

ISSA Proceedings 2006 - A Foundational Principle Underlying Philosophy Of Argument



1. Introduction

The study of arguments and argumentations - *logic* - whether undertaken traditionally as a study of formal implication relationships among propositions or undertaken non-traditionally to involve the dialogical pragmatics of human argumentative discourse, is a decidedly metasystematic activity (consider, e.g., Barth & Krabbe 1982 on various uses of 'form'). This is not obviated by philosophers of argument considering an argument to be a *social activity* (see, e.g., van Eemeren et al 1996: 5, Johnson 2000: 168, Govier 1988:1, Freeman 1993: 35, Walton 1989: 1, 3, and Tindale 1999: 1). Of course, philosophers of argument distinguish themselves by intentionally broadening their study to include considering the context and situatedness of argumentative discourse as essential to the discipline. In connection with this special approach to studying arguments, philosophers of argument have variously treated epistemic matters, normative matters, pragmatic matters, and a whole host of humanist issues. Indeed, in this latter respect, the philosophy of argument, whatever controversies it might compass, even to include adherents debating whether there is or can be a theory of argument, has sprung from persons motivated by deep humanist convictions to empower ordinary human beings with sufficient critical faculties to become autonomous members of democratic societies.

This discussion aims modestly only to highlight this important humanist underpinning of many contributors to the modern argumentation discussion. We use 'humanism' here in a generalized way to range over various humanisms, such as, secular humanism, religious, scientific, or naturalistic humanism and their individual philosophic expressions, all of which might be traced to their renaissance inspiration and all of which have deep moral predilections. We take humanists, then, to affirm the dignity and worth of human beings and to promote human freedom, especially as expressed by the self-determination of individuals and their communities. Besides promoting freedom, humanists promote a spirit of

tolerance and peaceful coexistence, affirm human equality, and embrace cosmopolitanism. Humanists especially consider human nature perfectible and share an optimistic outlook on the possibility of genuine progress. Humanists express profound confidence in human reason to understand nature and society without external mediation, and they promote cultivating our moral sensibility and our sense of shared responsibility. Below we review the remarks of some important philosophers of argument to indicate their deep-seated humanism. The upshot of our discussion is to identify a foundational principle underlying philosophy of argument.

2. An initial humanist impulse motivating the modern study of argumentative discourse

Taking Chaim Perelman, Stephen Toulmin, and Charles Hamblin to have inspired a social movement concerned with the dynamics of human argumentative engagement, many contemporary logicians since the 1970s have taken up the cause of their initial inspiration. Perelman, along with Lucie Olbrechts-Tyteca, has remarked at various places that he aimed to “combat uncompromising and irreducible philosophical oppositions presented by all kinds of absolutism” (Perelman & Olbrechts-Tyteca 1969:1). Perelman and Olbrechts-Tyteca were committed to fight absolutism in all its forms and to resist totalitarianism (1969: 510). Perelman has especially addressed the concerns of justice in various essays (see Perelman 1967, 1980). These philosophers had had first-hand experience with the effects of severe anti-democratic and anti-human practices. Toulmin, in much the same vein, has reflected on the social history of logic to locate a split between the reasonable and the rational in the Peace of Westphalia, out of which came *absolute* sovereignty, *established* religion, and *logical* demonstration, all of which share two common features: “[1] all of them operated top-down, and gave power to oligarchies – political, ecclesiastical, or academic – that supported one another ... [2] they formed a single [ideological] package” (2001: 156). Toulmin also writes that “[t]he Westphalian Settlement was, then, a poisoned chalice: intellectual dogmatism, political chauvinism, and sectarian religion formed a blend whose influence lasted into the twentieth century” (2001: 158). He is optimistic that in the contemporary world “tolerance and democracy are winning out over elitism in methodology, and over imperialism in the philosophy of science. To that extent, the imbalance in European ideas about Rationality and Reasonableness shows healthy signs of correcting itself” (2001: 167; cf. 205).

Hamblin also contributed to this discussion against social totalitarianism, although his contribution in this connection joins the remarks of Perelman and Toulmin against Cartesian rationalism with its putative aim to eclipse deliberation. Hamblin has written that “truth and validity are onlookers’ concepts and presuppose a God’s eye-view of the arena. ... [an onlooker might intervene and thus] become simply another participant in an enlarged dialectical situation and that the words ‘true’ and ‘valid’ have become, for [the participant] too, empty stylistic excrescences” (1993: 242-243). Toulmin had earlier stated, in criticizing a formal logician’s neglecting context, that “looking down from his Olympian throne, he then sets himself to pronounce about the unchangeable relations between them. But taking this kind of God’s-eye-view distracts one completely from the practical problems out of which the question of validity itself springs” (1958: 184-185). Perelman emphatically rejected the rationalistic posture of formal logic to obviate deliberation. The new rhetoric “constitutes *a break with a concept of reason and reasoning due to Descartes* which has set its mark on Western philosophy for the last three centuries. ... The very nature of deliberation and argumentation is opposed to necessity and self-evidence, since no one deliberates where the solution is necessary or argues what is self-evident” (1969: 1). And connecting an affirmation of deliberation with a rejection of self-evident truths, Perelman remarks that if we “take away the guarantee which God gives to self-evidence ... suddenly, *all thought becomes human and fallible, and no longer sheltered from controversy*” (Perelman 1982: 159; cf. 24; emphasis added). Without an imposing self-evidence human beings are left to work with hypotheses that they support with good reasons. Consequently, knowledge becomes personal and human, fallible and situated, and subject to *deliberative controversy*. We can understand Hamblin’s call to dethrone formal logic in this context. We can also understand, then, an important trend among argumentation philosophers to abandon concern with truth - ‘whose truth?’ after all - and to move toward treating arguments normatively by assessing the acceptability of premises and inferential links between various claims. Perelman’s reintroducing and ennobling rhetorical considerations relating to human discourse continues to deeply affect the nature of argumentation studies.

Informal logicians, and argumentationists generally (here including pragma-dialecticians, dialogue logicians, critical thinking theorists), had been uneasy about the inefficacy of formal logic in respect of treating matters of everyday life. They had encountered various classroom frustrations during the 1950s and 1960s

particularly in the United States. They quickly became dissatisfied with formal logic textbooks because they seemed out of touch with everyday matters, preoccupied as they were with formal languages and recursive systems, and inventing exercises unrelated to practical applications of logic lessons. Many younger logic instructors became increasingly critical about consumer society, especially with the techniques and damaging effects of advertising. In addition, these instructors matured intellectually as they confronted the rhetoric of disingenuous political figures proffering the failing American foreign policy of the Viet Nam War and the domestic policies relating to civil rights. Traditional formal logicians could not answer these persons who then declared formal logic to be irrelevant and exercises in lunacy. If logic were to be resuscitated, it had to be transformed in a foundational manner *to embrace humanist concerns*. Christopher Tindale, a contemporary logician in the Perelman tradition of infusing informal logic with new rhetoric, has proposed that an

‘[a]rgumentation’ is the site of an activity, where reasons are given and appraised, where *beliefs are recognized* and justified, and where *personal development is encouraged* ... The argumentation at stake here is not, exclusively, the argumentation of academics but the broader domain of persuasive and investigative discourse that arises in the marketplace, in the media, on the internet, and in the everyday conversations of citizens, and that thence may find its way into the academy. (1999: 1; emphasis added)

We now turn to some reflections on philosophy of argument by other contemporary logicians who nobly follow in the train of their humanist predecessors.

3. *Contemporary humanist philosophers of argument*

Among the numerous philosophers of argument who have specifically taken up or embrace pragmatic and dialogical aspects of argumentation, we cite only four among them who exemplify promoting humanist ideals in their treatments of argumentation and whose efforts have encouraged richer developments in philosophy of argument – Christopher Tindale, Trudy Govier, Ralph Johnson, and David Hitchcock. In this section we only re-present some philosophical reflections on argumentation and do not cite any of the many pragma-dialectical or dialogical rules for managing disputational discourse; however, these treatments lie in the background of our remarks (see, e.g., F. van Eemeren & R. Grootendorst 1992, esp. 208-209; Walton 1991; Walton and Krabbe 1995; R. Johnson 2000; D.

Hitchcock 2002).

Addressing the putative violence of imperial rationality, Tindale invokes Perelman to reveal a deep-running sentiment among many argumentationists. He writes, in connection with audience adherence, that:

Adherence is sought *through understanding*, and this is pursued through the creation of an argumentative environment in which the arguer and audience *complete the argument as equal partners*. On this model, an audience is not aggressively persuaded by the arguer, but is persuaded by its own understanding of the reasoning. (1999: 206; emphases added)

Tindale immediately adds that manipulation conflicts with the notion of reasonableness and suggests that an audience's susceptibility to vagueness is allayed by the underlying reasonableness of the universal audience. He continues: If argumentation as an activity is to have credence, then there must be a *sense of reasonableness at work*. All audiences have such a sense. The exercise of audience construction is important as an exercise even if it is not always successful. We attempt to uncover that working notion of reasonableness alive in any audience and to speak to it. As such, *the primary attitude with which audiences are approached is one of respect*. (1999: 206; emphases added)

Tindale seems to have a special mission to express concern about promoting human well-being, which, we believe, derives from his being a student of Perelman's new rhetoric besides his own deep-seated humanist convictions.

Govier, motivated, it seems, from much the same humanist impulse, treats rational discussion as having a "socio-personal element" (1987: 277) - and this means that she considers credibility and honesty, trust and sincerity, to be foundational hallmarks of the ideal practice of argument. The express purpose of persons engaged in argumentative exchanges is "to communicate information, beliefs, and opinions both in order to persuade others by reasons that their beliefs and opinions are true or acceptable and in order to check and possibly revise their own beliefs and opinions as a result of rational criticism and evaluation" (1987: 278).

Govier in another place addresses a challenge about the 'uselessness' of logic because of its putative confrontational character and remarks that rational persuasion is "persuasion by considerations that affect the assent of another person by supplying evidence or grounds that make a claim seem more believable because of a cogent connection between the claim and the claims cited as its

support" (1999: 45-46). She also remarks that "[r]ational persuasion is not coercive" (1999: 46) and that an argument should not be manipulative, tricky, or deceptive (1999: 48, 50). Her thinking is especially poignant in the following passage.

To offer an argument for a claim is to *show sensitivity* to the thinking of other people and a *respect for the minds and intellectual autonomy* of those addressed in the actual or potential audience. To argue well, one must consider the beliefs, values, and interests of the audience when constructing the argument. An arguer, in actually or potentially addressing those who differ, is committed *to the recognition* that people may think differently and that what they think and why they think it matters. *In this way, to offer arguments may be deemed to show respect for other minds.* (1999: 50; emphasis added)

Govier challenges a notion that argument must necessarily be confrontational, but embraces difference and controversy as inescapable aspects of lived-experience in a pluralistic society.

Govier's humanist thinking resonates throughout argumentation literature, and this is evident also in the numerous contributions of Ralph Johnson and David Hitchcock. Johnson devotes an entire treatise to develop his notion of rational persuasion – *manifest rationality* – a notion deeply rooted in a moral tradition concerned to restrict someone's imposing an arbitrary will on another. In this sense, then, an arguer subscribing to rational persuasion "wishes to persuade the Other to accept the conclusion on the basis of the reasons and considerations cited, and those alone. In entering the realm of argumentation, *the arguer agrees to forswear all other methods* that might be used to achieve this: force, flattery, trickery, and so forth" (2000: 150; emphasis added). Johnson also notes that "[m]anifest rationality is why the arguer *is obligated to respond* to objections and criticisms from others and not ignore them or sweep them under the carpet" (2000: 163-164; emphasis added). He later adds that "[a]n absolute precondition of this practice is the assumption of good will: that people giving children treats would do just that" (2000: 212; emphasis added). David Hitchcock has maintained a dialogue with Johnson and, making a friendly adjustment to Johnson's thinking, shifts a focus from characterizing the function of the practice to the purpose of participants, and thus he emphasizes the purpose as reaching a shared rationally supported position on some issue rather than rational persuasion *per se*. Notwithstanding his revisions of Johnson's concern with manifest rationality,

Hitchcock strongly supports the notion that argumentative discussion is “an extremely powerful and valuable cultural practice” (2000: 11). He then adds that [F]ew other practices, *to change ignorance into knowledge and prejudice into reasoned judgement ... [have such] an impact for good*. Human well-being (and the well-being of animals, species, the biosphere and our planet) is served best by positions and policies which reason would support. ... *Free and open rational discussion*, welcoming criticism and willing to change in the light of that criticism, is the most secure route to correct views and wise policies. (2002: 20; emphasis added)

Hitchcock has identified 17 theorems (2002:12), all of which address an argumentative participant’s responsibilities to recognize and respect the other member of an argumentative discussion. All 17 of Hitchcock’s theses are informed by contemporary humanist concerns within the argumentation movement to empower ordinary human beings in everyday contexts and by his moral convictions about the personhood of an individual reasonable human being.

4. *The underpinning principle of philosophy of argument*

Among the more obvious themes that we can identify running through a great deal of the argumentation literature are the following.

- Argumentation is ideally *egalitarian* and anti-absolutist - argumentationists promote free and open rational deliberation appropriate to democratic, pluralistic societies.
- Argumentation, operating in an arena of the free exchange of ideas, expects participants to regulate their own wills from *a duty to respect* the other persons - exercising good will is a precondition of good argumentative practice.
- Argumentation promotes the values of *acting fairly*, justly, and honestly - taking unfair advantage of a situation at the expense of others is unacceptable. Participants eschew the use of force, flattery, trickery, deception, and using fallacies and making illicit dialogue shifts.
- Argumentation participants embrace a notion of *reasonableness* in an arena of deliberation - argumentationists eschew the use of prejudice and thoughtlessness.
- Argumentationists maintain that all thought is human thought, that knowledge is personal. Moreover, argumentative discussion especially aims *to change ignorance to knowledge*, prejudice into reasoned judgment.

This list, perhaps incomplete, is sufficiently compassing to establish what

philosophers of argument, or non-formalists in counter-distinction to traditional formalists, consider to be *the* essential purpose of argument – namely, the promotion of *the idea of the human* and encouraging *personal development* for the betterment of the human community.

From the start argumentationists have resolutely affirmed that argumentation is an especially human activity, indeed, a social activity, involving real persons with real interests. They have rather universally affirmed an abiding humanist concern with justice and moral sensibility. This being so, we might easily recognize an *axiom* to lie at the foundation of modern argumentation philosophy — namely, that *human, rational beings exist as ends in themselves*. This principle, finding a modern expression in the ethics of Kant, distinguishes *person* from *thing* as existing for itself, having all its value in-itself, while a thing strictly speaking has only instrumental value, a value relative to something other than itself. It is an easy step to deduce the practical imperative from this axiom, which imperative we recognize as more commonly expressed in the *Golden Rule*. Moreover, it is just as easy to deduce the various principles of good argumentative practices from this moral imperative. Informal logic, then, or any of the non-formal currents within the argumentation movement, might better be considered a part of *applied ethics* rather than strictly speaking applied epistemology or logic *per se*.

5. Concluding remarks

By considering how argumentation logicians metasystematically discuss argument, particularly in respect of their characterizing *good argumentative practices*, we have extracted some of their tenets that bear on the interpersonal dynamic and dialogical dimension of argumentation as a social activity. We have identified a number of salient *humanist imperatives* to underlie good acts of arguing, and we have especially identified one foundational moral principle to underlie those imperatives, indeed, to underlie the philosophy of argument. Christopher Tindale in particular seems to exemplify this humanist spirit when he promotes Perelman's notion that "[a]rguers address the *whole person*, not the isolated intellect or emotion, and they consider as a natural course the circumstances and differences involved" (1999: 201; emphasis added). He notes, moreover, that

a theory of argumentation and its associated notion of reasonableness should contribute to the development of the *idea of the human*, facilitate an environment in which it can flourish, and promote ends that connect the threads of that

project. (1999: 202; emphasis added)

That human well-being is the end of modern argumentationist reflection – that contemporary argumentationists construe themselves as serving that end – attests to their profound humanist sensibility and might reassure their predecessors of their continuing progress toward realizing that end.

REFERENCES

- Barth, E. M. & Eric C. W. Krabbe: 1982, *From Axiom to Dialogue: A Philosophical Study of Logics and Argumentation*, Walter de Gruyter, Berlin.
- Boger, George. 2005, "Subordinating truth – is acceptability acceptable?". *Argumentation* 19:2, 187-238.
- Eemeren, Frans H. van, Rob Grootendorst: 1992, *Argumentation, Communication, and Fallacies: A Pragma-Dialectical Perspective*, Lawrence Erlbaum Associates, Hillsdale.
- Govier, Trudy: 1987, *Problems in Argument Analysis and Evaluation*, Foris Publications, Dordrecht.
- Govier, Trudy: 1999, *The Philosophy of Argument*, Vale Press, Newport News.
- Hamblin, C. L: 1993, *Fallacies*, Vale Press, Newport News.
- Hitchcock, David. 2002. "The practice of argumentative discussion". *Argumentation* 16, 287-298.
- Johnson, Ralph H.: 2000, *Manifest Rationality: A Pragmatic Theory of Argument*, Lawrence Erlbaum Associates, Publishers, Mahwah.
- Perelman, Chaim: 1967, *Justice*, Random House, New York.
- Perelman, Chaim: 1980, *Justice, Law, and Argument: Essays on Moral and Legal Reasoning*, D. Reidel Publishing Company, Dordrecht.
- Perelman, Chaim, L. Olbrechts-Tyteca: 1969, *The New Rhetoric: A Treatise on Argumentation*, University of Notre Dame Press, Notre Dame.
- Tindale, Christopher W: 1999, *Acts of Arguing: A Rhetorical Model of Argument*, State University of New York Press, Albany.
- Toulmin, Stephen E: 1958, *The Uses of Argument*, Cambridge University Press, Cambridge.
- Toulmin, Stephen E: 2001, *Return to Reason*, Harvard University Press, Cambridge.
- Walton, Douglas N and Erik C. W. Krabbe. 1995. *Commitment in Dialogue: Basic concepts of Interpersonal Reasoning*. SUNY Press, Albany, NY.

ISSA Proceedings 2006 - Reforming The Jews, Rejecting Marginalization: The 1799 German Debate On Jewish Emancipation In Its Controversy Context



1799 proved to be an extremely important year in the European history of the controversial issue of Jewish rights; during the 1799 debate it has been proved forcefully that practical and constitutional issues related to Jewish civil rights are clearly associated with the much broader issue of the cultural self-definition of the European subject. During 1799, in Germany, the issue of the Jewish civic condition came to the fore of the public discourse, being articulated in all its ambiguous complexity as a core dimension of the Enlightenment culture of reason. As I will show, this discourse – shaped as a “triangular” controversy between three contemporary opinion leaders, David Friedländer (1750-1834), Wilhelm Abraham Teller (1734-1804) and Friedrich Schleiermacher (1768-1834), managed to reveal an argumentative pattern that remains as fascinatingly interesting today as it has been misunderstood or misconstrued since its first publication.[i] Between Heinrich Graetz who dismissed the whole affair as an embarrassment and Michael Meyer’s more nuanced assessment, the polemic that brings together Friedländer and Schleiermacher within a unique historical frame, does, in fact, fix a rich constellation of topics, representative for the culture of Enlightenment. In the same time, the formulation of the topics involves a reappraisal by its participants of concepts of reason, religion, politics and philosophy and ultimately requires a new self-understanding of themselves as subjects.

By its very starting point, the question of unconstrained baptism of convenience, the debate defined itself as a controversy of interfaith structure: it presented

itself as a controversy in the Jewish-Christian stream that was “meant to end all such controversies”, thus bringing an end to a long tradition of hostility, fight, rejection and repudiation. As we shall see, while it displayed a civility of interaction, it nevertheless managed to further the cause of oppositional confrontations. While on the surface debating the issue of convenience conversion as a tool of social integration, the controversy does, in reality, encompass a large number of issues of historical extension: deist formulations of universal religion, ever-weakening confessional distinctions, preservation of a (vague) Judaism in this context, goals of an even more obscured Christian theology, validity of opportunistic religious practices, etc. It is the object of this paper to discuss the main elements of this controversy within the broader context of the argumentative history of the Jewish-Christian debates, signaling some of their procedures of refutation, rejection and critique. I will first consider the main lines of the discourse of this controversy of emancipation in 1799, outlining its arguments, after which I will focus on the contradictory and dissuasive stratagems displayed by the three participants. I thus hope to throw a new light on the status of the argument in the controversial structure studied and to review the failure of persuasive effectiveness usually associated with this particular debate.

1. *The Debate*

The most important discourse inscribed in this confrontation was articulated by David Friedländer^[ii], a pupil and a former protégé of Moses Mendelssohn, at the time leader of the Jewish community and representative of the Jewish mercantile elite in Berlin, in his *Open Letter to His Most Worthy, Supreme Consistorial Counselor and Provost Teller at Berlin, from some Householders of the Jewish Religion* (Sendschreiben an seine Hochwürden Herrn Oberconsistorialrath und Probst Teller zu Berlin, von einigen Hausvätern Jüdischer Religion). In this “letter” Friedländer made the proposal of having Jews convert to Christianity: without fully endorsing the dogmatic content of the Christian (Protestant) religion through a baptismal ceremony that would only carry formal meaning. This sort of “baptism light”, clearly opportunistic, would impose only limited doctrinal restrictions while offering full civic integration into the mainstream Berlin society. The text of this document, published anonymously in April 1799, recovers some of the arguments so well defined in Mendelssohn’s *Jerusalem*, using frequently its distinctions, metaphors and analogies and making a similar use of the reasonable language of the religious and the political. But the disciple goes far beyond the

boundaries kept by the master: he radically alters Mendelssohn's integrative project when, in his desire to conform to the perceived expectations in the Berlin Protestant environment, he shows himself eager to consent to concessions that practically jettison the foundational elements of his own tradition; the possibility of an agreed conversion of convenience becomes thus a logical follow-up to his radical critique of rabbinic Judaism. The answers to this text came from many sides, but among all the opinions expressed at the time two are central to the development of ideas and practices discussed: Teller's, the addressee of the letter and a recognized leader of the Prussian Protestant church, and Schleiermacher's, the most innovative and profound Protestant theologian of the period. Nobody was satisfied with the proposal broached by Friedländer, certainly not his partners in this debate, Teller in the first place and definitely not Schleiermacher. Most probably, not even Friedländer himself, since to this day his true intentions and the real meaning of his text are still objects of puzzlement. What was indeed the meaning of his controversial arguments and how were they rebutted?

2. *Friedländer's arguments*

Friedländer's *Open Letter* is composed of two parts: in the first part he criticizes the Jewish religion by scrutinizing the principles of Judaism "within the limits of reason alone", while in the second part he proceeds to build a scheme for a growing Jewish integration into modern society. As an anonymous representative of the Jewish mercantile elite, he positions himself, significantly, as an eager pupil seeking instruction from the Protestant pastor in "the greatest and most holy affair of man, which is religion" (*DJE*, 41); in this particular situation, using a collective "us" all along, Friedländer is nevertheless keeping a meaningful distance, which allows him to draw an "objective" and quite ambivalent sketch of Jewish religious education. His main objects of criticism are the ceremonial law ("empty customs" that "alienated us in the circle of everyday life"), the irrationality of the mystical education engaged by the prevalence of the Talmudic teachings and the incapacity of (classical) Hebrew to communicate modern meanings (*DJE*, 41-45). Acknowledging the arrival of the age of reason as an age of maturity, Friedländer pleads for an "ascent into culture" open to all Jews by an inclusion in the mainstream society. This end, however, is envisioned, by a thorough self-critique of Judaism. Friedländer's discussion of Judaism and its principles is, like Mendelssohn's, constituted as both an apologetic history and a deistic reduction to universal religious principles to be *also* grasped within Jewish traditions. His argumentation is thus paradigmatically articulated as a

reevaluation of the historicity of the *Halachah*, its practical suitability to modern life, inquiring persistently into their continuous validity. He thus constitutes a dialectic of inquiry into legitimacy and validity, seeking to go beyond apparent legitimacy by authority: "it is reasonable to infer which of other commandments are likely to appear to us as purposeless, petty, or even entirely ridiculous" (*Open Letter*, 54).

In principle, the counter-Halachic argument is supported by the idea that the original unity between state and religion, characteristic to scriptural "Mosaic" times, has been lost through a long and troubled history of dispersion. This anti-Halachic stance is consequently taken as basis for the display of radical anti-rabbinic assertions; in Friedländer's depiction, Judaism's history becomes a journey into corruption and delusion, mostly to be blamed on the rabbinic establishment. Accordingly, the loss of meaning associated with the ceremonial law is only matched by delusional messianic expectations of return to Zion. Both are explained by Friedländer as degradations of meaning and concept, deteriorations characteristic to popular religion and leading to further separation and isolation. Thus, ending his brief sketch, he blames a degraded liturgy, mystical Kabala and a language that "ridicules all logic and grammar" for the sorry state of the Jewish masses.

The second part of the letter proceeds to draw a sketch of the moral progress achieved by the Christian society since the Reformation, in the same time comparing all along the cultural tasks to be accomplished by the enlightened ones in both cultures. At this point, Friedländer explicitly refers to the general topic of human betterment (*Verbesserung*) and engages in a critique of equal improvement: insightfully, he argues that "If the better Jew merely needs to shed the husk of his ceremonial law in order to purify religion, the better Christian must subject his basic truth to a new examination" (*Open Letter*, 62). Noting that the great number of Jews still remains painlessly in a backward state, Friedländer raises the question of their progress. Remarkably, he states that social integration is the condition of their moral betterment, not its "reward": "Generally the morality is far less the result of instruction than the fruit of social intercourse, than the example of a parental home, of affiliations, and, in later years, of one's business dealings" (*DJE*, 65). The issue becomes one of equality and as such it will be reinforced all along.

Thus, it is by challenging his addressee, Provost Teller, to confront the conditions of these bettered human beings, that Friedländer arrives at the conclusion that a

confessional change *pro forma* would be a speedier solution for the integration of the Jews. Conversion to Christianity would, in his opinion, accomplish a broader access to the goods of Enlightenment. In his vision, this would be an adherence of the Jews – striped by their observance of an outmoded *Halachah* and deprived of their messianic “prejudice” and mysticism to a Christian religion equally “purified” of senseless ceremonies, and “absurd” (i.e. “paradoxical”) beliefs (like the humanity of Christ, “son of God”).^[iii]

As already mentioned, the *Open Letter* has a dialogical relationship with Mendelssohn’s *Jerusalem*^[iv], reproducing many formulations, paraphrasing others and finally going beyond its general strife to modernize Judaism and to make Jewry a full partner into the *Aufklärung* effort of criticism and adjustment. It is no doubt that Friedländer does, in his *Open Letter*, pretend to continue Mendelssohn’s work; but once this relationship is recognized, it is also striking how far he goes beyond his master’s critique of religious tradition. And, of course, the most striking displacement of argument is in the rejection of his Jewish affiliation, if not commitment, by developing a type of reasonability that – to cite Mendelssohn’s own expression – is of the order of “sophistry” (*Vernünftelei*).

Like Mendelssohn’s *Jerusalem*, the *Open Letter* positions itself as a strong argumentative structure that explains Judaism as a religion of reason and submits its traditions and practices to the criterion of reason. Like Mendelssohn, again, Friedländer distinguishes between truths of reason and truth of history, applying this distinction to a diagnostic of obsolescence directed to the ceremonial law. But Mendelssohn uses this same analysis in order to advance the case for the universal validity of the religious principles of Judaism and strongly supports the necessity of the Jew to stick to his/her religious obligations, seen as an essential dimension of the Jewish identity. He calls it the “double burden”, because it is the Jewish lot in the modern world to both keep the traditional law and to adjust it to the current social and political requirements: “today, no wiser advice than this can be given to the House of Jacob. Adapt yourself to the moral and the constitution of the land to which you have been removed; but hold fast to the religion of your fathers too. Bear both burdens as well as you can!” – adamantly and emphatically concluding “I can not see how those born into the House of Jacob can in any conscientious manner disencumber themselves of the law”; in any event, warns Mendelssohn, “no sophistry of ours can free us from the strict obedience we owe to the law” (*Jerusalem*, 133).

2.1 *Vernunftlei: conversion as “sophistic” rejection of religious ceremonies*

The obsolescence of the ceremonial law, first predicated by Spinoza on the destruction of the Jewish state in the first century A.D., was reinterpreted by Mendelssohn as an argument for the careful scrutiny in the reasonability of the Halachic codes and as a “project” of moderate reform, within the frame already existent. But Friedländer, in his haste to adjust faster to a new and already more complex social and political environment, does radically alter the issues when he proposes a “simplified” and “purified” Judaism that would place the “House of Jacob” within the “compound of the Christian state” and its hegemonic culture.

The clear split between state and church achieved by Modernity is thus seen as the fundamental issue that has to be the basis of a new order of reason, both politically and socially. In this context, the nature of legality requires a justification that implies a reassessment of authorization. But while Mendelssohn does not see a serious opposition between the two authorities, that of the state and that of religious institutions, because he thinks that they do indeed operate in two different spheres (the spiritual and the political), Friedländer, on the other hand, considers that this separation of the political and the religious is already instrumental in excluding the Jews from the benefits of civil participation. Giving priority to the political, he thinks that he too can redefine a weakened religious discourse in such a way as to allow the excluded members of his own marginalized community to fully share into the life of the Berlin society. For him, mere toleration is not enough; he seeks to become a full member of society. Or, in his view, this aim can only be reached by a formal concession in the religious domain. In many ways, his *Open Letter* is an expression of frustration in face of the many political disabilities that confronted the Prussian Jews; his proposal of conversion is nevertheless quite ambiguous, because it also comprises a veiled critique of the Christianity he would consider joining. As has been noticed, this is in fact a sort of “Christianity without Christ”, with ceremonial (liturgical practice) stripped of its Christological meaning (Tomasoni, 102, citing Schleiermacher’s expression *Christentum ohne Christus*) and preserved only as a stark shell of conventions. Hence he explains that “If the Protestant religion does indeed prescribe certain ceremonies, we can certainly resign ourselves to these as mere necessary *forms* that are required for acceptance as a member into a society” (*Open Letter*, 78) and shows that, in his mind, the Jewish question and the religious question have already been reinterpreted according to a double level, one public or civil and one private and individual. Public religion and its practice might be an institutional and political affair, personal beliefs are not.

By considering religion as simply an index of public manifestation, expressing political affiliation and social assignations, in clear opposition and distinct existence from a personal and private “inner” religious belief, Friedländer voids the content of confessional and congregational differentiations, in the same time creating a space of *indifference* towards the authenticity of religious commitment. As the history of the Nineteenth century has shown, indifference (i.e. rejection of commitment) in the realm of religion was becoming a growing concern and a spreading attitude; but at the time, in the Jewish context, this was indeed a radical and extreme solution – casting a shadow of doubt as to the real meaning of the whole *Open Letter*, foregrounding its ambiguity. It is only the unacceptability of its literal sense- thematized in its rejection – that fixes this meaning through its historical context (the Berlin *Taufepidemie*)[v] and its cultural environment.

3. Teller's answer: a polite rebuttal

That the formal conversion proposed by Friedländer was also raising theological issues, was noticed by Wilhelm Abraham Teller, a liberal Protestant thinker[vi] and leader of the Prussian church. Under the circumstances, his answer to Friedländer seems rather moderate and balanced, quite careful in its civil approach. He agrees with Friedländer in his main points of reassessment of Judaism, employing the same rhetorical “idiolect” in construing his own reading of the Jewish discourse in terms of natural religion. He considers with great sympathy the plight of the Jews through their diasporic history, submitted to persecution, oppression and systematic injustice and he agrees with Friedländer in his analysis of the “corruption” of the tradition through the Talmudic influences and misinterpretations. Furthermore, as a learned theologian he is also able to agree with the author of the proposal when he argues that a big hindrance is represented by the use of (*Biblical*) Hebrew, considered a “dead language”, unable to express the complex meanings required by the new age of reason. But once he lists his points of agreement, Teller uses this basic sharing of critical ground in order to build his own interpretation of Jewish history and to give his reasons for the rejection of Friedländer's proposal, considered by him an extreme and unwarranted development. Citing the great steps already achieved in the social integration of the Jewish intellectuals (like Mendelssohn, Herz-Wessely, Euchel, Bloch, Bendavid, etc), Teller rebuffs the *Open Letter* and its offer of conversion by using two main arguments. First, based on the universality of religion, there is no need of joining one particular “ecclesiastical” organization in order to be integrated socially and he supports this first argument by bringing the

example of the American states (*DJE* 141). This example proves that in the fully executed separation of church from state there is no precedence of one particular religion and thus conversion to a “mainstream” confession in order to gain civic rights is unnecessary. Secondly, sustains Teller, if the issue of Jewish moral progress and reform is to be successfully resolved, this should be dealt with within the Jewish community and not within a newly created Christian sect.

In rejecting formal conversion as an unnecessary and actually inauthentic solution to the social integration of the Jews, Teller uses a series of procedures and stratagems of argumentation that subtly suggest not only the enormity of the proposal but ultimately its “perplexing” and *illogic* nature. Appropriately, he shows that Friedländer’s text, in its extreme reasonability, is in fact failing exactly its own standards of reasonability: if ceremonial formalities are historically compromised in Judaism and if the Christian ceremonial requirements are no more valid, then there is no reason for shifting ritual allegiance.

At this point, one can note that Teller’s refutation follows a classical strategy, well polished since Aristotle first explained it in the *Sophistical Refutations*: to show that the premises of the opponent, apparently probable are in fact invalid. This strategy is reinforced, because Teller not only shows that the premises (the universal corruption of religious ceremonies) are invalid, he is also able to show that many of the inferential arguments construed by Friedländer are also invalid.

In the postscript to his letter of answer, remarking that discussing a difference of opinions “is always a gain for truth, as long as stormy passions do not interfere with it” (*DJE* 143), Teller welcomes the extension of the debate, by inviting other contributions. Without any doubt, the most interesting and highly controversial contribution to this debate is that of Friedrich Schleiermacher, brought in a series of six short letters composed soon after his masterpiece *On Religion*.**[vii]**

4. *Schleiermacher’s refutation*

If Teller’s rejection was couched in moderate and carefully balanced terms, it is, however, Schleiermacher’s repudiation of Friedländer’s “modest proposal” that does bring forth a structure of argumentation that dismisses many assumptions in the text and, as it is, also displays the divergences between a rationalist theological approach such as Teller’s and his own, already announcing a romantic viewpoint and thus more emotional stance in religious philosophy. Furthermore, the whole scheme of a radical split between the public and the private is shown by the Prussian theologian to be impossible in moral and practical terms.

Friedrich Schleiermacher's *Letters* of answer continue some of the most famous assertions of the freshly finished *On Religion* and develop an argumentation that displaces the issue in several ways. Schleiermacher's refutation is more daring and more severe than the one already published by Teller; it is also broader and all-encompassing, since it takes into account the many documents already published as contributions to this public debate on Jewish rights and the potential of conversion. While directly focusing on an answer to the *Open Letter*, Schleiermacher's own *Letters* efficiently move the whole debate on a different new level, making its topic an issue of existential anxiety and personal inquiry. Identifying his debating *persona* as "a preacher outside Berlin" he confesses to his puzzlement at being granted rights that "can't be granted to the Jews" (*DJE*, 81). For which reason, in the first of these six letters, Schleiermacher sets forth a very good question: is the proposal real or just a rhetorical ploy for attracting attention to the plight of the Jews? He recognizes that a fictive character of the text means that the letter is only a loud cry of despair and deceived hopes.

In any event, Schleiermacher then states clearly the basic principle of his thought on the issue: "Reason demands that all should be citizens, but it does not require that all must be Christians, and thus it must be possible in many ways to be a citizen and a non-Christian" (*DJE*, 85). This is already a shift in argument, because by fully endorsing the separation of church and state, Schleiermacher also implies that the closeness between the two (justifying the moral power of religion as a political force, as assumed by Mendelssohn), is not a valid argument for social and religious integration.

Furthermore, Schleiermacher proceeds to a more extensive and incisive critique of the *Open Letter*, regarding its perceived anti-Christian content. The full extent of Schleiermacher's apologetic reasoning in these *Letters* is beyond the scope of this short intervention, remaining to be further explored in a different study; but since Schleiermacher's position has been often misunderstood, I will continue this analysis by discussing only one of his claims during this debate, that of the death of Judaism. **[viii]**

4.1 *The Death of Judaism*

Probably the best known assertion uttered by Schleiermacher is the one according to which "Judaism is long since a dead religion" (*On Religion*, 211). It is this idea that, in his Fifth Speech of *On Religion* opens the discussion of Judaism in what have been considered very unflattering terms. Analogical formulations reappear in the *Letters* written shortly afterwards as part of the controversy with

Friedländer and used to support some of the arguments refuting Friedländer. The statement dramatizes the critique of Judaism on historical criteria, a critique already present in Mendelssohn and, as already discussed, radicalized by Friedländer and his deist Jewish friends; as Pickle has shown, the whole formulation of the issues is consistent with Schleiermacher's frequent contacts with the members of the Berlin Haskalah and is based on their development of a discourse of historical critique of Judaism (1980 115-117). However, by couching his thought in that particular formulation, Schleiermacher did echo a long tradition of church authors who, from Luther to Michaelis and Herder, identify the death of Judaism with the successful arrival of Christianity on the scene of history (Newton 455-7). Mendelssohn himself, in his *Jerusalem*, identified the moment of stagnation and sclerosis in the moment of the destruction of the Temple: the writing down of the Oral Law – necessary for survival and dissemination in diasporic conditions – caused the lack of adaptation of the ceremonial law to the ever changing realities of communal life. As M. Pelli has shown in his studies of the first *maskilim* the range of attitudes regarding the place of the *halachic* codes in Judaism is fairly large and so is the range of reasoning procedures in the validation of the legal codes[**ix**]. Among these fairly rich range of argumentation practices, the exercise of the controversial and dialogical genres, illustrated by Isaac Satanow in Hebrew and by Friedländer in German, introduce fundamental differentiations, many of which are related to the definition of the audience through language and rhetoric of address (Pelli, 2006, p.264-266).

Both Teller and Schleiermacher support their refutations of Friedländer's proposal of opportunistic conversion by developing the argument of choice: according to this argument, religious freedom is a distinct expression of the freedom of choice: religious affiliation and therefore conversion (i.e. change of affiliation) could only be conceived as free choice. But in the case of faith, commitment to a religious ideology is also supposed to be a purely existential option. Both deny that in a tolerant society baptism – in any form – could be used as a modality of access into civil society. Their refusal of a convenience conversion is motivated by their symptomatic assessment of the new social reality that, in their experience, already grants tacitly to the "Enlightened Jews" the enjoyment of equal rights.

Schleiermacher clearly opposed the honesty of the *Open Letter's* author with what he perceived as a "desperate means to gain equality" (*Letters*, 84). And he

goes on to depict the convert as primarily an unworthy human being, since he accepts to submit to an opportunistic practice and thus knowingly agrees to a lie in the hope of a benefit. But it seems that the type of compromise envisioned by Friedländer was not as extraordinary as it seems; almost a century earlier, in England, “*occasional conformity*” became an accepted practice of conventionally integrating dissenters into institutions and communities that were otherwise exclusively accepting Anglican congregants. The arguments opposing the adepts and the adversaries of this practice – also considered at that time utterly dishonest[x] – found their way into Locke’s *Letters concerning Toleration* (1689-93) and were articulated into a big number of contemporary documents, configuring a landmark controversy in the British history of religion. They were certainly known to Mendelssohn, who refers to them in his essay on the Anglican Church and the “*non-jurancy controversies*”[xi], to Kant and to Friedländer.

5. Conclusion

In his recent analysis of the *German Haskalah*, *The Berlin Haskalah and German Religious Thought*, that approaches comparatively the religious Enlightenment(s) in central Europe, David Sorkin identifies a generational shift between the older group of Jewish reformers (*maskilim*), like Mendelssohn and Wessely, and the younger generation, born after 1750: the first tended to be “more moderate”, being “primarily concerned with the religious and intellectual renewing of Judaism” (Sorkin, 9), while the last, the younger generation, “were more in the nature of lay Enlighteners who functioned in the penumbra of the state” (*idem*). Within this general frame, the Friedländer proposal can be seen as a radicalization of an extreme Jewish political shift towards concessions in the fight for social and cultural integration. That it met a definite and diversified rejection suggests that its real dimension might have been sheer provocation! This, in turn, raises the question of the degree of reasonability of the controversy itself: conducted as a debate on the limits of religious reason as defining the extent of the freedom of religious choice, the controversy between Friedländer and Schleiermacher ends in a powerful reassertion of the subjective endorsement of religious affiliation, and, as such, it is situated *beyond* the limits of “reason alone”, in the validating realm of social practice.

Despite Schleiermacher’s incisive style of crisp reasoning, the 1799 controversy engaged less theological principles and more practical considerations, being steeped as much in ideology as it was in history[xii]. It accurately represents a critical moment in the history of Prussian Jews, the “crisis of baptism”

(Lowenstein,18) and its challenges. On the more comprehensive level of historical assessment, the 1799 controversy is also a very public display of an age of dramatic Jewish searches for a solution that will lead to a middle way between assimilation and orthodoxy, between utter separation and utter isolation. From this point of view it can be said to announce the birth of Reform Judaism.

In spite its ultimately utopian projections, Friedländer's *Open Letter* was nevertheless inspired by the search for a fast practical solution and by a great desire to explore all the possibilities, no matter how extreme or unlikely. It is this very extension of the topics that ultimately gives it ambivalence and ambiguity, lending the wording to imply opposed meanings. As such, it carries all the signs of *a discussion and a debate* in the same time, qualifying as a controversy: it started as a specific discussion on the topic of convenience conversion, but it quickly revealed that the disagreements were deeper and larger and need to be considered in a broader context (Dascal, 6).**[xiii]**

The resolution of this controversy was given by history: the acquisition of the Prussian Jewish civic rights received its proper answer from history with the Imperial Citizenship Law of 1812 that grants citizenship rights and status to the Jews of Germany. The moment of exasperate frustration and profound despair marked by the 1799 Berlin debate was certainly an influencing factor in this history, providing a powerful link between thought and action, between words and deeds, between issues of faith and issues of reason.

NOTES

[i] In this paper I will use the recent English edition of the documents of this controversy: *A Debate on Jewish Emancipation and Christian Theology in Old Berlin*, Edited and translated by Richard Crouter and Julie Klassen, hereafter DJE. Consequently, Friedländer's text will be cited abbreviated as *Open Letter* and Schleiermacher's answer as *Letters*.

[ii] The whole decade is full of pamphlets and publications debating the opportunity and the modalities of "Jewish improvement" or "betterment", raising issues of education, acculturation and status. Furthermore, a growing number of Prussian Jews were also choosing conversion to Christianity (Mosse, 1995; Sorkin, 2000).

[iii] DJE, 68-71.

[iv] *Jerusalem or on Religious Power and Judaism* (Berlin, 1783); cited here in the translation of Allan Arkush; referred hereafter as *Jerusalem*.

[v] The expression „epidemic of baptisms“, *Taufepidemie*, refers to the large

number of conversions to Christianity among the children and grandchildren of the first generation of maskilim. Lowenstein, 1992, 35-41).

[vi] It was with Teller's support that Dohm's seminal *Ueber die bürgerliche Verbesserung der Juden* was published in 1781. And it was also with Teller's censor's approval that the *Oppen Letter* was published.

[vii] *Letters on the Occasion of the Political Theological Task and the Open Letter of Jewish Householders* (Berlin, 1799).

[viii] An excellent assessment of the complexities of Schleiermacher's thought on Judaism is given by J. W. Pickle in "Schleiermacher on Judaism" (1980); some of my arguments follow his. Another resource for the discussion here is in Newman 1993 (that does not discuss the texts of the Letters).

[ix] M. Pelli, who developed a thorough comparative analysis between the deist Enlightenment and the Haskalah, lists a number of arguments that show that, Mendelssohn, like Wessely, was not willing to jettison the Talmudic heritage, but sought to integrate it in his vision of a modernized Judaism (Pelli, 2006).

[x] The controversy on occasional conformity was an important and complex discourse that took place in England between 1698-1713; the argumentative development of this polemic engaged the satirical genius of Daniel Defoe, although its particular rhetorical register has never been fully examined.

[xi] The essay, "Thirty Nine articles of the English church and their adjuration", was published in 1784 in *Berlinische Monatsschrift*, 2, 24-43 (Bourel, 2004, 339).

[xii] I am currently working on an expanded analysis of the fallacies in this controversy, to be correlated and compared with the theological reasoning in Locke, Lessing, Kant, and Schleiermacher.

[xiii] I am using here the typology proposed by Marcelo Dascal in his "Theological Controversies" paper included in the series "Controversies in the Republic of Letters" (2001), further developed in "On the Uses of Argumentative Reason in Religious Polemics".

REFERENCES

Aristotle (1992). *On Sophistical Refutations*. Trad.E.S.Forster. Cambridge, Ma: Harvard University Press.

Arkush, A. (1994). *Moses Mendelssohn and the Enlightenment*. Albany: SUNY Press.

Bourel, D. (2004). *Moses Mendelssohn. La Naissance du judaïsme moderne*. Paris: Gallimard.

Dascal, M. (2004). "On the Uses of Argumentative Reason in Religious Polemics".

- Religious Polemics in Context*. Edited by T.L.Hettema and A. Van der Kooij. Assen: Royal Van Gorcum (3-20).
- A Debate on Jewish Emancipation and Christian Theology in Old Berlin*. (2004). Edited and Translated by R. Crouter and J. Klassen. Indianapolis, Cambridge: Hackett Publishing Company.
- Lowenstein, S. M. (1992). *The Mechanics of Change. Essays in the Social History of German Jewry*. Atlanta, Georgia: The Scholar's Press.
- Lowenstein, S. M. (1994). *The Jewishness of David Friedländer and the Crisis of Berlin Jewry*. Ramat-Gan, Israel: Bar Ilan University.
- Mendelssohn, M. (1983). *Jerusalem or on Religious Power and Judaism*. Translated by Allan Arkush. Introduction and commentary by A. Altmann. Hanover, N.E. and London: University Press of New England.
- Meyer, M. A. (2001). *Judaism Within Modernity. Essays on Jewish History and Religion*. Detroit: Wayne state University Press.
- Meyer, M. A. (1988). *Response to Modernity. A History of Reform Movement in Judaism*. Oxford University Press.
- Mosse, W. (1995). "Jewish Emancipation in Germany". *Paths of Emancipation. Jews, States and Citizenship*. Edited by P. Birnbaum and I. Katznelson. Princeton University Press. (59-93).
- Newman, A. (1993) "The Death of Judaism in German Protestant Thought from Luther to Hegel". *Journal of American Academy of Religion* 61, 455-484.
- Pelli, M. (2006). *The Age of Haskalah. Studies in Hebrew Literature of Enlightenment in Germany*. New York, Toronto: University Press of America.
- Pickle, J. W. (1980). "Schleiermacher on Judaism". *The Journal of Religion*. 60,115-137.
- Rotenstreich, N. (1984). *Jews and German Philosophy. The Polemics of Emancipation*. Schocken Books.
- Schleiermacher, F. (1988). *On Religion: Speeches to its Cultured Despisers*. Trad. R. Crouter. Cambridge: Cambridge University Press.
- Schleiermacher, F. (1996). *Dialectic or The Art of Doing Philosophy*. Trans, introduction, notes by T. N. Tite. The American Academy of Religion.
- Sorkin, D. (2000). *The Berlin Haskalah and German Religious Thought: Orphans of Knowledge*. London, Portland: Vallentine Mitchell.
- Tomasoni, F. (2003). *Modernity and the Final Aim of History. The Debate over Judaism from Kant to the Young Hegelians*. Dordrecht, Boston, London: Kluwer Academic Publishers.
- Vital, D. (1999). *A People Apart. The Jews in Europe 1789-1939*. Oxford: Oxford

ISSA Proceedings 2006 - When You Don't Have Anything To Prove. Strategic Manoeuvring And Rhetorical Argumentation



‘Because deciding to smoke or not to smoke is something you should do when you don’t have anything to prove. Think it over.’ To smoke or not to smoke, that’s the question. Even the most notorious doubter in history is called upon in this smoky tragedy of legal limits versus free choice. The quoted Reynolds tobacco company

advertorial is one of the examples Frans Van Eemeren and Peter Houtlosser bring in to present the integrated pragma-dialectical model. In *Rhetorical Argumentation. Principles of Theory and Practice*, Christopher Tindale (2004) puts forward a model of argument that is characterised as rhetorical. In the introduction to this project, Tindale mentions this ‘rhetorical turn’ of the pragma-dialectic school. Van Eemeren and Houtlosser (2000) consider rhetoric part of dialectic, as dialectic deals with abstract and general questions, whereas rhetoric deals with specific cases and with context, elements that are to be embedded in the general.

First I will present the pragma-dialectic method and Tindale’s project, then I will deal with Tindale’s comments on the integrated pragma-dialectic model. Finally I will put forward the Reynolds case for my own discussion on the position of rhetoric and reasonableness in the integrated pragma-dialectic model, and the relation between dialectical and rhetorical norms. I will show how the advertorial can function as a prototype for the very notion of the complex shifting of norms in argumentation.

1. *The pragma-dialectic model*

The pragma-dialectic theory combines an approach to language use drawn from pragmatics with the study of critical dialogue from a dialectical perspective. It defines dialectic as 'a method of regimented opposition' in verbal communication and interaction 'that amounts to the pragmatic application of logic, a collaborative method of putting logic into use so as to move from conjecture and opinion to more secure belief' (Van Eemeren & Houtlosser 2000, p. 297).

All argumentation is considered to be part of a critical discussion aimed at resolving differences of opinion. This discussion consists of four stages: the confrontation stage, the opening stage, the argumentation stage, and the concluding stage. The aim of the participants should be to solve a difference of opinion within the boundaries of reason. As for assessment, the reconstruction of speech acts should make it possible to test discussions against procedural rules. Any derailment of these rules is considered to be fallacious.

In 1999 Van Eemeren and Houtlosser developed a model for integration of a rhetorical component in the pragma-dialectic approach. Their arguments for this idea are based upon praxis: although one is principally engaged in a critical discussion to solve a difference of opinion in a reasonable way, speakers or writers will also work towards a solution in their own favor (eg.: '*as favourable as possible/ resolving the difference in their own favour/ getting things their way/ have their point of view accepted/ that best serves their interests*') (Van Eemeren & Houtlosser 2000, p. 295). The way people's own interests direct and influence the resolution of a dispute is an element of effectiveness, which is called the rhetorical aspect of argumentation: strategic attempts to personally influence the resolution process. In general, rhetoric is called 'the theoretical study of practical persuasion techniques' (ibid., p. 297).

A second argument for the integration proposal follows out of this and is of a more general kind. The authors claim to bridge the historical gap between dialectic and rhetoric. As for the integration, this is how they see the relation between dialectic and rhetoric: 'We view dialectic -in line with Agricola- as a theory of argumentation in natural discourse and fit rhetorical insight into our dialectical framework'. From this, it is clear that rhetorical moves operate *within* a dialectical framework. Effective persuasion must be disciplined by dialectical rationality. In other words, the effectiveness element that is extracted from argumentation praxis is accepted as long as it does not interfere with principles of critical discourse, and in case of conflict between the two, praxis must yield to principles.

The reconciliation 'in which the parties seek to meet their dialectical *obligations* without sacrificing their rhetorical *aims*' is called 'strategic manoeuvring': 'In so doing, they attempt to exploit the opportunities afforded by the dialectical situation for steering the discourse rhetorically in the direction that best serves their interests.' (ibid., p. 295). Those opportunities are to be found in every of the four stages and can be pinned down to topical choice, adaptation to the audience, and presentation. The key criterion for assessing whether a rhetorical strategy is 'being followed' in any stage is that of *convergence*. Reconstruction provides insight into the strategic manoeuvres carried out to reconcile rhetorical aims with dialectical commitments. The strategic manoeuvres prove to be acceptable or to involve a violation of the rules for critical discussion.

For a conclusion, which may be a grounding argument as well, Van Eemeren and Houtlosser bring up the concept of 'no incompatibility': strategic maneuvering does not automatically imply that the critical principles for resolving conflicts are abandoned (ibid., p. 297). A final argument for the integration model is formulated in the conclusion of the Reynolds article:

This example shows, by the way, not only that a pragma-dialectical analysis becomes stronger and more useful when rhetorical insight is incorporated, but also that a rhetorical analysis of argumentative discourse is more illuminating when it takes place in a well-defined dialectical framework. (ibid., p. 302)

2. *Rhetorical argumentation*

Before I deal with Tindale's comment on the integrated model of the Amsterdam school, I will give a short overview of his project. Tindale follows Perelman's constructive understanding of rhetoric (as the study of the methods of argument) insofar as approaching argumentation in this way encourages us to view it as fundamentally a communicative practice. But he adds: 'as a practice, as a central human activity, argumentation is essentially rhetorical in ways that far exceed methodology alone' (Tindale 2003, p. 19). For this constructive understanding of rhetoric he refers to Bitzer (1968) who calls it: 'A mode of altering reality ... by the creation of discourse which changes reality through the mediation of thought and action'. In the end, 'whether we see the aims of rhetorical argumentation as leaning towards persuasion, deliberation, or inquiry, the ways in which it helps us change our point of view and directs our actions reflect this understanding.' (ibid., p. 19). Argumentation is to be appreciated as an activity that changes how we perceive the world by changing the way we think about things. Tindale's presentation of the field links the logic perspective to the product of

argumentation, the dialectic perspective to the procedure, and the rhetorical to the process.**[i]**

Product, procedure and process are each important ideas in the understanding of and theorizing about arguments. ... A complete theory of argument will accommodate the relationships among the three. ... Still, it is the *rhetorical* that must provide the foundations for that theory, and it will influence how we understand and deal with the logical and the dialectical in any particular case. (ibid., p. 7)

All three of Aristotle's means of persuasion form an essential aspect of the argumentative situation, in that ethos is linked to the arguer (who is always involved in, or even constructed by the text), pathos to the audience (a dynamic factor); a third key concept of his book is 'logos', or argument itself (ibid., p. 20). 'In a very general sense', Tindale claims, 'an argument is the discourse of interest that centers, and develops in, the argumentative situation.' This situation he calls the 'dynamic space in which arguer and audience interact, but interact in a way that makes them coauthors' (ibid., p. 23), since this space of the argumentative situation is crucial to our self-understanding and our understanding of others. After all, as social beings, we all are 'in audience' most of the time. 'Rather than persuasive discourses that impose views on an audience, rhetorical argumentation, through the situation it enacts, invites an audience to come to conclusions through its own experiencing of the evidence.' (ibid., p. 24).

Tindale's rhetorical argumentation draws features from the rhetorical tradition and mixes them with newer innovations. He shows how argumentation is a crucial element in the early Greek texts, in a further rehabilitation of the Sophists. Also, he claims that rhetoric is more than a matter of style, and shows how some rhetorical figures have a distinct argumentative value**[ii]**. He turns to Bakhtin's theory of dialogical relationship to further develop the idea of rhetorical argumentation and show the central role of audience in it. Bakhtin's theory opens up our ways of thinking about how arguers anticipate and incorporate the ideas of their audiences and how the argumentative context is alive with the contributions of two (or more) parties. Each of two apparently opposing views is influenced by the view that it opposes. Not only Bakhtin's concept of the superaddressee, but also Perelman's concept of the particular and universal audiences are drawn from in order to address the final question of assessment and normativity.

3. Tindale and pragma-dialectics

To put it mildly, Tindale's idea of rhetoric is quite different from the integrated

pragma-dialectic model, where rhetoric is the 'handmaid of dialectic, and rhetorical moves operate within a dialectical framework' (ibid., p. 15). The specificity of rhetoric should be embedded in the general nature of abstract questions, and the norm of rhetoric is effectiveness, whereas dialectic embraces the idea of reasonableness. The key criterion for assessing whether a rhetorical strategy is 'being followed, or 'fully present' in any stage is that of *convergence*. According to Tindale, it seems that success in those terms may mean no more than being able to match one's own rhetorical interest with one's dialectical obligations through strategies that exploit the opportunities in an argumentative situation (ibid., p. 17). It is not clear whether this 'convergence' is actually a measure of quality by providing a (rhetorical) criterion of success, which would have to be 'effectiveness'.

Another problem with assessment is the *negative requirement* governing appropriate strategies. Rhetorical strategies are subjected to the pragma-dialectic rules of reasonableness, and thus not acceptable when they're not also reasonable. This means that persuasiveness alone is not sufficient to be acceptable. The requirement of reasonableness represented by the rules for discussion serves as a check on the arguer simply having her own way. This means that a *fallacy* is committed when the arguer's commitment to proceeding reasonably is overruled by the aim of persuasion. All fallacies can even be regarded as derailments of strategic manoeuvring.

This view on fallacies is taken further up to the *aim* that the pragma-dialectic school assigns to argumentation. Tindale wonders whether all argumentation be fruitfully addressed as if it were aimed at resolving a difference of opinion and whether as a consequence, evaluation can strive to do no more than test the acceptability of standpoints. Moreover, as for the case studies, it seems hard to cast them as critical discussions involving conflicts of opinion. In fact, what is the 'opposing opinion' in the Reynolds Tobacco Advertorial, and 'what actual conflict exists in this case?' (ibid., p.18).

Tindale sees important features in the IPD-model: the idea that rhetorical figures are important presentational devices, and the argumentative role suggested for figures of speech. He concludes with a new evocation of his own task, which is to show the fundamental importance of rhetorical features to argumentation. 'Once we see argumentation as representing more than a critical discussion, whether its goal is consensus, persuasion, or understanding, we find more to say about rhetoric's role.' (ibid., p. 18).

4. *More to say: traditions and stereotypes*

'... theoreticians have characterized rhetoric's norm as that of effectiveness, while dialectic embraces the idea of reasonableness. Although Van Eemeren and Houtlosser insist there is *no incompatibility* between these norms, they do not resist this *traditional* characterization of rhetoric and so, again, it seems natural to ground effectiveness in reasonableness.' (ibid., p.15). In fact, the integration model has launched a great amount of new research on the relationship between logic, dialectic and rhetoric.**[iii]**

One of the problems with a traditional characterization of rhetoric, is that it can easily give way to sterile stereotypes: 'The common reproaches to rhetoric hold that it produces feigned and untruthful speeches, addressed to man's lower instincts, rather than to reason, and possessed of unnecessary bombast and flowery use of language. Contrariwise, dialectic will be described as useless logic chopping, full of sophistry and leading to no practical gains. This was not Aristotle's' point of view.' (Krabbe 2002, p. 29).

Of course, we must acknowledge - with Van Eemeren and Houtlosser (2002, p. 3) - 'that neither the dialectical perspective nor the rhetorical perspective is so clearly and univocally defined that we know exactly what we are talking about. The perceptions and descriptions of the two perspectives vary considerably over time. The same applies even more strongly to their mutual relationship and the way in which the one perspective may be subordinated to, combined with, or even integrated in, the other.'**[iv]**

As for this mutual relationship; many structures have been proposed: not only integration, but also mutual dependence, hierarchy (both ways), contradiction, overlapping, parallelism, complementarity, but also 'almost no difference at all'.**[v]** Apparently, in the end Aristotle is to blame for all this confusion with his famous *antistrophos* between dialectic and rhetoric: 'The trouble started when the names were assigned.' (Hohmann 2002, p. 41).

Blair assumes 'there is no one type of relationship among logic, dialectic and rhetoric, but rather several - at least four, [...] The first is the *conceptual or logical* relationship among the norms of the three perspectives. The second is the *contingent or empirical* relationship among their norms. The third I call the relationship of *theoretical priority*, and the fourth, that of *normative priority*' (Blair 2003, p. 91/97). He concludes that any complete theory of argumentation will account for the role of each, not emphasizing any one at the expense of the others' (ibid., p. 104), and that in the study of arguments and argumentation, 'all

three must be considered in relation to one another.’ (ibid., p. 105).

In this light, one can expect the pragma-dialectical scholars to be wary about those stereotypes, and indeed, the proposal to integrate both systems is an enormous and inspiring project. Yet, I wonder with Tindale whether there is no way out of this traditional view on rhetoric. The rhetorical dimension indeed enriches the IPD-model, but does this mean that the adding of this effect norm results in a more complete and satisfying concept of argumentation?

After all, as Kienpointner (1995, p. 543) points out: ‘many scholars see rhetoric as a rather narrow subject dealing with the techniques of persuasion and/or stylistic devices’, but others conceive of rhetoric as ‘a general theory of argumentation and communication’. Moreover, it is clear that ‘However different they may be, both perspectives, but the dialectical perspective in particular, include a logical component of some sort.’ (Van Eemeren 2002, p.3). Tindale notes that the intersubjective reasonableness prevalent in rhetoric is even one of the pillars of the critical reasonableness conception characteristic of dialectic (Tindale 2000, p. 27).

Van Eemeren and Houtlosser integrate the rhetorical element in the pragma-dialectic model on the grounds of what they call ‘no incompatibility’. When argumentation is *not* only evaluated but also described in the light of this abstract ideal model of dialectical obligations; one ends up with the assumption that the rhetorical is not dealing with reasonableness, because, by itself, it does not resort under this dialectical obligation of a critical discussion. It is basically this implicit exclusion of reasonableness and dialogue from rhetoric that worries me[vi].

This way, the ‘conflict’ between the two has a polarizing effect, in that it tends to neglect the fact that reasonableness is a general and very common human motif in argumentation, not only in theory, but also in reality, in praxis[vii]. The conflict model implicitly excludes reasonableness from the rhetorical point of view. This implicit consequence also shows in the supposed *aim* of participants of argumentation. According to the Amsterdam school, this aim is double: participants aim at solving a disagreement, and they do this by means of a critical discussion. Their rhetorical aims come down to effectivity, in the traditional sense of defending their own point.

People engaged in argumentative discourse are characteristically oriented toward resolving a difference of opinion ... This does, of course, *not* mean that they are *not* interested in resolving the difference in their own favor. Their argumentative speech acts may even be assumed to be designed to achieve *primarily* this effect.

The alleged rhetorical quality of argumentative discourse does not mean that speakers or writers are exclusively interested in getting things their way. (Van Eemeren & Houtlosser 2000, p. 295)

The assumption is that people can be primarily interested in resolving a difference of opinion in their own favor, but that even then, there must be a small margin ('not exclusively') left for norms of critical discussion, whether this be pretended or true. This again suggests that resolving differences of opinion in your own favor can never completely be governed by the ideals of reasonableness. Participants in the discussion can never 'escape' from their dialectical obligations: Even when they try as hard as they can to have their point of view accepted, they have to maintain the *image* of people who play the resolution *game* by the rules and may be considered committed to what they have said, presupposed or implicated. If a given move is not successful, they cannot escape from their 'dialectic' responsibilities by simply saying 'I was only being rhetorical'. As a *rule*, they will therefore at least *pretend* to be primarily interested in having the difference of opinion resolved. (ibid., p. 295)

If argumentation is an activity to be played by the rules, then the aim and the role of the participants can easily become caricaturized and ethos can be narrowed down to the obligation to maintain a certain image. The question is whether the all too human faculty of merely *pretending* to obey to rules, a very interesting issue at that, can actually become the issue of an argumentative analysis, be it pragma-dialectic or maybe even rhetorical.

For optimal rhetorical result, the moves *must* be adapted to audience demand. [...] For optimally conveying rhetorical moves and making them have a real effect on the listener or reader, the various presentational devices that can be employed must be put to good use (ibid., p. 299).

It is very well possible to study argumentation in the light of dialectical norms, but here rhetoric is integrated as a new set of norms, this time about getting things your way. The question is whether this normativity is in compliance with the rhetorical aspects of argumentation, and whether these norms are similar enough to the dialectical norms to be integrated in one model[viii]. All derailments of the obligation of reasonableness, as we've seen, are called fallacies, and this apparently holds also true for the integrated model. Here is where I would like to push further Tindale's comment on assessment. Although it is theoretically perfectly possible to draw lines (or formulate rules) and examine texts (or procedures) concerning critical obligations, it is difficult to do the same from a

rhetorical point of view. As the classical rhetorical advices or norms for effective communication primarily concern the art of seeing possibilities, to be adapted to whatever audience in whenever situation, those advices can hardly be turned into something like 'rhetorical obligations'. In his definition 'la rhétorique est l'art de persuader par le discours', Reboul also mentions the 'art' aspect: 'Mais 's agit-il d'une simple technique? Non, il s'agit de bien plus. Le veritable orateur est un artiste en ce sens qu'il découvre des arguments d'autant plus efficaces qu'on ne les attendait pas, des figures dont personne n'aurait eu l'idée et qui s'avèrent être justes; un artiste dont les performances ne sont pas programmables et ne s'imposent qu'après coup.' (Reboul 1998, p. 4 – 6)

The way from pragma-dialectic norms to rhetorical praxis to new and 'integrated' norms has a problematic aspect to it, because the ideal of a model with a set of obligations for participants with fixed views is called upon to provide a full description of, and a norm for argumentative interaction[**ix**].

Tindale considers rhetoric to be of a more fundamental nature: all argumentation aims at bringing about a change (eg. to get a disagreement solved) by means of verbal (or even visual) interaction.

This is also a model of argument that would appear to aim for agreement. [...] On the question of agreement, Todorov writes that for Bakhtin '[t]he goal of a human community should be neither silent submission nor chaotic cacophony, but the striving for the infinitely more difficult stage: 'agreement'.' The word used here, at root, means 'co-voicing' ... An agreement, where achieved through dialogical argumentation, does not mean an identity between positions; it does not involve a winner and a loser who gives up her or his position. Rather than the holding of the same position, agreement stresses an understanding of the position involved. [...] Among Bakhtin's final notes we find the denial of a last word: the dialogic context has no limits and each meaning gives birth to more. Argument, like dialogue, is ongoing. (Tindale, 2004, p. 104-105)

Argument aims at a provisory settlement, not per se victory, or a literal 'solution' (disappearance) of a conflict, because no solution is 'final', and no position fixed. An important aim of participants is some kind of *reconciliation* between parties within the actual situation; that is the kind of effective communication the advices are aimed at. Here, the line between reasonableness and effect is indeed very thin, if there is any. The standards of the pragma-dialectic model and rhetorical effect are of a different kind.

Conclusion: by carefully keeping the aims apart, the integrated model paradoxically does not always reconcile both views. The no-incompatibility argument, the minimum condition for reconciliation, generates the opposite effect and thus cannot escape from the unproductive categorization of rhetoric and dialectic.

Moreover, rhetorically speaking, rules are always also an element in the discussion; in a way they are to be affirmed and/or reinvented through each new discussion with every other audience in every new situation. This idea of situation is fundamental in rhetoric; as it is grounded in political and social life, where reasonability is not only to be understood as an activity within the boundaries of a set of norms, but also as a real attempt at finding agreements we are trying to find and negotiate about.

The pragma-dialectic model provides an important set of rules to work with, but as rhetoric is concerned with all aspects of argumentation and not only the ideal of reasonability that is unmistakably part of any argumentation, it seems that assessment should start from a broader perspective and then develop further into more well-defined and (also) normative analyses[x]. I will show my case by means of a proposal for analysis of the Reynolds company example.

5. Reynolds & rhetorics

Some surprising advice to young people from R.J. Reynolds Tobacco.

Don't smoke.

For one thing, smoking has always been an adult custom. And even for adults, smoking has become very controversial.

So even though we're a tobacco company, we don't think it's a good idea for young people to smoke.

Now, we know that giving this kind of advice to young people can sometimes backfire.

But if you take up smoking just to prove you're an adult, you're really proving just the opposite.

Because deciding to smoke or not to smoke is something you should do when you don't have anything to prove.

Think it over.

After all, you may not be old enough to smoke. But you're old enough to think.

Since it belonged to Reynolds' dialectical commitments to make a real effort at convincing young people that they should not smoke, whereas Reynolds – being a

tobacco company – cannot be expected to abandon altogether its rhetorical aim of persuading people to smoke, it may be *assumed* that some strategic manoeuvring is going on. The question is how the various moves are selected, adapted to the audience, and fashioned in such a way that the colliding dialectical and rhetorical aims are more or less reconciled. (ibid. p. 300)

The assumption of strategic manoeuvring is the starting point of this analysis. From Reynolds's obviously colliding dialectical and rhetorical aims, it follows that they will try to reconcile their obligations with their aims. The strategy that's convincingly being laid bare is one of a *counter-productive* effect in all discussion stages. As for a conclusion, we read:

Our analysis of Reynolds' advertorial shows that in this text there is no lack of such violations. Reynolds thus illustrates that seemingly smart strategic manoeuvres do not lead to an acceptable strategy if they are not at the same time dialectically justified. (ibid., p. 302)

This assumption of strategic maneuvering is an exact mirror of the problematic relationship between dialectical and rhetorical aims and norms in the integrated model. The assumption of conflict between the two aims in this particular mass communication case puts rhetoric at the side of plain and commercial selling techniques where the speaker is this giant tobacco company and the audience a target group of consumers, while dialectic fulfils the role of a well-meaning parent or government trying to convince us not to smoke.

And indeed, one cannot expect from a tobacco company to have another aim than selling cigarettes in the first place. From a traditional rhetorical point of view, the question is simply whether this move is effective in the ongoing dispute between the public, the American government, scientists, the tobacco industry, and many more actors. As for the Reynolds advertorial situation[xi], this evokes many interesting questions; I briefly mention three of them: What is the real (particular) audience? Surely it is a mix of smoking and non-smoking kids and adults, but also judges, the American government, and other tobacco companies. Second question: Why an advertorial? Reynolds chooses a verbal message, and a complex one at that: an advertisement that looks like an article. They don't use visual elements, surely a more effective method[xii], especially concerning this notoriously difficult persuasion issue of (non-) smoking. Third question: what is Reynolds' real aim? 'I don't think that Reynolds is trying to fool anybody', Garver suggests, 'I offer the competing hypothesis that Reynolds is aiming at the creation and presentation of a corporate identity, that of the upright, thoughtful corporation, albeit one engaged in selling a product of questionable value. They've

given up on trying to show that cigarettes are not dangerous, and instead are trying to position themselves as corporate good citizens. [...] On my hypothesis, there is a sort of persuasion going on, but no aim at resolving differences of opinion' (Garver 2000, p. 308).

Reynolds advises kids to start smoking only when they don't have anything to prove by it. Maybe that is the deeper *communality* that Reynolds achieves. The possibility of pretending to obey to (reasonable) rules (for kids as well as for tobacco companies) is exactly what unites them. 'Kids *do* smoke, and we *do* produce cigarettes. What can you all expect us to prove? We both know that it is against certain rules.'**[xiii]** This 'impossible' argumentative situation is reflected by an impossible, indeed contra-productive, message: we don't have anything to prove**[xiv]**. A rhetorical analysis provides for the revealing of a metonymic shift this implicit negotiation about rules brings about: the advertorial shows that any communication also provides a negotiation space**[xv]** about the rules by which we (don't) argue, for better or for worse.

NOTES

[i] Aristotle's triumvirate of logic, dialectic and rhetoric does serve as a model for modern theories of argument (eg. Habermas, Wenzel). (Tindale 2004, p. 4)

[ii] In a further development of Fahnestock (1999).

[iii] For recent work on this topic, see Frans H. Van Eemeren and Peter Houtlosser (2002), Frans H. Van Eemeren, J. Anthony Blair, Charles A. Willard and A. Francisca Snoeck Henkemans (2003), Garver (2000), Jacobs (2000) and Goodwin (2000).

[iv] See also Leff: 'The historical record of dialectic and rhetoric is one of almost constant change as far as the identity, function, structure and mutual relationship of these arts are concerned' (Leff 2002, p.53).

[v] In the United States, [...] in a sense we have returned to a presocratic interest in logos – the Greek word that precedes more precise theoretical terms for 'rhetoric' or 'logic' and is easily broad enough to encompass pretty much everything we now describe as 'rhetoric' or 'argument' or both. (Schiappa 2002, p. 65)

[vi] See also Leff: 'The isolated antithesis between rhetoric and dialectic may exaggerate the differences between them and make them appear as categorical opposites. (Leff 2002, p. 57)

[vii] See also Jacobs: 'Adaptation to situation is an essential feature of the

rationality of argumentation – and not merely some deviation from rational ideals. Reasonable argumentation is argumentation that makes the best of the situation. Ideal argumentation is not discourse that occurs in some ideal speech situation abstracted away from its conditions of use; ideal argumentation is realistic.’ (Jacobs 2000, p. 273)

[viii] See also Garver (2000, p. 308-309) ‘Those [dialectic] norms never determine what anyone will say.’

[xi] see also Jacobs (2000, p. 265): ‘Standards for good argumentation cannot be evaluatively applied to their objects if those standards are presupposed in the very description of the objects’.

[x] Blair questions whether one perspective can be given any theoretical priority: ‘the details of what it means to give theoretical priority to one or another of these perspectives remain to be worked out’

Blair 2003, p. 105). Jacobs proposes normative pragmatics to function as a starting point for any argumentative analysis, as the meaning of the message should be pinned down first (Jacobs 2000).

[xi] see also Jabobs: ‘An emphasis on the strategic design of messages lies at the heart of rhetorical analysis. I think that is exactly where any argumentative analysis must begin. Argumentative discourse persuades or not by virtue of the message communicated, and the meaning of the message implicates a complex of interpretive effects and interactional sequels that can be thought of as the manifest persuasive design’. (Jacobs 2000, p. 273)

[xii] Perelman and Olbrechts-Tyteca about verbal persuasion: ‘the most solid beliefs are those which are not only admitted without proof, but very often not made explicit’ (Perelman and Olbrechts – Tyteca 1971, p. 8).

[xiii] Jacobs, in an analysis of another Reynolds advertorial, finds some specific rhetorical questions to have a similar function: ‘The author and reader are not cast as antagonist and protagonist here. They are presumed to share a common viewpoint in contrast to these morally defective agents who might actually put forward these possibilities as serious proposals’ (Jacobs 2000, p. 271)

[xvi] ‘In fact, double messages seem to be a common strategy in tobacco company editorials on the topic of under-age smoking’ (Jacobs 2000, p. 267). The double message is not only an effective strategy, but also the expression of an essential aspect of reality: struggling with rules and obligations in this messy world we are unmistakably part of (Kids: ‘I know I should obey, but I don’t’; Smokers: ‘I know I shouldn’t smoke, but I do’; Tobacco companies: ‘We know we shouldn’t produce and promote harmful products, but we do’).

[xv] see also Goodwin: ‘... the argumentativity of language itself may force us always to insinuate more than we actually say. My suspicion is that this cluster of techniques – ‘openly presenting something as something’, ‘talking as if something were something’, ‘spinning something into something’ – provides a ‘manifest rationale for persuasion’ not yet discovered.’ (Goodwin 2000, p. 289)

REFERENCES

- Bitzer, L. (1968). The rhetorical situation. *Philosophy & rhetoric*, 1, 1-14.
- Blair, J. (2003). Relationships among logic, dialectic and rhetoric. In: J.A. Blair, F.H. Van Eemeren, Ch.A. Willard, A.F. Snoeck-Henkemans (eds.), *Anyone who has a view. Theoretical contributions to the study of argumentation* (pp. 91-107), Dordrecht/ Boston/ London: Kluwer Academic Publishers.
- Van Eemeren F.H. and Houtlosser P. (2000), Rhetorical analysis within a pragma-dialectical framework. The case of R.J. Reynolds. *Argumentation* 14, 293-305.
- Van Eemeren F.H. and Houtlosser P (eds.) (2002), *Dialectic and rhetoric: the warp and woof of argumentation analysis*. Dordrecht/ Boston/ London: Kluwer Academic Publishers.
- Van Eemeren F.H., Blair J.A., Willard Ch.A., Snoeck Henkemans A.F. (eds.) (2003), *Anyone who has a view: theoretical contributions to the study of argumentation.*: Kluwer Academic Publishers.
- Fahnestock J. (1999). *Rhetorical figures in science*. New York/ Oxford: Oxford University Press.
- Garver E. (2000). Comments on ‘Rhetorical analysis within a pragma-dialectical framework. The case of R.J. Reynolds’. *Argumentation* 14, 307-314.
- Goodwin J., Comments on ‘Rhetoric and Dialectic from the Standpoint of Normative Pragmatics’. *Argumentation* 14, 287-292.
- Jacobs S. (2000), Normative pragmatics. *Argumentation* 14, 261-286.
- Kienpointner M. (1995), ‘Rhetoric’ in: J. Verschueren, J.-O. Östman and J. Blommaert (eds.), *Handbook of pragmatics. Manual* (pp. 453-461), Amsterdam/ Philadelphia: John Benjamins.
- Krabbe E. (2002), Meeting in the house of Callias. An historical perspective on Rhetoric and Dialectic. In: F.H. Van Eemeren and P. Houtlosser (eds.), *Dialectic and Rhetoric: The warp and woof of argumentation analysis* (pp.29-40), Dordrecht/ Boston/ London: Kluwer Academic Publishers.
- Goodwin J. (2000), Comments on ‘rhetoric and dialectic from the standpoint of normative pragmatics’. *Argumentation* 14, 287-292.
- Leff M. (2002), The relation between dialectic and rhetoric in a classical and

modern perspective. In: F.H. Van Eemeren and P. Houtlosser (eds.), *Dialectic and Rhetoric: The warp and woof of argumentation analysis* (pp. 53-64), Dordrecht/ Boston/ London: Kluwer Academic Publishers.

Perelman Ch. and Olbrechts-Tyteca L. (1971), *The new rhetoric. A treatise on argumentation*. Notre Dame/ London: University of Notre Dame Press.

Schiappa E. (2002), Evaluating argumentative discourse from a rhetorical perspective: defining 'person' and 'human life' in constitutional disputes over abortion. In: F. H. Van Eemeren and P. Houtlosser (eds.), *Dialectic and rhetoric: the warp and woof of argumentation analysis* (pp.65-80), Dordrecht/ Boston/ London: Kluwer Academic Publishers.

Reboul O. (1998), Introduction à la rhétorique. *Théorie et pratique*. Paris: PUF.

Tindale C. (2004), *Rhetorical argumentation: Principles of theory and practice*. Thousand Oaks/ London/ New Delhi: Sage Publications.

ISSA Proceedings 2006 - The Definition And The Negotiation Of The Norms Of Discussion In Newsgroups: Which Communication Ideal?



1. Introduction

Norms are at the core of research on argumentative discussion (Doury, 2003). There are two kinds of approaches to argumentation: descriptive and prescriptive approaches.

In a descriptive approach of argumentation, argumentative norms are built up by the speakers in their interactions (according to Plantin, 2002). It is noted that speakers have an argumentative/normative competence in daily life conversations. They can indeed:

- categorize the arguments they are faced with (this is an example, an analogy, an argument of authority, etc.),
- evaluate these arguments according to generally implicit criteria (this is a good example, a good analogy, an acceptable argument of authority),
- accept or reject arguments following this evaluation.

In a prescriptive approach to argumentative norms (Danblon, 2005): the aim is to distinguish a bad argumentation from a good one by trying to find pre-established rules: a rational, ethical, democratic argumentation versus manipulation and fallacies.

For example: in the pragma-dialectics model of van Eemren and Grootendorst (1996), we can notice the will to establish a “normative pragmatic” for “argumentative speech”.

Indeed, pragma-dialectics takes up Plato’s dialectics, Aristotle’s *Sophistical Refutations*, and Hamblin’s *Fallacies* (1970). So, the transgression of rules of logical and argumentative validity, the use of fallacies, belong to “evil” (Danblon, 2005).

This question is also of importance when we approach specificities of mediated communication by communication and information technologies (Marcoccia, 1998). It is indeed likely that Net users will take up to themselves a system of rules or refer to a set of external norms, in order to facilitate a good course of the dialogue in the newsgroups.

These rules are defined in two types of texts:

- the Netiquette, which is a set of communicative rules, with prescriptive and global aim. Communication rules, as defined by the Netiquette, are meant to be respected in any device of on-line discussions.
- charters of newsgroups, with rules limited to a local range, will be specific or not as far as the Netiquette is concerned.

In addition, Net users are often involved in conversational negotiations (Kerbrat-Orecchioni, 1984) during their discussions. We can indeed observe meta-communicative sequences relating to the rules of discussion: Net users themselves do propose how to express oneself, how to behave in a newsgroup, and what must be done or not. These sequences are generally warnings addressed to Net users having transgressed a rule.

To start with, this work will consist in clarifying the norms of discussion defined

by the Netiquette and the newsgroup charter we have decided to study more particularly: *fr.soc.politique*. This is a political discussion newsgroup, non-moderate, that can be, at a first analysis, considered as an electronic form of public sphere. The observation of the messages posted in this newsgroup allows us to rank them as a hybrid kind: the ordinary political discussion (Marcoccia, 2003a).

During each phase of this analysis, we shall try to link the norms previously identified to four models of communication, which we shall regard as “normative”. These models are indeed regarded as major since they are at the root of a new reflexion on the rational norms at work in linguistic interactions:

- The Grice cooperation principle (1979), the rules of which aim at optimizing the intelligibility, the “interpretability” of messages.
- The politeness system elaborated by Brown & Levinson (1978), the purpose of which is to clarify the various means implemented by interacting people to spare their interlocutors’ faces.
- Habermas’ s ethics of discussion (1987) the normative purpose of which aims at making it possible to have a fully democratic and egalitarian communication.
- Van Eemeren and Grootendorst’s pragma-dialectics model (1996) the prescriptive position of which leads to a set of discussion norms guaranteeing its rational character.

Confrontation between these models and the norms extracted from the analyzed corpora (Netiquette, charter and newsgroups) will enable us to know if Net users have a real concern for the norms of discussion within newsgroups, and to specify the communication ideal defended by these norms. While respecting, violating, or defining norms, are the Net users animated by an ideal of comprehension and clarity, courtesy, equity or even rationality of the discussion?

2. Problematic and methodology

The characteristics of discussions in newsgroups can hinder the good course of interactions. According to Marcoccia (1998), four characteristics of discussions in newsgroups distinguish them from face to face conversations and are consequently likely to impede the success of the communication. We can indeed observe that Computer Mediated Communication causes problems for mutual comprehension and courtesy due to factors including:

- The absence of face to face. The lack of physical perception can be an obstacle to the intelligibility of the messages (absence of paraverbal and nonverbal

elements).

- The anonymity - "pseudonymity" - of the users: the lack of clues of contextualisation makes it possible to hide one's identity, and to say anything with total impunity.
- The complexity of the participative framework, of the production and reception formats, is mainly due to the fact that in a newsgroup, any message is addressed to anyone.
- The C.M.C. (computer mediated communication) is a written communication. The statements constitutive of a dissension are written, fixed, and can contribute to maintain the oppositions.

The characteristics of the C.M.C. thus obstruct communication on the level of mutual comprehension and courtesy. In order to try to solve these problems, the discussion in newsgroups is supposed to be governed by rules which constitute a contract of communication. The contract of communication (Charaudeau, 2002) allows minimal mutual comprehension between interacting people. To enable the communication to succeed, the contract settles beforehand some important parameters of the interaction: identity of the net users, goal, matter and circumstances of the interaction. This concept of contract is then ideal for the analysis of global prescriptive texts (Netiquette) and local rules (charters). But is this theoretical frame of the contract appropriate to the analysis of the real interaction?

According to Goffman's perspective, the norms defined by this contract can be modified by the interacting people during the exchanges (1987). It is this theoretical framing that is necessary for the analysis of interaction norms in a newsgroup because, in opposition to the prescriptive norms of the Netiquette or of a charter, the consensus on the rules of the interaction is not a priori established, the latter being the subject of a negotiation within the dialogue (Kerbrat-Orecchioni, 1984). One can thus be interested in two types of rules able to define a "contract of communication" for newsgroups of discussion: norms set a priori in the total prescriptive texts (Netiquette) and local rules (charters); norms really being at work during exchanges between Net users. These norms are all negotiable in the exchanges between Net users: the language, interaction kind, participative framework, turn to speak, script, exchange topic, statement interpretation, opinions, activities, identities, interpersonal relationship. Once these elements of the contract, these norms, are defined, we may ponder over the communication ideal they defend.

3. *Presentation of the models*

To answer this question, we shall compare these rules with four models of discussion. Danblon (2005, p. 104-105), and Sarfati (2002, p. 27 and 45) refer to models to indicate the approaches which consist in seeking a communication ideal. The use of the term “model” to designate these theories is justified by the fact that the function of a model is to describe reality but also to prescribe the ideal “norms” to be applied. Reciprocally, “norm” not only reflects a “descriptive model” of reality but also the idea of moral criteria, of a “model of conduct” to adopt (Morfaux 1980, p. 220 and 242; Morin 2004, p. 144). These models result indeed from the pragmatic linguistic which consists in extracting the regulating norms from the language in use, with a prescriptive aim in this case: the feedback on the course of an ordinary communication makes it possible *a posteriori* to extract the ideal norms from it (Danblon, 2005). Such an approach allows us to articulate the descriptive and prescriptive theories in the four following normative models:

3.1 *Grice's Conversational maxims (1979):*

For Grice, during the interaction, everyone follows the regulating “maxims” or “norms” (Kerbrat-Orecchioni 2002a, p. 368) which describe the interlocutors' cognitive operations needed for the understanding of the messages. Moreover, they have also a prescriptive value because they imply that each person's intention to communicate is admitted by all the others. These “norms” constitute the “principle of cooperation”: Rules of quality: “Your contribution must be veracious” (or: “Do not assert what you think is false. Do not assert anything without sufficient evidence”). Rules of quantity: “Your contribution must contain as much information as it is necessary” (as far as *in situ* exchanges are concerned). “Your contribution should not contain more information than necessary”. Relation rule (or relevance): “To keep to the point” (“Be relevant”). Manner rule: “Be clear” (either: “Avoid being obscure or ambiguous; be concise; be methodical”).

3.2 *Habermas' normative theory of public sphere:*

According to Habermas' philosophy (1987, p. 330), which is inspired by Grice, the nature of communication norms is both descriptive and prescriptive. That implies a normative theory of the communicational reason the receptacle of which is a democratic “public sphere”. For an act of speech to be valid, the speaker must:

1. express himself in an understandable way (claim to intelligibility);

2. offer something to listen; (claim to truth: here, one only considers “serious” sentences, i.e. really aiming at the phenomena, and thus requiring the truth, or at least tending towards it);
3. be understandable; (Claim to sincerity: to make himself understood, within the framework of the consensus, which means saying the truth about himself, being sincere);
4. aim at an agreement with his interlocutors (claim to the research of the consensus);
5. seek universal truths, i.e. to be trustworthy for the largest number of the human community;
6. argue, justify his claims to validity through solid reasons, and be prone to accept the best argument.
7. All the participants have the same democratic access to the discussion, to the public sphere of interlocution: a criterion of symmetry, equality between the interacting people.
8. All the people concerned can see their position defended and honestly criticized: autonomy, freedom of the interlocutors who must be able to speak without restraint, without being put any pressure on from whatever authority.
9. Reflexivity: speakers must admit that the other people s’ speeches can challenge their own speeches.

3.3 *The pragma-dialectics model:*

This model falls under the theoretical filiation halfway between description and regulation: a link between of a requirement for rationality of arguments and a pragmatic based on the observation of the language in use. “The ten Rules of critical discussion ” are thus of “normative pragmatic” nature (van Eemeren and Grootendorst, 1996):

Rule 1: Partners must not make obstacle to the expression or the questioning of the points of view.

Rule 2: The party that has put forward a point of view must defend it if the other part is asking for it.

Rule 3: The attack must be relevant to the point of view such as it has been presented by the other party.

Rule 4: A party can only defend its point of view by suggesting an argumentation about this very point of view.

Rule 5: A party must not wrongfully ascribe implicit premises to an adversary. It must not reject a premise which it, itself, has left implied.

Rule 6: A party must not present a premise as an accepted starting point when it is not the case. It should not refuse a premise if it constitutes an accepted starting point.

Rule 7: A party must not consider that a point of view has been defended in a conclusive way if this defence has not been carried out according to an adequate argumentative scheme and correctly applied.

Rule 8: A party must only use logically valid arguments, or likely to be validated through the explanation of one or more premises.

Rule 9: If a point of view has not been defended in a conclusive way, then the person who proposes it must withdraw it. If a point of view has been defended in a conclusive way, the opponent should not therefore question it any more.

Rule 10: The parts must not use formulations which are not clear enough or too vague and so likely to generate confusion; each one of them must interpret the expressions of the other party in the most careful way and the most relevant possible way.

3.4 Norms of politeness according to Brown & Levinson's model:

A descriptive prospect of the norms built by interacting people (Plantin, 1998; Doury, 2003) is applied to the rules of politeness, identified by conversational analysis: the aim is to describe, in interactions, "the set of processes put forth to preserve the harmonious aspect of the interpersonal relation" (Kerbrat-Orecchioni 2002b, p. 439). According to Kerbrat-Orecchioni (1992), five processes extracted from Brown and Levinson's model, make up a coherent system of rules. Here are the five normative strategies of politeness listed in order of increasing politeness (Kerbrat-Orecchioni 1992, p. 174):

1. to openly achieve the FTA, without repairing action;
2. to openly achieve the FTA, with a redressive repairing action – positive politeness, compensation, which consists, in fact, in producing FFAs or anti-FTAs which will compensate for the FTA;
3. to openly achieve the FTA with a redressive repairing action – negative politeness which primarily consists in toning down, in softening FTAs, in particular by "softeners", apology;
4. to not openly achieve the FTA consists in using the in-thread;
5. not to achieve the FTA.

4. Corpora analysis: the newsgroup fr.soc.politique

4.1 Analysis of the Netiquette and charter

The purpose of our work will be first of all to clarify the norms of discussion defined by the Netiquette and the *fr.soc.politique* newsgroup charter by identifying the rules defined by these prescriptive texts and the categories which they belong to.

Confrontation between the models of the communication mentioned and the norms extracted from the analyzed corpus (Netiquette, charter and newsgroups) will enable us know to which system of rules the Net users refer to when they interact within the newsgroups.

- *Principle of adaptation to the group norms*

In the Netiquette as well as in the charter, the “metanorm”, which consists in familiarizing oneself with the newsgroup norms before joining in, is required: this means reading the newsgroups in order to be impregnated with their state of mind before intervening. It is thus logical for the Netiquette to promote the use of group norms, in particular to respect the cultural variables of the groups. One can then undoubtedly add here a rule from the charter which relates to the code, even if it does not directly refer to any other norm from any model: the *fr.soc.politique* charter charges Net users to adapt to the language used in the newsgroup: in fact it requires of Net users that they post their messages in French.

- *“Technical” rules*

The Netiquette just like the charter contains technical rules due to the communication device used: it is in particular about being careful with the format of the messages sent, so that they are in a readable format at the time of their reception by a recipient. We can then undoubtedly add a rule from the charter relating to the writing technique, even if it does not directly refer to any other norm of any model: the *fr.soc.politique* Charter presses Net users not to use capital letters, because that is akin to shouting and therefore to attacking the interlocutors.

- *Participative framework*

The participative framework raises the question of knowing whom exactly we are addressing. In a newsgroup, we do not address a single person but a large audience, this is why the Netiquette invites us to pay attention to what we write: to take into account that the messages are public, recalling moreover that posted messages can be filed for a very long time. We can hereby mention two charter rules which relate also to the participative framework, even if they do not directly

refer to any other norm of any other model: we must not diffuse messages from other authors without their agreement, and limit cross posting.

- *Script and structuring of the exchanges*

The Netiquette induces us to preserve the dynamics of exchanges, to avoid, for example, sending messages or posting articles which are only useless answers to answers: in particular messages which express only an agreement with previous interventions without being able to make the debate progress by giving an opposite opinion. This norm can seem contradictory with the communication ideal of Habermas for whom consensus is the ultimate aim of the dialogue.

- *Identity*

According to the Netiquette, messages must be considered as the expression of personal points of view. Net users are thus responsible for their messages and must not thus mask their identities (by presenting a false identity). To these three norms corresponds the condition of sincerity in Habermas' theory of the public sphere: one must be sincere about what one is and one's personal intentions during the discussion. However, the Habermas's system seems to be contradictory, since the norm of sincerity which requires that one reveals one's personal intentions, cannot always coexist with the rule of the general interest, or with the aim of the consensus, criteria equally existing in habermassian communication ideal. It can then contradict the rules of the Netiquette which prohibit sexist and racist messages, and the one that prompts to respect the legislation of the real world, also existing in the charter. The norm of sincerity can therefore be in opposition simultaneously with all the rules of courtesy of Brown and Levinson's system which seeks to avoid conflict.

- *Rules relating to the manner of expressing oneself*

The Netiquette like the charter imposes a norm the purpose of which is to preserve the thematic relevance of the newsgroup and of the discussions which occur there: it is necessary to avoid posting messages not related to the topic. A specific rule to the charter, because specific to the communication device, requires thence that the title of the posted message correspond to its contents. This type of norm corresponds to the maxim of relation (or relevance) contained in the Grice "principle of cooperation", and which consists in speaking *à propos*.

The norms of the Netiquette echo here the principle of intelligibility in Grice, which is divided in maxims of quantity and method: for, according to the

Netiquette, when we answer a message, we must summarize the preceding message at the beginning of our answer, or include enough of the text of this message to inform about the context. In order to make it possible to the readers to understand what our answer is about. But we must not include the whole preceding message, because it could cause interference on the clarity of our response to the message. And it is for this same reason that the charter prohibits the use of too long a signature. This type of norm corresponds thus in Grice to the rule of manner which consists in expressing oneself clearly, itself completed by the rule of quantity which consists in delivering a message containing neither too much nor too little information but just what is necessary to its understanding.

This principle of concision in Grice has its specific equivalent in the Netiquette which requires precisely that posted messages and articles must be short and accurate to the point. These norms of the Netiquette and the charter are also present in two models of communication which take as a starting point the principle of cooperation in Grice: the dialogue within public space for Habermas, which also takes as a condition the intelligibility of speech acts, as well as the pragma-dialectics that also requires in rule n°10 of the critical discussion to express these arguments clearly and to interpret the most carefully possible those of the others.

- Rules relating to the contents/the opinions

The Netiquette prohibits sexual harassment and racist messages, in particular because they can have legal implications. This justifies another norm of the Netiquette, also presents in the charter, which reminds Net users not to forget the laws, the legislation of the real world in a newsgroup.

- Interpersonal relationship

The Netiquette advocates, just like the charter, to avoid conflicts. This rule is equivalent to the fifth strategy of courtesy of the Brown & Levinson model which consists in not producing a FTA, i.e. a threatening act for the faces.

That implies to explicitly find in the Netiquette the rule concerning the taking care of the faces of the interlocutors (and of those of the manager of the newsgroup), a necessary behaviour for the good progress of any discussion on newsgroup. This essential criterion is at the root of the system of politeness for Brown & Levinson, and is stated in the theory of Grice in the form of a general social rule which however does not have the stature of "maxim": "be polite".

In someways, the charter prolongs these norms concerning the taking care of the faces and the avoidance of conflicts, by another criterion of argumentative nature which prohibits any attack against a person, i.e. the ad hominem argumentation: similarly, Habermas ethics of discussion and rules n°2 from pragma-dialectics requires to produce well argued messages, valid for the reason. This requirement of rationality in dialogue is indeed correlated to the avoidance of conflict, the aim of consensus inherent to any attempt at communication, according to the “metanorm” which underlies the Habermas and the pragma-dialectics theory.

One also finds in the Netiquette the equivalent of the third rule of courtesy in Brown & Levinson’s system, which consists in “repairing by attenuation”; what the Netiquette translates by the requirement to apologize when an error is made: one must apologize oneself when one sends by error a personal message to a list or a group. This criterion of avoidance of the conflict contradicts other communication norms: sincerity for Habermas (how to keep honest while avoiding a conflict?); clarity and concision in Grice, which can sometimes appear brutal with the interlocutor; the necessary contradiction to the dynamics of exchanges, according to the norms of the Netiquette; the requirement not to let pass to an adversary an incorrect argumentation, according to rule n° 7 of the pragma-dialectics.

4.2 Corpora Analysis: newsgroup analysis

The analysis of the corpora is composed of five threads of discussion extracted from *fr.soc.politique* newsgroup. Each one of these threads corresponds to a particular set of themes more, especially, to a type of more or less specific discussions. A sample of these threads answers to the will to constitute a corpus rather representative of the diversity of observable exchanges in this newsgroup. This representativeness is not grounded on statistics but is founded on a persistent observation of the newsgroup, a method close to that proposed by Herring (2004). The corpora is thus composed of messages extracted from five threads of discussion:

- thread 1 “*Let’s imitate the Corsicans, everywhere in France*”: 10 posted messages on December 29, 2004. It is about a thread of discussion opened by a message inviting the French with “send away foreigners, as the Corsicans do”. This thread is characteristic of some threads of the newsgroup *fr.soc.politique*, which are violent and polemic exchanges, including messages with xenophobe contents here.

- thread 2 *"Why does BUSH want war so much ?! "*: 6 messages constituting the totality of the thread, posted on December 29, 2004 to January 2, 2005. This thread is characteristic of the discussions which essentially have an explanatory style, for which argumentation consists in an opposition of explanations.
- thread 3 *"Venezuela chooses Linux and free software"*: 10 posted messages on December 29, 2004 to February 1, 2005. This thread is interesting in so far as it has a loose focus on a set of themes (here, between policy and data processing).
- thread 4 *"Debate: for or against child adoption by gay and lesbian parents?"*: 10 posted messages on May 10, 2002. It is based on an argumentative question (Plantin, 1998) whose formulation is very precise and explicit.
- thread 5 *"Must we reduce inequalities to fight against poverty?"*: 10 posted messages 27 and October 28, 2004. It starts with a "technical", serious problem, and tackles ethical and social questions.

The diversity of the messages of our corpora expresses a tension between various models of discussion in this newsgroup. Besides, this tension is clarified in a message extracted from the thread on the adoption by gays, in which a Net user disparages "chatterings" to defend the model of the "constructive debate". If we observe the way in which the messages posted in these various threads express either respect, or violation or clarification of the rules extracted from the Netiquette, charter or models, we get the following results.

The rule of sincerity (present in the model of Habermas and taken up in the Netiquette) recommends to express one's intentions clearly and to reveal one's identity. For threads 1, 2 and 3, the aim of the messages are not always expressed in a very clear way but that does not seem to be a problem for the participants (no warning is made). In threads of discussion resting on an explicit question (threads 4 and 5), the aim of the messages is expressed clearly, maybe because it constitutes a positioning related to the question that is structuring the debate. In a general way, the rule of sincerity concerning the expression of identity is largely violated. The almost systematic use of pseudonyms is manifest and violates even a rule of the Netiquette ("do not mask your identity"). However, no warning and any negotiation relates to this norm. Similarly, the invitation to express personal points of view (present in the Netiquette) is not always respected. From a formal point of view, the messages are rather stated in a constative form, without any mark of very much supported subjectivity (no "I", for example). This principle is however more often respected in thread 5, where arguments are often founded on

real life-experience.

The principle of relevance, central in Grice and quoted in the Netiquette and the charter, is generally respected in thread 1 and 5, in a total or more local way. Thus, some digressions are to be observed but, in this case, the messages which follow the one which introduced a thematic realignment are at least relevant with regard to this progression. In all cases, it is not possible to find messages which would not have any thematic relevance with regard to the threads or other messages. Moreover, the violation of the rule of relevance can give rise to warning (as in thread 2: *"what is the relationship between the title of your article and its contents?"* and in thread 4: *"Beside the point. The subject is adoption and not alternative methods of adoption"*). On the other hand, as soon as a thread of discussion is devoted to a topic which is at the intersection of politics and another subject, the rule of relevance seems to be suspended. Thus, the discussions on adoption of the free software by Venezuela are transformed into exchanges on the free software, without tending to rise any warnings. The relevance of the arguments, which is one of the rules guaranteeing the rationality of the exchanges in the pragma-dialectics model, is really respected by Net users only in thread 5. In the other threads, it is possible to observe forms of argumentative digression insofar as the arguments presented in the messages have sometimes a very indirect relationship with the conclusion at stake. According to the charter of the newsgroup, the rule of relevance also appears in the adequacy between the title and the contents of the messages. Except for messages of thread 4, this rule is largely violated insofar as Net users introducing a digression by their message generally do not take the trouble to modify its title, but keep the title of the thread.

If we remain on the principles in Grice, we can observe that the principle of clarity (one is also to be found at Habermas, in the pragma-dialectical model and the Netiquette) does not always seem to determine the production of messages. Thus, for threads 1, 2 and 3, the clarity of the contents of the messages and the arguments is not obvious. For example, the arguments are generally implicit, the messages sometimes allusive, ironic, etc. On the other hand, for threads 4 and 5, structured around a very clear argumentative question, the participants in discussions generally respect this principle of clarity.

The principle of quantity (limited to a principle of concision in the Netiquette) is quite often violated. Many messages are not very clear because elliptic. More seldom, the messages are very long, when they are cut-paste texts. On the other hand, in threads 4, it is not possible to find an example of violation of this rule.

Politeness is often presented like a set of rules structuring enough for discussion in newsgroups (Marcoccia, 2003b). For our corpus, this observation must be qualified. Indeed, in thread 1, the majority of messages violate the rule recommending to avoid being aggressive. The polemical dimension of this thread (racist messages, etc.) appears to found a local framework which implies that aggressiveness is authorized, even waited for and, in any cases, a warning would not be accepted. Nevertheless, in certain messages, Net users repair the violation of this norm by expressing apology. Thus, if the norm is violated in the main, it is not necessarily unknown to some Net users.

For the other threads, as far as this rule is concerned, behaviours are rather variable. One can note however that the thread on Venezuela and the free software, turning mainly into discussion on data processing, respects a principle of courtesy. Thread 5 seems to respect this principle insofar as refutations are generally polite: their aggressive character is generally toned down (for example, the refutations are expressed in the form of questions: *"You're sure of that?"*).

The quality and rationality of argumentation are supposed to be ensured by the application of the rules of critical discussion of pragma-dialectics and part of the model worked out by Habermas. These rules in fact are almost always violated in our corpus. For example, thread 1 contains many messages in which argumentation is *ad hominem* (a participant is called a *"sore gauchist"*); it is also possible to find many arguments based on threat and fear or abusive interpretations of the adversaries' positions. Thread 2 and 4 contain also messages violating these rules of rationality, but also messages in which it is possible to find evaluations of the adversaries' arguments (as *"against-nature is not an acceptable argument"*). Thread 3 contains more observative than really argumentative messages, which seems to suspend rules of rationality. Only thread 5 globally complies with the rules of critical discussion. Thus, Net users prohibit the use of argumentation against a person.

On the one hand, the rule aiming at guaranteeing in the acceptability of speeches by the greatest number and their general interest (essential in Habermas) seems violated in the main in threads 1, 2 and 3 and, on the other hand, is fairly respected in threads 4 and 5, which answer mostly an argumentative model.

To guarantee the truth of its messages (principle that is to be found at the same time in Grice and Habermas) is not either at stake in this newsgroup, except for thread 5, in which it is possible to find warnings concerning this point: *"do you have the slightest statistics?"*. The access to public sphere and the capacity to

speak freely seem recognized in the newsgroup, except when it is a question of blaming a Net user whose message is racist. In this case, the law will be called upon to justify this sanction.

Two rules of the Netiquette are devoted to the good management of the exchanges but are actually not always respected in the newsgroup. Net users do not necessarily take into account the public nature of their messages and can make asides. Similarly, all messages don't support the dynamics of exchanges, in particular and often because of their monologic nature.

Lastly, the rule recommending to write French messages is mostly respected, as well as the technical rules and the prohibition of cross-postings (except in thread 5).

5. Conclusions

The comparison between prescriptive texts, including the Netiquette and charter, with the preceding models of communication shows us that the communication ideal prevailing here is intelligibility and courtesy. The rationality of discussions and their democratic character are not evoked in these prescriptive texts except when these qualities cover courtesy (for example, not to use an argument against a person). One can assume that these rules are supposed to solve important problems for computer mediated communications by: how can we understand ourselves mutually and how can we resist the temptation to be discourteous? Objectives of argumentative rationality and democracy seem secondary.

When we observe the way in which Net users using this newsgroup adapt or not these rules, we note that the newsgroup as a whole does not constitute obviously a normative framework. Each thread has indeed its own specific norms, related to the topics dealt with. Thus, no model and no rule can be applied to entire newsgroup, but no model and no rule are totally absent from this newsgroup. For example, thread 5 seems to be a sphere of discussion regulated by a certain requirement of rationality. The intelligibility of the messages seems assured in threads 4 and 5. Thread 3 complies globally with the rules of politeness which seem suspended in thread 1.

So far this is an exploratory work with a restricted corpora. It shows however that newsgroups are composed of different sub-conversations with specific styles and specific norms from polemic to critical discussion. It shows also the possible limit of the preceding theories in understanding the specificity of computer mediated communication: in particular, can we consider a newsgroup as a public sphere?

This work opens out several prospects: but it requires more data to identify the most determining ideals in newsgroups and to use other models.

REFERENCES

- Brown, P., Levinson, S. (1978). Universals in language use: Politeness phenomena. In: E. Goody (Ed.), *Questions and politeness. Strategies in social interaction* (pp.56-289), Cambridge: CUP.
- Charaudeau, P. (2002). Contrat de communication, In: P. Charaudeau, D. Maingueneau (Eds.), *Dictionnaire d'analyse du discours*. Paris: Seuil, 138-141.
- Danblon, E. (2005). *La fonction persuasive*. Paris: Armand Colin.
- Doury, M. (2003). L'évaluation des arguments ordinaires: le cas de l'accusation d'amalgame. *Langage et société*, 105, 9-37.
- Eemeren, F.H van & R. Grootendorst (1996). *La Nouvelle dialectique*. Paris: Kimé.
- Eemeren, F.H. van, R. Grootendorst & A.F. Snoeck Henkemans (2002). *Argumentation*. Mahwah, NJ.: Lawrence Erlbaum.
- Goffman, E. (1987). *Façons de parler*. Paris: Minuit.
- Grice, H. (1979). Logique et conversation. *Communications*, 30, 57-72.
- Habermas, J. (1987). *Logique des sciences sociales et autres essais*, Paris : Presses Universitaires de France.
- Herring, S. C. (2004). Computer-Mediated Discourse Analysis: An Approach to Researching Online Communities. In: S. A. Barab, R. Kling, J. H. Gray (Eds.), *Designing for Virtual Communities in the Service of Learning*. New York: Cambridge University Press, 338-376.
- Kerbrat-Orecchioni, C. (1992). *Les interactions verbales* (t.2). Paris: Armand Colin.
- Kerbrat-Orecchioni, C. (1984). Les négociations conversationnelles. *Verbum*, VII (2-3), 223-243.
- Kerbrat-Orecchioni, C. (2002a). Maximes conversationnelles. In: P. Charaudeau, D. Maingueneau (Eds.), *Dictionnaire d'analyse du discours*. Paris: Seuil, 368-370.
- Kerbrat-Orecchioni, C. (2002b). Politesse. In: P. Charaudeau, D. Maingueneau (Eds.), *Dictionnaire d'analyse du discours*. Paris: Seuil, 439-443.
- Marcoccia, M. (1998). La normalisation des comportements communicatifs sur Internet : étude socioprogrammatique de la Netiquette, In: N. Guégen, L. Tobin (Eds.), *Communication, société et internet*. Paris: L'Harmattan, 15-32.
- Marcoccia, M. (2003a) : Parler politique dans un newsgroup de discussion. *Langage & Société*, 104, 9-55.
- Marcoccia, M. (2003b). La politesse dans les newsgroups de discussion: règles

externes, manifestations discursives et commentaires métacommunicatif. In: M. Bondi, S. Stati (Eds.), *Dialogue Analysis 2000 – Selected Papers from the 10th IADA Anniversary Conference, Bologna 2000*. Tübingen: Max Niemeyer, 315-326.

Montandon, A (1995). Etiquette. In: A. Montandon (Ed.), *Dictionnaire raisonné de la politesse et du savoir-vivre du Moyen-âge à nos jours*. Paris: Seuil, 29-46.

Morfaux, L. M. (1980). *Vocabulaire de la philosophie et des sciences humaines*. Paris: Armand-Colin.

Morin, J.M. (2004). *Précis de sociologie*. Paris: Nathan.

Plantin, C. (1998). L'interaction argumentative. In: S. Cmerjkova, J. Hoffmannova, O. Müllerova, J. Svetla (Eds.), *Dialoganalyse VI, Referate der 6. Arbeitstagung Prag 1996*. Tübingen: Max Niemeyer, 151-159.

Sarfati, G.E. (2002). *Précis de pragmatique*. Nathan: Paris.

ISSA Proceedings 2006 – A Pragma-Dialectical Analysis Of Online Political Argumentation



1. *Argumentation and Online Political Discussions*

In recent years, we have witnessed a growing interest for the practice of argumentation using electronic conferencing systems.[i] Research has been conducted to understand how this asynchronous technology could facilitate the learning and practice of argumentation in the classroom (Marttunen, 1994, 1997; Marttunen & Laurinen, 2002 ; Schroeder & Zarinna, 1999), and Campos (2003, p. 300) even argue that “networked (many-to-many) communication has unique cognitive characteristics that are bound to collaborative argumentation”.

However, literature on argumentative practices in online political groups is much more limited. Most frequently, studies of political discussions online are bounded in the larger problematic of the ‘Internet and the Public Sphere’ and refer to the work of Habermas (1989) on argumentation and public deliberations in bourgeois

society. Although general conclusions tend to be pessimistic, these studies note a high level of argumentation in online discussions (for a review in French, see Chaput, forthcoming). But on a closer look, one can find that their analysis is restricted to measuring the number of arguments in messages, and thus considering argumentation strictly as a *product*, which implies in turn to neglect the argumentation as *process* (cf. Blair & Johnson, 1987).

Our study aims therefore to understand the dynamic dimension of argumentation in online conferencing systems, by adopting what Plantin (2005, chap. 4) refers to as the “dialogical model of argumentation” in which interlocutors confront opposing viewpoints. We thus adopted the pragma-dialectical approach for it proposes “a systematic theory of argumentation” (cf. van Eemeren & Grootendorst, 2003) and, as we thought, can account for the high level of interactivity occurring in online discussion groups. For that purpose, we selected four (4) discussion threads from a lively online group in the Canadian province of Quebec called *Politiquébec* – a contraction of the words ‘politics’ and ‘Quebec’- whose mission is “To provide a space for constructive discussions about political issues in Quebec”.

Following a brief description of the pragma-dialectical method of analysis we used in this study, we present a synthesis of our results and identify some characteristics of networked communication that can complicate the resolution of critical discussions. Finally, we discuss the specifics of political argumentation and provide some appreciation of the pragma-dialectical method of analysis for online argumentative discourse.

2. Theory, Method and Data

Critical Discussion: Inspired by critical rationalism and speech act theory, Frans H. van Eemeren and Rob Grootendorst (1984, 1992) propose a theory of argumentation as critical discussion aimed at resolving a difference of opinion and going through four stages. During the confrontation stage, a viewpoint expressed by a party is put in doubt or rejected by another party; in the opening stage, the parties implied adopt the roles of protagonist and antagonist and respectively engage to defend or criticize the disputed statement. Common points of departure and rules are accepted at this stage. During argumentation stage, each party presents arguments to criticize or defend the disputed proposition, and finally, in the conclusion stage, we assist at the end of the dispute if the proposition is abandoned by the protagonist or the antagonist abandons its

critique of the standpoint. As noted by pragma-dialecticians, critical discussion should be considered primarily as a tool for analysis:

The critical discussion model is a theory of how discourse would be structured if it were purely resolution oriented. It is not a theory of how discourse is structured nor *is* it a claim about what functions are or are not pursued in actual argumentation. Nevertheless, it plays an important role in the analysis of actual argumentation (van Eemeren, Grootendorst, Jackson & Jacobs, 1993, p. 26; italics added by the authors).

Reconstruction: In order to analyze online political discussions, we referred to the method of reconstruction proposed by pragma-dialectics, which is to consider empirical discourse as part of a critical discussion. The Procedure of reconstruction requires an *analytic overview* of the corpus studied (van Eemeren and Grootendorst, 1992, p. 93-94), that include the identification of the controversial viewpoints, the positions adopted by parties and the end of the discussion. It also serves to specify explicit as well as implicit premises and conclusions of arguments, the schemes of the arguments and the structure of argumentations. Descriptive analysis is combined with a critical counterpart, where the goal is to identify violation in the rules of a critical discussion.

Data: The corpus of our analysis consisted of four discussion threads retrieved between January and March 2005 in the *Politiquébec* online community. Basically, a discussion thread is a series of messages linked by the same theme. Published messages appear in chronological order and are organized in a linear way. Discussions are held on a daily basis about many political issues, are subjected to both formal and informal rules (charter and netiquette), and are under the surveillance of moderators. The threads we selected covered a wide range of political issues, from the independence of Quebec to democratic reform and students strike in post-secondary institutions.

3. *The Dynamics of Online Argumentations*

The pragma-dialectical methodology provides a very detailed analysis of actual discourse that could not be reproduced here. Instead, we summarize some of our main results, insisting on similarities and differences along with the normative ideal of the critical discussion. In order to illustrate our point, we include some excerpts taken from the thread on the students strike. **[ii]**

Confrontation Stage: We can first observe that the initial message launching a

discussion thread is strongly argumentation-oriented. For instance, one interlocutor may advance a proposition by taking position on some issue. In other cases, as in the following example, one does not advance a viewpoint but invite others to debate on some actual or future event:

(1)

I'm not very familiar with this issue but I think that my 'cegep' and many others are holding a vote for an unlimited strike. I've read a little on the subject, and it's about the savage cutbacks in the student's grants program. I don't know yet whether I will be in favor or against it so I'd like to discuss it with you.**[iii]**

Even without adopting a specific viewpoint and by acknowledging for his or her indecision, this interlocutor nonetheless settles the argumentative question and frames the potential positions of the protagonist and antagonist: those who stand in favor or against the strike. But at this point, the critical discussion is still virtual, because other participants must answer this request for a discussion to be held. Otherwise, the thread could simply ends here.

Opening Stage: As we just noted, the initial intervention is not a sufficient condition for the unfolding of a dispute, since it could stay without any responses. In the present case, it is only with the implication of other participants that a dispute definitely will be launched:

(2)

If I still were in 'cegep', I would be "against" [the strike].

But if I were in 'cegep', I would have voted in favor [of the strike].

Now at the opening stage, we can attribute the roles of protagonist and antagonist to those two interlocutors who entered the discussion. However, in all analyzed threads, interlocutors never express themselves on the attribution of roles or on common definitions, starting points and rules. This absence could confirm the explanation of van Eemeren and Grootendorst (1992) according to whom the opening stage in practical situations is essentially implicit, but it could also mean that participants never come to such an agreement, which would indicate then that the goal of the discussion is not to pursue the resolution of a conflict of opinions. Both these explanations seem equally plausible in absence of further information. In addition, we could take in concern that online discussion groups are already subjected to different kind of rules concerning the respect of opinions and individuals, as well as the commonly-shared knowledge about the practice of argumentation in those sites.

Argumentation Stage: According to the model of the critical discussion, argumentation is advanced by parties once they agreed to resolve their difference of opinion. But the asynchronous mode of communication found in computer conferencing systems enable participants to present arguments even before any disagreement has been expressed. In our example about the students strike, the undecided interlocutor who initiated the thread offers some reasons to support his concern:

(3)

I certainly agree to protest against the stupid policies of the government on education, but on the other side, I found the general strike to be a very radical mean, and I fear that it won't change anything. You know, I really don't want to miss my classes...

And so, while judging that a strike constitutes a justified mean to express opposition to the government's decision, on the level of practical consequences for himself, he seems to doubt the success of the enterprise and fear for his own future as a student, thus explaining his indecision. Those arguments can then be reaffirmed or criticized by other interlocutors, or they might be ignored and replaced by stronger arguments. In the next example, the interlocutor formerly identified as antagonist chooses to present a slightly different argument to support his or her viewpoint:

(4)

Fist, planners of student manifestations are too disorganized, and then, the government knows very well that it is in fact only a minority of students who are concerned by these cutbacks.

In this case of multiple argumentations where two reasons are formulated to support the standpoint, practical consequences are still evoked but this time on a collective and not on the individual level, that is, concerns for students protest groups and the sum of all students.

And we can notice that both arguments contain some implicit premises and conclusions: first, if students manifestations groups are too disorganized, then they will not be able to succeed and thus strike is not a good option; and secondly, if only a minority of students are concerned, then the majority will not support the strike and so it is not a valuable action to undertake. A second antagonist develops a very similar argument using a deductive reasoning:

(5)

We talk about a gain of approximately \$ 10,000 for less than a third of students. We talk of a possible loss of half a school year for all students. The choice is obvious, against the strike!

Some arguments can be repeated many times in the course of one dispute, and we can certainly question the effects of this repetition on the outcome of a discussion, for example if it contributes to reinforce an argument, to make it more commonly acceptable and convincing, up to the point where this argument is repeated so many times that it becomes naturalized and taken for an obvious fact. This question, however, goes beyond the objectives of the present paper.

The dialectical mode of argumentation explains that a question must be properly responded, that each argument advanced to support a viewpoint must be subject to criticism by the other party. But if some arguments are actually criticized by an opponent, many responses merely takes the aspect of a reframing move. Here, the protagonist also evokes the consequences of this decision, but on the scale of the long term period:

(6)

If you don't protest now, you [the students in 'cegep'], as future students of university, are going to pay a lot more than actual university students. It mainly depends on your long term vision. The objective of manifesting in 'cegep' is more for your future in university than for your present in 'cegep'...

The issue is no more related to missing your classes today, but about paying a lot more tomorrow for higher education. The argumentation stage is thus built through many messages that justify to vote for or against a students strike in the 'cegeps'.

Conclusion Stage: Following some exchanges between one protagonist and many antagonists, the latter messages published in that thread are all by antagonists, and the discussion is put to an end when no further contributions are presented. A similar dynamics was observed in the other threads that we analyzed. It thus appears that the main contrast between the model of the critical discussion and the analyzed online discussions refers to the lack of resolution of disputes in online political groups. Many factors could explain why parties practically never agree at the end of a discussion, and we leave this subject for the next section.

4. Instabilities in Online Discussions

Various elements that characterize interactions in electronic conferencing may render difficult the good development of a critical discussion and limit the possibilities of a resolution of a difference of opinion using argumentation. Those characteristics concern the modes of participation, ideological antagonisms as well as the level of fallacies.

Modes of participation: For a critical discussion to be held, “participants must agree that there is some hope of resolving the disagreement through discussion and must enter into a cooperative search for resolution within a set of shared expectations about the way the search will be conducted” (van Eemeren & al., 1993, p. 27). However, the literature on online political discussions and our own observations suggest that such an engagement toward a common goal may not be the primary goal of participants and can be therefore difficult to maintain. First, many-to-many communications in computer conferencing resemble less to ‘dialogue’ than to what we might call ‘multi-logue’ or ‘poly-logue’, in the sense that these exchanges are held simultaneously by numerous participants. This could in turn be explained by the device which make every intervention ‘public’ and offer the opportunity to break in or out an ongoing discussion. Furthermore, many participants participate simultaneously in many interactions (cf. Bentivegna, 1998), thus contributing to decrease collective attention and increase the fragmentation and multiplication of discussions (for a presentation of some features on computer-mediated communication, see Marcoccia, 1998, pp. 17-18). Multiple participations also create inequalities in the distribution of viewpoints among participants and that can complicate the resolution of disputes. In the threads we analyzed, we observe that the protagonist often faces a greater number of antagonists, and while not directly determining the issue of disputes, we can nonetheless suppose that a higher number of opponents will be more difficult to convince than one adversary. For example, the ratio between the number of protagonists and antagonists was from one to six in the second and third threads, and from two against seven in the fourth one (about the students strike).

Ideological Antagonisms: A second source of instability come from the opinions on political questions that often implicate value systems or ideologies, and as Walton mentions (1992, p.16), “political differences between right and left ideologies, it could be said, are precisely the sort of conflicts that do not lend themselves to resolution through simple discussions”. Windish, Amey and Grétilat (1995)

illustrate this point in the nuclear debate in Switzerland, showing that conflicting parties developed entirely different worldviews that are totally incompatible. In similar cases where the contested viewpoints are irreconcilable, we begin to see more clearly why disputes are not resolved.

But this does not mean that viewpoints are deeply frozen and discussions impossible, because alongside with ideological antagonisms, Benoit-Barné (2002, p.163) asserts that public debate in electronic discussion groups can have a positive influence of the viewpoints shared by citizens: "Through this process, citizens assert, evaluate, and potentially reshape their taken-for-granted-assumptions about the principles that govern their lives". However, the changes of viewpoints are more susceptible to occur in the long term than at the end of a sole discussion. In addition to that, when taking into consideration that those argumentations occur in the context of an online community where participants develop share a mutual knowledge or *endoxa* (cf. Tardini, 2005) where personal reputation may be involved, we better understand why a participant in a discussion might prefer to leave rather than having to abandon a standpoint, as in the following example where the protagonist could not convince the antagonists of his proposition:

(7)

It's obvious that it won't change anytime soon, and I am going to be preaching in the desert for a very long time. But I don't care; I don't want to be part of the gang...

And thus, in a public electronic conferencing system, we should not neglect this aspect of 'performance' on the part of the interlocutors, and implications for the preservation of one's image or reputation in the community can have for consequences to limit the possibilities of truly critical discussions.

Fallacies: The last cause of instability during online political discussions on the Internet is related to the presence of fallacies in the course of verbal interactions. As specified by van Eemeren and Grootendorst (1987, p. 284), "In our pragma-dialectical conception, the term 'fallacy' is reserved for speech acts which hinder in any way the resolution of a dispute in a critical discussion". Throughout all the messages we analyzed, we can find many times when one of the ten normative discussion rules has been broken, and we could class those fallacies in three categories. First, there are those fallacies linked to invalid forms of arguments; in these cases, others participants are often able to refute the arguments or to reject

them as unacceptable. More problematic are those fallacies that deal with ambiguity or unclear statements. Those are frequently due to a lack of good formulations on the part of the authors, but are also caused by the specific style of communication in computer conferencing that combines oral and written forms and can provoke misunderstandings. Problems related to interpretation of others contributions can sometimes degenerate into clashes: "Because of the very nature of the language and the multiplicity of meanings that words have, clashes can arise due to the different interpretations that texts can provide to readers" (Campos, 2002, online).

This brings us to the third and most important kind of fallacies, the personal attacks or *argumentum ad hominem*. The enflamed discourse of one interlocutor against another is not automatically harmful for human relations, as is argued by Papacharissi (2004) who insists that impoliteness does not necessarily mean a lack of civism. But on the other side, an attack against an opponent risks to provoke a counter-attack, and thus transforming a critical discussion into an open quarrel. This frequent phenomenon in debates on the Internet is also known as 'flame wars' (for one illustration, see Herzog, Dinoff & Page, 1997, p. 411-413). Among the threads we analyzed, one transformed into a quarrel of this type where 11 out of 16 messages contained irritating elements and argumentation seemed pointless in those conditions. In another case, the publication of a hostile message had for consequence to put a premature end to the ongoing discussion.

In summary, it seems that a lack of engagement towards other participants in discussion, a relative absence of respect for adversaries, refusal to accept criticisms and a relatively high level of irritating messages can make it difficult to resolve difference of opinions in the course of online political discussions. According to these results, political discussions in networked communities fail to qualify as critical discussions. To conclude this paper, then, we question the specificities of political argumentations and consider the implications of pragma-dialectics as a tool for the analysis of verbal interactions in electronic conferencing.

5. Discussion

On Political Argumentation: In our study, we considered online political argumentations strictly as a form of critical discussion. However, according to Walton (1992, p.130), political argumentations like partisan debates qualify as a kind of 'mixed dialogue' that combines elements of the quarrel and the critical

discussion, democratic requirements and effective persuasions. This dual aspect of political argumentation has not been inquired in our study nor is considered by the model of the critical discussion, but recent efforts by pragma-dialecticians to integrate both rhetorical and dialectical aspects of argumentation (cf. van Eemeren & Houtlosser, 1999, 2000) could lead to interesting results in this field. Another questioning is tied to the 'political' character of everyday argumentations in online discussions. While much has been written about the democratic potential of online political discussion groups, we could wonder if argumentation gets political by referring to political issues or by its enunciation in political contexts, which is not exactly the same. For instance, a *café* discussion about world politics can have little or no practical consequences, where a parliamentary debate will conclude argumentations with a decision, by voting a law, etc. According to Latour (2003), who is usually associated with the field of sociology of science and technology, a speech becomes political not for its content but as it is a container aimed at constituting and assembling groups. Therefore, we could conclude that online political discussions are not fully political argumentations, and following authors like Marcoccia (2003) or Wilhelm (1999), qualify these interactions as "laymen discussions" or "sociable conversations" oriented more towards the pleasure of exchanging opinions with others.

On Pragma-dialectics: We understand that the main advantage of the critical discussion model is that it offers a more elaborate method for the study of online political discussions than those found in the literature. As we noted earlier, most analysis of online political discussions limit argumentation to the presence or absence of arguments in a posted message, and fail to consider the *situated* and *interactive* aspect of online discussions. Secondly, the reconstruction procedure enables to reassemble and organize the numerous messages of a discussion thread that first appears to be 'anarchic'. Finally, it allows a more detailed understanding of discussion dynamics even when exchanges appear, at first sight, to be the opposite of the ideal model of critical discussion. We also agree with the evaluation of pragma-dialectics by Bonevac (2003), who praises this theory for being dynamic, context-sensitive, and multi-agent, also offering a theory of fallacy and argumentative structure. All these characteristics make pragma-dialectics a strong toolkit for the analysis of practical argumentations in everyday situations. However, Bonevac pursues his evaluation of pragma-dialectics by considering that it lacks to take in consideration the discussions implicating multiple participants, where there can be more than 'one protagonist' and 'one antagonist'. Even though we accept the comments of van Rees (2003) who correct

the point that 'protagonist' and 'antagonist' refers to roles in the discussion and not to actual persons, the fact that multiple interlocutors participate in online discussions certainly poses a additional difficulty for the analysis of online interactions or group discussions. For example, we noted that some participants join and leave ongoing discussions, and it is not obvious what role to attribute them in the dispute. Furthermore, participants don't always have an established viewpoint on an issue, like our undecided speaker about the students strike. And the number of interlocutors who adopt one role or the other could have, as we mentioned earlier, an incidence in the outcome of a discussion. Under these conditions, could it be possible to talk of 'many protagonists' and 'many antagonists'? Answer to this question would require more elaborated empirical analysis than we could provide here, and perhaps more consideration for the phenomenon of multi-partied discussions

6. Conclusion

In this paper, we presented an analysis of online political discussions in which the pragma-dialectical theory of argumentation was applied, and results suggest that argumentations do not lead to a resolution of the differences of opinions. Modes of participation in an online discussions, ideological antagonisms and fallacies could justify these deceiving results. Acknowledging these limits for the accomplishment of critical discussions online, it is then possible to propose different ways to enable better argumentative discourse; those could be linked to the technology itself or to the presence of a facilitator to enhance the unfolding of cooperative argumentations (cf. Campos, 2005), or to the pursue of common objectives that justify collaborative argumentations, just like in the case of shared knowledge in sites of the like of *Wikipedia*.

NOTES

[i] This paper is based on the first author master thesis in communication sciences, written under the supervision of the second author (cf. Chaput, 2005).

[ii] In winter and spring of 2005, thousands of students in higher education institutions (universities and cegeps) protested against the decision by the government of Quebec to cutback funds in financial aid for students in difficult situations.

[iii] All original excerpts are written in French, but they have been translated for the purpose of this paper. Original messages can be found at this address: <http://www.politiquebec.com/forum/ftopic9249.php>

REFERENCES

- Benoit-Barné, C. (2002). "The Internet as a Space for Civic Discourse: The Case of the Unity Debate in Canada". In S.D. Ferguson, & L.R. Shade, (Eds.), *Civic Discourse in Canada: A Cacophony of Voices*. (pp. 155-168). Westport, CT: Greenwood.
- Bentivegna, S. (1998). *Talking Politics on the Net* (Research Paper R-20). Cambridge, MA: John F. Kennedy School of Government, Harvard University/The Joan Shorenstein Center on the Press, Politics, and Public Policy, <http://ksgwww.harvard.edu/presspol/Research_Publications/Papers/Research_Papers/R20.pdf>.
- Blair, J.A. & R.H. Johnson (1987). "Argumentation as dialectical". *Argumentation*, 1(1), 41-56.
- Bonevac, D. (2003). "Pragma-dialectics and Beyond". *Argumentation*, 17(4), 451-459.
- Campos, M.N. (2002). "Competition, Lies and Dissimulation: Lessons from an Online Learning Clash". *Interpersonal Computing and Technology Journal*, 8(1), <<http://www.aect.org/Intranet/Publications/ipct-j/2002/Campos.asp>>.
- Campos, M.N. (2003). "The Progressive Construction of Communication: Towards a Model of Cognitive Networked Communication and Knowledge Communities". *Canadian Journal of Communication*, 28(3), 291-322. <<http://www.cjc-online.ca/viewarticle.php?id=796&layout=html>>.
- Campos, M. N. (2005, April). Nurses in action: A participatory design model for the building of a networked community. *Paper presented at Practices of Assessment and Intervention in Action-Oriented Science and Technology Studies*, Amsterdam.
- Chaput, M. (2005). *L'argumentation dans la communication : une analyse des interactions au sein d'une communauté politique en réseau* [Argumentation in Communication : Analysis of Interactions in a Political Networked Community]. Unpublished Master Thesis, Department of Communication, Université de Montréal, Montréal.
- Chaput, M. (forthcoming). « *La dynamique argumentative des discussions politiques sur Internet* » [The Argumentative Dynamics of Political Discussions on the Internet] COMMposite. <<http://commposite.org>>.
- Eemeren, F.H. van & R. Grootendorst (1984). *Speech Acts in Argumentative Discussions: A Theoretical Model for the Analysis of Discussions Directed towards Solving Conflicts of Opinion*. Foris/Mouton de Gruyter, Dordrecht/Berlin.
- Eemeren, F.H. van & R. Grootendorst (1987). "Fallacies in Pragma-Dialectical

Perspective". *Argumentation*, 1(1), 283-301.

Eemeren, F.H. van & R. Grootendorst (1992). *Argumentation, Communication, and Fallacies: A Pragma-Dialectical Perspective*. Hillsdale, NJ: Lawrence Erlbaum.

Eemeren, F.H. van & R. Grootendorst (2003). *A Systematic Theory of Argumentation: The Pragma-Dialectical Approach*. Cambridge: Cambridge University Press.

Eemeren, F.H. van & P. Houtlosser (1999). "Strategic manoeuvring in argumentative discourse". *Discourse Studies*, 1(4), 479-497.

Eemeren, F.H. van & P. Houtlosser (2000). "Rhetorical Analysis Within a Pragma-Dialectical Framework: The Case of R. J. Reynolds". *Argumentation*, 14(3), 293-305.

Eemeren, F.H. van, R. Grootendorst, S. Jackson, & S. Jacobs (1993). *Reconstructing Argumentative Discourse*. Tuscaloosa: University of Alabama Press.

Habermas, J. (1989). *The Structural Transformation and the Public Sphere: An Inquiry into a Category of Bourgeois Society*. Cambridge, MA: MIT Press.

Herzog Jr., H.A., B. Dinoff & J.R. Page (1997). "Animal Rights Talk: Moral Debate over the Internet", *Qualitative Sociology*, 20(3), 399-418.

Latour, B. (2003). "What if We Were Talking Politics a Little?". *Contemporary Political Theory*, 2(2), 143-164.

Marcoccia, M. (1998). « La normalisation des comportements sur Internet: Étude sociopragmatique de la netiquette » [The Normalization of Behaviors on the Internet: A Socio-pragmatic Study of Netiquette], in N. Guéguen & L. Tobin (Eds.), *Communication, société et internet : actes du colloque GRESICO de Vannes, Université de Bretagne-Sud, 10 et 11 septembre 1998* (pp. 15-32). Paris; Montréal: L'Harmattan.

Marcoccia, M. (2003). « Parler politique dans un forum de discussion » [Talking Politics in Computer Conferencing]. *Langage et société*, 104, 9-55.

Marttunen, M. (1994, June). Practicing Argumentation through Computer Conferencing. *Paper Presented at the Third International Conference on Argumentation*, Amsterdam.

Marttunen, M. (1997). "Electronic Mail as a Pedagogical Delivery System: An Analysis of the Learning of Argumentation". *Research in Higher Education*, 38(3), 345-363.

Marttunen, M. & L. Laurinen (2002). "Quality of Students' Argumentation by E-mail". *Learning Environments Research*, 5(1), 99-123.

Papacharissi, Z. (2004). "Democracy Online: Civility, Politeness, and the

- Democratic Potential of Online Political Discussion Groups". *New Media & Society*, 6(2), 259-283.
- Plantin, C. (2005). *L'argumentation : Histoire, théories et perspectives* [Argumentation: History, Theories and Perspectives]. Paris : Presses Universitaires de France.
- Rees, M.A. van (2003). "Within Pragma-dialectics: Comments on Bonevac". *Argumentation*, 17(4), 461-464.
- Schroeder, E.E. & E.A. Zarinnia (1999, February-March). Argumentation Online: The Use of Computer Conferencing. *Paper presented at the SITE 99: Society for Information Technology & Teacher Education International Conference*, San Antonio, TX.
- Tardini, S. (2005). "Endoxa and Communities: Grounding Enthymematic Arguments". *Studies in Communication Sciences: Argumentation in Dialogic Interaction*, 279-294.
- Walton, D.N. (1992). *Plausible Argument in Everyday Conversation*. Albany: State University of New York Press.
- Wilhelm, A.G. (1999). "Virtual Sounding Boards: How Deliberative is Online Political Discussion?" In B.N. Hague & B.D. Loader (Eds.), *Digital Democracy: Discourse and Decision Making in the Information Age* (pp. 154-178). London; New York: Routledge.
- Windisch, U., P. Amey & F. Grétilat (1995). « Communication et argumentation politiques quotidiennes en démocratie directe » [Everyday Political Communication and Argumentation in Direct Democracy]. *Hermès 16: Argumentation et rhétorique 2*, 57-72.
-

ISSA Proceedings 2006 - Arguing Against The Capitalist State: The Rhetorical And Ideological

Struggles Of Eugene Victor Debs



"No man in America has been more hated, and few have been so much loved as Eugene V. Debs." (Max Ehrmann)

Eugene V. Debs As An Orator

Just over 100 years ago, in 1904, the Democratic Socialist Party tapped Indiana native Eugene Victor Debs[i] to serve as their candidate for the upcoming Presidential election. While an outspoken critic of capitalist economics and the U.S. government, and a strong supporter of workers' rights, Debs was reluctant to accept this invitation. Eventually, he relented and ran a vigorous and, by some measures, highly successful campaign. This was his first of five Presidential campaigns. Perhaps the most significant event of his campaigns was a speech that Debs delivered in Canton, Ohio, in 1918. Because of this speech, Debs was arrested and charged with treason under the Espionage Act of 1917 for voicing his opposition to U.S. involvement in World War I. He continued his fifth run for the Presidency from prison, the first and last time any person had ever done so. Remarkably, for that election, he received nearly one million votes, tripling the previous total of the Democratic Socialists from the election of 1900.

In more than just a metaphorical way, Debs was the voice of the working class. His entire life was devoted to advancing the cause of the working class against the excesses of the capitalist state. He first advanced this cause through the politics, but when it was obvious that the ideological structures of the political system resisted and then rejected his anti-capitalist argumentation, he had no choice but to turn to the legal system for recourse.

At his trial for treason, Debs chose to represent himself, and presented one of the most highly regarded speeches in the history of American Public Address. Indeed, Americanrhetoric.com ranks his "speech" to the jury as the 34th most influential and memorable speeches of all time. In this essay, I will carefully examine the three speeches that cluster around this rhetorical situation: the Canton speech, the speech to the jury, and the speech to the judge. While the speech in the courtroom failed at the legal level given the complicity of law and politics in reinforcing the power of the state, it succeeded in its broader rhetorical appeal.

Importantly, Debs constructed tropes of working class rhetoric that resonated with a wider audience. This teaches us something about the law and legal argumentation, namely, that even “losing” arguments, or minority opinions, serve a significant role in legal and political culture. And this also teaches us something about justice, a concept that is perhaps best understood rhetorically, not something that is a natural function or part of the legal system. Indeed, Debs never doubted that justice was on his side, despite the contrary conclusions of a closed political and legal system. Writing on the life of Eugene Victor Debs, Bernard Brommel (1978) observed:

He used his voice and pen to aid workers in important strikes, union organizational battles, five Socialist presidential campaigns, cases defending imprisoned workers, free speech contests, and in other controversial issues ranging from women’s rights, birth control, child labor, to the threat of automation. Throughout these fifty-two years of agitating, Debs kept his enthusiasm for the causes that he thought just. (p. 200)[ii]

1. *From Canton To The Courtroom: Law, Politics, and War*

Debs was scheduled to give the keynote speech at the Ohio state convention for the socialist party on June 16, 1918. The rhetorical situation was politically charged. As Brommel (1978) recounts, “While a crowd of 1,200 waited in the hot afternoon sun, federal agents circulated through the audience asking to see draft cards” (footnote omitted) (p. 151).

Almost as if he sensed what was to come, Debs began his speech with an eerie sense of foreshadowing. Pointing to a jail, Debs mused, “They have come to realize, as many of us have, that it is extremely dangerous to exercise the constitutional right of free speech in a country fighting to make Democracy safe for the world” (Brommel, 1978, p. 151)[iii]. Indeed, Allen (1989) notes, “He was testing, daring the federal government to arrest him under what he perceived to be the immoral, unjust, and ill-conceived Espionage Act of 1917” (p. 88).

In the speech, Debs highlighted inconsistencies between “official Washington attitude” toward Germany and the war. He noted that the American government had supported the Kaiser in the years before World War I. This was one of the main themes of his speech. In all, Debs made six references to war:

1. The master class has always declared war; the subject class had always fought the battles.
2. The working class furnishes the corpses but never has a voice in declaring war

or in making peace.

3. If the war would end, Rose Pastor Stokes would be released.

4. Workers should know that they exist for something better than slavery and “canon fodder.”

5. The government maintains that workers should grow war gardens as a patriotic duty while an official report shows that fifty-two percent of the tillable soil is held out of use by war “profiteers.” 6. When the “war press says war,” every pulpit in the land “will say war.” (Brommel, 1978, p. 152)

These six statements, attributed to Debs by government agents, were the basis of the ten charges filed against Debs under the Espionage Act of 1917, as amended in 1918.**[iv]**

Clyde Miller, a news reporter for the *Cleveland Plain Dealer*, claimed that Debs gave a speech that had “shocked the nation.” He also persuaded his friend, District Attorney Edward Wertz, to file charges against Debs under the Espionage Act. The indictment charged Debs with “attempting to cause insubordination, mutiny, disloyalty, and refusal of duty within the military forces of the United States, and the utterance of words intended to procure and incite resistance to the United States, and to promote the cause of the Imperial German Government” (Quoted in Socialist, 1935, p. 12).

Significantly, Wertz sent a copy of the speech to the Justice Department. After studying the speech, the Department concluded: “Parts of the speech, taken in connection with the context, bring the speech close to, if not over, the line, though the case is by no means a clear one. All in all the Department does not feel strongly convinced that a prosecution is advisable” (Salvatore, 1984, p. 294). This was obviously advice that Wertz chose to ignore.

Although he was arrested, his supporters posted bail, and this allowed Debs to continue his speechmaking.**[v]** The government monitored these speeches closely, watching for any “disloyal statements” (Cantrell, 1918, p. 4). Debs appeared in Federal Court in response to his indictment on September 8, 1918. On the first day of trial, Judge D. C. Westenhaver set the tone for the proceedings by citing several Debs’ supporters for contempt of court.

At the conclusion of the government case, Debs shocked the court by taking the stand. No other witnesses appeared on his behalf. While some accounts say that Debs’ speech lacked the emotion and fire of his campaign speeches, he still presented a solid, historically grounded argument. After his speech, friends of

Debs applauded and, subsequently, six prominent members of the Socialist Party were arrested.

Despite his patriotic pleas, the jury deliberated six hours before finding Debs guilty. The judge denied his motion for a retrial, but asked Debs if he had any final comments before sentencing. In that statement, Debs recounted much of his personal and professional history, and repeated some of his more memorable lines, for example, "While there is a lower class, I am in it, while there is criminal element I am in it, and while there is a soul in prison, I am not free." (Ginger, 1949, p. 374). Toward the end of his speech to the judge, he invoked religious allusions: "Let the people everywhere take heart and hope, for the cross is bending, the midnight is passing, and joy cometh in the morning" (Ginger, 1949, p. 439). And, as he did when he was last arrested 23 years earlier, Debs concluded his speech by citing the poet Lowell:

He's true to God who's true to man;
Whenever wrong is done.
To the humblest and the weakest,
'neath the all-beholding sun.
That wrong is also done to us,
And they are slaves most base,
Whose love of right is for themselves
and not for all the race. (Karsner, 1919, p. 54)

Judge Westenhaver offered a reply of his own. Speaking to Debs, he noted, "I appreciate the defendant's sincerity; I may admire his courage but I cannot help wishing he might take better note of facts as they are in the world of present time" ("Debs," 1918, p. 1). In other words, according to the judge, the type of argumentation that Debs used, especially his use of historically and politically grounded arguments, was considered out of place, both in the law generally and in this particular case. Debs appealed the case to the Supreme Court, and this allowed him to remain out of prison until that case was heard.

In the meantime, Judge Westenhaver warned Debs to avoid giving anti-war speeches, and restricted his legitimate territorial and, subsequently, rhetorical boundaries. Debs was only allowed to give speeches in the northern district of Ohio and in cities close to his home in Terre Haute, Indiana. Debs defied both admonitions on the grounds of free speech, something that did not help his case on appeal.**[vi]** On March 10, 1919, the Supreme Court denied Debs' appeal and

ordered him to prison on April 13, 1919, seven months after the formal conclusion of World War I.**[vii]** He was sentenced to 10 years in prison for “using profane, scandalous, and abusive language” (Fried, 1970, p. 509).

The fact that Debs was willing to go to prison for a humanistic principle enlivened the spirit of American Socialists and the working class. The fact that Debs was ordered to prison after World War I was over, a time when the Espionage Act no longer seemed relevant, caught the attention of several noted groups and individuals.**[viii]** “Amnesty Groups, lead by Upton Sinclair, Clarence Darrow, Geroge Herron, Frank Harris, and others, besieged President Wilson with requests for Debs’ release” (Brommel, 1978, p. 157). President Wilson, emboldened by his Attorney General, never relented. It was not until December 23, 1921 that a new President, Warren Harding, announced that Debs and 23 other “political prisoners” would have their sentences commuted to time served on Christmas Day.

2. Voice of the Prisoner: Word Economy and the Scales of Justice

On May 13, 1920, while Debs was still in prison, the Socialist Party nominated, for a fifth time, Eugene V. Debs, Convict 9563, for President. Debs gave a brief acceptance speech in the prison warden’s office before party leaders and press representatives.

During the campaign, the Attorney General allowed Debs to make only one weekly press release. Further, the press release was limited to 500 words. Significantly, “[t]he word limitation in the press releases forced Debs to be more precise, inventive, and discriminating in word choice than he had been in his speeches in four earlier campaigns” (Brommel, 1978, p. 157).

It seems, then, that while his arguments were resisted and rejected at the political and legal level, when the system was forced to tolerate his arguments, it did so only grudgingly by placing significant constraints on his discourse. Throughout the process, Debs found his discourse limited. In the Canton speech, his resistance to war was deemed traitorous, and in his speeches to the jury and judge, the judge admonished Debs for his use of historical and political arguments. While awaiting his appeal to the Supreme Court, the trial judge limited Debs’ territorial and topical range. And, in prison, while running a national presidential campaign, he was only allowed to give one speech a week, and even that speech was limited to 500 words. While representatives of the state paid homage to the principles of free speech, liberty, and equality, their practice belied a deeper structural resistance to discourse that challenged their

mechanisms of control.

In the election, 919,302 people, or 3.5 percent of the total, voted for Debs. Significantly, his share of the previous election was 6.0 percent, but more voted for him in the latter election. The reason for this, of course, is because this was the first election where women were allowed to vote.

Ironically, many socialist leaders felt a sense of victory in the 1920 election for at least repudiating President Wilson and contributing to the Republican election landslide. The years of Harding, Coolidge, and Hoover, however, were no friend to the socialist agenda. Indeed, many blame their pro-business, pro-upper class policies for inflating the bubble leading up to the stock market collapse in 1929, and the subsequent Great Depression.

3. Exploring Debs' Argumentation and Rhetorical Strategies

Eugene Victor Debs was not only a person of principle, he was quite a powerful orator, as well. Asked about his earliest ambition, Debs replied, "I wanted to be an orator. In my boyish estimate, the power of the speaker was infinitely greater than that of the writer" (Fawcett, 1896, p. 38). By the end of his career, Debs delivered an estimated 6,000 speeches.

Debs usually wrote his speeches en route to his next engagement. He read widely, from both history and current events. His personal library was extensive. He had several first edition books from popular writers that were signed by the authors.

One interesting aspect of this case from a rhetorical perspective is the fact that there was no authentic "written text" of the Canton speech. Indeed, there are several versions, but Debs concurred, more or less, with the authenticity of the government version in his trial. The best that the government could offer were the notes taken from their agent, who was in the audience, and the recollections of the aforementioned reporter who initiated the charges. Importantly, the government agent, Virgil Steiner, who was a stenographic clerk hired by federal officers, admitted that he could not keep up, even in shorthand, because Debs spoke so quickly. The gaps will filled in by Agent Sawken of the War Department who spent the afternoon interviewing pedestrians who had attended the speech, remembered its contents, and were willing to testify (Sawken, 1918b, p. 1). Additionally, agents were authorized to obtain a search warrant for the home of Hortense Wagenknecht; there, agents seized notebooks, memoranda, and other papers related to Debs' speeches (Sawken, 1918a, p. 1).

Three techniques were prevalent in Debs' discourse: his use of analogical

arguments, his use of emotional arguments, and his use of ideographs. Debs was particularly fond of using analogical arguments, comparing one set of circumstances to another. And he was especially adept at drawing from the well of history in finding appropriate examples. This technique complemented his tendency to recount stories, or extended narratives. As Brommel (1978) noted: "Rather than rely on documents and figures, Debs based the strength of his arguments upon the experiences that he had had and the accounts others related to him" (p. 203).

Debs also had a penchant for emotional argument. He found this technique a way to excite the passions and encourage action from his audience. He often used emotional appeals in conjunction with other rhetorical techniques. "When Debs used [] emotional appeals, he effectively employed a number of persuasive devices" (Brommel, 1978, p. 205). When taken together, Debs concocted a powerful rhetoric, one that always seemed to link with audiences on a very personal level.

Finally, Debs used political tropes, or ideographs throughout his speeches. For example, he made references to "fair play, happiness, security, honesty, freedom, pride, honor, loyalty and other basic human needs" (Brommel, 1978, p. 205). Also, he made constant appeals to enduring human values. In his courtroom speech, Debs consistently integrated the tropes of American liberty with his working definition of American Socialism. Debs invoked the revolutionary spirit of Washington, Paine, and Adams, as well as abolitionists like Elijah Lovejoy, Wendell Phillips, William Lloyd Garrison, Gerrit Smith, and Thaddeus Stevens. For Debs, true patriotism was something that was more universal, and it was this spirit of patriotism that would challenge and eventually reject "the capitalist-competitive system in which we live" (Salvatore, 1984, p. 295).

Overall, Debs arguments resonated with audiences around the globe. Indeed, Lenin (1918) recognized Debs as "one of the best loved leaders of the American proletariat" (p. 9). Salvatore (1984) concluded: "The Canton speech and Deb's addresses to the jury and the judge electrified Socialists throughout America. Widely reprinted and even more widely quoted, Deb's words gave a demoralized movement a new focus and rallying point" (p. 296).**[ix]** Moreover, Debs solidified his place in the history of public discourse. In a resounding endorsement of his oratorical prowess, Ehrmann (1908) reflected:

Whatever may be said of his philosophy, one thing is certain, that he has won a place in American history as one of its greatest orators; and in my opinion there is

not a man on the American platform today who is his equal. His is a new and different kind of oratory. He resorts to no tricks of rhetoric, no claptrap and stage effects, no empty pretense of deep emotion; but he stands frankly before his audiences and opens the doorways of his mind and heart that seem ever to be overflowing with terrible invective or the sweet waters of human kindness. (pp. 499-500)

In 1925, Debs wrote a letter to the local paper in Terre Haute. He was motivated to write upon finding the old mansion of Chauncey Rose, arguably Terre Haute's most famous entrepreneur, in disrepair.**[x]** He wrote:

This is predominantly a business age, a commercial age, a material and in a large sense sordid age, but the moral and spiritual values of life are not ignored by the people. Sentiment, without which men are lower than savages, is still rooted in and flowers in the human soul and makes possible the hope that some day we shall seek and find and enjoy the real riches of the race. (Debs, 1925, p. 9)

While the socialist movement might be described by some as a failed movement given its lack of overwhelming success in the years before, during, and after World War I, the legacy of Debs should not be measured in these terms. Significantly, Debs laid the tropological and rhetorical groundwork for continued resistance to capitalist excesses. The history of political and legal argumentation in particular illustrates the rhetorical power of both active and dormant tropes in mobilizing social movements. Indeed, the history of the Abolition Movement, the Women's Suffrage Movement, and the Civil Rights Movement, all borrow from the rich classical liberal tropes embedded in rhetorical history.

As such, Debs creates commonplaces that may be reborn at any time like fiery phoenixes ready to challenge the assumptions and consequences of capitalism and imperialism. Importantly, Nick Salvatore (1984) reached the same conclusion: "Rather than ashes, the life of Eugene Victor Debs may instead be represented by the phoenix, the symbol of regeneration and rebirth even in the midst of tragedy - a constant reminder of the profound potential that yet lives in our society and in ourselves" (p. 345).

NOTES

i. I would like to acknowledge the kind assistance of the special collections staff at the Cunningham Library at Indiana State University, and the curator of the Debs Home in Terre Haute, a space that also houses material for the Debs Foundation as well as other interesting letters, books, and artifacts. The library

archives house the most significant repository of Debs material in the world with nearly 6,000 documents, and related personal items.

ii. One of the more compelling personal accounts of Debs' life was written by his brother, Theodore, and published by Theodore's granddaughter, Marguerite Debs Cooper (1973).

iii. All excerpts, including introductory remarks, are taken from the first carbon MS. of this speech as recorded by a government agent June 16, 1918, in Nimisilla Park.

iv. The ten charges were eventually reduced to two.

v. The same day that he was arrested, Debs was nominated for Congress by his home district.

vi. Historian Charles A. Beard (1927) described Attorney General Palmer's "[h]ot war on the Reds" during this time (p. 670). Significantly, DePauw alum Charles Beard and Eugene Debs, who were both Socialists, parted ways on the issue of World War I. Beard left the party because of his support for the war effort.

vii. Speaking for the Court, Justice Oliver Wendell Holmes denied Debs' argument that his arrest violated his right to free speech.

viii. The continued use of the Espionage Act was not unique to Debs' case. "The war ended in November 1918, but the repression of radicals and labor agitators continued, as both government agents and organizations of businessmen-patriots continued their guardianship of American communities" (Salvatore, 1984, p. 297).

ix. In 1918 alone, for example, one finds letters from Upton Sinclair, Margaret Sanger, Clarence Darrow, and others in the Indiana State archives and the Debs' home in Terre Haute. Other writers in subsequent years include Helen Keller, Sinclair Lewis, Carl Sandburg, Bartolomeo Vanzetti, and Emma Goldman. A useful collection of selected letters is reprinted in Constantine (1994).

x. Chauncey Rose, of course, is one of two names associated with Rose-Hulman University. The other, Herman Hulman, was a former employer of Debs. Despite the fact that Rose was a successful capitalist, Debs admired the fact that he turned the fruits of his personal successes back to the people of Terre Haute, unlike greedier capitalists of his time.

References

Allen, Jr., G. A. (1989) *Spokesmen for the 'dispossessed': A content analysis of the public address of Eugene Debs, Daniel DeLeon, and William Haywood*. Ann Arbor, MI: University Microfilms.

Beard, C. A. (1927). *The rise of american civilization*. New York: MacMillan.

Brommel, B. (1978). *Eugene V. Debs: Spokesman for labor and socialism*. Chicago: Charles H. Kerr Publishing.

Cantrell, L. M. (1918, October 14). File statement. *National Archives Documents*. RG 165 F-022, 10110-444-38.

Constantine, J. R., Ed. (1995). *Gentle rebel: Letters of Eugene V. Debs*. Urbana, IL: U of Illinois P.

Debs gets ten years in federal prison. (1918, September 12). *New York Times*. p. 1+.

Debs, E. V. (1925, September 9). Letter to the editor. *Terre Haute Tribune*, p. 10.

Debs, T. (1973). *Sidelights: Incidents in the life of Eugene V. Debs*. Terre Haute: Marguerite Debs Cooper.

Ehrmann, M. (1908). Eugene V. Debs as an orator. In Rogers, B. (Ed.), *Debs: His life, writings, and speeches* (pp. 499-501). Girard, KS: The Appeal to Reason.

Fawcett, W. (1896, April 16). A talk with Debs. *Illustrated Express*, p. 38.

Fried, A. (1970). *Socialism in America*. New York: Doubleday.

Ginger, R. (1949). *"The bending cross": A biography of Eugene Victor Debs*. New Brunswick, NJ: Rutgers U P.

Karsner, D. F. (1919). *Debs, his authorized life and letters*. New York: Boni and Liveright.

Lenin, V. I. (1918). *A letter to American workers*. New York: International Publishers.

Salvatore, N. (1984). *Eugene V. Debs: Citizen and socialist*. Urbana, IL: U of Illinois P.

Sawken, A. (1918a, June 27). File statement. *National Archives Documents*. RG 165 F-015, 10110-444-38.

Sawken, A. (1918b, July 10). File statement. *National Archives Documents*. RG 165 F-011, 10110-444-14.

Socialist Party (U.S.). (1935). *The heritage of Debs: The fight against war*. Chicago: Socialist Party National Headquarters.