the notion of dialectical responsibility, and thus allowed the formulation of critical rationalist responsibilities with respect to the dialectical aims. We argued that these responsibilities stretch well beyond conforming to first order rules, and

imply that for the successful training of critical discussants significant preparation may be required to maintain dialectical effectiveness.

NOTES

[ii] The 'Reflective Judgment Model, for example, suggests that the reasoning skills of high school students do not display the ability to contrast evidence from different sources, to explicate criteria for decision making, etc (King and Kitchener 1994). More recent research reinforces this, and strong arguments have been made that inquiry and argument are the central skills of science education (Kuhn 2005).

[iii] This clearly holds for the standard version of the pragma-dialectical theory. For the extended one, the case is more complex. In this framework the reconstruction of utterance a1 and a2 is still isomorphic from a dialectical point of view. From a rhetorical perspective, however, it is not, as there is a difference in the persuasive effectiveness of the utterances. The extended pragma-dialectical approach functionalizes the rhetorical dimension independently of the resolution-oriented dialectical goals. As for strategic maneuverers the only limit for using rhetorical means is given in the pragma-dialectical norms, the normative evaluation of the rhetorical aspect of communicative moves remains a problem, as, to return to the point raised earlier, there is something normatively dubious in choosing this or that framing of the same content. What we are interested in is the conceptualization of this observation in the extended pragma-dialectical framework.

[iv] This can lead to moral issues in certain scenarios: if a doctor has any kind of interest in treating certain patients and not treating others, and knows how framing influences the response, then the doctor can influence the likelihood the patient opts for or rejects a certain treatment.

[v] It is to be noted here, that the sense in which Eemeren uses the term framing is narrower than as we use it, and basically refers to phenomena traditionally studied in stylistics. He divides the domain of presentational variation into two sub domains. Variations are possible in the language register and in the semantic dimension. We acknowledge that those kinds of framing effects that are

highlighted in O'Keefe, are not obviously incorporated into this approach, but it is also true that there are no reasons for not to incorporate them either.

[vi] Here a proponent of the pragma-dialectical theory might cast some doubts and suggest that such a maneuver might be handled under by the 10th rule of dialectics, the norm that regulates language use. In (Eemeren & Grootendorst 2004, p. 195) the rule states that "discussants may not use any formulations that are insufficiently clear or confusingly ambiguous". We think that as in examples like ours the informational content is sufficiently clear, this norm is insufficient to handle the problem.

[vii] In our view the boomerang-effect is a possible perlocution of the communicative move in the case of appeal framing, although there are no externaliseable commitments of the speech act performed that might contradict the pragma-dialectical norms. Similar effects, in this paper subsumed under the term "framing", could suggest to some that the meta-theoretical principle of externalization put forward by the pragma-dialectical approach when studying argumentative statements is given up, and internalized positions are taken into account. This need not be the case. The contribution of social psychology depends on the extent that knowledge of this field can be utilized for scholars of argumentation-theory. Our contribution aims at finding room to incorporate novel kind of data into theories of argumentation, and not to develop in detail our position on externalization. The incorporation of empirical data from social psychology into models of argumentation requires further discussion not undertaken here.

[viii] One relevant argument that can be raised against such uses of experimental findings boils down to the general problem of extending generalizations that are invariant under certain interventions in the laboratory. Especially in the special sciences invariant regularities between variables are usually invariant only for certain values of the variables and for certain background conditions the careful investigation of which is carried out only when a research program starts to grow (see: Woodward 2003). So, further empirical support is likely to be acquired as empirical research informed by both social psychology and argumentation theory keeps growing in quantity and significance.

[ix] "All derailments of strategic maneuvering are fallacies in the sense that they violate one or more of the rules for critical discussion and all fallacies can be viewed as derailments of strategic maneuvering." (Eemeren 2010, 198)

[x] In analytical philosophy, the term "dialectical effectiveness" (also referred to as "dialectical power") is used differently: an argument is dialectically effective if

it presents the audience with a piece of reasoning they can rationally accept. Our use discussed in Section 5. is not related to the epistemic validity of arguments, just as our use of "rhetorical effectiveness" is not related to certain rhetorical traditions using this term.

[xi] According to the functionalization principle of pragma-dialectics "an adequate description and evaluation of argumentation can only be given if the purpose for which the argumentation is put forward in the interaction is duly taken into account" (Eemeren & Grootendorst 1995, p. 133).

[xii] Consider also Lumer (2010), who argues that: „as long as the feature of argumentation that makes of it a dialectical activity, namely, its recursivity, is the warrant of its legitimacy as a persuasive device, dialectical conditions will happen to be regulative for any piece of discourse as a persuasive device. Finally, I also want to underline that, as a consequence of their recursivity, dialectical procedures are also tools for the evaluation of acts of arguing. Remarkably, on this account, such dialectical procedures amount to nothing but further argumentation."

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ISSA Proceedings 2010 – Why Study The Overlap Between "Ought" And "Is" Anyways? On Empirically Investigating The Conventional Validity Of The Pragma-Dialectical Discussion Rules

1. Introduction

This paper forwards the (presumably controversial) thesis that the use-value of empirically studying the conventional validity of the pragma-dialectical discussion rules (van Eemeren & Grootendorst 2004: 190-196) is heuristic. This thesis seems natural (to me), if the consequences of a particular theoretical commitment are appreciated: When treating argumentation that supports a descriptive standpoint with a normative premise (aka. a "value

sentence"), and *vice versa*, pragma-dialecticians incur a commitment on the transition between "ought" and "is." This commitment amounts to embracing the "naturalistic fallacy" as a discussion move that is never appropriate.

In Section 2.1, the aim, method and main result of the recent empirical investigation of van Eemeren, Garssen and Meuffels (2009) are presented. In Section 2.2, the discussion rules' conventional validity is discussed. *Vis à vis* the explanation offered by the study's authors – or so I admit –, the theory-internal purpose of this study remains rather unclear to me. After all, as stressed by the authors, the normative content of the pragma-dialectical theory is neither open to refutation by empirical data, nor to confirmation by such data (Section 3). Therefore, I claim, the *theoretical* value of this investigation is heuristic (Section 4). Section 5 comments on a tension between the level of measurement and the level at which measurement is reported.

2. Treating Conventional Validity Empirically
2.1 Aim, Method and Main Result
The aim is to determine "if and to what extent the norms that ordinary language users (may be assumed to) apply in judging argumentative discussion moves *correspond* to rules which are part of the ideal model of critical discussion" (van Eemeren, Garssen and Meuffels 2009: v; *italics added*). This means to study the rules' *intersubjective validity* or – insofar as conventions are understood to normally remain implicit – their *conventional validity* (see van Eemeren and Grootendorst 2004: 56, fn. 35). In contrast, the rules' *problem validity* cannot be studied empirically, but is a matter of expert agreement.

Four of the ten pragma-dialectical discussion rules are selected: *Freedom Rule, Obligation to Defend Rule, Argumentation Scheme Rule, Concluding Rule*. Based upon these rules, mini dialogues (of two to four turns) are created. On expert opinion, the last turn of these either is or is not a clearly fallacious discussion move ("multiple message design"). Under variation of domains/contexts (*domestic, political, scientific*), dialogues are presented to lay arguers – mostly younger students – in questionnaire form. This occurs under the normal precautions with empirical research (e.g., including filler items, in random order, controlling loadedness/politeness of examples, retesting items from previous studies); a sample size of 50 is typical. Refer to van Eemeren, Garssen and Meuffels (2009: 64f.) for examples. Hample (2010) and Zenker (2010) report further details; an accessible summary is Hornikx (2010). Notably:

"The third domain [the scientific discussion] was described as the scientific discussion in which – as was emphasized – it was not so much a matter of persuading others but of resolving a difference of opinion in an acceptable manner: Who is right is more important than with whom one agrees." (van Eemeren, Garssen and Meuffels 2009: 66).

Participants were then asked to rate the reasonableness of the last move in a dialogue on a seven point Likert scale (1-7). Thus, for each dialogue and each subject, a *reasonableness judgment value* (RJV) becomes available. These RJVs are averaged – yielding an *averaged reasonableness value* (ARV) – , then assessed on measures of statistical significance (yielding, e.g., correlation coefficient, standard deviation, effect size).

This operationalizes reasonableness as a seven degree notion. One can now quantify the extent to which ordinary arguers' responses are (in)consistent with the normative content of the four discussion rules as applied to some (mini-)dialogue. The value four (4) being the middle point, one reasons: If *this* rule, the violation of which generates *these* discourse fragments, is conventionally valid (to some extent), then fallacious fragments receive an ARV < 4 and non-fallacious fragments receive an ARV > 4. One compares whether the RJVs do, on average, fall within the expert predicted region.

Applied to four of ten rules, with the exception of the confrontation and the opening stages (van Eemeren, Garssen and Meuffels 2009: 224), the investigation is *non-exhaustive* in the following sense: In principle, violations of different rules (or of a subset of the same rules, but in a different discussion stage) might lead to different results. The ten rule version is a popularization of the more technical 15 rule set (van Eemeren & Grootendorst 2004: 135-157; Zenker 2007). How the 15 and the 10 rule set are related is not clear in detail. So, "four out of ten" or "x out of 15" rules have been studied. For a list of fallacies used, see van Eemeren, Garssen and Meuffels (2009: 223).

Under these reservations, the main result is that
"[T]he body of data collected indicate that the norms that ordinary arguers use when judging the reasonableness of discussion contributions correspond to a rather large degree with the pragma-dialectical norms for critical discussion." (van Eemeren, Garssen and Meuffels 2009: 224)

This claim is based on the size of the effect obtained in comparing the ARVs for fallacious and non-fallacious discourse fragments.

2.2 Conventional Validity

Throughout the development of the pragma-dialectical research program, it has been contended that "[t]he [pragma-dialectical] rules (…) are problem valid because instrumental in the resolution process by creating the possibility to resolve differences of opinion" (van Eemeren, Garssen and Meuffels 2009: 27). They are considered instrumental to resolving a difference of opinion insofar as a violation of any rule is understood as a hindrance to this aim.

A further contention is normative in character: The pragma-dialectical rules *should be* conventionally valid, i.e., agreeable to lay arguers. This means, the rules' content should not conflict with the norms that lay persons (i.e., those not specifically trained in the pragma-dialectical theory) can be construed to accept. This norm is regularly traced to Barth & Krabbe (1982: 21-22) or Crawshay Williams (1957).

Should these two books answer the question why it is important *that* the pragma-dialectical rules are conventionally valid, then this answer is hidden well. At any rate, neither van Eemeren, Garssen and Meuffels (2009) nor the comprehensive van Eemeren & Grootendorst (2004) offer much of an explanation. At the relevant places (known to me), it is stated that the rules should be conventionally valid, not why (e.g., van Eemeren, Garssen and Meuffels 2009: 27).

Perhaps an exception is a more detailed explanation in a 1988 article. From this, three quotes follow. These suggest that the conventional validity of discussion rules – understood as the acceptability or the acceptedness of some normative content by lay arguers – arises with insight into the rule's pragmatic rationale. That is, the quotes are not inconsistent with an interpretation according to which intersubjective acceptance *comes about* through insight into problem validity.

"We believe that the process [of solving problems with regard to the acceptability of standpoints] derives its reasonableness from a two-part criterion: problem-solving validity and conventional validity (cf. Barth and Krabbe 1982: 21-22). This means that the discussion and argumentation rules which together form the procedure put forward in a dialectical argumentation theory should on the one hand be checked for their adequacy regarding the resolution of disputes, and on

the other for their intersubjective acceptability for the discussants. With regard to argumentation this means that soundness should be measured against the degree to which the argumentation can contribute towards the resolution of the dispute [i.e., the degree of problem validity], as well as against the degree to which it is acceptable to the discussants who wish to resolve the dispute [i.e., the degree of conventional validity]." (van Eemeren & Grootendorst 1988: 280)

Pace stylistic changes (e.g., 'dispute' has been replaced by 'difference of opinion'), this is in line with the 2004 presentation. Further in the same article:

"It may now be possible to make plausible that the rules are such that they merit a certain degree of intersubjective acceptability, which would also lend them some claim to conventional validity. [paragraph] The claim of acceptability which we attribute to these rules is not based in any way on metaphysical necessity, but on their suitability to do the job for which they are intended: the resolution of disputes [i.e., their problem validity]. The rules do not derive their acceptability from some external source of personal authority or sacrosanct origin. Their acceptability [i.e., their conventional validity] should rest on their effectiveness when applied [i.e., their *problem validity*]. Because the rules were developed exactly for the purpose of resolving disputes, they should in principle be optimally acceptable to those whose first and foremost aim is to resolve a dispute. This means that the rationale for accepting these dialectical rules as *conventionally valid* is, philosophically speaking, pragmatic." (van Eemeren & Grootendorst 1988: 285; italics added)

Particularly the last sentence suggests (to me) that understanding the rationale of the pragma-dialectical rules brings about their acceptance. This interpretation seems to be consistent with that provided in van Eemeren and Grootendorst (2004: 187). That the rationale is pragmatic, I take to be irrelevant for providing *some* rationale for acceptance. It seems moreover uncontroversial (to me) that understanding the rationale for accepting them as conventionally valid presupposes understanding (learning) the pragma-dialectical rules. Similarly:

"The speech acts which are most useful to all concerned who share a certain goal, for example to resolve a dispute, possess a form of problem validity which may lead to their claim of conventional, intersubjective validity." (van Eemeren & Grootendorst 1988: 289, n. 14)

Vis à vis these (less recent) quotes, and absent a more recent detailed explanation, it remains unclear (to me) why the pragma-dialectical rules *should* be conventionally valid independently of having being learned. One's methodology may very well support the claim that they are (or not), but why begin?

If they *are* problem-valid (i.e., acceptable as a solution to a problem), then recognizing their problem-validity expectably brings about their acceptedness, and brings it about for this reason (cf. van Eemeren and Grootendorst 2004: 187). At any rate, the rules' problem validity and one's (cognitive) ability to appreciate their pragmatic rationale – are sufficient for acceptance (thus, for conventional validity). If so, how can being acceptable/accepted by those *not trained* in these rules be important for the theory?

It is trivial to state that the pragma-dialectical (or some other set of problem valid) rules cannot be effective in leading to dispute resolutions, unless at least two disputing parties *de facto* accept them (explicitly or implicitly). In one scenario, the pragma-dialectical rules being conventionally invalid means that problem valid rules are unaccepted by lay arguers (if the rules are problem valid). So, *ceteris paribus*, lay persons might not be expected to maintain a discussion (and obtain a result) which squares with the rules. Resolutions of differences of opinion would then perhaps be less expectable?

This author fails to see the upshot. Why demand ("should") conventional validity independently of rule acquaintance?

I discount an otherwise important comment by Lotte van Poppel (*personal communication*). She points out that it might be less probable for the social aim behind the pragma-dialectical research program (improving argumentative praxis) to be reached, if the theory's normative content turned out to be *not* accepted by lay arguers. This cannot merely relate to the exact formulation of said content; it must be more than a matter of style. If style did matter, why investigate conventional validity *in an indirect way*, rather than display the rule set and ask for assent? On this indirectness, see van Eemeren, Garssen and Meuffels (2009: 49f.).

Insofar as the comment then concerns the content, rather than various ways of formulating it (e.g., by avoiding/using technical terms): *If* lay arguers and expert judgment do not *converge* on the content of (a set of) problem valid rules –

perhaps so be it! It remains unclear (to me) why one assesses (on a methodologically hardened measure) the distance between expert and a lay person judgment. Granted experts find the normative content problem-valid, what support does the content receive from convergence with lay arguer judgment? What doubt arises from divergence?

At this point, it does not help to learn that empirical data take on a special role. As the next section shows, distance between expert and lay person judgment appears to be of no immediate theoretical relevance.

3. The Special Status of the Results

3.1 Compare, not Test

Compared to applying and testing an *empirical* theory, the data obtained are special: "Empirical data can neither be used as a 'means for falsification' nor as 'proof' of the problem validity of the discussion rules" (van Eemeren, Garssen and Meuffels 2009: 27). Standardly, an empirical theory is tested against experience by applying it to a phenomenon (for which the theory is expected to account), in order to derive a prediction. In this case, the prediction is a judgment on the (non-)fallaciousness of some discourse item.

With A for *antecedent*, T for *theory* and P for *prediction*, applying an empirical theory may take the deductively valid form: *A; T; (A & T) -> P*; ergo *P* (*modus ponens*). If the prediction, P, is born out – and A is not in doubt (!) –, then T counts as confirmed. Note, however that, on a deductive construal, such confirmation would instantiate a deductively invalid schema (*affirming the consequent*).

If the prediction is *not* born out (i.e., *non P* is true), and *A* is not in doubt, then – again, on a deductive construal – falsification instantiates a valid form (*modus tollens*). In deductive logic, however, only the negation of (*A & T*) follows from non *P*; to derive non *T*, *A* must be less retractable than *T* (see Lakatos 1978; Zenker 2009).

In contrast, the normative content of the pragma-dialectical theory is not tested against lay person judgments, but *compared* to them (van Eemeren, Garssen and Meuffels 2009: 27). This means, some discourse fragment, *A*, under application of the pragma-dialectical theory, *T,* may very well deductively imply a prediction, *P*: "This fragment is (not) fallacious." That much is captured by '(*A & T*) -> *P*'. However, *P* and the lay person judgment con- or diverging does not (deductively

logically) affect the theory.

The explanation offered in defense of this odd support behavior – vis à vis *empirical* theories, Lakatos might speak of "immunization" – builds on the contention that the pragma-dialectical theory offers *norms* rather than *descriptions*.

3.2 Normative vs. Descriptive Contents
The standpoint in van Eemeren, Garssen and Meuffels (2009) is: What lay persons do or do not accept can neither be turned against the theory in the sense of falsification, nor support the theory in the sense of verification. (Recall from above that falsification can be treated in deductive logic; verification requires a notion of *inductive* validity.) The explanation for this standpoint is comparatively brief.

"The presumption in all our empirical studies is that the discussion rules involved are problem valid; the focus is on their conventional validity. The status of the results of this empirical work is special: The empirical data can neither be used as 'means of falsification' nor as 'proof' of the problem validity of the pragma-dialectical discussion rules. In the event that the empirical studies indicate that ordinary language users subscribe to the discussion rules, it cannot be deduced that the rules are therefore instrumental. The reverse is also true: If the respondents in our studies prove to apply norms that diverge from the pragma-dialectical discussion rules, it cannot be deduced that the theory is wrong. Anyone who refuses to recognize this is guilty of committing the naturalistic fallacy, the fallacy that occurs when one inductively jumps from "is" to "ought." (van Eemeren, Garssen and Meuffels 2009: 27)

On might take this quote to express a *meta level* assertions about the inferential relation between a set of normative and descriptive statements. In effect, the standpoint is: There is no deductive inferential relation. This standpoint also shows at object level when evaluating discourse items in which a descriptive standpoint is supported by value statements (normative premises).

"The combination of a descriptive standpoint and a normative argument always leads to an inapplicable argument scheme: The acceptability of a descriptive standpoint is after all independent of the values that are attached to the consequences of the acceptance of that outcome" (van Eemeren, Garssen and

Meuffels 2009: 172).

Put more generally, "(…) whether something is true or not in a material sense does not depend on the question if we like it or not" (van Eemeren, Garssen and Meuffels 2009: 172). So, truths ("facts") do not receive support from, nor can they be undermined by human (dis-)approval.

Pragma-dialectics, of course, is a normative theory. The discussion rules are claimed to be supported by achieving the theoretical value of *problem validity*. This value is achieved through systematically identifying hindrances to a resolution oriented discourse (aka. fallacies). Clearly, to claim problem validity of a normative theory is *not* to assert a norm, but a fact – if it is one. So, lay arguers endorsing norms (in)compatible with the pragma-dialectical ones does not (without committing a naturalistic fallacy) license a claim about the theory's problem validity: Just as *undermining norms by facts* is considered fallacious, *supporting facts with norms* is considered fallacious.

These contentions indicate that the naturalistic fallacy is a theoretical commitment for pragma-dialecticians. This may surprise. After all, it has been recognized that "fallaciousness" depends on various conditions, to the point that "fallacies can have sound instances" is a meaningful assertion in some contexts. Pragma-dialecticians appear committed that this is not so in the cases discussed here.

3.3 The Theoretical Value of Inconsistency
To summarize the above: Facts (here: the reasonableness judgments of ordinary speakers) are impotent with respect to norms (here: the pragma-dialectical rules). On this background, why is the conventional validity of the pragma-dialectical rules under study to begin with? After all, in case the rules would be conventionally valid – and the claim is that they *are to a rather large extent* – this at most supports conditional claims, such as: *If* ordinary speakers accept normative contents, then these contents are not inconsistent with the normative content of the pragma-dialectical theory.

"Just as would be the case in corpus research, in our series of experiments the conventional validity of the pragma-dialectical rules is investigated not in a direct, but in an indirect sense. Due to the fact that discussion fragments that contain a fallacy are found to be unreasonable by normal judges, and fragments that do not

contain any fallacies are deemed reasonable, we deduce that in the judgment of the fairness of argumentation the respondents concerned appeal, whether implicitly or explicitly, to norms that are *compatible, or at least not contradictory*, to rules formulated in the pragma-dialectical argumentation theory". (van Eemeren, Garssen and Meuffels 2009: 49, *italics added*)

This indirectness comes about for the (above discussed) reason that, by the authors' standards, a normative theory cannot be falsified by descriptive data, nor can its problem validity be confirmed by such data. Hence, *con*sistency between the theory's normative content and the content which speakers may be construed to rely on is *rather useless for the theory*. On the other hand, *in*consistency between the theory and a lay-person judgment has no bearing on the theory either, but has *heuristic value*. Inconsistency informs on "what works" without specific training and what does not.

4. Heuristics

"Anomalies" forthcoming in this study should prove relevant for theoretical development. Most important, perhaps, context not only matters but counts. For example, participants judge an *ad hominem* fallacy to be as reasonable in a *domestic* as in a *political* context, but less reasonable than in a *scientific* context. Similarly, a direct personal attack in a scientific context is judged to be less reasonable than a *tu quoque* in the same context (ARV = 2.57; standard deviation 0.81 vis à vis 3.66; 0.86).

Normatively, that the reasonableness value should be similar or the same in all three contexts, and for both variants of the *ad hominem* in the same context, is a defensible claim. Note that nothing in the *standard theory* explains such a context-dependency.

When a standpoint enjoying presumptive status is supported in a fallacious manner, then participants tend to judge this move more leniently than when no such presumption is enjoyed. Normatively, this may not sit well with everybody. Moreover, there are (perhaps striking) differences in culture: some robust effects "break down."

Without training, lay persons will normally not be able to reliably distinguish between a sound *ad absurdum* and a fallacious *ad consequentiam* argument. On the other hand, participants do reliably distinguish the legal principle according

to which a presumption of innocence holds unless proven otherwise, suggesting that further legal principles may generate robust effects as well.

The "trickiness" of the mini dialogues may be varied in future work, to investigate the point at which variation in content produces effects. Discourse fragments in this study are conspicuously simple. Some "tweaking" towards realistic content should see rules "breaking down." After all, also this study supports the claim that participants tend to be influenced by the content of a standpoint: If you assent to what is supported by fallacious means, you will judge such fallacies more leniently than you would, if you did not assent. Though perhaps understandable, even demonstrating such effects to depend on context would still register as unacceptable in some normative framework.

5. Data Reporting
A last point pertains to the tension between the level of measurement and the level of reporting measurements. As mentioned above, measurement occurs on a seven point scale: 1, 2, 3, 4, 5, 6, 7 (Likert 1932); *very (un)reasonable* marks the ends. Without further assumptions, this means that reasonableness judgments values are recorded at *ordinal* level. Here, one lacks distance information. It counts as unknown if the distance between 5 and 6, say, is *the same* as that between 2 and 3.

When reporting and statistically treating data, the assumption is that the distances are the same. This is needed. Otherwise, averaging – which yields fractions (e.g., an averaged reasonableness value of: *2:200/375* would be meaningless. Thus, data are treated *as if* they had been obtained at *interval* level. Deeply entrenched, the equi-distance assumption can be doubted in a particular case. The topic should make for a good case study on a scientific controversy. See Jamieson (2004), Carifo & Perla (2007) and Norman (2010) for both positions.

The standard report formats are the mean plus *standard deviation*. The mean is the sum of all measurement-values divided by the number of measurements. To indicate the spread of data points provided the mean, the *standard deviation, s,* is used (where *x* is a data value, *x bar* the mean, and *n* the number of measurements) *(Figure 1)*.

$$s = \sqrt{\frac{\sum(x - \bar{x})^2}{n}}$$

Figure 1

The standard deviation is a widely accepted measure of dispersion. Yet, the value of s will not allow reconstructing the *exact* spread. Readers remain ignorant as to how many subjects showed what deviation in their reasonableness judgments. This makes data less useful for replication. By *exactly how much* individuals differed is hidden, since ARJs have replaced RJVs (see Section 2.1).

It suggests that the aim of the study was not to report the *precise* reasonable values assigned to artificial discourse items. Rather, the point was to show that, for the mini dialogues constructed (which suffer purposefully from near-triviality), theoretical prediction and averaged lay person judgment converge. Results strongly suggest that it is possible to construct examples which lay persons distinguish – on average and to a rather large extent – into fallacious and non-fallacious moves.

6. *Conclusion*

The theoretical purpose of comparing expert and lay person judgments concerning the reasonableness of rule-generated discourse fragments remains to be explicated. In the absence thereof, the naturalistic fallacy may count as a theoretical commitment for pragma-dialecticians. Whether this commitment *needs* additional justification would seem to depend on prior theoretical commitments.

Several examples of the heuristic value of the empirical investigation of the conventional validity of four of ten pragma-dialectical discussion rules were pointed out. On pains of having appeared critical, readers are reminded of two reviews (Hample 2010, Zenker 2010) praising van Eemeren, Garssen and Meuffels (2009). The study is highly relevant, irrespective of one's theoretical background.

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ISSA Proceedings 2010 – Reported Argumentation In Financial News Articles: Problems Of Reconstruction

1. Introduction

In this paper we explore the argumentative function of reported speech in economic-financial newspaper articles. The present research is based on a corpus of articles of the three main daily Italian economic-financial newspapers: *Il Sole 24 Ore, Italia Oggi* and *MF/Milano Finanza*. Why are we interested in studying the relationship between reported speech and argumentative function of economic-financial news? The analysis of economic-financial newspaper articles previously carried out shows that the predictive speech act occupies a dominant position in the discourse structure of economic financial news (Miecznikowski, Rocci, and Zlatkova in Press). Being clearly oriented towards predicting events, the information demand in the journalistic discourse domain of finance differs significantly from other domains, such as editorials, sports, crime, whose informational interest lies in narrating or commenting past events.

The reader wants to know not what has happened, but also, more importantly, what is going to happen. The analysis also showed that the predictive speech acts and their supporting arguments are sometimes attributed to unnamed, but more often to named sources, such as financial analysts, money managers, bankers. Being geared towards the decision making of investors, financial discourse is overtly or covertly argumentative. These semantic and pragmatic features of

economic-financial discourse make this genre particularly interesting for investigation. The frequent use of reported speech in this genre poses a challenge to argumentative reconstruction, because it is difficult to attribute the role of protagonist to the journalist who often seems to use reported speech strategically to avoid his/her personal commitment to either the standpoint or the argument. However, in this paper we argue that the distinction between different types of reported discourses and the distinction between different forms introducing them provide important cues for determining the functions of the reported segments in the journalist's argumentation and ascertaining to what extent the journalist is committed personally to the stated claim.

2. Types of reported segment

For the present research we adopt a broad definition of reported speech that is a quotation of another's discourse, the presence of another person's words in the author's discourse (Calaresu 2004, Smirnova 2009). The analysis of the corpus showed that the reported segment can be of two types: I) it is used to report an opinion; II) it puts forward an argumentation. The reported segment used to report an opinion can perform both non–argumentative and argumentative function. In the case of non-argumentative use, the journalist simply reports an opinion maintaining a clear distance with respect to what is said as illustrated in example 1.

1. Altre potenziali prede secondo Jason Goldberg, analista bancario di Lehman Brothers, sarebbero istituti cinesi, brasiliani, coreani e dell'Europa dell'Est, a cominciare dalla Russia. (Il Sole 24 Ore, 05.04.2006, doc. 9)
Other potential targets, according to Jason Goldberg, a banking analyst at Lehman Brothers, are Chinese, Brazilian, Korean, and Eastern European financial institutions, in addition to the Russian ones.

Here the journalist reports the opinion of the banking analyst Jason Goldberg about the potential financial institutions, without taking position or commenting on it. There are neither subjectifiers**[i]** in the co-text**[ii]**, which indicate the stance of the journalist towards the expressed opinion, nor other markers by means of which we can infer the journalist's position. Therefore, we cannot attribute the role of protagonist to the journalist. In such cases, the reporting of an opinion has merely informative and not argumentative function. Moreover, the choice of reported speech indicates the distance of the journalist from what is said, and what he/she undertakes no attempt to defend. In this example, the

reported speech is introduced by an indirect glossed form of reported speech, analysed in the literature (Calaresu 2004, p.163) as a form expressing a clear distance of the speaker/writer with respect to the reported utterance. This form is characterized by an introductor which performs the function of "gloss" inside or on the margin of the citation ("Other potential targets, according to Jason Goldberg..."). Indirect glossed form of reported speech creates an unexpected dissociation between the author of the original discourse and who reports it. In fact, in the case of indirect glossed speech, a segment of discourse is interrupted by the introductor, signalling that the responsibility for the utterance is somebody else's.

Beyond the non-argumentative use, the reported segment can perform an argumentative function as a basic argument from authority, as illustrated in example 2.

2. Il mercato italiano del vino sta uscendo dalla crisi. Lo afferma Vinitaly, il salone dei vini e distillati che aprirà le sue porte a Verona dal 6 al 10 aprile. (Italia Oggi, April 1, 2006 doc. 628)
The Italian wine market is overcoming the crisis. This was affirmed by Vinitaly, the salon of wines and spirits which will be open from April 6th to 10th.

Following the method suggested by Pragma–Dialectics (cf. Van Eemeren, Grootendorst, Snoeck Henkemans 2002), we will represent the argumentative structure graphically after every discussed example by showing which arguments support the standpoint and how these arguments are organized and combined.`*(Figure 1)*
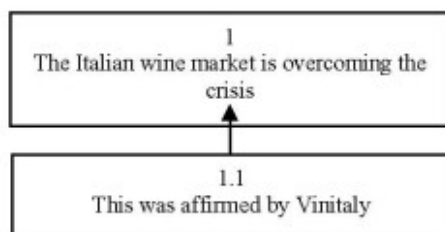

Figure 1

The standpoint *The Italian wine market* is overcoming the crisis is supported by evoking the authority of Vinitaly. As we can see from the graphical

representation, we have a case of single argumentation (Eemeren & Grootendorst 1992), with just one argument supporting the advanced standpoint. It is worth noticing that the reported segment is introduced by the anaphoric pronoun lo ("this"). In linguistics, the term anaphora is used to refer with a pronoun to an object that has already been introduced into the discourse by some other linguistic construction. In other words anaphora is the relationship between two linguistic elements where the interpretation of the one of the elements (called the anaphora) requires the interpretation of the other (called the antecedent) (Bazzanella 2005, p. 79). In our example lo ("this") refers back to the situation described in the previous sentence, i.e. that *The Italian wine market is overcoming the crisis*. If we compare this way of introducing reported speech with a "classical" indirect form of reported speech: *Vinitaly has affirmed that the Italian wine market is overcoming the crisis*, we clearly notice the different position of the introductor. In the case of anaphoric use the introductor is postponed *Lo afferma Vinitaly* ("This was affirmed by Vinitaly"), whereas in the case of the classical indirect form of reported speech, the introductor precedes: Vinitaly has affirmed that [...]. The rhetorical effect of the different position of the introductor has been widely discussed in the literature (Calaresu 2004). The strategy of the postponed introductor has the rhetorical function of a surprise effect; it means that the reader has to reinterpret what he has just read as the discourse of someone else, other than the journalist. The above-mentioned case differs significantly from cases where the introductor is put at the beginning and the reader immediately interprets the discourse as reported. In our corpus the use of the postponed introductor to introduce the argument from authority is frequently encountered in cases where the journalist endorses the reported opinion.

It emerges from the corpus analysis that the argument from authority can also be part of a complex structure used to support a standpoint advanced by the journalist as illustrated in example 3. We make a clear distinction between examples 2, where the journalist endorses what is said and examples such as example 3, where the journalist advances his/her own standpoint using an argument from authority to support it.

3. E a quel punto, è ipotizzabile – la maggioranza degli analisti tecnici e fondamentali è d'accordo – l'avvio di una fase laterale. Per questo gli investitori dovrebbero utilizzare i prossimi top per prendere profitto e iniziare la

ristrutturazione dei portafogli. (Il Sole 25 Ore, April 10, doc. 170)

At this point, it is presumable that a sideway phase is about to start – the majority of the technical and fundamental analysts agree on that. For this reason, investors should use the next peak to make a profit and begin reorganizing their portfolios.

The argumentative structure of the example can be reconstructed as follows *(Figure 2)*:
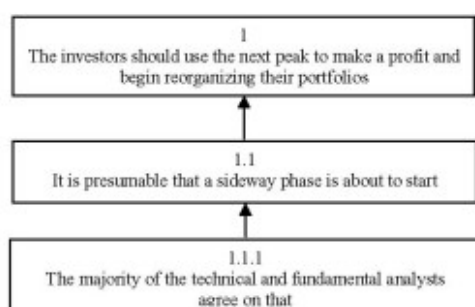

Figure 2

The standpoint advanced in example 3 is a directive speech act of recommendation: *The investors should use the next peak to make a profit and begin reorganizing their portfolios*. The standpoint is neither attributed to financial analysts nor to other sources. It is advanced by the journalist, so we can attribute to him/her the role of protagonist. It is worth noticing that the phrase *per questo* ("for this reason"), preceding the recommendation, is a typical argumentative indicator of the advancing of a standpoint. This standpoint is supported by subordinatively compound argumentation, where the defence itself is supported by a longer or shorter series of "vertically linked" single argumentation. Each of the arguments in the chain contributes to the defence of the standpoint by supporting the argument immediately above, and only the series as a whole contributes to its conclusive defence (Eemeren & Grootendorst 1992). In example 3, the specific standpoint: *the investors should use the next peak to make a profit and begin reorganizing their portfolios* is supported by an argument *it is presumable that a lateral phase is about to start* which serves as a substandpoint and in its turn is defended by an argument from authority *the majority of the technical and fundamental analysts agree on that*. It is worth noticing that the force of the argument from authority is further enhanced by the argument from consensus between technical and fundamental analysts, who

usually are two divergent authorities. Technical and fundamental analyses refer to two different and often polemically contrasted stock-picking methodologies used for researching and forecasting the future growth trends of stocks.

Analysis of our corpus showed that, to enhance the credibility of the source, the journalist in economic-financial newspaper articles uses either professional characteristics of the source in order to present it as an authority in the domain, thus removing any possible doubts about his reliability ("Stefano Zoffoli, strategist of Julius Baer asset management [...]" MF, April 14, 2006, doc. 24; "Adolfo Guzzini, president of Guzzini, turnover of 170 million Euros [...]" Il Sole 24 Ore, April 25, 2006, doc.101) or he/she uses the argument from consensus to convince the reader about the credibility of what is said ("Even the most cautious analysts said that [...]" Il Sole 24 Ore, April 20, 2006, doc. 27; "The majority of the technical and fundamental analysts agree on that" Il Sole 25 Ore, April 10, doc. 170). The combination of both strategies is also possible.

So far, we have discussed cases where the reported segment is used to report an opinion. Now we move to cases where the reported segment contains argumentation. Analogously to the cases discussed previously, also in the cases where the reported segment contains argumentation we distinguish between non-argumentative and argumentative uses. In the case of a non – argumentative use the journalist simply reports an argumentation, distancing himself from it as illustrated in example 4

4. Morgan Stanley sconsiglia invece di investire nel mercato del mattone reduce da quattro anni di crescita eccezionale. Il comparto è già in una chiara fase di frenata (Il Sole 24 Ore, April 2, 2006, doc. 47)
Morgan Stanley advised not to invest in the brick market after four years of exceptional growth. The sector is in clearly slowing down.

Here the journalist reports not only the advice of Morgan Stanley not to invest in the brick market but also the supporting argumentation that the sector is clearly slowing down. Since the journalist distances himself from the reported advice as well as from the argumentation supporting it, the role of protagonist cannot be attributed to him.
Differently from example 4, in example 5, the journalist endorses the reported argument giving rise to an argument from authority including the reported argumentation of the authority. Since the journalist endorses the reported

argumentation the role of protagonist can be attributed to him.

5. Meno rosee le prospettive per i consumatori: secondo Browne il prezzo della benzina non potrà che salire data l'impennata del greggio. (Il Sole 24 Ore, April 26, 2006, doc.22)
The economic outlook for consumers is less bright. According to Browne, the price of petroleum can only rise given the steep rise of crude oil.

Argumentatively, the standpoint *the economic outlook for consumers is less bright* is supported by a complex structure of argument from authority including the entire line of reasoning advanced by Browne. As has been argued by Smirnova (2009) in her paper on the argumentative function of reported speech in British newspapers, cases of pure appeal to authority are rare. In the majority of cases, we have a combination of an argument from authority with another type of argument. In this example the Brown's authority supports the causal connection between the price of crude oil and the price of petroleum established in the major premise *if the price in crude oil rises, then the price of petroleum rises (Figure 3).*
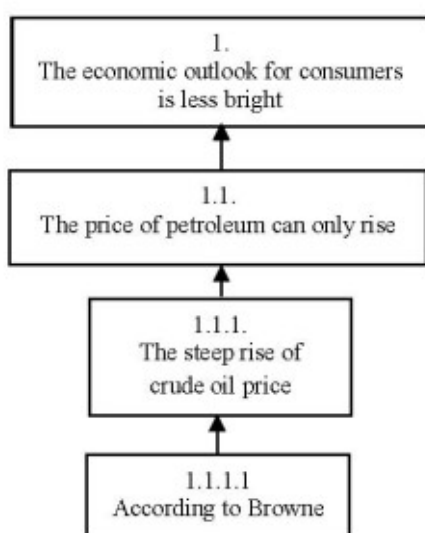

Figure 3

Differently from example 5, where the journalist only endorses the reported standpoint, in example 6, the journalist advances his/her own standpoint and supports it by using a complex structure where the reported segment contains argumentation. We will discuss this example more in detail to demonstrate the contribution of the reconstruction of the argumentative scheme proposed by the *Argumentum Model of Topics* (see below) to the reconstruction of the argument

structure.

6. Anche gli analisti più cauti puntano su nuovi rialzi: John Reade dell'UBS, li ritiene molto probabili, e Simon Weeks di ScotiaMocatta, nota che "sono in pochi a vendere" e ciò rende molto vicino il traguardo di 640$. (Il Sole 24 Ore, April 20, doc. 27)

Even the most cautious analysts predict new highs. John Reade from UBS, considers them very probable, and Simon Weeks of ScotiaMocatta, noticed that "only few people sell", and this makes the goal of $ 640 very close.

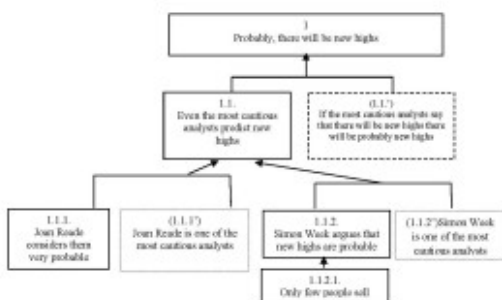The argumentative structure of the example can be reconstructed as follows *(Figure 4)*:

Figure 4

The standpoint *probably there will be new highs* is supported by coordinative argumentation with an unexpressed major premise: *If the most cautious analysts say that there will be new highs there will be probably new highs*. The explicit premise *even the most cautious analysts say that there will be new highs* is supported by two independent arguments from authority, the first one is: *John Reade considers them very probable* and the unexpressed premise: *Joan Reade is one of the most cautious* analysts and the second one is: *Simon Week argues that new highs are probable* and the unexpressed premise: *Simon Week is one of the most cautious analysts*. In the second argument from authority, we have a reported argumentation of the source, as we can see from the graphical representation above: the reason why *Simon Week argues that new highs are probable* is based on economic causality that *only few people sell*. In order to explore in depth the relationship between standpoint and argument we use the *Argumentum Model of Topics* (henceforth AMT) , developed at the Institute of Linguistics and Semiotics, University of Lugano, in particular by Eddo Rigotti and Sara Greco-Morasso (Rigotti 2006, 2009a, 2009b, Rigotti and Greco-Morasso

2006). The AMT represents the reasoning chain underlying an argument and highlights both the logic and the pragmatic/contextual components of the argument scheme. It is made up of two syllogisms: one is the endoxical syllogism whose major premise is an endoxon, and the other is the topical syllogism, whose major premise is a maxim. A maxim is an implication of the form p->q, generated by a locus and which gives rise to an inferential process. An argumentative scheme *(locus) from authority* emerges from the reconstruction presented above. Using the AMT we build the "synergic" representation of an argument from authority (see figure 1 below) which allows us to distinguish, within the inferential structure of the argument, the two components mentioned previously. The specific standpoint here is *probably there will be new highs*. The maxim *if a reliable authority said something, it is likely to be true* is directly engendered from the locus from authority. In order for this maxim to generate the final conclusion, which coincides with the standpoint to be supported, the following minor premise is needed: *the reliable authority said that there will be new highs*. Such a premise however is not self-evident; it needs itself to be backed by another syllogistic reasoning, in this case anchored in an *endoxon: Among all analysts, the most cautious ones are the most reliable*. The *datum*, which is the factual statement constituting the minor premise of the endoxical syllogism is, *the most cautious analysts, said that there will be new highs*. This leads to the conclusion: *the reliable authority said that there will be a new highs*. This conclusion is "exploited" by the maxim (as indicated by the curved arrow in the diagram) to generate the final conclusion which coincides with the standpoint to be supported: *probably, there will be new highs*. The two syllogistic reasoning give rise to the complex inferential structure which is represented by a "Y-like structure" within AMT (fig.1). The two syllogisms have distinct, but at the same time complementary functions: the maxim is responsible for the inferential mechanism and defines the law, while the *endoxon* links the argument to a shared opinion in the community. So, we can say that the topical component ensures the inferential force, whereas the endoxical component ensures the persuasive effectiveness, but if the topical component is not combined with the endoxical component it remains a mere logical mechanism.

From the analysis of example 6 illustrated above, different degrees of complexity emerge:
1. we are dealing with multiplicity of sources – different authorities can be evoked in order to support the standpoint;

2. we can have an addition argument supporting the credibility of the source, e.g. the argument from consensus like in example 6 where the consensus between the less cautions and the most cautious analysts ("even the most cautious analysts say that there will be new highs") is emphasized in order to boost the credibility of the source itself; and

3. we have the reporting of an entire line of argumentation of the source:

As it has been argued previously in the paper, the strategies of boosting the credibility of the source are highly used by the journalist when he/she endorses the standpoint advanced by the source or when he/she advances his/her own standpoint *(Figure 5)*.
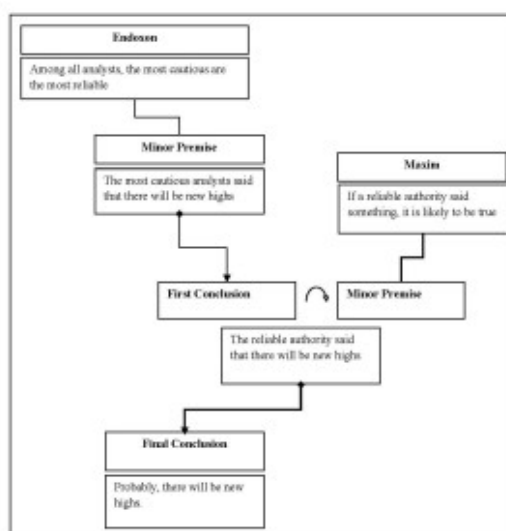

Fig.1 Synergic representation

Figure 5.- Synergic representation

3. Conclusion

This paper explored the function of the reported segment with a particular focus on the journalist's stance towards the reported statements in order to demonstrate that there is a constellation of indicators providing a sufficient basis for ascertaining to what extent the journalist assumes the role of *protagonist*, and that in many cases, the argumentative reconstruction is fully justified.

From the analysis carried out, it emerges that reported speech can perform both a non- argumentative and an argumentative function. The reported segment can have a purely informative function: the journalist simply reports an opinion, an argumentation maintaining a clear distance with respect to what is said; in this case he/she is not committed personally to any reported claim. Alternatively, the

reported segment can perform an argumentative function. In the case of opinions (I), the journalist advances a standpoint, supported by an argument from authority. The reported segment may a) contain the standpoint itself, formulated by a third party but endorsed by the journalist; b) contain statements considered by the journalist as arguments for a standpoint expressed in his/her own discourse. Analogously, in case (II), the journalist a) either makes the cited speaker utter the entire line of argumentation he/she intends to put forth or b) expresses a standpoint in his/her own words, backed up by the argumentation contained in the cited segment. In both cases, the result is a complex argument from authority, including reported argumentation of different kinds (causal, pragmatic, symptomatic reasoning etc.).

Some correlations have been identified between the function and the form of reported speech. In the case of purely informative function, the reported speech is mostly introduced by an indirect glossed form, analysed in the literature as a form expressing a clear distance of the speaker/writer with respect to the reported utterance. When the reported segment performs an argumentative function, it is often framed by an indirect form with a postponed framing expression. The use of the postponed framing expression is frequently encountered in arguments from authority in which the journalist endorses the reported segment. The relationship between form and function of reported speech will be investigated more in detail in our future work.

NOTES
[i] For the purpose of this paper we are interested in subjectifiers such as boosters (e.g. infatti ('indeed'), affatto ('at all'), proprio, davvero ('really') and hedges like quasi ('almost'), un po' ('a bit'), più che altro ('rather'), or emotionally-connotated lexical items.
[ii] Co-text" is a commonly used term in Discourse Analysis. Co-text refers the words or sentences surrounding any piece of written (or spoken) text. (cf. Brown & Yule 1983).
[iii] Argumentative indicators are "words and expressions that may refer to argumentative moves, such as putting forward a standpoint or argumentation. The use of these argumentative indicators is a sign that a particular argumentative move might be in progress, but it does not constitute a decisive pointer" (van Eemeren, Houtlosser& Snoeck –Henkemans 2007:1)4
[iv] A definition of an endoxon is given by Aristotle: "opinions that are accepted

by everyone or by the majority, or by the wise man (all of them or the majority, or by the most notable and illustrious of them)" (Topics, 100b.21)

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ISSA Proceedings 2010 – The Ethos Of Classical Rhetoric: From Epieikeia To Auctoritas

From antiquity onwards *rhetorical ethos* has represented a concept bearing many different notions, which generally refer to a speaker's character presentation. Despite conceptual differences *ethos* still plays an important part in rhetorical analysis and presents one of the elements in various contemporary rhetorical and argumentative theoretical models (proposed by prominent scholars such as Perelman, Brinton, Leff, Tindale, van Eemeren and Grootendorst, Walton etc.).

When we consider contemporary notions of ethos as being the result of a long tradition, our questions are: can a study of the ancient conceptions of rhetorical ethos still provide us with interesting and useful starting points? Might such a study refine our conception of the role of a speaker in the contemporary models of rhetorical and argumentative analysis? In search for a positive answer the aim of this paper is to present in our view some of the crucial points in the conceptualizations of classical ethos. We will try to show how ethos, when seen as a multifaceted rhetorical concept, above all things reflects different social roles of a public speaker in the Greco-Roman society. We believe that such a perspective combined with the well known ancient theoretical models of rhetorical ethos can provide us with a more thorough understanding of the concept of character presentation, which can contribute to its use in the contemporary rhetoric and argumentation as well.

The study of rhetorical ethos from a classical perspective has prospered ever since the end of the 19th century and it has focused mainly on the research of Aristotle's *Rhetoric*. With modern scholars such as Wisse (1989), Fortenbaugh (1979, 1988, 1992, 1994, 1996), May (1988, 2002), Gill (1984), Braet (1992, 1996, 2004) the focus has changed and the subject has been expanded. *Rhetorical ethos* as it is perceived in the context of this kind of research generally holds for a concept that can be understood in terms of different types and observed through different genres of the ancient rhetorical and oratorical practice.

Modern theories of rhetoric and argumentation assign different roles to ethos, which highly depend on their dialectical or rhetorical perspective. However, their common characteristic is usually the priority that they assign to Aristotle's conception. Theories of argumentation mostly deal with ethos in the framework of their view of *informal fallacies* such as *ad verecundiam* and *ad hominem* (e. g. van Eemeren and Grootendorst 2004, Walton et al. 2008) or present it as a part of specific argument schemes, for instance the so called *ethotic argument* (Brinton 1986; Walton et al. 2008). Scholars like Leff (2003) and Tindale (1999, 2004) draw features from rhetorical tradition and combine them with some contemporary views. Based on Aristotle's triad *ethos, pathos* and *logos* they define the character or ethos as an essential part of any argument and they present its further developments. As Leff pointed out (2009), there are considerable references to the role of a speaker in Perelman's theory of argumentation as well. According to Leff (2009, p. 310) those references can be related to the concept of rhetorical ethos and represent an important starting point in understanding the relationship between dialectic and rhetoric.

One of the modern aspects of ethos in argumentation theory as defined in Perelman and Olbrechts-Thyteca's *New Rhetoric* and lately known as the theory of *argumentation in discourse* comes from Ruth Amossy (2009). In her conceptualization of rhetorical ethos she integrates views about a speaker's authority and credibility that originate from the classical rhetoric, pragmatics and sociology. Based on these three theoretical fields she presents a model that tries to reconcile the two well-known perspectives of ethos: as a language related construction and as an institutional position or *discursive* and *prior ethos* (Amossy, 2001).

Since both perspectives originate from ancient conceptions of ethos, let us once more return to the realm of Greco-Roman rhetoric and try to shed light on some

of their elements from two perspectives: firstly, as a part of the ancient rhetorical system and secondly, as a significant feature of public speaking, that is one of the most important social practices in Greek and Roman society.

In the classical rhetorical theory ethos is usually defined as a character presentation in the context of three means of persuasion, which come from Aristotle's *Rhetoric* (Rh. 1.2.3 1356a1-4) and constitute one of the most widely used classical models – *ethos* (the speaker), *pathos* (the audience) and *logos* (the speech):

Of the *pisteis* provided through speech there are three species; for some are in the character of the speaker (*en tô êthei tou legontos*), and some in disposing the listener in some way (*en tô ton akroatên diatheinai pôs*), and some in the speech itself, by showing or seeming to show something (*en autô tô logô dia tou deiknynai ê fainesthai deiknynai*)**[i]**.

However, scholars believe (cf. Fortenbaugh, 1994) that this model did not have a direct influence on the classical theory and practice. Aristotle particularly influenced contemporary rhetoric**[ii]**, while the Greco-Roman rhetorical system was far more focused on a somewhat different notion of ethos. This ethos was formed through a process of social changes and belongs to diverse oratorical practices. Thus, it seems logical to investigate other forms of character presentation that define classical notions of ethos, since they might provide us with a more coherent answer to the questions about the role of the speaker in the Greco-Roman rhetorical theory.

Readings in the ancient oratory reveal rhetorical ethos as a persuasion strategy that in the broadest sense denoted a speaker's effective character presentation as well as a presentation of any character in a speech. The concept of character was seen as a pragmatic category that consisted of moral elements (in terms of vice and virtue) and was not oriented towards a personal or inner world of the individual. A person's character was seen as a result of his/her actions and their evaluation (whether socially acceptable or not), as well as a result of particular social categories, such as that person's origin, his/her social position, vocation and political engagement. As a part of rhetorical ethos a presentation of any character would therefore have to be acceptable to the audience with regard to the moral and social norms that Greek (and/or Roman) society acknowledged. In Greek society the term 'acceptable' particularly denoted a person who was

reasonable, fair or morally good, which is an equivalent for Greek words *epieikês* and *epieikeia*[iii]. Although these notions were used in many different contexts (from juridical to ethical) Aristotle in *Rhetoric* (1.2.4 1356a4-8) explicitly connects rhetorical ethos with the notion of epieikeia as well, when he says that it is very important for a speaker to present himself as such, since we generally much more believe good (or fair-minded) people:

[There is persuasion] through character whenever the speech is spoken in such a way as to make the speaker worthy of credence; for we believe fair-minded people (*tois gar epieikesi*) to a greater extent and more quickly [than we do others], on all subjects in general and completely so in cases where there is not exact knowledge but room for doubt.

In the framework of rhetorical ethos terms such as »good« and its opposite »bad« are not to be taken in a narrow moral sense, since they are – as in the most ancient non-philosophical works – to a large extent defined by the abovementioned pragmatic categories: by origin, social position, vocation or political affiliation. However, a speech had to point out that a speaker is a good, reliable and benevolent person. Such character traits set up an image of a person, which ancient Greeks described with an adjective *axiopistos* or 'trustworthy'. Again, we find a definition of this notion in Aristotle's *Rhetoric* (2.1.5-7 1378a6-20), where rhetorical ethos as a strategy of constructing a trustworthy image of a speaker is explicitly described as a presentation of a speaker's practical wisdom (*phronesis*), virtue (*arête*) and goodwill (*eunoia*). As many contemporary scholars point out, these notions were not invented by Aristotle, for they can easily be traced all the way back to the Homer's Iliad. Moreover, such a view of a character presentation is identified in a number of ancient speeches and rhetorical treatises and can therefore be explained as an element of Greco-Roman notion of credibility. What is significant in Aristotle's conceptualization of phronesis, arête and eunoia as a part of rhetorical ethos is the function that he assigns to this persuasion strategy – when the speech is *spoken* in such way, a speaker *becomes* trustworthy.

It is a thoroughly researched fact that Aristotle's famous conceptualization, which became a foundation of many modern discussions (e. g. Amossy 2001, Tindale 2004), in fact presents one direction in ancient conceptions of rhetorical ethos. It concerns *a discursive construction or representation of a character*, which is an important part of persuasion but does not necessarily represent a speaker's

actual personality. Aristotle (*Rh*. 1.2.4 1356a8-13) says:

And this (sc. persuasion through character) should result from the speech, not from a previous opinion that the speaker is a certain kind of person; for it is not the case, as some of the handbook writers propose in their treatment of the art, that fair-mindedness (*epieikeia*) on the part of the speaker makes no contribution to persuasiveness; rather, character is almost, so to speak, the most authoritative form of persuasion (*kyriôtatên ekhei pistin to êthos*)**[iv]**.

As Kennedy (1991, p. 39) observes, Aristotle excludes from rhetorical ethos anything except for what is actually said in the speech. The authority, which the speaker might posses due to his position in society, previous actions and/or reputation were all the elements, which Aristotle would regard as important but 'inartistic' or 'extrinsic' to the art of persuasion – as something that is included but not constructed in the speech.

However, there are at least three other traditions that can be identified within ancient conceptions of rhetorical ethos. Firstly, a conception that originates in Plato and Isocrates' view of rhetoric. It represents *rhetorical ethos as a revelation of a speaker's moral character*, which *preexists discourse and should be reflected in the discourse*. This ethos was also known under the term epieikeia with somewhat clearer ethical and moral connotations, be it as a part of Plato's philosophical view of rhetoric or the more pragmatic conceptions of Isocrates. Particularly in *Antidosis* (278) Isocrates presents a very clear picture of his conception of rhetorical ethos, which enters into the discourse as *a part of speaker's moral character* and *his proper way of living*:

...[t]he man who wishes to persuade people will not be negligent as to the matter of character; no, on the contrary, he will apply himself above all to establish a most honorable name (*hôs epieikestatên*) among his fellow-citizens; for who does not know that words carry greater conviction when spoken by men of good repute than when spoken by men who live under a cloud, and that the argument which is made by a man's life is of more weight than that which is furnished by words? Therefore, the stronger a man's desire to persuade his hearers, the more zealously will he strive to be honorable and to have the esteem of his fellow-citizens.

Secondly, there are diverse notions of character presentation that come from sophistic and textbook rhetoric and are parts of other rhetorical concepts or notions (such as topoi, parts of speech, style, performance etc.), which constitute

the ancient rhetorical system. Before we present a brief sketch of them, we have to mention another characteristic, which is a part of the ancient conceptions of rhetorical ethos. Namely, in ancient rhetoric there was a close connection between the strategy of trustworthy character presentation and a speaker's influence on audience's emotions (a persuasion strategy most commonly known as rhetorical pathos). With exception to Aristotle's model of the three *pisteis*, which presents ethos and pathos as a generally two distinct categories, most of other ancient notions demonstrate a certain conceptual and semantic overlap of a character presentation and arousal of emotions**[v]**. Considering this circumstance, it seems particularly important to point out the traditional notions of both persuasion strategies, which precede Aristotle and Isocrates and were particularly recognized in rhetorical instruction of logographers and sophists.

A well known rhetorical treatise *Rhetoric to Alexander*, which is ascribed to Anaximenes of Lampsacus and originates approximately from the same period as Aristotle's *Rhetoric*, proves to be a good example for the research of some pre-conceptual or traditional notions of rhetorical ethos and pathos, which can be defined as *textbook* and *sophistic notions*. A textbook notion of ethos and pathos corresponds to the practical examples or simple precepts that were connected to the construction of a speech, especially that of prologues and epilogues and originate probably in the earliest rhetorical textbooks. In *Rhetoric to Alexander* such a notion of rhetorical ethos shows a close relation to winning the audience's goodwill (*eunoia*) and presents one of the most important elements within prologue as a part of Greco-Roman rhetorical system**[vi]**. The second conception of ethos (and pathos) in *Rhetoric to Alexander* shows traces of the sophistic tradition, particularly because of its connection with argumentative strategies, which are usually associated with sophists such as Thrasymachus, Gorgias, Protagoras and others. In the standard rhetorical theory this notion of rhetorical ethos could also be understood as a part of diverse conceptions of topoi and would correspond to various traditional (pre-Aristotelian) argumentative strategies such as *argument schemes* and *ready-made arguments* (Rubinelli 2009, pp. 101-109). In *Rhetoric to Alexander* we can find many examples of argumentative strategies that contain character presentation and would correspond to these notions, especially in the sense of producing a certain effect in the audience or in the sense of justifying a certain conclusion**[vii]**.

The third tradition within ancient conceptions of rhetorical ethos would be the so

called Roman view of character presentation, which is the result of the conflation of a Greek rhetorical system and Roman traditional oratory. We can find notions from Greek traditions of character presentation, such as *topoi (or loci)* for gaining goodwill in *Rhetorica ad Herrenium* (1.5; 2.30-31) and in Cicero's *De inventione* (1. 22) or conceptualizations of ethos (and pathos), which reflect Roman traditional notions of the character of the speaker as well as traces of Aristotelian peripatetic tradition respectively, such as in Cicero's work *De oratore* or in Quintilian's *Institutio oratoria*. When studied in the context of ancient rhetoric all these traditions (from Aristotle to Quintilian) reveal a multifaceted nature of the rhetorical ethos and largely depend on the different conception of the role of a speaker in Greek and Roman society, which we shall address a little later.

The study of means of persuasion in the Roman rhetoric is undoubtedly related to the above mentioned Greek concepts, but on the other hand it must also consider the characteristics of Roman traditional rhetoric. This rhetoric existed as an original communication practice in the Roman public life long before Romans came into contact with the Greek culture. When Romans took over Greek theoretical models of their art of persuasion, the traditional elements of Roman oratory maintained a significant influence on particular concepts within the rhetorical system. And this especially holds for rhetorical ethos.

For scholars such as Kennedy (1963, 1972), May (1988) and Wisse (1989) the main difference between Greek and Roman rhetorical ethos exists in the relationship between constructed and preexisting ethos. The goal of a Greek speaker was more or less to construct a credible self image within the speech and/or at the same time gain the goodwill of the audience. However, his preexisting image generally did not interfere with argumentation, scholars say. As we can see from Isocrates' conceptions of ethos and the examples of a speaker's character presentation in *Rhetoric to Alexander*, ancient Greeks did not exclude the speaker's existing reputation from persuasive discourse; rather, they held a different view of the knowledge they had of such a character presentation: it could not serve as a primary means of proof, but it was often seen and/or presented in the context of probability (Kennedy 1998, p. 205). Something completely different is true for the so called Roman rhetorical ethos: as a rhetorical strategy it almost entirely consists of the speaker's preexisting reputation and the authority that comes from it. In Roman judicial oratory this kind of rhetorical ethos was not only a part of argumentation, but often presented

its main feature; in funeral oratory ethos presented the central and crucial element that substantiated the purpose of a funeral speech (*oratio funebris*) and thus essentially differed from the Greek public funeral orations. In the construction of a speaker's authority Romans went all the way to the point where in the framework of deliberative speech the speaker without distinguished predecessors, who could grant him a credible character and consequently an authority as well, was permitted to explicitly point out virtues of his own. Hence, the lack of modesty in Roman oratory, for this circumstance could represent a key element in an act of persuasion especially in the case of *new men* like Cicero and Cato the Elder.

Let us point out another interesting feature of ancient rhetorical ethos: The essential difference between Greek and Roman rhetorical ethos can be explained in terms of two kinds of rhetoric, namely the *rhetoric of quarrel* (or 'agonistic' rhetoric) and *the rhetoric of consensus* (or 'traditional' rhetoric) as Kennedy conceptualized these two social practices that existed in Greek and Roman society. He says that Greek rhetoric can be characterized as rhetoric of quarrel, since it shows a close connection to the combative nature of Greek society (Kennedy 1998, pp. 197ff.). The latter is evident in vibrant discussions and contentious arguments of the Greek assemblies or courts, where every free male citizen could speak his mind. Early Roman rhetoric seems to be completely different especially with respect to the function and selectivity of speakers. In the words of Kennedy this rhetoric is much closer to the traditional forms of public speaking or as he names it, the rhetoric of consensus. The main goal of public speaking in traditional societies was usually to calm down the opposition and achieve a group consensus on some important issue. Further, public speaking served to establish and renew social ranking within the society as well as to reinforce traditional values. As such, the rhetoric of consensus often proves to be the more conservative and corrective force and not so much a tool of changes (Kennedy 1998, pp. 67-68). Readings in early Roman orators, such as Aemilius Paulus, Scipio Africanus and Fabius Maximus prove that the use of their strategies of persuasion correspond to the rhetoric of consensus, since they focus mainly on the elements of authority and emotionality, which are known as primary elements of such a public address.

Since the Roman social system prevented from speaking anyone but members of the ruling elite, public speaking for the most part did not consist of a series of

probable arguments with elaborate structure and strong probative force in a controversy. Much more notable characteristic in the first speeches of Roman orators was the repeated use of a speaker's authority as means of proof (Kennedy 1972, p. 42, 100; May 1988, p. 9). As a persuasive strategy it corresponded to a speaker's character presentation or rhetorical ethos, which was founded on his preexisting social status. It is important to know that a speaker's social status was determined by a person's age, experience and influence in the public life, wealth, family reputation and also certain rhetorical skill.

Particularly in the later periods (from the late republic when rhetoric in Rome developed as a discipline) this circumstance deeply shaped the concept of the so called Roman rhetorical ethos, which consequently represents a much wider concept, be it on the qualitative or quantitative level. Along with the adopted Greek ethotic elements, a character presentation of a Roman speaker is always a preexisting social category that consists of entirely Roman elements as well. One of them is a speaker's family or gens, also known as *collective ethos* (May 1988, p. 6), which provides his stability, since it is secured by distinguished ancestors (*mores maiorum*). It also consists of a speaker's *individual ethos*, which is determined by *collective ethos* and reflects some typical Roman notions of character. May (1988, p. 6) provides a thorough explanation:

The Romans believed that character remains essentially constant in man and therefore demands or determines his actions. Since character does not evolve or develop, but rather is bestowed or inherited by nature, an individual cannot suddenly, or at will, change or disguise for any lengthy period his ethos or his way of life; nor is it wise to attempt such alteration. The Romans further believed that in most cases character remains constant from generation to generation of the same family.

Other important elements belong to the realm of Roman traditional values and had to be gained during a speaker's life. If a speaker wanted to use his character as a means of proof and persuasion respectively, he had to demonstrate *dignitas* (or being worthy of high office), *honor* and *gloria* (or an excellent personal and public engagement) and oratorical reputation (*existimatio*). But one of the most important values was the *auctoritas*, which represents the key element in the context of Roman rhetorical ethos. In Roman society auctoritas signified admiration for the person that demonstrated wisdom, proficiency and a sense of responsibility in personal and public matters (especially in the context of the

patronus-cliens relationship). A Roman orator could earn his auctoritas partly through his ancestors, but mainly he had to gain it with his own praiseworthy actions that came from his political activity and public office service. The latter at the same time offered an opportunity for earning the privilege of public performance and a place, where he could use rhetorical ethos as an effective persuasive strategy.

But what is significant about auctoritas is that it often replaced logical argumentation. Extant Roman speeches show that speakers could (and would often) simply use their own (or somebody else's) auctoritas when they wanted to demonstrate causes for some action**[viii]**. Specific social relations in Roman society – especially that of *patronus* and *cliens* – presented a foundation for a wide selection of characters that could be used in a speech as a very successful *ethotic* strategy. Beside his own character, a speaker (usually he would be a respected patronus with notable auctoritas) could also employ a presentation of the character of his client, his adversary or his adversary's pleader and combine these without restraint and solely for the purpose of an oratory success. Particularly in the judicial speeches and because of the advocacy system (that differed from a Greek one in terms of representation) this persuasive technique played an important part in the process of presenting a case (cf. Quint., *Inst.* 4.1.6-7). In addition, such a character presentation was often highly emotional and was according to rhetorical treatises believed to be one of the most effective strategies in Roman rhetoric (cf. Cic. *De or.*, 2.182).

In *Brutus* Cicero presents a series of ancient orators, who would successfully use auctoritas as a means of proof. In their hands this auctoritas presented "a powerful, sometimes frightening, occasionally even subversive oratorical weapon" (May 1988, p. 8). In addition, there is an interesting passage in *De oratore* (1.198), where in the context of Roman jurisconsults and their Greek counterparts Cicero describes the power of Roman auctoritas:

They began by creating an esteemed position for themselves on the authority, so to speak, of their natural ability (qui, cum ingenio sibi auctore dignitatem peperissent), but subsequently even managed to make their prominence in rendering legal opinions depend less on this natural ability than on the personal authority they had gained (ut… auctoritate plus etiam quam ipso ingenio valerent)**[ix]**.

(For the links: see below)

Ultimately, May (1988) showed that the elements of traditional Roman oratory regarding character presentation were important parts of Cicero's oratory as well. Furthermore, Cicero's theoretical works and speeches present rhetorical ethos as a "confluence of notions of a speaker's social role" and as a "synthesis of" several Greek and traditional Roman "concepts that interact in different ways" (Enos and Rossi Schnakenberg 1994: 193). And such an interaction of concepts, which extends from different social roles to diverse discursive practices and theoretical models of ancient rhetoricians and philosophers, is perhaps the best way to understand rhetorical ethos.

Let us sum up: Why should ancient rhetorical elements – in the context that we presented them in – be important to contemporary rhetorical and argumentative models? Our answer points in three directions. Firstly, a careful analysis of different notions of a supposedly unified rhetorical concept contributes to the awareness that the reconstruction of a model of ancient rhetorical ethos leads to a complex concept. This concept significantly extends over a dichotomy of Aristotle's or Isocrates' conceptualizations and should always be considered as a part of Greco-Roman social world as well. Secondly, ancient conceptions of rhetorical ethos when presented from the social perspective enable us to identify the relationship between constructed and preexisting image of a speaker and thus further open possible research questions regarding the agonistic (i. e. Greek) or consensual (i. e. Roman) nature of rhetorical discourse. And lastly, the model of ancient rhetorical ethos that includes theoretical and practical insights from the Greco-Roman rhetoric provides us with diverse ethotic strategies with regard to the nature of rhetorical discourse. And with such a model new directions in the study of other rhetorical and argumentative concepts such as topoi, rhetorical figures and argument schemes might open.

NOTES
[i] All translations of Aristotle's Rhetoric by G. A. Kennedy (1991). All Greek parentheses are ours (JŽ).
[ii] See especially Tindale's study of rhetorical model of argumentation (1999). Together with contemporary logical, dialectical and pragmatic views on argumentation Tindale tries to develop a comprehensive model of argument that is fundamentally rhetorical and founded on Aristotle's conception of rhetoric.
[iii] LSJ lists the following classical meanings of a Greek adjective epieikês: I. in Homer: fitting, meet, suitable; II. after Homer: 1. of statements, rights, etc.: a)

reasonable, specious; b) fair, equitable, not according to the letter of the law (opp. dikaios); 2. of persons: a) able, capable; b) in moral sense, reasonable, fair, good; c) with social or political connotation, the upper or educated classes. For epieikeia we can find the following meanings: I. reasonableness; 2. equity, opp. strict law; 3. of persons: reasonableness, fairness; also, goodness, virtuousness.

[iv] The Greek parentheses are our addition (JŽ).

[v] This stands out in the Roman treatises as well, since they present rhetoric as an already standardized system. Cf. Quintilian's treatment of ethos and pathos as two degrees of emotion, namely as leniores and vehementes affectus (6.2.8-9).

[vi] Anaximenes presents many examples, where a speaker's character presentation is a part of precise instructions for composing prologues. Goodwill is discussed in 1436a33-1438a42, where we can find precise instructions for composing prologues in deliberative speeches. For judicial oratory see 1442a6-14 about winning goodwillof the friendly and neutral audience and 1442a20-1442b28 that describes the case of hostile audience. Cf. also 1445b39-1446a4.

[vii] Cf. Rh. Al. 1428b29-32 for character presentation as a part of an argument scheme and 1431b9-19 for character presentation as a ready-made argument or a special type of authority argumentation. This view was particularly studied by Braet (1996, 2004), who showed that Rhetoric to Alexander contains a typology of argumentation schemes.

[viii] Cf. especially a presentation of oratory of Marcus Antonius in Cicero's discussions Brutus and De oratore.

[ix] Translation by J. M. May and J. Wisse (2001). Latin parentheses are our addition (JŽ).

[x] Due to its complexity we shall not present Cicero's conception of rhetorical ethos in this paper. For detailed study of 'Ciceronian ethos' see especially Wisse (1989) and May (1988).

[xi] The possible set of questions could be the following: What social relations and values in the given rhetorical discourse shape a speaker's use of rhetorical ethos as a persuasive and/or argumentative strategy? What are the predominant discursive elements, which relate to these social relations and values, and constitute speaker's trustworthy image in the given discourse? Are those elements to be found in the realm of speaker's character presentation, which is mainly created within the discourse or is more based on his/hers preexisting authority?

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ISSA Proceedings 2002 – Arguing In "Pen Of Steele And Silken Inke": Theorizing A Broader Material Base For Argumentation

I've been a hard worker all my life, but most all my work has been the kind that 'perishes with usin',' as the Bible says. That's the discouragin' thing about a woman's work . . . I've always had the name of bein' a good housekeeper, but when I'm dead and gone there ain't anybody goin' to think o' the floors I've swept, and the tables I've scrubbed, and the old clothes I've patched, and the stockin's I've darned. . . . But when one of my grandchildren or great-grandchildren sees one o' these quilts, they'll think about Aunt Jane, and, wherever I am then, I'll know I ain't forgotten.

Aunt Jane of Kentucky (Hall, 1908)

Writing in her journal toward the end of the nineteenth century, Aunt Jane of Kentucky claimed quilting as a rhetorical space where she could *leave her mark*. As Carol Mattingly (2002a) observes of nineteenth century women rhetors, "since many of the traditional tools of rhetoric were denied them, women found it necessary to consider techniques beyond masculine speakers' attention to argument and delivery" (4)**[i]**. Needlework offered women, like Aunt Jane, one such rhetorical technique (Parker, 1989).

Focusing scholarly attention on non-traditional, alternative rhetorical techniques raises at least two questions: How do those who are denied access, typically by virtue of their gender, race, ethnicity, class and sexual orientation, to dominant, ma(i)n/stream discursive spaces construct and engage in arguments? How do we as scholars devise methods for theorizing and historicizing rhetorical practices that take place in the shadows or on the margins of these spaces? Over the last ten years feminist historians of rhetoric have begun to tackle complex questions along these lines as they have tilled important new scholarly ground in their efforts to recoup neglected women rhetors and rhetoricians, and previously overlooked feminist traditions (Campbell, 1989; Glenn, 1997; Hobbs, 1997; Jarratt, 1991; Logan, 1999; Lunsford, 1995; Mattingly, 1998, 2002a; Peterson, 1995; Ratcliffe, 1996; Royster, 2000; Sutherland & Sutcliffe, 1999; Wertheimer, 1997). As Patricia Bizzell (2000) points out, over the last decade "few, if any, other areas of research in the history of rhetoric have produced such rich results of this kind as feminist research" (7).

The feminist turn in rhetoric has made a significant contribution to rhetoric scholarship by drawing attention to the need for studying a broader range of rhetorical spaces, practices and artifacts than previously treated. Richard Leo

Enos (2002), for example, argues:

If we are to provide a sensitive accounting of women in the rhetorical tradition, current methods of, and perspectives on, historical research need to be reconsidered and adjusted in three respects. First, our mentality toward rhetoric must expand beyond civic, agonistic discourse to include alternative modes of expression used by women. Second, our efforts to discover primary evidence must intensify so that a more representative body of sources becomes available. This expanded body of evidence must include non-traditional sources that provide insight into the oral and literate practices of women. Third, historians of rhetoric must create methods of research and analysis that will provide a more sensitive accounting of primary material than current historical methods were designed to yield. (65)

In a similar vein, Mattingly (2002b) challenges historians to rethink what counts as rhetorical evidence; elsewhere she (2002a) notes, "one component that contributes to our understanding and appreciation of women in the history of rhetoric is evidence crucial to the effectiveness but heretofore ignored because of its insignificance for men" (4). Christine Mason Sutherland (2002) calls for more scholarship on rhetorical fora and practices other than civic and agonistic – that is, more work on *sermo* (the rhetoric of private and semi-public spaces) as a counterbalance to all that has been done on *contentio* (120). By expanding theoretical concepts of what counts as rhetoric (and, by extension, who counts in its production and circulation) feminist scholars have theorized alternative models of argumentation. For example, Foss, Foss and Griffin's (1999) invitational model of rhetoric, and, particularly, in Ryan and Natalle's (2001) "emending" of that model offers a more inclusive theory of argumentation than has been traditionally constructed. Through their concepts of *offering* and *willingness to yield*, their model of argument "demonstrates that intention means engagement in an issue rather than [only] persuasion to a belief [or social action]" (Ryan & Natalle, 70; also see Foss & Griffin, 1992, 1995).

This essay may be understood as contributing to the feminist turn in the history of rhetoric by the broadening the material base for theorizing rhetorical practice in general, and argumentation in particular. Here, I show how arguing in "pen of steele and silken inke" both participates in, and offers an alternative to, a complex web of rhetorical spaces, practices, and artifacts. More specifically, I focus on needlework sampler making to demonstrate the ways in which embroidery may be understood as powerful discursive practice.

Embroidery is a form of meaningful mark-making – a polysemous system of writing that incorporates both semasiographic systems (sign symbols) and glottographic systems (verbal utterance symbols) to use Geoffrey Sampson's (1985) terms. Sampler making – a practice that dates back thousands of years and has been found in every region of the world – originally served as invention. Like a commonplace notebook, samplers offer a space in which to learn, practice and record the available means of persuasion via choices of embroidery stitches, threads, materials, colors, motifs and patterns (Clabburn, 1998; Humphrey, 1997; Parker, 1989); a radical disruption in the purposes, subject positions, and contexts for sampler making, beginning in the eighteenth century, displaced it as invention, rendering it instead as a demonstration of knowledge (an *end* in itself) rather than as an epistemic tool (a *means* to another end) for creating socio-cultural meaning elsewhere (Goggin, 2002). Needlework samplers thus serve as important artifacts for rhetorical study; in them, one may glimpse the traces of praxis where "society's 'workings' become visible in the purposes, imagined audiences, content, and outcomes" of these text/iles (Miller, 1998, 4).

1. The Rhetoricity of Samplers and Sampler Making
In the course of researching the history of sampler making, I stumbled upon a sampler stitched in *circa* 1830 by Elizabeth Parker of Ashburnham, East Sussex, England (see Browne, & Wearden, 1999, 108). (See Figure 1.) Until quite recently, this piece had for nearly fifty years remained folded and virtually ignored in a textile drawer in the back storeroom of the Victoria and Albert Museum**(ii)**.

Figure 1. Elizabeth Parker's Sampler circa 1830. Courtesy Victoria and Albert Picture Library Ref. T.6-1956
Figure 2. Charlotte Eleanor Cullum's Marking Sampler, 1874. Courtesy Witney Antiques, Witney, England.

At first glance, this text/ile appears to be an ordinary plain-stitch sampler, a domestic and domesticating exercise undertaken particularly, though not exclusively, by young women (especially in the late eighteenth and nineteenth centuries) to equip them with skills for positions that would enable them to avoid potentially horrific circumstances – an escape well captured by Geraldine Clifford's (1982) title "Marry, Stitch, Die or Do Worse," a piece in which she examines the limited options for nineteenth-century women. One of the most common plain-stitch exercises was the marking sampler on which young needleworkers would practice stitching various styles of alphabetic letters and numbers that could be used to mark household and personal items. Moreover, this work could serve and, in fact, did circulate as a material CV.

A typical, though beautifully rendered, marking sampler was stitched by Charlotte Eleanor Cullum at the Bristol Orphanage in 1874 when she was sixteen. (See Figure 2.)

This is one of a number of known marking samplers of fine quality that come from the Bristol Orphanage Schools where boys as well as girls were required to learn how to sew and knit**(iii)**. The top half of the sampler is devoted to different styles of lettering in both upper and lower cases as well as different styles of numbers. The bottom half consists of small decorative motifs (including several versions of a royal crown; a cow, and a bible) as well as a variety of borders and corner patterns all of which could be used to mark or decorate domestic or personal textiles wrought elsewhere. As was typical, this marking sampler was rendered in red silk, for red was a common color for marking household linens. Cullum's piece is a fine example of a material CV; and it must have worked well because in the following year on June 23, 1875 she was able to secure a position in the household of William Brodie, Esq. of Eastbourne (*Samplers: All Creatures*, 1994, 33).

In addition to marking samplers, it was not unusual for nineteenth-century needleworkers to stitch long passages. In fact, one of the distinguishing features of late eighteenth- and nineteenth-century English and American samplers is the dominance of text over motif. A commonplace exercise was the stitching of brief hymns, proverbs, psalms and other sections from the Bible and other moral texts**(iv)**. More elaborate samplers tackled projects such as the one stitched by Anne Jennings *circa* 1790. (See Figure 3.) As Jennings indicates in the bottom right-hand corner, she wrought her sampler "under the direction of Mistress

Parker at the Orphan School near Calcutta, East Bengal."

Figure 3 Anne Jennings Sampler, circa 1790. Courtesy Witney Antiques, Witney, England.

Figure 3. Anne Jennings Sampler, circa 1790. Courtesy Witney Antiques, Witney, England.

In three columns, Jennings painstakingly stitched moral verses advocating moderation in all things, followed by a series of eleven verses in the second column, and thirteen verses in the third. At the top of the middle panel, Jennings embroidered two views of the Orphan School that was opened for the children of the British Military who occupied the area. These threadwork pictures are a signifier of the known samplers stitched under Mistress Parker's guidance. One of the most ambitious projects under this teacher's direction, however, is a series of six samplers wrought by six young students who divided the longest chapter in the Bible, the 119th Psalm with its 176 verses, each taking a section to stitch. This arduous task took them over five months, beginning February 14 and ending June 23, 1797 (Huish, 1990, 35).

However, sampler makers not only copied verses; they also at times recorded important events in their own words. For example, in her sampler (now held at the Museum of London) dated June 28, 1694, Mary Minshull recorded:
THERe WAS AN EARTHQUAK
ON THE 8 OF SEPTeMBeR 1692
BUT NO HURT THO IT

CAUSED MOST PART OF ENGLAND TO
TREMBLe

Through her silken text, Minshull serves as eyewitness to and historical recorder of this noteworthy event. Her first-hand account contributes additional material evidence to support the newspaper accounts of that day.
Nearly 300 years later, Teré Tammar wrought a sampler to narrate the story of the devastating hurricane Emily that struck England in the early hours on Friday, October 16, 1987. (See Figure 4.)

She wanted to leave an historical account of the destruction it wreaked, especially in Lewes, East Sussex where she and her family lived as well as an account of her family's reaction to it (T. Tammar, personal communication, June 21, 2001). In 44 silk lines of beige, she narrated the events of that frightening evening. Tammar, whose qualifications are in food studies, taught home economics in London and was periodically asked to substitute in needlework classes when a teacher was absent. As she explains it, she has long had an interest

Figure 4. Teré Tammar's Sampler, 1989. Courtesy Teré Tammar, Lewes, Sussex, England, private collection.

in antique samplers, and began stitching small samplers with messages for her children (e.g., "Be Good") with the help of her close friend Susan Russell who had been rigorously trained in needlework at a convent school on Guernsey. Her

personal interest in sampler making lies in its discursive capacity for recording and communicating events in her life. She notes that she does not plan her design in advance but stitches "simply [to] see what happens" (Personal Communication, April 21, 2002). Tammar still lives with her family in Lewes where she and her husband run a bed and breakfast at Miller's cottage on High Street – the very cottage depicted along with her family and pets at the bottom of her sampler.

2. "As I Cannot Write": Elizabeth Parker's ca 1830 Sampler
Elizabeth Parker's sampler (see Figure 1) at first glance appears to fall within the tradition of ordinary plain-stitch samplers. However, on closer inspection, Parker's sampler is anything but ordinary or plain. In this most uncommon of common text/iles, Parker cross stitched in red silk 46 lines of excruciatingly small letters her story on a large piece of tightly-woven linen, measuring some 30" wide by 34" long (a cloth nearly triple in size from that on which Cullum stitched her marking sampler, and nearly double that of both Jennings's and Tammar's samplers). (See Appendix B for a transcription of her text.)

Parker devotes the first 20 of 46 lines to the autobiography of her then brief life of some 17 years, focusing especially on the last four years (between the ages of 13 and 17). After establishing that she was born in Ashburnham (East Sussex, England) in 1813, that her father was a laborer and her mother was a schoolteacher, she names her ten siblings. Elizabeth then tells us that in 1826, at the age of thirteen, she took a live-in position as a nursemaid to the children of the worthy Mr. and Mrs. P. Just fourteen months later in 1828, Elizabeth decided to leave that situation. She found her own position as a housemaid to "Lieu. G" in Fairlight, a small village just nine miles southeast of Ashburnham. However, she did not last long in this situation. There she was treated "with cruelty to[o] horrible to mention" and while "trying to avoid the wicked design of [her] master [she] was thrown down stairs" (line 10-11). Shortly after this horrific experience, Elizabeth took refuge with friends, and after a brief time, left them for yet another live-in position as a kitchenmaid for Col. and Lady P in Catsfield, a small village that lies just over a mile southwest of Battle (site of the famous 1066 Battle of Hastings) and almost three miles southeast of Ashburnham. There Elizabeth's "memory failed [her] and [her] reason was taken from" her (lines 11-12) – classic symptoms of what would today be diagnosed as severe depression. Sir and Lady P sent Elizabeth home and called for "Dr. W."

In these lines, Parker narrates what poet Diane Wakoski (1980) would call a

*finger story***(v)** of sexual violation and physical abuse at the hands of a supposed protector – her employer Lt. G; these horrific experiences leave unnamed physical, psychological, emotional, and spiritual scars that paralyze her. Her paralysis is compounded by persistent dark thoughts of suicide, thoughts weighed down by very real and potentially severe legal and religious consequences (Anderson, 1987; Bailey, 1998; MacDonald and Murphy, 1990).

The remaining 26 lines inscribe her struggle against, in her words, the "great sin of self destruction" (line 15) that becomes for her a "dreadful powerful force of temptation" (line 23) against which she fights almost daily. She prays for God's guidance and mercy but is not convinced that she is worthy of either. After suturing 46 lines, 1,722 words, 6,699 characters (averaging 146 characters per line), she stops abruptly mid-way down the cloth, in mid-line with a powerful plea: "[W]hat will become of my soul [?]" (line 46). Her question is left hanging, and it hangs in our minds – torturous and painful**(vi)**.

This piece is by any account a powerful rhetorical text. As an artifact, this most extraordinary of ordinary textiles both fits and resists the parameters of canonical genres, namely commonplace notebooks (Miller, 1998; Moss, 1996), autobiographies (Bergland, 1994; Gilmore, 1994a; Lionnet, 1989), suicide notes (MacDonald and Murphy, 1990), religious and legal confessions (Gilmore, 1994b; Swaim, 1992), and narrative arguments (McClish and Bacon, 2002). The grapholectic marks render it a familiar text/ile. Yet in material terms it resists canonical generic placement precisely because it is cross stitched in red silk on white linen. That is, it lies outside the very narrow material boundaries typically set for canonical rhetorical texts.

As praxis, it fits more readily the parameters of argumentation. That is, stitching transformed a material surface into multiple levels of meaning, engaging conflicting purposes and audiences, and weaving multiple discourses of a particular historical moment and place. In her struggle and prayer, we witness Parker engaging in an argument against the nineteenth-century commonplaces of proper behavior circulated by the good Dr. W, by Mrs. Welham with whom she goes to live, and by church and state. She finds herself in a seesaw push/pull of resistance and compliance. She argues with herself as much as with the forces that send her teetering. In a very heightened sense, she performs the more inclusive definition of argumentation as "engagement in an issue rather than [only] persuasion to a belief [or social action]" (Ryan & Natalle, 2001, 70).

As a *practice*, then, it is undeniably a form of argumentative writing. And yet, Parker herself begins her text in silken ink with the words "As I cannot write." This enigmatic phrase offers an important starting point for exploring the complex questions: What counts as rhetoric? And who counts in the creation/transformation and circulation/performance of meaning?

Although it might be read in a number of ways, the phrase "As I cannot write" may be best understood to signal a self-imposed silence – a metaphorical cutting off of her tongue and hands. It calls to mind the mythical story of Philomela. The most well known version of this myth comes from Book 6 of Ovid's (trans. 1955) *Metamorphosis*. In that telling, after Philomela's brother-in-law Tereus the Thracian king rapes her, Philomela vows to tell anyone who will listen to her what Tereus had done: "What punishment you will pay me, late or soon!/Now that I have no shame, I will proclaim it./ Given the chance, I will go where people are,/Tell everybody" (147). Locating the power to speak solely in the tongue, Tereus cuts it out, believing he has cut off her power at its source. Yet, as Aristotle (trans. 1932) in his discussion of various kinds of proofs in the *Poetics* points out, demonstration and proof can be manifested in many ways other than by the speech of the tongue; wounds, for example, themselves are a proof (XVI.4). In his discussion of other kinds of rhetorical proofs, Aristotle points to Sophicles's use of the myth of Philomela in a now lost play *Tereus* in which Sophicles calls Philomela's embroidered story "the voice of the shuttle" (XVI.4). Philomela used the voice in her needle – an alternative way to secure discursive power by stitching her account of the violent assault on a robe so her sister Procne and others could learn of it. Procne was thus able to bear witness to the story because of the rhetorical power of Philomela's threadwork.

In Shakespeare's *Titus Andronicus*, Marcus Andronicus alludes to this myth when he first sees his niece Lavinia who has herself been sexually defiled, her tongue cut out and her hands cut off:
But sure some Tereus hath deflowered thee,
And lest though shouldst detect him, cut thy tongue. . . .
Fair Philomela, she but lost her tongue,
And in a tedious sampler sew'd her mind:
But, lovely niece, that means is cut from thee;
A craftier Tereus, cousin, hast though met,
And he hath cut those pretty fingers off

That could have better sew'd than Philomel[a]" (II.4, 930)

Sampler making was thus not an option for Lavinia since her hands also were cut off; instead, she snatches a copy of Ovid's *Metamorphosis* from her nephew, young Lucius, and turns to the "tragic tale of Philomela" (IV.i, 935); at her uncle Marcus's urging to reveal the names of the vile creatures who so brutally attacked her, Lavinia places a stick in mouth, and guides it with her stumps to scratch out in the dirt beneath her feet the names of those responsible for the horrors done to her (IV.i, 934-35). By analogy, Elizabeth Parker, who will not "speak" and claims cannot "write," can be understood as metaphorically denied both "tongue" and "hand" but nevertheless succeeds in stitching her mind into a "tedious sampler." Where she departs from both Philomela and Lavinia is in the nature of her argument. Both Philomela and Lavinia seek action; thus, they engage in a more traditional mode of argumentation – persuasion directed at a public audience toward a specific end. By contrast, Parker turns inward. She engages not in *contentio* but in *sermo* – a private engagement to puzzle through her own personal struggles. For reasons especially particular to her social positioning as a nineteenth century lower class English women, she does not seek to bring to light or justice the monster who is the source of her pain**(vii)**.

Her decision to opt for silence – not telling friends, family, employers or her doctor what had happened to her – suggests that she was trying to abide by one of the long-standing injunctions to women to be chaste, silent and obedient. This tri-fold mandate was meant to close off and thus control all female orifices: chastity kept closed the vagina; silence the mouth; and obedience the eyes downcast. For Elizabeth, the first and last gendered moral laws were, to her mind, already broken. First, having been brutally attacked and sexually assaulted by the vile Lt. G, her chastity had been taken, so she can no longer abide by the first moral mandate. Of the three, this one carried the most severe consequences for women of her day. As Mattingly (2002a) points out, "because of strict nineteenth-century conventions regarding women's purity, no charges more readily threatened nineteenth-century women than those of immorality and immodesty" (68). Second, she blames herself repeatedly for disobeying her parents by leaving the situation they had approved, and by taking a position she herself found. In her words, "above all I have felt the stings of a guilty Conscience for the great Disobedience to my parents in not taking their advice" (line 20). Downcast eyes were a signifier of obedience, sustaining the hegemonic power

structure "that helped keep gendered and class hierarchies in place" (Mattingly, 2002a, 137). It is perhaps an effort to try to redeem herself in the area of obedience that she engages in an arduous task of cross stitching during which her eyes must be kept downcast to focus attention on the work at hand.

Silence, then, is the only one of the three moral mandates fully available to her. As with the other two commandments, she would have been discursively surrounded by and immersed in this one. Indeed, among the most common aphorisms to appear on samplers of her day was: "Cato doth say to Old and to Young the First step to Virtue is Bridle the tongue" (Ring, 1983, 71, 250). Yet, Parker abides by a silence of a certain kind; that is, she does not "speak" and she does not "write" in the conventional sense of those terms. But given the devastation she suffered on physical, psychological, emotional and spiritual levels, she cannot remain completely silent. She must, like the nineteenth-century hymnist Fanny J. Crosby, speak. In her hymn "Redeemed," Crosby makes clear the urge to speak: "I think of my blessed Redeemer,/I think of Him all the day long;/I sing, for I cannot be silent" (qtd. in Hobbs, 1997, 114). Perhaps through her sampler, Parker may be understood as saying, "I stitch, for I cannot be silent." However it is read, Parker's sampler serves as a discursive space in which to cope with debilitating struggles – a space in which to speak what she cannot "speak" and write what she cannot "write" elsewhere. Understanding this material space as a powerful rhetorical space helps us to rethink what counts as rhetorical praxis and artifact, and who counts in its production, performance and circulation.

3. Rethinking What Counts as and Who Counts in Rhetorical Praxis and Text
Of course, turning to a material practice such as needlework requires a defamiliarization of the familiar – a challenge to and deconstruction of the gendered notion that this is "woman's work." And herein lies a paradox. There is, of course, nothing inherent in the practice that makes this work more suitable to women than to men – though some have argued that very point by suggesting women have more delicate fingers and thus can stitch more finely. Prior to the seventeenth century, needlework was not associated with one sex, being equally practiced by men and women. Beginning in the seventeenth century, however, it was constructed as "women's work" (Coffin, 1996, 114; Parker, 1989, 128; Roche, 1994, 252-53) – a gendered construct that became galvanized by the nineteenth century. Over this time, *the sayings of the father*, especially biblical references, became retrospective warrants for constructing sewing as the proper concern of

the female and as the appropriate practice of the domestic sphere despite a long, continuous history of men up to this very day engaging in all kinds of needle arts including embroidery. "Women's work" as an ideological construct became, as historian Merry Wiesner (1986) reminds us, "an epithet for the boring, mundane, domestic tasks beneath the dignity of a man" (205). This is especially true of needlework. Yet the sexual politics of stitchery are more complex. As Peter Stallybrass (1999) observes: "The gendering of cloth, and of attitudes toward it, has itself been materially inscribed by the social relations through which, outside the capitalist marketplace where the male weaver and male tailor became increasingly the norm, women have been both materially and ideologically associated with the making, repairing, and cleaning of clothes" (35). In other words, within the world of the needle as elsewhere – men were understood to create, women to mend and tidy up. This sexualized perspective – which in real practice was actually much more complicated – was buttressed by "a new rhetoric of exclusion that developed in the eighteenth century and which gradually grew louder as the nineteenth century progressed. The rhetoric praised feminine qualities in male creators . . . but claimed females could not – should not – create" (Battersby, 1989, 3).

The paradox of the gendering of material practices and spaces is that in closing off certain available means and spaces for discourse others are opened. As McClish and Bacon (2002) observe, "the connection of language to power means that the mediating role of language is always a defining factor in shaping the discourse of the oppressed. The control that the privileged exert over language means that the marginalized rhetors may have a paradoxical relationship with discourse, but they can negotiate this tension and craft powerful arguments' (32). In other words, "forces that may seem to be in opposition become defining tensions that shape innovative discourse" (33). In Parker's sampler, we witness her crafting innovative (in the sense of transforming) discourses as she engages in the painful interdynamic negotiations between her experience and the social expectations that define her role in society. Her praxis and her piece ought to encourage historians to turn their scholarly gaze toward all sorts of material practices that have taken place in the shadows – hidden, that is, in plain view**(viii)**.

4. Conclusion: "When This You See, Remember Me"
As the epigraph that opens this essay suggests, historically, many women (and

men, though their work is far less known) have claimed needlework as a powerful rhetorical space. And they continue to do so. Some are like feminist artist Elaine Reichek who creates contemporary needlework samplers both to pay homage to those of previous eras and at the same time to deconstruct the ideology under which these early pieces were stitched (Cotter, 1999). Others are like Aunt Jane of Kentucky who take up the needle because as Jane notes in her journal, "I reckon everybody wants to leave somethin' behind that'll last after they're dead and gone. It don't look like it's worth while to live unless you can do that" (Hall, 1908; qtd. in Banks, 1995, 106). Nearly a century after Aunt Jane and nearly two centuries after Elizabeth Parker, Molly Finnegan (1999) in an educational broadcast titled "The Fabric of Our Lives: Quilt Making," explained: "I quilt because I don't want my history, my story to die. Quilting gives me a voice when I can't write or speak" (Rief, 1999). Pens of steel and silken ink have served needlework-rhetors for untold ages, and as Finnegan's explanation demonstrates, they continue to function as significant semiotic tools. For historians of rhetoric, these semiotic fabrics are important for recouping neglected rhetorical practices, artifacts and traditions in order to weave fuller accounts of the multiple ways meaning is constructed, performed and circulated.

Many sampler makers seemed keenly aware of the value of needlework for leaving a discursive legacy. Indeed, among the most common phrases that appear on many eighteenth- and nineteenth-century samplers is "When this you see, Remember me." In Parker's sampler, she expresses far less optimism. She fingerwrites: "But ah the dead forgotten lie. Their memory and their name is gone. They are alike unknowing and unknown" (lines 37-38). Too bad she so little faith in her own discursive work. For in having stitched her story in silken ink, she reminds us of Sappho who in one of her fragments exclaimed: "Someone, I tell you will remember us" (trans. 1984). As Cheryl Glenn (1997) points out of Sappho's work: "A surviving scrap of Sappho's verse assures us that she knew she would not 'be forgotten' – despite the passage of time and the willful attempts to silence the voices of all women" (174-75). Similarly, Elizabeth Parker's surviving scrap assures us (though it didn't assure her) that she too will not be forgotten – but only if we look for and agree that this is a rhetoric and a person whose story is worth telling.

In sum, Parker's most extraordinary of ordinary text/iles calls attention to the power of the needle for inscribing arguments, and challenges conservative

notions about what counts as argumentative space, practice and artifact and who counts as participants. Parker's work, thus, leads us to ask: How many other material practices have yielded important discursive texts? What other neglected spaces ought we be looking at for such practices? Who might now be recognized as rhetorical participants that have previously been overlooked? Broadening the material theoretical base for rhetoric challenges us to consider new ways of thinking about the construction, performance and circulation of rhetorical arguments.

Coda

As I note toward the beginning of this essay, Elizabeth Parker's sampler was stored neglected in a textile drawer in a back room of the Victoria and Albert Museum in London for nearly fifty years; that the Museum has it at all is a story in itself that is relevant to this essay and instructive to those of us who write histories of rhetoric. The sampler had been in the family of one Mrs. Lily Griffiths for decades prior to it being acquired by the V & A. Mrs. Griffiths first contacted the museum on October 15, 1943 to see if the museum would be interested in what she called "a monument of pains-taking labour" or if they could advise her as to where else she might send it. She received a curt note dated October 20, 1943 that made it clear the museum had little interest and could or would not help her. Luckily for us, Mrs. Griffiths persisted; twelve years later she again sent the sampler along with a letter dated November 11, 1955 asking for help in disposing what she variously called a "piece of old hand made linen with its strange 'confessions,'" "a self-imposed penance," and a "Human document." This time the museum showed a bit more interest, noting "It is undoubtedly an unusual and curious piece, though its artistic interest, with which this Museum is primarily concerned, is of course not particularly great," and offered to purchase it if Mrs. Griffiths was "prepared to dispose of it for a fairly small sum." She was. In January 1956, the Museum purchased the sampler for £5.00 (Nominal File: Griffiths). This story calls attention to the fragility of rhetorical artifacts, and the ways in which they, and the practices that give rise to them, are always already discursively inscribed; their preservation and availability is contingent on what prior (and current) groups deem worthy. Thus, as Mattingly (2002b) persuasively argues, "we must continue to question the stories handed down to us, and even those we have helped to create. . . . Our own acculturation and prejudices may have led us to resist many other exciting women [and I'd add rhetorical practices] in our history" (102). Mrs. Griffiths persistence made available this most

uncommon of common textiles, and in the process preserved Elizabeth Parker's story, so that we like Procne may bear witness to it. It might have been otherwise.

Appendix A
*Transcription of Text Written and Cross-Stitched by Teré Tammar on her 1989 Sampler***(ix)**

thiS following concerning eventS in the town of
LEWES IN THE COUNTY OF SUSSEX
on the night of
THE GREAT STORM
which occurred in the early hourS of
FRIDAY 16TH OCTOBER 1987

During the night there came a great wind acroSS from**
newhaven Striking the town from the South Side * * IN the
courSe of thiS night leweS SuStained much damage*great **
treeS being uprooted*buildingS and wallS caSt down**and by
GodS Grace our houSe known aS millerS on Saint anneS hill*
Suffered only the loSS of one ridge tile from the roof * (thiS
afterwardS patched by Simon hopkinS of brighton for the * *
vaSt Sum of £160.00*builderS being hard to come by after the
event)***we were Saved by the cottageS on the other Side *
of the high Street which took the full force of the gate tak—
ing off their roof and hanging tileS * gill fowler at no. 115*
later Saying the old timber houSe moved for hourS like a**
Ship at Sea * She at one moment flying in terror from the***
Shaking water cloSet***my Son dick * a bright lad of fif-*
teen year being in hiS bedroom in the attic waS very much*
afraid Since he believed the wind to be the conSequence of a*
nuclear accident**hiS SiSter lucy Slept till awoken by *♡
her pet cat alice * She with tortoiSeShell fur and half her
tail***daughter and cat came downStairS to our bed where
I trembled for the chimneyS which every minute I expected
to fall through the roof**my huSband*tony*Said not to
worry aS it waS only the duStbin lidS blown off***in the*
morning we found what garden plantS remained Shrivell-
ed by Some matter in the wind and the glaSS from the green-

houSe gone we know not where***the power lineS being♡♡
down there waS no electricity So no hot water and a limited
meal for the bed and breakfaSt viSitorS and they much be-
muSed by the eventS of the night***later the children ◊-◊
found no School held So explored the town and came back**
all of the South eaSt of england waS ravaged we had together
with our four catS come through the night without injury
aS did our neighbourS and friendS~among theSe being the◊
ganderS and the fowlerS oppoSite* miSS pinwill in Saint♡†
peterS place and nigel*miSS newall next door and the◊ꙫꙫ
~~~~~~~~~~~~~ShelleyS at bow windowS~~~~~~~~~~~~~

the tammars at * in the pariSh of
millerS St * anneS

teré*tammar*is*my*name*and*with*my*needle*I*wrought*the*Same*
to*give*my*children*a*rememberance*
of*how*lived*through*great*events*
the*laSt*Stitch*set*in*1989*my*being*very*busy*since*this*time

(*Around the side and top borders is the following quotation from Psalm 46*)

GOD◊IS◊OUR◊REFUGE◊AND◊STRENGTH◊A◊VERY◊PRESENT◊HELP◊IN◊
TROUBLE◊THEREFORE

WILL◊WE◊NOT◊FEAR◊THOUGH◊THE◊EARTH◊BE◊MOVED◊AND

THOUGH◊THE◊DOWNS**(x)**◊BE◊CARRIED◊INTO◊THE◊MIDST◊OF◊THE◊SEA * * *
PSALM◊FORTY◊SIX

Appendix B
*Transcription of Text Stitched on Elizabeth Parker's circa 1830 Sampler
(T6-1956)**(xi)***

[1] As I cannot write I put this down simply and freely as I might speak to a
person to whose intimacy and tenderness I can full intrust myself and who I know
will bear with all my weaknesses [2] I was born at Ashburnham in the county of
Sussex in the year 1813 of poor but pious parents my fathers occupation was a
labourer for the Rt Hon the Earl of A my Mother kept the Rt Hon – [3] the

Countess of A Charity School and by their ample conduct and great industry were enabled to render a comfortable living for their family which were eleven in number William Samuel Mary [4] Edmond Jesse Elizabeth Hannah Jane George Louisa Lois endeavouring to bring us up in the fear and admonition of the Lord as far as lay in their power always giving us good advice and wishing us [5] to do unto others as we would they should do unto us thus our parents pointed out the way in which we were to incounter with this world wishing us at all times to put our trust in god to [6] walk in the paths of virtue to bear up under all the trials of this life even till time with us should end But at the early age of thirteen I left my parents to go and live with Mr and Mrs P to [7] nurse the children which had I taken my Fathers and Mothers advice I might have remained in peace until this day but like many others not knowing when I was well of in fourteen months I left [8] them for which my friends greatly blamed me then I went to Fairlight housemaid to Lieu. G but there cruel usage soon made me curse my Disobedience to my parents wishing I had taken [9] there advice and never left the worthy family of P but then alas to late they treated me with cruelty to horrible to mention for trying to avoid the wicked design of my master I was thrown [10] down stairs but I very soon left them and came to my friends but being young and foolish I never told my friends what had happened to me they thinking I had had a good place and good [11] usage because I never told them to the contrary they blamed my temper Then I went to live with Col. P Catsfield kitchenmaid where I was well of but there my memory failed me and my [12] reason was taken from me but the worthy Lady my mistress took great care of me and placed me in the care of my parents and sent for Dr. W who soon brought me to know that I was [13] wrong for coming to me one day and finding me persisting against my Mother for I had forsaken her advice to follow the works of darkness For I acknowledge being guilty of that great sin [14] of self destruction which I certainly should have done had it not been for the words of that worthy Gentleman Dr W he came to me in the year 1829 he said unto me Elizabeth I understand [15]you are guilty of saying you shall destroy yourself but never do that for Remember Elizabeth if you do when you come before that great God who is so good to you he will say unto you [16] Thou hast taken that life that I gave you Depart from me ye cursed into everlasting fire prepared for the Devil and his Angels For the impression it has made on my mind no tongue can [17] tell Depart from me ye cursed but let me never hear those words pronounced by the O Lord for surely I never felt such impressions of awe striking cold upon my breast as I felt when Dr [18] W said so to me But oh with what horror would those words

pierce my heart to hear them pronounced by an offended God But my views of things have been for some time very different [19] from what they were when I first came home I have seen and felt the vanity of childhood and youth And above all I have felt the stings of a guilty Conscience for the great Disobedience [20] to my parents in not taking their advice wherewith the Lord has seen fit to visit me with this affliction but my affliction is a light affliction to what I have deserved but the Lord has [21] been very merciful unto me for he has not cut me of in my sins but he has given me this space for repentance For blessed be God my frequent schemes for destroying myself were all [22] most all defeated But Oh the dreadful powerful force of temptation for being much better I went to stay with Mrs Welham she being gone out one day and left me alone soon after [23] she was gone I thought within myself surely I am one of the most miserable objects that ever the Lord let live surely never no one had such thoughts as me against the Lord and I arose [24] from my seat to go into the bedroom and as I was going I thought within myself ah me I will retire into the remotest part of the wood and there execute my design and that [25] design was that wilful design of selfdestruction But the Lord was pleased to stop me in this mad career for seeing the Bible lay upon the shelf I took it down and opened it and the first [26] place that I found was the fourth Chapter of St Luke were it tells us how our blessed Lord was tempted of satan I read it and it seemed to give me some relief For now and not till [27] now have I been convinced of my lost and sinful state not till now have I seen what a miserable condition I have brought myself into by my sins for now do I see myself lost and undone [28] for ever undone unless the Lord does take pity of me and help me out of this miserable condition But the only object I have now in view is that of approaching death I feel assured [29] that sooner or later I must die and oh but after death I must come to judgment what can I do to be saved what can I do to be saved from the wrath of that God which my [30] sins have deserved which way can I turn oh whither must I flee to find the Lord wretch wretch that I am who shall deliver me from the body of this death that I have been [31] seeking what will become of me ah me me what will become of me when I come to die and kneel before the Lord my maker oh with what confidence can I approach the mercy [32] seat of God oh with what confidence can I approach it And with what words must I chuse to address the Lord my maker pardon mine iniquity pardon mine iniquity Oh lord for [33] It is Great. Oh how great is thy mercy oh thou most merciful Lord for thou knowest even the secret desires of me thine unworthy servant O Lord I pray the Look down with an [34] Eye of pity upon me and I pray the turn my wicked Heart Day and night have I Cried unto the Lord

to turn my wicked Heart the Lord has heard my prayer the Lord has given [35] heed to my Complaint For as long as life extends extends Hopes blest dominion never ends For while the lamp holds on to burn the greatest sinner may return Life is the season [36] God has given to fly from hell to rise to Heaven the Day of grace flees fast away their is none its rapid course can stay the Living know that they must die But ah the dead [37] forgotten lie Their memory and their name is gone They are alike unknowing and unknown Their hatred and their love is lost Their envy's buried in the dust By the will of God are [38] all things done beneath the circuit of the sun Therefore O Lord take pity on me I pray whenever my thoughts do from the stray And lead me Lord to thy blest fold that I thy [39] glory may behold Grant Lord that I soon may behold the not as my Judge to condemn and punish me but as my Father to pity and restore me For I know with the O Lord no- [40] thing is impossible thou can if thou wilt restore my bodily health And set me free from sin and misery For since my earthly Physician has said he can do no more for me in the will [41] I put my trust O blessed Jesus grant that I may never more offend the or provoke the to cast me of in thy displeasure Forgive my sins my folly cure Grant me the help I need [42] And then although I am mean and poor I shall be rich indeed Lord Jesus have mercy upon me take me O kind shepherd take me a poor wandering sinner to thy fold Thou art Lord [43] of all things death itself is put under thy feet O Lord save me lest I fall from thee never to rise again O god keep me from all evil thoughts The little hope I feel that I shall obtain [44] mercy gives a happiness to which none of the pleasures of sin can ever be compared I never knew anything like happiness till now O that I may but be saved on the day of Judge- [45] ment God be merciful to me a sinner but Oh how can I expect mercy who went on in sin until Dr W reminded me of my wickedness For with shame I own I returned to thee O [46] God because I had nowhere else to go How can such repentance as mine be sincere what will become of my soul [. . .]

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NOTES

[i] This is not to say that nineteenth-century Euro-American women did not participate in public spaces or in agonistic rhetoric; indeed, as Hobbs (1997), Mattingly (1998; 2002a), Logan (1999), Peterson (1995), Royster (2000) among others clearly show, despite the historical commonplace that women were barred from public spaces, a goodly number of nineteenth-century women successfully, though not without resistance, moved into public fora. Thus, we need to treat historical commonplaces, especially those concerning marginalized individuals and groups, with some skepticism (see also Enos, 2002; Mattingly, 2002b).

[ii] Elizabeth Parker's sampler was finally put on display in the Textile Gallery of the Victoria and Albert Museum, London in September 2001 (C. Browne, personal communication, September 13, 2001).

[iii] George Muller, a German philanthropist and Independent Minster who came to England in 1829, founded the orphan houses of Bristol, and by 1870 had taken in over 2,050 children in four orphan houses. The children were expected to help in the running of the homes, and while the tasks were typically gendered–girls worked in the laundries and kitchens while boys worked in the gardens–both boys and girls were taught to sew and knit (Samplers: A Schoolroom Exercise, 1994, 31). Thus, despite the commonplace that samplers are women's work, there is much counter evidence to challenge that erroneous notion (see also Goggin, 2002).

[iv] Among the most common sources were hymns by Charles Wesley, Rev. John Newton, and Isaac Watts, and especially popular were verses from Watt's Divine and Moral Songs for Children.

[v] This phrase appears in her poem "Medieval Tapestry and Question" in which she writes of a needleworker: "how still she is all day,/her needle flashing in and out of the white cloth,/carrying all the purples and reds, greens/violets, and

yellow in stories, /finger stories" (Wakoski, 1980, 38).

[vi] For those interested in what became of Elizabeth Parker, see Goggin (forthcoming) where I trace the history of Parker's life, and identify those whom she names in her sampler.

[vii] Of course, the irony here should escape no one. In writing about Parker's story, I am engaging in one of the very kinds of arguments that she herself would not do. On one level, I am making public her story, revealing the "cruelties to[o] horrible to mention" and on another level, I am by the very nature of scholarly argument engaging in contentio.

[viii] "Hidden in plain view" is an allusion to the title of the book by Jacqueline Tobin and Raymond G. Dobard (1999) that examines the role of African-American quilts in the underground railroad and abolitionist movement of the nineteenth century.

[ix] I have tried to reproduce as best as possible the symbols and letters stitched by Teré Tammar to evoke the spirit of her sampler text. As was typical of script text from the middle ages, a practice carried over to print, samplers makers inserted symbols at the end of lines to make the lines even. (See, for example, Lupton & Miller (1996).)

[x] In stitching the quotation from Psalm forty-six, Teré Tammar substituted the word "downs" for "hills" to reference the downs in Lewes.

[xi] I have tried to remain faithful as possible to the original, and have thus retained original spelling and include only punctuation marks that were stitched. Line numbers are indicated in brackets.

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