

ISSA Proceedings 2006 - Fallacies As Violations Of Rationality Norms. An Interdisciplinary Approach



Introduction

Douglas Walton promoted the thesis that there is a dilemma of fallacy analysis (1995, 269-272) implying that “fallacy” oscillates helplessly between an EITHER (intentional deception) and an OR (suffering passively the occurrence of erroneous inferences). We shall argue that there is no such dilemma: The so called two horns of the dilemma are actually quite naturally connected as complementary elements, an involuntary and an voluntary element with the voluntary element presupposing the involuntary. The involuntary element captures cases where someone suffers a fallacy because of a local malfunctioning of his or her mind. The voluntary element (cor)responds to this and exploits it: Someone who knows such a pattern of malfunctioning exploits it to influence another mind in his or her favor.

And this is the point where rationality standards come in: They express norms of mental functioning that help to avoid the costs of fallacious mental processing concerning judgments, inferences, problem solving, arguments, or decision making.

Following rationality standards offers the opportunity to improve one’s own mental processing by one’s own efforts of rational self-control. And the same holds in cases where other humans try to exploit the fallacy proneness of the own mind to their advantage. Consequently, we do not restrict the analysis of fallacy to the analysis of fallacious arguments, but regard a wider realm of mental processes including problem solving, probability judgments and decision making. And in referring to mental processes, we do not restrict ourselves to rational thinking in the narrow sense of consistency-rationality, but, instead, follow Aristotle’s tri-dimensional access to the mind comprising the dimensions of *logos*, *pathos*, and *ethos*. We understand mental processes as relying on three components: a logical, an emotional, and a social-interactive component,

representing the interconnection of minds. In this paper we will explore four different rationality standards, each with its own norms concerning mental processes, and the corresponding norm violations, the fallacies.

1. *Fallacies of bounded rationality*

The focus here is on individual decision making or problem solving in a specific task environment beyond social interaction. In this section, we consider, as a prototype, a fallacy which is related to two basic patterns of demonstrative syllogisms, the modus ponens and the modus tollens:

Modus ponens

IF A THEN B

A true

B true

Modus tollens

IF A THEN B

B false

A false

Fallacy of affirming the consequent

IF A THEN B

B true

A true

The fallacies of §§ 5 and 7 in Aristotle's Rhetoric book II, ch. 24 belong to this fallacy type:

§5: Dionysius is a thief, for he is a bad man. This is fallacious because not every bad man is a thief. There are alternative possibilities and signs of being a bad man which are ignored or excluded here without further legitimacy. This illicit move makes the conclusion fallacious. §7: Someone who dresses up and roams at night is an adulterer because adulterers are of this type.

How can we remedy this fallacy beyond retreating to the principles of apodeictic reasoning? Let us first follow the path of Georg Polya, a Hungarian born Stanford mathematician, in his classic book on mathematical problem solving (Polya 1945/

1988). He offers a formal solution concept for the fallacy by introducing the formal model of a heuristic syllogism. Heuristic syllogisms derive conclusions from signs. They are indispensable for any problem solving and discovery.

Polya chose a very nice example to illustrate the discovery point (Polya 1945/1988, p.181) -concerning the discovery of America by Columbus and his crew:

IF we are approaching land, we often see birds.

Now we see birds.

Therefore, *probably*, we are approaching land.

Without inserting the *probably* we would fall back into the fallacy of affirming the consequent. Polya regards two patterns of heuristic syllogisms:

(I) IF A THEN B

B true

A probably true

(II) IF A THEN B

B true

A more credible

Heuristic reasoning based on heuristic syllogisms has the following properties:

- it is non-demonstrative
- it lacks the certainty of demonstrative syllogisms
- it is indispensable for acquiring new knowledge and characteristic of knowledge related to the physical and social world beyond formal logic and mathematics.

Heuristic reasoning is embedded into Polya's concept of bounded rationality. Heuristic syllogisms reveal the meaning of bounded rationality (Polya 1945/1988, p.189): Conclusion and premises differ in their logical levels: the conclusion is less determined, not fully supported by the premises. The conclusion resembles a force with a direction and a magnitude. The direction is from less to more knowledge, but its strength - the question *how much more* credible the conclusion is - remains open, and is, therefore, a matter of debate between different parties. Heuristic syllogisms lack certainty whereas demonstrative syllogisms are certain as soon as the premises are accepted.

According to Polya, bounded rationality is something intermediate between complete certainty and complete uncertainty, but, nevertheless, tied to a special type of formal reasoning structured by syllogistic patterns which support great discoveries without being error proof. The consequence of Polya's bounded rationality concept for fallacy analysis is this: Our fallacy prototype is not only fallacious with regard to the consistency-rationality standard of formal logic, but also with respect to the bounded rationality standard of heuristic reasoning. The heuristic syllogism itself is non-fallacious although it violates *modus ponens*.

A second approach to bounded rationality, heuristic reasoning, and the dissolution of our prototype fallacy is offered by Gerd Gigerenzer, a leading German psychologist. To portray his approach, we adapt Gigerenzer's heuristic *Take the Best* (Gigerenzer 2000, 171-197) to Polya's example.

The key idea of this heuristic is to provide a list of *cues* (signs in Aristotle's and Polya's terms) and rank order them according to relevance. *Take the Best* prescribes to choose the first ranking cue (the best, the most relevant) and forget the rest. The quality or validity of the list and the quality of *Take the Best* depends significantly on the domain specific experience or expertise of its users. The more elaborate the expertise, the better the results, i.e. the better the match between the conclusion of the *Take the Best*-based heuristic syllogism and the domain event which the conclusion aims to estimate.

To exemplify this, let us go back to Polya's example. He mentions the following cues (signs): Highly significant birds like sandpipers, birds in general, characteristic appearances of the sea near the shore, objects floating in the water. Suppose the crew experts had ordered the cues according to updated degrees of certainty:

- (1) highly significant birds like sandpipers
- (2) birds in general
- (3) objects floating in the water
- (4) characteristic appearances of the sea near the shore

Based on this ranking, we insert *Take the Best* into the heuristic syllogism to legitimise the conclusion, we have:

IF we are approaching land, we often see birds.

Now we see sandpipers.

Therefore, we are approaching land.

This corresponds to the general formal pattern:

IF A THEN B

B true

_____ \neg Take the Best (B true and the most relevant cue)

A [*true - with subjective certainty*]

Without the insertion of Take the Best, the heuristic syllogism would be fallacious. Within the new context, our prototype fallacy would become a fallacy with regard to Gigerenzer's concept of bounded rationality. It rests on three columns (Gigerenzer 2002, p.38):

(1) Psychological limitations of human information processing as time, memory, knowledge.

(2) Domain specificity: the application of heuristics requires a domain specific knowledge base. Heuristics are essentially domain specific tools (expressed by the list of cues in our example and the comparative evaluation of the relevance of each as captured by the rank ordering; for both, expert knowledge is crucial). And consequently,

(3) ecological rationality as rationality standard with its criterion of *matching*. It refers to the matching between heuristics and environmental, domain specific structures, in short, to their goodness of fit to the domain of application.

Gigerenzer's approach is completely in line with Polya's fundamental insight that heuristic reasoning is inevitably weaker than demonstrative, but a priori non-fallacious. It is an indispensable tool for all problem solving - in science as well as in everyday life.

2. *Fallacies of social rationality (1): rhetorical rationality*

In the first section, we dealt with heuristic reasoning, which is - according to Polya - basic to plausible reasoning but not identical with it. He regards plausible reasoning as an extension. An extension of what? Following Aristotle's stance in the Rhetoric, we would say: besides the logical component, plausibility rests on emotional and ethotic factors as well. This enlargement makes sense and is necessary with regard to the focus of rhetorical rationality. Here, the focus is on influencing the decision making of another party (audience) via (re)presentational means (verbal and non-verbal). Logos, pathos, and ethos provide appropriate factors of exerting influence. The corresponding rationality criterion,

simultaneously the criterion of successful influencing, is yesable plausibility. The “yesable”-component addresses the characteristic social-interaction level of rhetorical rationality.

In the following, we develop over- or underestimation, over- or underrepresentation of significance or weight(s) as the fallacy criterion corresponding to rhetorical rationality. We start with the following insight: The specific weakness of plausible reasoning, as compared to apodeictic reasoning, is characterized by the fact that it admits degrees of plausibility ranging over the whole interval $[0, 1]$ with $0=F$ and $1=T$. Thus, there is an incentive to strengthen one’s own argument. The aim is to get as near as possible to the 1-pole, to reach the highest possible degree of plausibility. Knowledge of mechanisms and strategies of weight induction will offer substantial support for reaching this aim. This knowledge may be used in a fallacious or a non-fallacious way.

Weight induction mechanisms are not only necessary for effective plausible reasoning, but also for the effective verbal and non-verbal (re)presentation of one’s case in front of an audience. Both together offer basic strategies of how to act successfully on other people’s minds and, thus, help the orator to get the desired YES, the approval for his position from his audience. We want to analyse and demonstrate by examples how fallacies arise out of weight induction and weight distribution mechanisms.

An important class of fallacious weight inducing mechanisms are three heuristics studied by Daniel Kahneman, a 2004 Nobel prize winner in economics, and his colleague Amos Tversky. All three heuristics distort human judgment formation by inducing the mind in a systematic and predictable way to attach significant weight to the wrong things. The three heuristics at issue are representativeness, availability, and adjustment and anchoring. Representativeness concerns probability estimation based on similarity judgments, availability concerns frequency or probability estimations based on the ease of memory access to relevant occurrences, adjustment and anchoring capture the dominant weight of initial values or starting points on estimations, however arbitrarily they were chosen. These heuristics are of the uttermost importance in cognitive psychology and behavioural economics. Before going into further detail here, we will start our discussion with a classical source of studying fallacies due to weight distribution: Aristotle in the second book of his Rhetoric (Ch. 24, §3).

By analysing fallacies due to fallacious combinations of what is separate and fallacious separation of what is combined at Rhetoric II 24.3, Aristotle deals with

linear distributions of weight. As 'combination' he regards sequences, enumerations, sums, and classes of elements.

The principle of linearity governing those combinations of elements has the following form:

The weight of the sum (combination) is equal to the sum of the weights of the elements. According to the linearity principle, a sequence of letters does not make a word, or the *enumeration* of 30 tyrants which Thrasybulos has deposed amounts to the deposition of 30 tyrannies, or, *adding* one dose of a medicine to a first dose yields a wholesome total. But this principle is fallacious, in general. Actually, taking non-linearity into account, it is not absurd to conclude that, if two halves are good separately, they are bad when combined, because quantity may change quality.

Further, the argument of Euthydemus is presented concerning the difference between class/ prototype and a representative of it:

If I know the *trireme*, and if I know the Piraeus, then I know the trireme in the Piraeus.

BUT: The *trireme in the Piraeus* is a particular trireme, a representative, whereas the trireme of the premise designates a class or a prototype. Thus, if I know what a trireme (a trireme in general) is and if I know the Piraeus as a place, I do not know that a specific representative of *trireme* or which particular representative is in the Piraeus. There is a gap between class and representative that the argument ignores. This makes it fallacious.

Now, let us return to Kahneman and Tversky's approach. We will present only one heuristic in more detail and demonstrate how it is supposed to work by introducing the famous Linda experiment. We will embed the heuristic and the example into our distribution-of-weights perspective. Representativeness is characterised by the authors thus:

For example, when A is highly representative of B, the probability that A originates from B is judged to be high. On the other hand, if A is not similar to B, the probability that A originates from B is judged to be low (Tversky & Kahneman 1982, p. 4).

...This approach to the judgment of probability leads to serious errors, because similarity, or representativeness, is not influenced by several factors that should affect judgments of probability (Tversky & Kahneman 1982, p. 4).

The Linda or conjunction fallacy experiment (Tversky & Kahneman 1983, p. 299).

The following story was presented to the participants:

Linda is 31 years old, single, outspoken, and very bright. She majored in philosophy. As a student, she was deeply concerned with issues of discrimination and social justice, and also participated in antinuclear demonstrations.

Then the participants were asked to judge which of the two alternatives was more probable:

Linda is a bankteller (A)

Linda is a bankteller and is active in the feminist movement (A&B)

The story doesn't mention A and offers information only representative of and relevant for B. Thus, by this mode of representation, weight is attached to B only. The question dissects the complete information set A&B into A and A&B. The correct estimation would follow the conjunction rule of probability theory. It states that the probability for the combined event A&B to happen is *smaller* than the probability for alternative A alone (or alternative B alone): $p(A\&B) \leq p(A)$. But the reaction of most of the participants revealed an estimation contrary to the conjunction rule by fallaciously inverting the relation, yielding $p(A\&B) > p(A)$.

Let's try to reconstruct this fallacy from a rhetorical point of view. We are defending the thesis that the fallacious estimation corresponds to the weight distribution of the story. The story told is irrelevant to A and relevant to B only. It distributes weights by making A insignificant and B significant for the addressees. The question, then, asks the participants to compare the probability of the combination of an insignificant A and a significant B to the probability of the insignificant A alone. It's the distribution of weights which induces the majority of the participants to estimate that the combination of an insignificant A and a significant B is *more* probable than the insignificant A. Thus, they are induced to a fallacious recombination of A and B to AorB with AorB representing the combination either A happens or B happens or A&B happen. Now the disjunction rule of probability theory applies to solving the estimation task yielding $p(A\text{or}B) > p(A)$.

The story provides information together with a distribution of weights such that the participants are induced - by experimentalists who act like orators - to base the required probability estimation on similarity judgments, the similarity between the story's Linda portrait and being active in the feminist movement, instead of the laws of probability theory. According to our approach, the

experiment provides an example for the postulated interdependence of voluntarily and involuntarily committed fallacies. Fallacies due to weight distribution may be traced back to the roots of information processing:

David Marr, the famous MIT computer scientist, studies weight distribution at the roots of information processing. His thesis is that we cannot represent anything without distributing weights. We cannot avoid to place one aspect in the foreground, another in the background, to accentuate x, to neglect y:

A representation is a formal system for making explicit certain entities or types of information, together with a specification of how the system does this. And I shall call the result of using a representation to describe a given entity a description of the entity in that representation (Marr 1982, 20).

For example, if one chooses the Arabic numeral representation, it is easy to discover whether a number is a power of 10 but difficult to discover whether it is a power of 2. If one chooses the binary representation, the situation is reversed. Thus, there is a trade-off; any particular representation makes certain information explicit at the expense of information that is pushed to the background and may be quite hard to discover. This issue is important, because how information is represented can greatly affect how easy it is to do different things with it (Marr 1982, 21).

What do we learn from this? We learn that choosing a representation to present information is basically fallacy prone because it relies on the distribution of weights. This is a fundamental insight for an orator to make use of: a serious use or a fallacious use.

3. Fallacies of consistency-rationality

The focus here is on contradiction-free thinking (judging & reasoning) with formal consistency as the rationality criterion. Treating consistency-rationality as the only rationality model provides the corresponding fallacy criterion.

To show how consistency-rationality may become fallacious, we follow an argument and example provided by Amartya Sen, a Nobel prize winner in economics (Sen 1993, 498-503). The consistency requirement is represented by an axiom of mathematical decision theory, the axiom of independence of irrelevant alternatives. It states: If you choose an alternative from a larger set, say y out of {x, y, z}, then you choose y also from the subset {x, y}.

Consider now the following everyday situation which confronts you as a rational decision maker with the prospect of committing a fallacy: You are invited for

dinner together with other guests. For desert, a platter with cakes is passed around. Your neighbor having the choice between apple pie, strawberry cake and nothing, chooses apple pie - leaving you with a choice between strawberry cake and nothing. At your neighbor's position you would have chosen the strawberry cake, an easy choice. But the situation is different now at your actual position. How would you decide? If you regard yourself as a rational decision maker, you follow the axiom of independence of irrelevant alternatives and decide for the strawberry cake. But if you obey the politeness standards to be followed in this circle, you decide to follow the convention of leaving the last cake for the next person and choose to have nothing. You prefer to reinforce your image as an educated person.

This decision can be regarded as a second order decision between different rationality standards. But if you are a 100%-adherent of the ideal of consistency-rationality, you don't see the need for a second order decision. You blindly follow your ideal - and commit a fallacy, the fallacy of implementing a rationality model where it is not appropriate.

The same type of fallacy would be committed by a mathematician who would argue like an orator when doing mathematics or an orator who tried to follow the standards of mathematical reasoning, of "apodeictic" reasoning in Aristotelian terms. To be aware of the second order choice of appropriate standards and of the fallacies originating from being blind to it lie at the roots of understanding genuine rhetorical rationality standards, as Aristotle points out in the following lines from his *Nicomachean Ethics* (EN 1094b 23-27):

[f]or it is the mark of an educated mind to expect that amount of exactness in each type of knowledge which the nature of the particular subject admits. It is equally unreasonable to accept merely probable conclusions from a mathematician and to demand strict demonstration (apodeixis) from an orator (Rackham's transl., modified; similarly *Rhetoric* 1355a24-29; see Rapp's comment on this (Rapp 2002, vol.2, p.58)). The uneducated mind commits fallacies of the type discussed. The underlying mind set falls victim to conflicts of rationality standards which the educated mind is able to avoid or to decide with prudence.

4. *Fallacies of social rationality (2): dialogical or dialectical rationality*

The focus here is on joint - in the sense of simultaneous competitive and cooperative - problem solving or decision making by exchanging moves and

countermoves in a dialogical setting.

At the logical level this involves dialogue formats as rule settings for the exchange of objections as feasible moves and countermoves. Examples of this are Critical Discussion, Negotiation, Quarrel, Inquiry, Information-Seeking Dialogue (Walton 1995, Ch. 4, 98-116), and Debate.

At the level of social-interaction we find acceptability-driven moves and countermoves. The rationality criterion here is mutual acceptability of procedural moves and of the termination of discourse. Both the process of solving a joint problem and its outcome have to be mutually acceptable. This criterion is weaker than *mutually advantageous*, because the (rational) loser of a game (a debate, for example) will regard the loss not as advantageous, but as acceptable if the rules of the game have been respected. *Mutually advantageous* implies *mutually acceptable*, but the converse does not hold in general.

Fallacious under this model of rationality is any move of a dialogue party that is mutually unacceptable given the acceptability standards of the underlying format. If an unacceptable move is detected, the person having committed the fallacy must correct or withdraw it if this is demanded and if he or she wants to stay in the game. Acceptable moves within one format may not be acceptable within another, and vice versa: Ad hominem arguments or threats are fallacious within the critical discussion format, for example, but feasible within the negotiation format or the debate format.

The diversity of the formats is due to different mixtures of cooperative and competitive interaction modes in talk exchange. Because of the mixed motive structure of their interactions, it does not seem far fetched to regard all formats as mixed-motive games, in a game theoretical sense (Murnighan 1991, p.16). Debate is more contentious, more competitive, critical discussion is more cooperative, negotiation admits equal significance of both.

Fallacies negate the general dialogical/ dialectical rationality criterion of mutual acceptability as specified by the format of a given dialogue game. Fallacies within a given format come to the mind as something that is not acceptable and should be corrected.

Thus, there is an obligation on the part of rule violators to correct or withdraw their fallacious moves. Let's have a look at a specific example to understand what this means. Negotiation games are games with a complicated structure. They are mixed motive games being cooperative and competitive simultaneously. Each negotiator is interested in creating an as large as possible joint gain, a big pie.

This disposes him to cooperate. But he is also interested in gaining an as large as possible piece of this pie for himself. That disposes him to compete. Drawn in opposite directions simultaneously, each party faces the typical negotiator's dilemma as it was called (Lax & Sebenius 1986, 29-45, Ch.2). This dilemma is the structural source of a bundle of deliberate fallacies, of concealing information, of deceiving and misleading the other side by misrepresentation of one's own true interests, of hardball and intransigence tactics - all these moves are fallacious because they serve the motive of competition at the cost of the motive of cooperation - resulting in an inefficient outcome which is disadvantageous for both.

But there are lots of involuntary fallacies as well: mental fallacies of misinterpretations and inferences concerning the other side's intentions or behavior, or judgmental overconfidence in one's own judgments, or confusing one's own perspective with objective reality as in wishful thinking, or presupposing that it is the other side who commits this fallacy and not oneself, or the so called loss aversion which may distort the assessment of compromises and, thus, their acceptance. Often, these involuntary fallacies are interrelated with those of the voluntary type just discussed. Arrows et al. 1995 contains a collection of fallacies of both types under the label of *barriers* to conflict resolution.

The deliberate as well as the involuntary fallacies, diverse as they are, share one common feature: they all represent mutually unacceptable moves which direct the negotiation process to inefficient, mutually disadvantageous outcomes which every rational player of the game would like to avoid or to correct.

Conclusion

Walton, to return to the thrust of our introduction, resolves the dilemma that characterizes his understanding of fallacy by asserting that the occurrence of a fallacy needs to be identified with the misuse of an argumentation technique (1995, 272). But we have argued here that the deeper problem is not the technique being used but the underlying model of rationality involved and the norms that govern those models. As people behave "irrationally" in regard to those norms (or as others exploit the potential for such irrational behaviour) fallacies are seen to arise. A consequence of our account, because of the wider notion of rationality involved (than is normally seen in treatments of fallacy) is that our understanding of 'fallacy' is itself a wider notion consistent with the wider understanding of 'argument' that attaches to rhetorical argumentation.

Some people may object that 'fallacy' should only be used to describe problematic *arguments* of a certain type. But as we have shown, this is also a prejudice derived from looking at fallacies from the perspective of only one model of rationality (admittedly, the model of rationality dominant in the logical tradition).**[i]** But in the face of growing empirical evidence from sources like the fields of cognitive and evolutionary psychology or behavioural economics, which conflict with or put into question the assumptions of the traditional model, we must be prepared to reconsider the 'standard' of rationality and our ideas of what is reasonable.

Another feature of our account to which objection might be made is its apparent "psychologism." The definition of fallacy that Hamblin (1970, p.12) famously attributes to Aristotle sees a fallacy as an invalid argument that seems valid but is not. While our account does not restrict itself to arguments, it does accept the importance of the "seeming." This essentially extends the discussion to people's cognitive processes and psychological responses complementing the concern with objective 'forms' or schemes of invalid patterns that exist independent of any minds.

Ralph Johnson (1996, p.186), for example, professes a preference for purging the concept of fallacy from its Aristotelian roots and retaining only enough of its history to connect it to the idea of a logically incorrect argument. And he does this exactly because of the psychological features interwoven in those roots. In fact, a key criterion of Johnson's revitalization of fallacy theory is the purging of all subjective and psychological nuances, that is, all references to appearance (1995, p.115). His principal concern in rejecting this feature is what he takes to be the vagueness involved of deciding whether or not a piece of reasoning is a fallacy. If it is just a matter of appearance, then a defective argument may appear as good reasoning to one person and bad reasoning to another. Johnson believes that the "badness" of the reasoning is an objective fact about it, independent of any subjective judgment. Undoubtedly, there are invalid patterns of reasoning due to objective, impersonal standards. And patterns which are invalid with regard to one standard are valid with regard to another. Heuristic syllogisms, for example, violate the rationality standard of formal logic, but are valid with regard to the bounded rationality standard. Besides this, there is the psychological problem of falling from correct standards of reasoning into the use of defective patterns. There are two different modes of use: the involuntary and the deliberate. The analysis of the trapped mind choosing fallacies unconsciously is the subject of

psychology. The analysis of the strategic mind choosing fallacies to gain an advantage is the subject of rhetoric and dialectic.

Thus, to our minds, the approach Johnson advocates is itself too restrictive and largely reflective of the “standard model of rationality” that has dominated the tradition. In looking at the different models of rationality to which coherent understandings of fallacy can be attached, we have given ample reasons for moving beyond this kind of restriction. Moreover, restricting discussions of fallacy to logically incorrect arguments overlooks the way fallacies arise in contexts governed by other rationality norms, e.g. the rhetorical.

Crucial to a full understanding of fallacies are the confusions that arise when people work with and operate under different norms of rationality. It is because some errors *seem* correct, are similar to good reasoning, that mistakes can be made. And fully appreciating those confusions and mistakes requires us to consider the full range of consideration that goes into judgments that are made in situations of uncertainty. These include considerations of the weight given to ethos and pathos, as well as logos. Rather than purging fallacy theory of its Aristotelian roots, we should be revisiting those roots and reinterpreting them in light of the insights that have been drawn from work in contemporary cognate fields.

NOTE

[i] In fact, even within that dominant tradition, theorists have struggled to deal with certain historical fallacies like ‘Many Questions’ and the *petitio principii*, the first of which is not an argument and the second of which is not obviously invalid. Our account has the merit of explaining such odd examples.

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ISSA Proceedings 2006 - Seeing Is Believing: The Visual Diary Of Paul Wynne



This essay seeks to link visual argument, narrative characterization, and dissociational argument through a case study of a controversial but highly successful weekly San Francisco television news segment called Paul Wynne's Journal - a diary of a local television personality who was dying of AIDS.

1. *Paul Wynne's Journal*

On January 11, 1990 KGO-TV, an ABC affiliate in San Francisco aired the first of 20 segments on the Thursday evening news that chronicled Paul Wynne's fight to live with AIDS. Wynne, a former San Francisco television personality and two-time Emmy winner, returned to the air after an absence of five years. The first segment opens with Wynne watching a tape of his earlier on-air performances. He swivels to face the audience and remarks, "I had hair, I had a tan, I had - well - half a body. And here I am today. Only today I have something I would never have dreamed about 10 years ago. I have AIDS" (Wynne, Segment 1, January 11, 1990). Physically altered, he retained his wit and charm. Approximately 4.5 million viewers in the Bay area learned about AIDS from a new perspective, that of Paul Wynne, an HIV patient living with the stigmatized disease.

He explains his purposes in creating the *Journal*: to dispel ignorance and a fear of AIDS, as a memorial for those who have died, to encourage those who think they might be HIV-positive to get tested and begin early treatment, to insure that the viewers will now know someone with AIDS, and finally with wicked humor he

proclaims, to energize himself in the knowledge that the religious zealots will be furious with KGO-TV for letting him tell his story. The segments, placed at the end of the newscast, last from 1 to 4-and-a-half minutes with each addressing a different issue in Wynne's journey with AIDS (hospitals, the medicine cabinet, canes, the will, telling the parents). All 20 are poignant narratives that are personal, blunt, compelling, and filled with both information and pathos.

Radical television in 1990, *Paul Wynne's Journal* received a Cable Car Award, commendation from the American Medical Association's Committee on Medical Ethics, and a Eugene Block Journalism Award among others. Available for airing throughout the country, and despite letters urging its broadcast outside of California, only one other station, KCET-TV in Los Angeles showed the segments, and they did so concurrent with the sixth International AIDS Conference that was held in San Francisco in 1990.

Wynne also circulated his message through appearances on *Good Morning America*, *CBS This Morning*, *Entertainment Tonight*, and a *People Magazine* television special. His program was reported in newspapers and magazines throughout the United States, Japan, Britain, Canada, the Netherlands and Australia. The *Journal* showed the media an alternative way to cover the AIDS crisis at the same time it gave the public a face for AIDS.

2. *The Rhetorical Situation*

In 1990, even in San Francisco, the *Journal's* subject matter and style of argument was seen as groundbreaking and potentially shocking to many viewers as they saw and heard about how a patient experienced the progress of the disease. "All those involved in project were wary that viewer response might be hostile, even ugly" (Gross, 1990, p. A1). In the opening segment, Wynne admits he will probably offend some people. He tells his viewers that he is neither courageous nor political, that the decision to create the *Journal*, to tell his story was difficult because "there are so many people out there who don't know me but hate me because I carry the virus" (Wynne, Segment 1, January 11, 1990).

Why the fear of a hostile audience response? Recall first, that AIDS was initially linked to male homosexuals and referred to as GRID, gay related immune deficiency. As such, AIDS was associated with behavior deemed morally unacceptable by many in the heterosexual majority. Once it became clear that heterosexuals, could contract the disease, the association between the patient and AIDS changed to include drug users who shared contaminated needles (equally viewed as morally reprehensible behavior to many in the majority), or what were

cast as secondary victims, including children, who were innocent of wrongdoing but received contaminated blood. Other than stories of occasional victims, most of the public discussion of AIDS carried a denigratory association: cleaving that association proved difficult.

Media coverage of AIDS first appears in 1981, not making the front page of a major newspaper or being mentioned on the network evening news until 1982. Between 1982 and 1987 the number of media stories about AIDS climbs, but by 1989 “AIDS coverage drops substantially, by about two-thirds, compared to 1987” (Torres 2006. para. 1989). According to the SOIN “Gay Events Timeline” this decrease in media attention was because editors saw nothing new in the AIDS story. 1990 saw the rise of state initiatives to both increase and decrease gay rights through initiatives introduced by gay rights activists and conservative religious groups. It was a time when fear of people with AIDS and links between immoral behavior and AIDS dominated the public discourse with significantly less focus on compassion for AIDS victims or knowledge about the progression of the disease.

It is in this milieu that KGO-TV in San Francisco decided to air Wynne’s *Journal* and “braced for a flurry of criticism from viewers” (Gross 1990, p. A1). Surprisingly, of the letters that the station received, only a handful reflected a moral judgment against AIDS patients. An anonymous letter mailed from New York on January 23 reads: “The dear Lord in His goodness sent you this illness – to give you a chance to repent of the past” (Wynne Letters, L21). There were several of these letters during the first month the series ran, but most were supportive of the *Journal* and Paul Wynne as a person. In Segment 10, Wynne shared some of the letters. He admits, “I was so afraid I was going to get stacks of mail from fundamentalist Christians condemning me. But I have gotten so many letters from Christians saying they’re praying and supporting for me and its not their job to condemn;... and that I should keep on keeping on.” Support for Wynne and his project only grew over the run of the *Journal*.

Since the series was aired, HIV/AIDS continues to be a major worldwide health concern, “[y]et here in the US AIDS has virtually dropped off our ‘importance’ radar” (Call 2006, para. 6). According to the UNAIDS/WHO report of May 2006, at the end of 2005 HIV/AIDS affected 38.6 million people, 2.3 million of whom were children. 4.1 million people were newly infected in 2005. 25 years after the media first reported on HIV/AIDS M.J. Call notes, “AIDS looks nothing like it did 25 years ago. The faces of victims like Paul Wynne have given way to the faces of

babies, children and women dying in Africa and China. Despite advances in treatment, AIDS poses a bigger threat now than it did 25 years ago" (2006, para. 7). It seems timely that on the 25th anniversary of AIDS we look at a highly regarded educational campaign from early in the public's awareness and understanding of the disease.

Of particular interest to scholars of argumentation, Wynne's discourse exemplifies the intersection of visual rhetoric, narrative theory, and argumentation theory as it advocates for public understanding of the disease, political and social changes, and the development of new medicines in the fight against AIDS. While it does so it also dissociates, in Perelman and Olbrechts-Tyteca's terms (1969), the linkage, still common in 1990, of AIDS as *just* punishment for socially unacceptable sexual behavior or illegal drug use.

3. *Visual Argument*

A decade ago *Argumentation and Advocacy* offered a forum for the debate over whether visual rhetoric was argument. Proponents for extending the definition included those who believed that argumentative discourse includes more than propositional messages (Willard 1989), or anything productive of belief, such as narrative emplotment over time (Hess 1992, Fisher 1988), or enthymematic functioning in the popular media (Medhurst & DeSousa 1981, Finnegan 2001). This early discussion of visual argument was concomitant with discussions among argumentation scholars since the eighties about the changing forum for public deliberation, especially the increased importance of television, which works well with images and created spectacle. Images often replace words in public argument (Delicath & DeLuca 2003, Hariman & Lucaites 2002, Jamieson 1998, Szasz 1994, Bennet 1992, Hogan 1991, Edelman 1988, Postman 1985). These research strains and the publication of numerous interdisciplinary books and journals devoted to visual communication suggest that we have accepted the construct of visual argument.

Accepting the existence of visual argument, the debate has turned to how visual rhetoric comes to mean. Peterson (2001) notes, "The task of critics of visual rhetoric is to discover how visual elements communicate identity, meaning, and culture to the people who see and make sense of them" (p. 27). A growing consensus acknowledges that there is something fundamentally different about the way verbal and visual artifacts come to mean. "Visual and verbal communication differ in the interpretive processes because language interpretation is more involved with manipulating a conventionally learned code,

and visual communication involves observations that lead to hypotheses about meaning” (Moriarity, 1996, p. 185). The visual is often more shaped by emotional appeal, and visual experience becomes phenomenal for the viewer. Thus, visual arguments demand attention to, in Rice’s understanding, at the very least a focus on “content, form, and a culminating fusion of visual experience” (Rice, 2004, p. 73). This case study seeks to explain the fusion of visual experience by exploring the relationship between the visual - in this case the body as performative testimony, dissociational argument and narrative form.

Visual argument provided by documentation of Wynne’s progression through the disease is in Hayden White’s terms a “principal medium of discursive representation... to direct attention to, specify, and emphasize a meaning conveyable by visual means alone” (1988, p. 1194). What cannot be *said* may be effectively argued through visual representations. In this case Wynne becomes the embodiment of all AIDS patients; his body acts in much the same way Delicath and DeLuca (2003) argue image events function, by constituting “the site and substance of the argument. Image events enact an alternative form of argument that contests more conventional norms of argumentation” (2003, p. 325). Wynne’s body, like image events generally, (1) expands the scope of participation in the public discussion of AIDS to include underrepresented groups, in this case people with AIDS; (2) functions as oppositional argument to those who would keep AIDS out of sight and thus out of mind; and (3) generates new lines of argument to educate the public to the disease and to promote national policies and funding relating to AIDS. Wynne’s increasingly distressed body argues without words that AIDS patients are victims. In this sense the body as agency operates much as Grindstaff & DeLuca (2004) see Daniel Pearl’s body testifying to the truth of the verbal message that accompanies the display of the body. Wynne uses his body to “communicate fragments of argument in the form of highly charged visuals to effect public debate” (Delicath and DeLuca 2003, p. 325). In an interview with John Carman, science writer for the *San Francisco Chronicle*, Wynne expresses the power of the wasting AIDS body, even on his own behavior, when he confesses, “I don’t look like what I used to. I didn’t want to look like another frail AIDS patient stumbling around the Castro, so I hid in my apartment all of 1989” (1990, p. E1). The *Journal* displays his body, making it into a text of AIDS.

From the opening segment contrast between Wynne without AIDS and Wynne in January 1990, through his sharing of recent photos of himself with the

commentary, "The holiday photos I didn't send the folks," (January 11, 1990), to the May 31 episode where he takes his last walk - into a wheelchair, Wynne's body becomes the visual proof of the devastation AIDS causes. In the taped programs from the eighties, Wynne is 184 pounds. As the series progresses Wynne goes from a gaunt 142 pounds (he is six foot one) to a skeletal bed-ridden patient when he taped his last segment just five months after he began the *Journal*. He died July 5, 1990 at age 46. The meaning of living with AIDS is captured in his physical deterioration, an argument that words alone would be unable to make. When Wynne stands at the base of the stairs leading up to the VA Hospital where he gets his treatment, or when he demonstrates the difficulty of negotiating a curb when one's limbs are weak from the wasting syndrome that is AIDS, the viewer experiences AIDS from a personal perspective and comes to recognize the strength of character one must have to *live with* AIDS rather than just *die from* AIDS.

Visual images like these encourage the audience to participate in the message making because the visual urges the viewer to think that what they are feeling is their own experience, rather than someone's crafted emotional appeal; in essence, the visual message becomes the phenomenal experience for each viewer. Blair argues that they "can bring us as close to actual experiential knowledge as it is possible to get, short of living the experience" (1996, p. 37). This is surely the case with the *Journal*. A viewer writes, "But last week, having not seen your *Journal* for some time, I was floored. You spoke to us from your hospital bed, you allowed us to feel your willingness to 'slip away'... I was reduced to tears. I had not expected to see the disease's progression" (L-265). Another viewer writes, "In some small way we feel we are with you on this journey, wishing we could help, wanting you to know how you have touched us... and how much you have taught us" (L-273). Attention to the narrative form of the *Journal* helps explain how Wynne employs the image event of his body combined with his words to create a phenomenal experience for the viewer of what AIDS does to a human being.

4. *Narrative Argument*

The overt form of the *Journal's* segments is that of a narrative with Paul Wynne as the narrator. There are few exceptions to this choice of form. The interaction of character, plot and scene, the mimetic representation of the life of an AIDS patient, the reiteration of the importance of taking small steps to educate others reflect a unity of purpose and direction that Lucaites and Condit (1985) argue is essential to effective narrative argument.

Consider Segment 2 where Wynne invites his audience to see the absurdity of bigoted actions. "I'm going to tell you a wonderful and wicked story." As he speaks the camera shows him walking beside an elegant table set with fine china and crystal. Drawn into the elegant scene, Wynne shares a story with his viewers about two gay friends who were invited to a dinner party by a major client. Unlike the other guests, they were served on paper plates. Wynne addresses the bigotry facing homosexuals, "Now these guys didn't have AIDS. I don't even know if they were antibody-positive. Did she think their silverware would contaminate her dishwasher? And how about that business client, not warning them? Should they have said to him, 'You stupid, ignorant man - Good night!' and lost their biggest client? And what would you have done? Would you have done the courageous thing, or would you have said, 'Please pass the mashed potatoes'? To let you know, my friend said, 'Please pass the mashed potatoes'" (Wynne, January 18, 1990). Wynne's visually reenacted story of the dinner party, like his tales in other segments, implies that bigotry is a result of ignorance rather than malevolence. Just as this segment visualized the dinner party, his *Journal* addresses ignorance by visualizing the life of an AIDS patient and by calling into question the bigotry that results from associating AIDS with homosexuals and homosexuality with sin. The inhumane consequences of that ignorance have been clearly shown in a two-minute story. For Wynne, a significant step in eliminating bigotry is for viewers to see the face of AIDS, to come to know him as a person rather than a member of stereotyped class.

Wynne wants to educate the public, especially the 87% in a California poll of the time who were afraid to work with someone with AIDS because they feared the disease could be caught by proximity to an infected person. Wynne offers a new way to argue for increased awareness and action - himself and his experiences as a visual representation of the disease. In Segment 6, he reports falling on an airport bus. None of the passengers came to his aid. Looking directly into the camera he says, "Do I look like I have AIDS? What does it look like? If somebody, anybody, a passenger recognized that gaunt scrawny look, would they have been willing to just help me to my feet? In situations like this, you can do so much to a person with AIDS, even more to yourself, by showing you're not afraid" (Wynne, February 15, 1990). In Segment 10 he shares the letters people have written. Telling the viewer how much their thoughts mean to him he suggests, "If you know someone with HIV... why don't you drop them a note... It might make their day." Wynne asks his audience to take small steps (make contact with someone

with AIDS, envision helping an AIDS patient), because in each action they change their attitude and society's attitude toward victims of AIDS.

Beyond the overt form of storytelling, Wynne builds himself as a *round character* in Bal's (1988) classification. He carefully crafts his move from actor in the news to character in a narrative with which his audience can identify. "Round characters" in narratives "are like 'complex' persons, who undergo change in the course of the story, and remain capable of surprising the reader. Flat characters are stable, stereotypical" (Bal 1988, p. 81). Even real people can appear as flat characters in a narrative. They are referential characters in the story in so far as the "image we receive of them is determined to a large extent by the confrontation between, on the one hand, our previous knowledge and the expectation it creates, and on the other, the realization of the character in the narrative" (Bal 1988, p. 83). For San Francisco viewers who knew Wynne as a media figure before the *Journal* there is a different referentiality than for viewers who know him only as he becomes a character throughout the twenty segments. Wynne prevents his audience from referencing him as a stereotypical gay AIDS victim with the 1990 baggage that classification carries by employing self-deprecating humor, avowals of being apolitical, and intimate revelations of his fears. These very human traits break down potential negative references to people with AIDS.

Wynne personalizes AIDS thereby allowing those who have distanced themselves from the victims of AIDS to join in the public discussion of the disease. "One of the reasons this works is that I know how to crack a smile, make a joke. I'm someone people will let into their homes. Let me make friends with them first, and then I'll move on to tougher issues." Visually, and through the stories of his experiences, Wynne creates himself as a character - "raconteurish, wicked and fun" - a man who pulls no punches, a dying man with whom a diverse audience can identify.

Wynne doesn't want to be the stereotypic poster boy for AIDS. He isn't perfect, courageous, or willing to always put a positive face on things. He is human, with human fears, pride, and foibles. In Segment 4, "Canes, Walkers & Wheelchairs," he chastised people who aren't willing to use these "tools" to help them remain mobile, yet he also admits he's too proud to use the cane as his doctor recommends. In Segment 13, "The Will," he admits he'd like to give his favorite art to people who will some day tell others they got the piece from a dear friend, but he resents having to think about giving up his treasures when he has already

lost so much. In numerous episodes he tells the viewer he is scared, and his voice and body reinforce that claim. He even catches himself in his own biases, especially his resentment of Christians who all get mistakenly lumped into the category of religious zealots and bigots. Wynne shows and tells his audience that he is not a poster boy, but a real person, a round character. This is what Wynne wants his audience to accept. In doing so, Wynne begins the dissociation of AIDS suffering and just punishment. Wynne, like his audience, is flawed but worthy of attention, understanding, and compassion.

Letters from viewers suggest that he achieves his end. One of the most frequently echoed sentiments is that the viewers feel like they know him and have put a face on the victims of AIDS. "... many of us have never been able to see what happens after the first 'setback'. The AIDS statistics have little tangibility when we have no idea what the disease can and *will* do to its victims. Paul, I would like to thank you for being able to... let us experience what you experience" (L-265). The first letter he received echoed the sentiment: "To many people - gay was a lifestyle. AIDS was a disease. Thank you for giving them a face... and a heart... and a soul" (L-1).

What are the accumulated traits the audience sees in Paul Wynne the character? Viewers applaud his "sense of humor, your total honesty" (L-16), his "unselfish act of giving... precious time and energy" (L-17), and his strong commitment to educating people about AIDS (L-14). Viewer L-219 calls him "a courageous man and a fine example of human kind", while viewer L-238 finds him a role model. Countless letters see him as a person who faces life's difficulties with courage, compassion and most of all dignity. The Letter Archive suggests that viewers reject the association of AIDS sufferer with the categorization "moral misfit".

Wynne succeeds in becoming real to his viewers-someone with whom they feel a close personal connection, even though they have never met. A man living with AIDS writes, "But I want you to hold on not for me, but for my father.... He remembers you before you were sick. My father and I don't speak very much and I know he is ashamed that his son has AIDS. It's important to me that he gets to see *just what it means* to have AIDS. It's important that he sees it and not just hears second hand that somebody else he never knew just died of AIDS. It's people like him that make the decisions so it's important that he gets to see it first hand" (L-244). He is no less real to viewers who have had no other contact with AIDS. Less than a week before his death a woman wrote about missing a chance to tell a friend she cared about him before he died. "I had passed up another chance. So I decided I wouldn't pass this one up... You have reached out and

touched at least one other human being.... I'm angry that you're sick and may die. In a world full of misery, you bring laughter.... You talked about compassion; not the abstract kind..., but the practical kind that helps another human being up when they've fallen on a bus. You showed me the courage and dignity of everyday people coping with unbearable situations, of people refusing to be overwhelmed by bitterness and despair. If I am ever in your shoes, I hope I will do as well" (L-213).

In becoming real to his viewers, AIDS becomes something that happens to someone like the viewer, not something that happens to a statistic. Viewer 5 notes, "It will be helpful to know about you because sometimes it seems as though only people unknown to most others contract the disease. It's like distant 'numbers' suffer and I lose the perspective that these are *people*." "Week by week Mr. Wynne creates himself as a character. Week by week in this true-life serial, he is telling us his story, a story for which there is no happy ending" (Goldberg 1990, para.13-14). Viewers seem to have understood this goal. A Hospice nurse from Miami read about the program and wrote, "Only occasionally do we hear the stories of real people with AIDS... So, now, you are that person that we can have a direct experience with, to learn and grow in knowledge and compassion, a real human being who happens to be very ill, entering homes, waking people up" (L-91).

Both the overt form of his weekly messages and his development of himself as a referential character, a victim of AIDS, make Wynne's narratives successful arguments. The visual and verbal messages combine to structure the viewer's involvement with Paul Wynne's project.

5. *Argument of Dissociation*

But the argumentative task that Wynne faces is more complex than merely breaking some connections and substituting others. Perelman and Olbrechts-Tyteca distinguish between arguing, "that elements which should remain separate and independent have been improperly associated" and argument of dissociation which "assumes the original unity of elements comprised within a single conception and designated by a single notion.... It is then no more a question of breaking the links that join independent elements, but of modifying the very structure of these elements" (1969, p. 411-412).

They illustrate the distinction in these two forms of argument with the example of a brick wall that has tumbled. When the bricks are still identifiable, when they

remain in their original state, it is like associations that have been broken. With dissociation there would be no recognizable bricks. "The dissociation of concepts... involves the desire to remove an incompatibility arising out of the confrontation of one proposition with others, whether one is dealing with norms, facts, or truths... by remodeling our conception of reality, it prevents the reappearance of the same incompatibility" (1969, p. 413). If the rhetor merely breaks the connection but fails to dissociate links, the audience might easily return to the old linkages. Once dissociation has been created the old order can never seem reasonable again.

When the argument deals with cultural pieties, the arguer is faced with the challenge of dissociation. Kenneth Burke explains, "Piety is the *sense of what properly goes with what*" (1965, p. 74). Piety is a powerful motive for action. Attacking the orderings of the prevailing culture, including which groups are acceptable and which are outsiders, which behaviors are appropriate and which are not, threatens the orientation itself and the whole stability that piety promises. Cultures need order, need shared pieties. Rosteck and Leff explain: "Thus the systematic rejection of one perspective does not yield an absence, but generates adherence to a new and equally systematic principle of order" (1989, p. 328).

To cleave the association of AIDS patient and social misfit challenged the pieties of 1990. I have argued that in the embodiment of victim of AIDS, Wynne visually demands a new piety - in Rosteck and Leff's terms, the "new and equally systematic principle of order" that replaces AIDS patient as transgressor of the moral order with AIDS patient as victim of the disease, a person in need of empathy and compassion.

The religious zealots that Wynne fears are purported to argue for the preservation of their cultural pieties wherein a sinner is rightly punished for sinful acts. By forging associational links between these accepted orderings (punishment for sin) and new information/situations (AIDS and homosexuality) they arrive at homosexuals are sinners who deserve AIDS as punishment. Dissociational argument, transforms the definitional assumptions by "disuniting elements which are regarded as forming a whole... modifying certain concepts which make up its essential part" (Perelman and Olbrechts-Tyteca 1969, p. 190). They explain the process with a fundamental dissociative pair of terms, appearance (term I) and reality (term II). When juxtaposed, term I is seen as apparent, easily perceived, but ultimately deceptive; term II is a construction which provides norms, rules,

criteria for evaluating term I, term II is non deceptive. A rhetor wanting to dissociate a term from its conventional meaning makes the conventional understanding comparable to term I, a fiction/appearance, in contrast to a more appropriate, non-deceptive term II (p. 416). For example, sinners (term II) as a primary identification for homosexuals among religious zealots becomes term I, the false term and in its place victim becomes the new (term II).

In writing this example I have employed an argument that Wynne also employs which assumes an additional dissociation. The majority (Wynne's audience) is dissociated from the minority - religious zealots and bigots. Even though many Americans (non-religious zealots) in 1990 still associated homosexuality with immorality, this argument enables Wynne's viewers to deny their bigotry. The association of AIDS patient and sinner is attributed to ignorance, and by participating with Wynne on his journey, the viewer can make the new linkage. In doing so the viewer is adopting a new orientation with a different hierarchy of orderings. Compassion for all human beings becomes more valued than judgment about the appropriateness of one's behavior. "The dissociation expresses a vision of the world and establishes hierarchies for which it endeavors to provide the criteria" (Perelman and Olbrechts-Tyteca 1969, p. 420).

Rejecting the moral/immoral association to homosexuality and the association of homosexuality with AIDS is a first step in transforming the AIDS patient into victim rather than transgressor. Letters to Wynne recognize this need. One praises Wynne for "fighting back the ignorance, bigotry and most of all, the religious zealots who would use AIDS to further their own cause and hide their hatred in it" (L-11). Several writers focus on ignorance. The "Dinner Party," crystallized the lesson: "No one has the right to treat *anyone* else in such a manner. It only shows how stupid some people can be" (L-14). The old association of AIDS and sin is rejected, and with it the logic of telling a victim that he caused his plight through sinful behaviors. The replacement orientation calls for humane responses to individuals in pain, regardless of their sexual orientation. Empathy replaces accusations of blame if the dissociative argument has succeeded.

Dissociation forges new links. For the viewer, Wynne creates a group of people who have overcome ignorance about AIDS. Those who have had a loved one die from AIDS write about how hurtful ignorance can become. "As soon as we boarded the boat some people began to whisper and stare. David looked at me with such hurt in his eyes that I couldn't help but throw my arms around him and tell him how much I loved him. Funny thing was that all the whispering and stares

suddenly stopped” (L65). Knowledge reduces fear and having a face for AIDS allows for the possibility of dissociational change.

Dissociative argument is challenging. Not all AIDS patients would be able to convince an audience to dissociate AIDS from the gay/immoral link and create a new association based on perceived courage and humanity, but Wynne does. Robert Goldberg argues Wynne is able to make this conversion because he is “a guy with genuine emotions, genuine rage,” who depicts “an emotional journey, an intensely personal one... [that] is never self-pitying, never maudlin or tear-jerking. It relies instead on clear-headed descriptions and facts” (1990, para. 3, 5). From an argumentation perspective, using his body as performative testimony, creating identification through mimetic narratives and personal testimony from a well-crafted round character, and using his constructed identity to educate others dissociates HIV/AIDS victims from moral reprobates.

6. Conclusion

Paul Wynne’s rhetorical task in 1990 was not easy. To educate his audience about living with AIDS, to generate support for national efforts to eliminate the disease, and to empower PWAs to seek help, Wynne employs visual and verbal arguments that dissociate AIDS from pieties linking the disease with immoral behavior. He offers a new orientation focusing on the AIDS patient as a victim needing compassion and support and the viewer as a champion for greater public awareness and positive action. Visually, Wynne’s body acts as an image event, emotionally drawing the audience into the experience of living with and dying from AIDS; his visual wasting makes him and the devastation of AIDS real to his viewers. This powerful visual argument is combined with character-centered narratives that mimetically and diegetically show and tell the audience about AIDS victims, giving the disease a human face. A woman from California writes, “I don’t know anyone who has HIV, only you. And maybe that is all I can handle, because you have touched my heart from your first broadcast, and I want you to be healthy again” (L-116). Finally, through dissociational argument, Wynne reorders the association of people with AIDS from moral transgressor to victim. Concomitant with the recognition of a newly found awareness and a new set of pieties are different actions. One writer captures this change: “I thank you for taking your story public. Maybe when the ‘straight’ world sees the disease, and the way people are living and dealing with it..., understanding and compassion will come forth” (L124).

On the twenty-fifth anniversary of our awareness of AIDS the faces have become

statistics, remote and separate from most people's life. The educational campaign that Wynne waged with his *Journal* offers insight into how the body can be offered as a text whose agency is to make the disease phenomenal to the viewer: Wynne employs the body as performative argument. He interrogates the predominate depiction of the AIDS body in the media - male and gay (Lupton 1996). Wynne's body, as a wasting entity, as a betrayer of the mind and personality that Wynne projects, changes the focus from a representation of gay males to the visible embodiment of pain and suffering. The body as visual argument, whether it is the embodied narrator as in Wynne's case or an agency for proof of the power of a group (e.g. Islamic fundamentalists and the body of David Pearl), warrants further study. Because audience responses to celebrity, physicality, and representation change the nature of the interpretation of the body as a form of visual appeal, research on the body as argument would profit from revisiting Graver's work (1997) on the various forms of presence of a body, and Peterson & Langellier's (1997) essay focusing on the politics of the body in personal narratives, especially the way "narrative performance interrogates the production of identity and experience" (146).

Wynne's *Journal* similarly calls our attention to the role of narrative structure and characterization in compelling argument. Although the more obvious link between argument and narrative form demands attention to plot and structure, Wynne's *Journal* demonstrates the power of narrative characterization to compel participation in the argument being advanced. More than just a narrator, Wynne as a round character engages identification with his viewers. He resists, Campbell's terms (2005, p. 4), the subject-positions available to him in 1990 as an AIDS victim. Wynne reconstitutes agency. Wynne as witty, courageous, and ravished, rather than as a stereotypical gay male, becomes the phenomenal AIDS victim and thereby enables dissociation to begin.

Radical television in 1990, *Paul Wynne's Journal* prototypic visibility politics as it moves the AIDS victim out of the margins and into the culture's public space (Brouwer 1998, p. 118). The *Journal* remains representative of the intersection of visual, narrative, and dissociational dimensions of argumentation. As a case study it encourages further consideration of how these three dimensions inform our understanding of visual argument in the public sphere.

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ISSA Proceedings 2006 - Dissociation: Between Rhetorical Success And Dialectical Soundness



1. *Dissociation and strategic maneuvering*

As van Eemeren en Houtlosser (1997) have argued, discussants not only aim at resolving their differences of opinion in a rational fashion, but also in their own favor. To that purpose they carry out all kinds of strategic maneuvers, not the least of which is to represent the state of affairs in such a way that their own position is strengthened.

Zarefsky (1997, 2004) treats a number of techniques a speaker can use to represent matters in a particular way, or, as he calls it, to define the situation. One of the instruments that a speaker can deploy to do so, is the technique that Perelman and Olbrechts-Tyteca term *dissociation*, in which a concept that is considered by the audience as a unitary whole is split up in two new concepts that are placed on opposite positions on a value-scale of appearance *versus* reality. When Maria Montessori's granddaughter defends her grandmother against the criticism that she was vain by replying that her grandmother merely had a love of beautiful clothes, but was not vain (*De Volkskrant* 5-1-1999), with this dissociation between the physical and the mental aspects of vanity, she paints a considerably prettier picture of Maria Montessori than her critics did.

An additional advantage of using this technique is that dissociation often is shaped as a categorical statement like "x is something completely different from y". In this way, a factual state of affairs is posited that it is hard to question. Former Minister of Transport Jorritsma defended her decision to once again allow a violation of the noise limits for Schiphol Airport, notwithstanding an agreement

to end the past policy of tolerance, with the powerful assertion “tolerating is something completely different from anticipating on a change of law which everybody thinks should be put into effect.’ (*De Volkskrant* 22-01-1998). Allowing a violation of legal rules (in anticipation of a desirable change of law) here is declared with preemptory firmness to be something completely different from a policy of tolerance.

And, last but not least, a speaker can use dissociation to evade a potential accusation of inconsistency. Former Minister of Education Ritzen, for example, tried to cover up a contradiction in his position by introducing a dissociation between students taking part in the university administration (which he earlier opposed), and students participating in the university administration (which he later approved). Only in the latter case, he argued, students participating in the university administration were responsible only to the Dean and not to the student population.

Apart from these general effects, dissociation has various rhetorical effects that depend on the place in the dialectical profile in which the technique is used (van Eemeren, Houtlosser en Snoeck Henkemans 2000). For example, speakers who in the confrontation stage of a critical discussion bring forward an opposite standpoint against a standpoint brought forward earlier, can through a dissociation make a concession on an innocuous or minor interpretation of the standpoint they reject, and in that way present their own standpoint with all the more force. This is what Maria Montessori’s granddaughter does when she replies to her grandmother’s critics with her claim that her grandmother loved beautiful clothes but was not vain. By way of the dissociation, she gives the impression that her opponents are mistaken, and she lends her own standpoint the status of the better, if not the last, word.

In evaluating strategic maneuvers in the context of a critical discussion, the central question is whether these maneuvers can stand the test of reasonableness. Such an assessment can only take place in a clearly and precisely formulated normative framework. One such framework is offered by the pragma-dialectical rules for critical discussion (van Eemeren & Grootendorst 1982, 1992, 2004), against the background of which the concept of strategic maneuvering has been developed. The application of this framework enables the analyst to indicate exactly when and why a strategic maneuver by way of a dissociation transgresses the bounds of reasonableness.

In this paper, I consider various answers to the question when and why strategic

maneuvering with dissociation is sound and when it transgresses the bounds of reasonableness. First, I look at how a number of scholars outside Pragma-Dialectics have approached this question, and then I look at how it is answered in Pragma-Dialectics. At the end of this paper, I reflect on the merits of these various answers.

2. *Other approaches*

So far, among argumentation scholars, not much attention has been paid to the question of whether and when dissociation is a sound argumentative technique. The only author who has written at some length about this topic is Schiappa (1985, 1993). Schiappa is of the opinion that dissociation is always unsound, because dissociation involves a real definition, in which one of the split-off terms is presented as the true or essential interpretation of the concept that is expressed by the original term. And real definitions are unsound, because they are essentialistic. I agree with Schiappa that dissociation always involves a definition, and also that dissociation always invokes the opposition between appearance and reality. However, I do not agree that the latter necessarily is a consequence of the definition being a real or essentialistic one.

First of all, it is quite possible that the definition that is involved in a dissociation is preferred by the speaker merely for 'methodological' reasons (Crawshay-Williams 1957), without the speaker having the pretense to present a real definition or a description of the essence of the *definiendum*. Only in a definition that the speaker expressly presents as real, such as in 'Real peace is not the absence of conflict, but the presence of justice' (pronounced by Harrison Ford in the role of the President of the United States in the movie *Air Force One*), we can be sure that we have to do with an essentialistic definition.

More important is the fact that the opposition between appearance and reality in many cases does not play a role on the level of the definition at all, but rather on the level of the subject matter that is being discussed. On the level of that subject matter, entities are assigned to the categories distinguished in the dissociation, and what is at issue is whether they really belong there or only in appearance. For example, in defending her grandmother against her critics who called her vain, the granddaughter of Maria Montessori categorizes her grandmother as someone who was not really vain, but only had a love of beautiful clothes. Although at the bottom of this categorization lies a particular definition of the term 'vain', limiting the meaning of the term to the mental aspects of this quality, there is no pretense that this is the one and only true definition. What is at issue

is that, against the background of this definition, Montessori merely appears to be vain, but cannot be called so in reality.

Nevertheless, as we saw earlier, there certainly are cases in which dissociation involves a real, essentialistic definition. But why the dissociation in these cases should be considered unsound, Schiappa does not plausibly explain. Schiappa contends that definitions are not descriptions of reality, but methodological constructions, based on a particular theoretical perspective and serving particular aims, and that therefore it is misleading to present a definition with the pretense that one is making an objective claim about how things are. However, this argument meets with various objections.

First of all, by saying definition is a methodological construction, Schiappa himself seems to apply an essentialistic definition of definition and neglects the fact that we merely can speak of different *conceptions of* definition. In the second place, in using the term *misleading*, which presupposes a conscious intention on the part of the speaker, Schiappa employs a psychologizing approach. But psychologizing does not provide a good starting point for the study of argumentation as a verbal activity (van Eemeren en Grootendorst 1982). And finally, through this terminology, Schiappa takes a moral stance: misleading is bad. But just as it is not the province of the argumentation scholar to give a judgment on the truth of assertions (Hamblin 1970), it is not up to him to assume the role of moral arbiter.

More than to the soundness of dissociation, argumentation scholars have given attention to a related concept, the soundness of persuasive definitions. According to Stevenson (1944), who introduced the term, in a persuasive definition, the descriptive meaning of a term is altered, while the emotive meaning is kept unchanged, with the aim of influencing the attitude of the audience. Dissociation often involves a persuasive definition. In Stevenson's original example of a persuasive definition, for instance, the speaker accuses his opponent, who uses 'culture' more or less as a term for literacy, of emphasizing merely the outer shape, the empty shell of culture: 'In the true and full sense of the term, "culture" means *imaginative sensitivity* and *originality*'. Through this persuasive definition, clearly essentialistically phrased, by the way, in which the descriptive meaning of the term culture is altered, while the positive emotional meaning is preserved, a dissociation is introduced between real, inner, and merely apparent, outer, culture.

Logic textbooks, such as Copi & Cohen (1998), warn against persuasive definitions. Allegedly, these definitions are misleading, for they appear to give an objective description of the meaning of the word, while surreptitiously an emotional meaning is smuggled in. Moreover, the listener is not aware that the meaning of the word has been changed. Here, then, just like we saw earlier with dissociation, persuasive definitions are rejected on the basis of their deceptiveness. Moreover, now a second psychologizing element is introduced, whether the listener is or is not aware of the change in meaning.

Fortunately, there are other voices. Walton (2001, 2005) places the issue in the framework of his theory of the various kinds of dialogues. For him it depends on the type of dialogue in which the persuasive definition occurs, what the criteria are on which the soundness of a persuasive definition must be judged. At first sight, this seems to result in a rather heterogeneous set, applied *ad hoc*, and with the same moralizing and psychologizing stance that we saw others take before. For example, Walton considers a particular persuasive definition in a persuasive dialogue to be quite harmless, because it is clear what the speaker intends. For that same reason, he judges a persuasive definition from a political context in which the audience was not aware of the change of meaning unsound, for being deceptive. But another persuasive definition from a political context, in which there is a similar subtle, covert shift of meaning, he does not reject, this time on the consideration that ambiguity and subtle shifts of meaning are normal in this context. In the end, though, Walton arrives at a clear and simple dialectical position: persuasive definitions must be considered as 'open to critical questioning and to the posing of counter definitions' and as 'having a burden of proof attached'.

The idea that persuasive definitions must be submitted to critical questioning and must be defended has also been proposed by Aberdein (1998). Responding to Burgess-Jackson (1995), Aberdein argues for concentrating on the role that the definition plays in the discussion. More specifically, the opponent should be allowed to have a difference of opinion with the speaker about the definition. Persuasive definitions that are not put up for discussion and for which no arguments or theoretical foundation are given, are unsound. In addition, Aberdein requires the core meaning of the term to be preserved. Although I think that Aberdein's criteria are a big step in the right direction (for reasons that will become clear presently), still he does not really clarify their basis. Why is it necessary for the definition to be put up for discussion, and why should the core

meaning be preserved? Aberdeen, too, seems to take a moralizing and psychologizing stance: 'Otherwise, (...) the persuasive definition can only serve to mislead'.

3. *The pragma-dialectical approach*

I will now contrast the approaches treated so far to that of Pragma-Dialectics. In a pragma-dialectical perspective, the criteria for the evaluation of dissociation are systematically linked to the rules of critical discussion. For the evaluation of dissociation, rule 6, the starting-point rule, in particular is relevant. This is because, through a dissociation, one of the starting points of a critical discussion is changed. Within a concept that up till then in the discussion was considered a unitary whole, a new distinction is introduced, and a definition of a term that up till then in the discussion was accepted and applied is replaced by a new one. So an agreement reached in the opening stage of a critical discussion about the content of a concept and the meaning of a term is altered.

According to the ideal model of critical discussion, when an agreement reached in the opening stage is changed, first a side-discussion must be held about the acceptability of that change, before the main discussion can be continued. In this side-discussion the speaker who uses the dissociation presents a proposal to the antagonist for the change of the agreement at issue. If the antagonist does not right away accept this proposal, the protagonist must withdraw it or defend it.^[i] The dissociation can be maintained in the main discussion only if the side-discussion results in the antagonist accepting the conceptual and definitional change inherent in the dissociation. If the antagonist does not accept this change, and the protagonist nevertheless uses the dissociation in the main discussion as if the changed concept and definition belong to the mutually accepted starting points of the discussion, the protagonist commits a violation of rule 6 in the main discussion: a party may not falsely present something as an accepted starting point.^[ii] If the protagonist, however, puts the change up for discussion and the antagonist accepts it, the protagonist may use the dissociation without violating rule 6.

The two kinds of conditions for the soundness of dissociation mentioned here, can, following the distinction that van Eemeren & Houtlosser (2002) made between procedural and material starting-points, be referred to respectively as procedural and material conditions. If the protagonist puts up the change for discussion, the procedural condition has been fulfilled; if the antagonist accepts the change, the material condition has been fulfilled. In a dialectically sound

dissociation, both kinds of conditions have been satisfied.

The procedural condition can be satisfied in two ways: the protagonist can bring forward as a standpoint his proposal for changing the starting-points, and he can give argumentation for that change. If the proposal for change has not been brought forward as a standpoint, adducing an argument for it will make it into a standpoint yet. The protagonist brings forward his proposal for changing the starting-points as a standpoint by way of a recognizable performance of the speech act through which this change is introduced. By recognizably introducing a new conceptual distinction or a new terminological definition, the speaker makes the acceptability of his speech act into an issue. The performance of these speech acts is recognizable if they are performed explicitly, through the use of a performative formula, but also if they are performed implicitly, or even indirectly, the recognizability of these speech acts, even if they are performed implicitly and indirectly, being taken care of by the rules and conventions for the performance of speech acts.

However, in dissociation the speech acts of definition and distinction often are not performed as such, but presupposed. This happens, for example, when the dissociation merely involves classifying an entity in one of two dissociated categories, the existence of which is presupposed. I already mentioned an instance of this in the dissociation that Maria Montessori's granddaughter applies: she presupposes the distinction between people who are vain and people who love beautiful clothes, and groups her grandmother with the latter category. If the change in starting-points is not brought forward as a standpoint, but is presupposed, and there are no arguments given for it, the distinction or definition is not put up for discussion. In that case the dissociation is procedurally unsound. The material condition is satisfied if the antagonist accepts the proposed change in starting-points that is put up for discussion. Although discussants in principle are completely free in drawing up a list of mutually accepted propositions (van Eemeren & Grootendorst 2004), some general observations can be made about the criteria on which the antagonist may judge the acceptability of the distinction or definition inherent in the dissociation. These criteria are connected to the general and specific goals that are typical of these speech acts. Definition and distinction are language declaratives that have as a general purpose to clarify linguistic usage and concept formation and to solve demarcation problems (Viskil 1994).**[iii]** Specific to the language declaratives inherent in dissociation, moreover, is the goal to resolve a contradiction.

To start with the latter: through a dissociation a speaker can resolve a contradiction, because, within a notion that was thus far regarded as a unified whole, he makes a distinction between term I and term II, and by virtue of this dissociation he can, without contradicting himself, maintain that a proposition containing term I or deduced from a proposition containing term I is tenable, while a proposition containing term II or deduced from a proposition containing term II, is not. Given this specific goal, it is of crucial importance that the antagonist is indeed of the opinion that a distinction between term I and term II is valid. If the antagonist is of the opinion that the distinction between the two concepts is merely verbal or that the meaning of the two terms in actual fact comes down to the same thing, the contradiction cannot be resolved by the dissociation. This is one of the grounds, then, on which an antagonist may deem the change in starting-points brought about by a dissociation not acceptable. In spite of his adjuration that "It really is not a matter of just semantics", Former Minister of Education Ritzen, for example, could not convince members of Parliament of the validity of the distinction between students taking part in the university administration and students participating in the university administration: they accused him of merely trying to save face.

Also the general purposes of the language declaratives making a distinction and introducing a definition inherent in the dissociation must be achieved: these speech acts must contribute to linguistic and conceptual clarification and to the solution of demarcation problems. That means that they also should have some utility beyond the goal of solving a particular contradiction in the specific discussion at hand; in other words, the definition and the distinction should not be used merely *ad hoc*. The appropriateness with regard to this general purpose can serve as a second criterion for the antagonist in judging the acceptability of the proposed change in starting-points. For instance, an antagonist might prefer not to go along with the defense that was put up for the main sponsor of the Dutch skating team, an insurance company that congratulated the skaters in an advertisement on their victory, even though during the Olympic games sponsors are not allowed to use their sponsorship in their ads. This defense consisted of making a dissociation between real sponsors, who have lended support for an extended period, like the insurance company that stood under attack, and opportunist sponsors, the implication being that only the latter should be prohibited from using their sponsorship in their advertising. In this dissociation, the meaning of the word "sponsor" is limited to a person or organization that

lends financial support *during an extended period*. It is conceivable that the business world might consider this limitation, the consequence of which is that a person or organization lending financial support for a short period in time may not be called a sponsor, rather impracticable.

4. *Discussion*

The pragma-dialectical approach sketched here has considerable advantages over the ones I treated earlier. In the first place, in Pragma-Dialectics, contrary to the other approaches, the criteria are systematically theoretically founded. They are derived from their functionality in the light of solving a difference of opinion, which in pragma-dialectics is considered as the primary aim of argumentative discourse. The change in starting points intrinsic to dissociation must be put up for discussion and be accepted, not because otherwise the dissociation would be deceitful or misleading, but because it is impossible to resolve the main difference of opinion if the starting-points for the discussion are not shared.

In the second place, as an important consequence of the first point, the argumentation theorist no longer is condemned to take upon himself the role of moral arbiter. The only thing that counts is whether the way in which a discussion is conducted contributes to the rational resolution of a difference of opinion or prevents or hinders the achievement of that goal. The analyst merely checks whether the dissociation does or does not violate the procedural rules for rational resolution. In the case of dissociation, an argumentative technique that brings about a change in the starting-points of the discussion, the main rule involved is rule 6.

Finally, the pragma-dialectical approach has the advantage that the acceptability of the proposal for a change in starting-points no longer is something that the argumentation theorist needs to judge. The theorist does not need to worry about whether a definition is good or a distinction tenable. That judgment is left to the participants themselves, who can start a discussion about that. The theorist can, however, help them conduct this discussion by proposing criteria that the discussants can use in their considerations.

What, then becomes of the essentialistic definitions that Schiappa and others warn against? A violation of rule 6 as set forth in this paper, unfortunately, is not the only thing that can go amiss with a dissociation. In the side-discussion about the proposed change in starting-points, everything that can go wrong in a discussion can go wrong; all the rules for critical discussion can be violated. Dissociation by means of a definition that is clearly presented as essentialistic is a

case in point: with such a formulation, the protagonist immunizes his proposal against criticism. That comes down to a violation of rule 2, the obligation-to-defend rule, in the side-discussion about the acceptability of the proposed definition.

Strategic maneuvering travels between the poles of rhetorical effectiveness and dialectical reasonableness. Dissociation *par excellence* is a technique that can be used in strategic maneuvering. The rhetorical gains of that technique I have sketched at the beginning of this paper. What about its dialectical reasonableness? As long as the dissociation is put up for discussion and, if not accepted at first hand, is conclusively defended, there is no problem. Then dissociation can contribute to creating clarity about standpoints, to generating shared starting-points for attacking and defending arguments, and to ensuring that the conclusions drawn from the discussion are optimally precise.

NOTES

[i] See van Eemeren, Houtlosser, Snoeck Henkemans (2005) for the dialectical profile of the opening stage of a critical discussion.

[ii] Grootendorst (1999), as well, considers the case of the 'fallacy of incorrect dissociation' analyzed by him as a violation of rule 6.

[iii] The term language declarative is introduced by van Eemeren and Grootendorst (1984).

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Argumentation In Debate: The Parliamentary Speech In Critical Contexts



1. *Introduction*

The activity of Parliament is largely an argumentative activity. It involves speeches, law-making and debates. Mainly, those are argumentative debates. When I use the term Parliament I am referring primarily to the Argentine Parliament that is made up of the House of

Representatives and the Senate.

Broadly speaking, the objectives that parliamentary discourse have to accomplish are similar in different parliaments in democracies all over the world: to approve, change or modernize legislation, to represent interests of different sectors, to influence public opinion and to recruit and promote political actors.

But the discourse of different national parliaments is subject to variation, at all linguistic levels, on the basis of history and context, cultural specificity and political culture. As is the case for all discourse genres, parliamentary discourse is also defined by its contexts. I agree with the point of view that holds that language, in general, and political discourse, in particular, shapes the people that use it. This is different from the common sense point of view that claims that people shape the language that they use. Namely in political discourse a representative expresses his/her opinions through the choice of vocabulary, the use of an established phrase and the set of statements from which they draw their arguments.

2. *Features of Parliamentary discourse*

Parliamentary discourse is primarily informative and deliberative. There are several kinds of discursive structures that shape parliamentary discourse. Such speeches delivered in a parliamentary debate are unique. Speeches made in Parliament have to respect very specific rules. In a way they belong to the category of political discourse but in another way they have some differences that can be pointed out.

Parliamentary debates share a number of characteristics of style and interaction with other forms of discourse such as the Speaker as moderator, the turn-taking

structure, a formal lexicon, elaborate syntax, and the common structures of argumentation and persuasion characteristic of debates.

What is unique in parliamentary debates, however, are obvious context categories such as the Setting (House of Parliament), the rules and types of sessions (ordinary ones, extraordinary and special), the representatives, members of the Parliament, hereafter MP's, the objectives (different policies, etc.), and the political knowledge and ideologies of the participants. In other words, although content and even style of speech in Parliament may be shared with other types of speeches, the *function* of such structures must be established in relation to the specific political situation: The speeches of MPs are making legislation, representing and playing politics. In the rest of this paper I will examine such categories in more detail, and I will study a specific parliamentary debate about reproductive health care.

3. Political and Parliamentary discourses

Since political discourse has a clear identity among social discourse, it is possible to recognize variations of political discourse in television, radio, and articles written by politicians.

The labor of the Parliament is made not only in the Sessions but also in the Committees that allow bills to pass to the House. If a bill has not been accepted or approved by the Committee it will not be brought to the floor. The only alternative that a representative has is to ask permission from the Speaker to consider the bill, but then all representatives vote to admit or refuse it. This option has become more difficult as the House of Parliament adds seats. Leaving the lesser known and less powerful to the mercy of Committee where they develop argumentation skills and recognition among their colleagues.

In this way the oratory that has traditionally had a main role has decreased in importance in Parliament. In national history there were and, there still are a group of members, who have the ability to make speeches, debate and argue, in a way that they can impress and shock both the real audience and the indirect audience. The representatives themselves recognize the ability that everyone has to use his/her style not only on the floor but also in the media. They know that in looking at their political future, playing to the media is a point of extreme relevance. That is why when a representative does not want to consider a colleague's argument they use the expression "*you are speaking for the tv cameras*".

This point is very well treated by Cornelia Illie (Illie, 2005, 6) who says that "a

particular agonistic parliamentary procedure is for MPs to compete for the floor. In order to speak during a debate, MPs must try to 'catch the Speaker's eye'"[i]. Even in some cases an action can say more than an argument. For example, in 2002 during the debate about a bill that included the IMF, a representative asked for the floor, she stood up from her seat, went to the Speaker's desk and left a United States's flag. The media was advised in advance and the tv cameras recorded the scene. The days after, all the country's screens displayed the representative's success and the uncomfortable situation that the Speaker was put into.

4. *Argumentation in a sitting*

I will discuss a debate about reproductive health that occurred in Argentina, in the House of Representatives in the 4th Ordinary Session held on April 18th, 2001. It was not an open confrontation between different parties, but a confrontation between those MPs who were close to the Catholic Church meaning that they had to encourage the opposition to the bill. My references will be, the pragmadialectical theory of argumentation, Marcelo Dascal's theory of controversies, the already quoted article by Cornelia Ilie and the article by M Agnes van Rees referring to the concept of dissociation.

The debate, in fact, included two subjects. One was the creation of the National Programme of Sexual Health and Responsible Procreation and the other was the amendments to the Regulatory Law of the Exercise of Medicine. The bills were closely related but they were treated separately. I will discuss only the first one. The bill is related to a Programme that if passed would permit the distribution of contraceptives in public hospitals all over the country. At the same time it would establish sexual education in schools and other educational sites. The problems addressed were teen pregnancy and fatal illegal abortion. The target of the bill was to promote responsible behaviors among adolescents and to prevent the spread of sexually transmitted diseases (STD). It was clear that it was not an abortion law but it was seen by the Catholic Church as a step in that direction.

I believe that this is a very interesting debate in order to apply different concepts from the pragmadialectic theory. In this case because of the subject matter and in particular the affects on women, not all MPs could say what they actually thought so they used strategic maneuvering in order to avoid making speeches that may have been seen as politically incorrect.

I consider the session as a whole, a space in which it is possible to consider the

different stages in the process of argumentation. The stage of confrontation, where the differences of opinion are defined. The opening stage, where various kinds of commitments are established that are the starting point of the discussion and serve as a frame of reference during the discussion. The argumentation stage where arguments and critical reactions are exchanged, and concluding stage where the result of the discussion is determined[**ii**].

Also I can look at each speech of a representative in order to consider the different stages proposed by the pragmadialectic theory. For this point I will use only two speeches as examples.

I see the use of strategic maneuvering as making an intelligent choice from the options in 'topical potential' associated with a particular discussion stage, in selecting a responsive adaptation to 'audience demand', and in exploiting the suitable 'presentational devices' or style.

In the case considered, the session opened with a general presentation and grounds for the bill made by the representative that also acted as president of the Committee of Social Affairs and Public Health (The bill had been considered by different Committees such as the Family and Minority Committee and the Budget Committee.)

At the beginning of the speech, this representative established the point of view that can be considered fundamental to the future of the debate that: All sectors had been in agreement to pass the bill and it was a bill which was important not only for the content but also for the philosophy included. The *conciliatio* here is a tool that she employs to stop any future critics. The representative begins with a long speech and in one moment says:

(1) *"When we consider the motion we see that it is full of philosophy and full of beliefs. We analyze what things divide us but moreover, which things gather us together. In this moment of reflection I have to consider that the search of the 'common good' (...) is to make it possible for men and women - especially women - to access sexual health care, that means, everyone is entitled to his/hers sexual rights and is entitled to choose how many children they want to have to build a family. This was the main idea that we had in mind to fulfill commitments with this health programme."*

It also is important that as a maneuvering strategy she had to use topic devices to clarify the concepts discussed in the bill. So she claims, in a way to strengthen her point of view, that:

(2) *“Sexual health and responsible procreation are basic and universal human rights that must be considered in the category of social rights. This possibility is a goal for society that brings with it the opportunity to fight diseases and improve quality of life for all citizens.”*

But when she considers previous bills on these issues she explains that the House had treated bills such as this one. In the end even if they were passed they could not be applied because they were not signed. The bill was passed at this time but the President refused to sign due to the overwhelming pressure of the Church. The bill had to be treated again in 2004. It was then effectively passed and the Programme is currently in action.

The speech also appeals to authority criteria. Several scientists, doctors, lawyers are quoted, as well as many international organizations, (UN, FAO (Food and Agriculture Organization), (PAHO) Pan American Health Organization and (WHO) World Health Organization.) The figures, percentages and the type of population involved in the problem is also considered to give weight to her argumentation. She states that poor women have higher risk of death having an illegal abortion than rich women. At this point the speech has some moments in which the MP uses histrionic tools to call attention to the bill.

Here again I consider the text of Cornelia Illie about histrionic and agonistic features in Parliamentary Debate. I have to agree with the points that she makes in reference to MP's as actors. In this case, there are different moments in which MPs from both sides perform to focus on the women that die because of procedures done outside of hospitals. During the presentation the MP had to clarify the concepts that she used and the way in which she referred to them. Several times she pointed out that the bill was not an abortion bill. But when other MPs asked for the floor they talked about abortion.

When the presentation finishes, and the debate is opened giving other MPs the possibility to participate in the session, the consensus that was assumed actually did not exist. Many representatives, even members of the blocks of parties that had signed the bill, now wanted to debate not the bill but its grounds. The references made by these MPs always refer to the Catholic Church (and the opinions of authorities of the Church who made statements against the bill).

5. Dissociation in confrontation stage and in argumentation stage.

In this case I consider it interesting to refer to the dissociation argumentative technique as employed by Perelman and M Agnes van Rees[**iii**]. In this paper I

will explore the use of dissociation in order to bring the discussion back to the opening stage.

When the representative begins her presentation she refers to *Sexual health and responsible procreation as basic and universal human rights*

She is making a new use of the concept. Both terms strictly speaking are medical terms but she wants to broaden their definition. In the same way she refers to the problems of the poor women who are affected by sexually transmitted diseases (STDs) and infections.

Usually, dissociation is a move that brings the discussion back to the opening stage, since dissociation brings about a change in the starting points of the discussion. I will explore a speech in which dissociation is used in the argumentation stage, and the consequences of that use is the return to the confrontation stage.

This technique, as we know, can be used by both the protagonist (defending), and the antagonist (attacking) a standpoint. That results in several possibilities for its placement in the succession of moves in the discussion.

In the case considered when the debate is opened, a representative from the right wing asked for the floor and responded against the bill submitted. Her problem is that the bill spoke about poor women and she thought that the only difference that one should have in mind is between a weak and a strong person. A weak person can be poor or rich but is not able to debate about his/her own behavior so the problem is not about poverty but the lack of knowledge that they have. Here again the dissociation acts to change the orientation of the debate to focus on the point in which the arguer wants to arrive. In these cases, dissociation brings about a change in the starting points of the discussion.

6. *Theory of controversies in parliamentary debate*

Now I will consider some concepts from Dascal's theory. We will remind of the differences between discussion, dispute and controversy.

From the point of view of their ends, "discussions are basically concerned with the establishment of the truth, disputes with winning, and controversies with persuading the adversary and/or a competent audience to accept one's position. In discussions, the opposition between the theses in conflict is mostly perceived as purely logical, in disputes as mostly "ideological" (i.e., attitudinal and evaluative), and in controversies as involving a broad range of divergences regarding the *interpretatio* and relevance of facts, evaluations, attitudes, goals,

and methods[iv].” Discussions follow a “problem-solving” model, disputes a “contest” model, and controversies a “deliberative” model. A discussant seeks to apply decision-procedures that provide knock-down arguments proving the truth of her position or the falsity of her adversary’s position; a disputant seeks to be acknowledged as the winner, regardless of whether his position is true or not; and a controversialist seeks to provide reasons for believing in the superiority of her position, even though such reasons do not conclusively prove it. Whereas a discussant is prepared to admit defeat if the adversary provides a knock-down argument against her position and a controversialist is prepared to acknowledge the weight of the opponent’s reasons, a disputant begins and ends the dispute (whatever its “external” outcome) convinced he is right.

The parliament debate can be considered a controversy. But it is interesting to look at the attitude that representatives have at some moments. When the representative is presenting the bill she shows arguments and claims that no one will be against the bill. If that had been the case the debate would have been only a discussion but when the debate is opened we see that the agreement in fact did not exist so, in some moments, we find controversy but also dispute. A representative says

(3) You cannot be at the same moment against the bill and against the illegal abortion that leads to the death of poor women. Do not lie: if you are against those bills what you are doing is to allow and increase illegal abortion for the poor Argentine women.

In this case the representative is responding to the speech of a representative from the right wing who announced that his block will not vote to pass the bill so she is answering and responding to a speech that was in the field of the dispute. There is no possibility of agreement. The whole debate can be seen as a controversy that in some moments changes to a dispute, but it is clear that the debate as a discussion is something that has been lost. Dascal also distinguishes between three ideal types of moves employed in polemic exchanges. A *proof* is a move that attempts to establish the truth of a proposition beyond reasonable doubt. For this purpose, it explicitly and obviously leads from other propositions (i.e., the beginning of the debate is full of figures about the problems of illegal abortion and teen pregnancy) to the proposition to be proved.

(4) (...) 43% of maternal deaths are from illegal abortion. There are five hundred thousands deaths from illegal abortions per year and we are speaking of only

documented cases when the women must go to public hospitals because of some injuries or problems that then causes death.

A *stratagem* is a move that tries to cause a relevant audience to (re)act in a certain way, by encouraging them to believe that a proposition is true. It may involve deception and dissimulation - i.e., a representative uses the next stratagem to shock the audience, she quoted an article in a newspaper

(5) *“Luisa Estela Saucedo, was 29, she died in a local hospital presumably because of an illegal abortion that was done at home. She died with her secret because she never recognized that an abortion was done, but this was the final diagnosis. She was the mother of other children. One of them is Evelin, who has a serious lung disease, last year she received an oxygen backpack. Saucedo left three children. This is our reality.”*

An *argument* is a move that purports to persuade the addressee to believe that a proposition is true. Like stratagems and unlike proofs, arguments are not directly concerned with truth, but with belief. Unlike stratagems, arguments seek to achieve their effect by providing recognizable reasons to bring the addressee to the desired belief. (...) Arguments, although not compelling the addressee to accept their conclusion, put her under some sort of obligation to do so - an obligation that presumably stems from social norms, i. e., those communicative cooperation.” The following example shows in a representative’s speech the use of a graduated argument:

(6) *“The mortality rate of pregnant women has been an careless tragedy in this country and it has been careless because those who suffer from the problems are ignored, have less influence and less education. They are ignored because they are poor and more than that they are women.”*

And after a little she adds

(7) *The suffering that remains is the lack of freedom. We cannot speak about freedom in Argentina if we, women, cannot decide with whom, how and how many children we want to give birth to.*

7. Conclusions

This analysis has shown the efficiency of using tools as proposed by the pragmadialectic theory in a specific case such as parliamentary debate. At the same time we have shown the weakness of parties’ identity when subjects like these are treated. Those points are beyond the traditional party identity, positions

that are in fact personal and ideological.

In those cases the appeal to strategic maneuvering and the use of different argumentative tools may address the situation but not solve the conflict. So representatives use concepts and words in a sense that are defined from one point of view or for his convenience.

Our analysis tried to show that in debates when the subject treated is complex or has personal implications the parties' identity fall apart and each representative must express his/hers beliefs. The arguments in these cases do not refer to the platform parties but to personal ideological point of views. Then a representative of the right wing can use arguments from the left wing and vice versa. They can also use the words employed before but give them another sense. We found that dissociation is a tool frequently applied.

In the same direction, the identification of moves let us know that figures, concepts, ideas, references may be used not only for one tenability but also as a skill that, if well employed, can impact audiences and change the public opinion. Nevertheless as each representative has a history in and outside the House, even if they reach tenability in their arguments the beliefs in their speeches can be weakened.

NOTES

[i] Cornellia Ilie, (2005), "Histrionic and Agonistic Features of Parliamentary Discourse", available in http://www.scoms.ch/current_issue/abstract.asp?id=113

[ii] Frans van Eemeren & Peter Houtlosser (Eds.), (2002), *Dialectic and Rhetoric. The Warp and Woof of Argumentation Analysis*, Kluwer Academics Publishers, The Netherlands, p.132.

[iii] M. Agnes van Rees, (2005) « Dissociation: a Dialogue Technique » , available in <http://www.scoms.ch/search/author.asp?id=169>

[iv] Marcelo Dascal, (2005) "Types of Polemics and Types of Polemical Moves", in <http://www.tau.ac.il/humanities/philos/dascal/papers/pregue.htm.1>

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ISSA Proceedings 2006 - Towards A Pragma-Dialectical Approach To Negotiation



The aim of this paper is to explore the merits of examining negotiation with a pragma-dialectical approach. I start at the argumentative nature of the verbal interaction in negotiation, and argue that adopting a pragma-dialectical approach in analyzing and evaluating negotiation encounters, would allow for an evaluation of negotiation that emphasizes the potential for rationality without overlooking the characteristics of negotiation practice. The tension between the rational nature assumed by the promoted pragma-dialectical approach and the often non-rational aspects of negotiation practice can be mainly attributed to the gap between ideal and practice. I hope that highlighting the rational side would bring the practice closer to ideal

1. *The nature of negotiation*

According to the Oxford English Dictionary, to negotiate is to try to reach an agreement or compromise by discussion. People negotiate all the time: parents

and children negotiate over the time to go to bed, partners negotiate terms of their relationship, workers and employers negotiate over salaries and working hours, nations negotiate border issues as well as cooperation prospects... etc. It is then not an exaggeration to say that people negotiate all the time and about everything. From the interpersonal to the international level, there is hardly a domain that does not witness negotiation. The resort to negotiation can be considered a manifestation of a peaceful, reasonable and respectful attitude towards human differences.

Among the various definitions for negotiation offered in negotiation research, I quote two that highlight essential aspects of a negotiation activity. The first definition is the one presented by Pierre Casse (Casse, 1981; Casse & Deol, 1985). Casse defines negotiation as “a process in which one individual tries to persuade another to alter ideas or behavior; a process in which at least two partners with different viewpoints try to reach an agreement on matters of mutual interest” (1981: 152). This definition of negotiation highlights the initial difference between individuals or parties, which is the origin of the need to negotiate. The role that persuasion plays in the resolution of this original difference is another aspect that is highlighted by this definition. The second definition is the one introduced by Alan Firth (1995). Firth considers negotiation to be a discourse-based and situated activity in which two parties advance reciprocal argument and counter-argument, proposal and counterproposal in an attempt to agree upon actions and outcomes mutually perceived as beneficial (1995: pp. 3-4). Firth approaches negotiation from a verbal communication perspective, adopting Sawyer & Guetzkow’s (1964) view of arguments, counter-arguments, proposals and counterproposals to constitute the central process of negotiation (Sawyer & Guetzkow 1964: 479). Such a view of negotiation endorses its argumentative nature. The argumentative nature of negotiation has also been brought to light by van Eemeren and Houtlosser (2005), who perceive negotiation as one of the various activity types of argumentative practice (van Eemeren and Houtlosser 2005: 78).

2. The advantages of analyzing and evaluating negotiation within a pragma-dialectical framework

As a type of argumentative discourse, negotiation can be analyzed and evaluated within a pragma-dialectical framework, with the help of the ideal model of a critical discussion. Pragma-dialectics, a normative theory of argumentation developed by Frans van Eemeren and Rob Grootendorst (1984; 1992; 2004),

introduced the tool of a “critical discussion” in order to analyze and evaluate argumentative discourse. As presented by van Eemeren et. al. (2002), a critical discussion is “an ideal of argumentative discourse aimed at resolving a difference of opinion by determining whether the standpoints at issue ought to be accepted or not” (van Eemeren, Grootendorst & Snoeck Henkemans 2002: 23). The model of a critical discussion attributes the resolution of a difference of opinion to argumentative discourse, and specifies the stages that such a resolution should go through in order to reach this aim. The ideal model does not describe the reality of argumentative discourse; it rather specifies how argumentative discourse would look like if it were solely aimed at resolving a difference of opinion, thus, providing a normative tool to reconstruct argumentative discourse, as a step prior to its evaluation.

In this paper, I argue in favor of a pragma-dialectical approach in analyzing and evaluating negotiation encounters. The promoted approach brings new insights to the study of negotiation, by providing a theoretically motivated, process focused analysis and evaluation of negotiation encounters, based on the verbal interaction in negotiation exchanges. The promoted approach overcomes three main shortcomings that can be observed in the main bulk of the available research on negotiation.

First, in most of the available research on negotiation, verbal communication has been marginalized; the language in negotiation is extremely neglected and psychological mental bases are prevailing. Conversely, a pragma-dialectical analysis will be based on the verbal interaction in the negotiation activity. In pragma-dialectics, argumentation is externalized so that arguers are held responsible only of what they have expressed; speculations about beliefs and thoughts do not play role in the pragma-dialectical analysis of argumentative discourse. Adopting a pragma-dialectical approach to negotiation would then eliminate psychological and cognitive considerations - which are not accessible states of minds - as basis for analyzing negotiation, and would instead rely on the commitments that negotiators take through their verbal interaction.

Second, while it is the case in most of the negotiation research that the outcome of negotiation is the focus of study, a pragma-dialectical approach would be process-focused. In its ideal model of a critical discussion, pragma-dialectics accentuates the purposive interactional nature of argumentation as a process of resolving disputes. Applying the model of a critical discussion to negotiation

would consequently offer an evaluation that is process focused.

Third, whereas the existing models of negotiation are either purely descriptive serving no evaluative purpose, or atheoretically prescriptive stemming from personal experiences, the pragma-dialectical approach combines both descriptive and theoretically normative elements in examining negotiation, as it provides both a fairly descriptive account of negotiation encounters in the analysis as well as a theoretically motivated normative evaluation of these exchanges. The promoted approach relies on descriptive accounts of argumentative discourse to reconstruct it normatively after the ideal model of a critical discussion, which is governed by the theoretical norm of critical testing. In this way, the pragma-dialectical approach maintains a balance between the interests of normative evaluation and intentions of discourse producers, in such a way that brings about an analysis of negotiation that accounts for the intentions of the negotiators, and an evaluation that is theoretically normative.

3. Negotiation as an argumentative activity type

Inspired by Levinson's concept of activity types (1979; 1992), van Eemeren and Houtlosser introduced the pragma-dialectical concept of argumentative activity types (2005). Van Eemeren and Houtlosser present their argumentative activity types as "cultural artifacts that can be identified on the basis of careful empirical observation of argumentative practice" (2005: 76), arguing that taking into account the specific type of argumentative activity provides a more refined analysis and evaluation of argumentative practice.

As an empirical category of argumentative discourse, negotiation can be distinguished by characterizing its communicative practice, along four parameters that correspond to the four stages of the ideal model of a critical discussion. The initial situation in negotiation is characterized in parallel to the confrontation stage of a critical discussion. In parallel to the opening stage, the starting points of negotiation are highlighted. In parallel to the argumentation stage, the argumentative means of negotiation are identified. And in parallel to the concluding stage, the way the outcome of negotiation is determined is characterized. Characterizing negotiation in parallel to the ideal model does not overlook - at least - one essential difference between the two, mainly that while the model of a critical discussion is an analytic construct based on considerations relevant to the process of resolving a difference of opinion, negotiation - like the various argumentative activity types - is a conventionalized category of

argumentative practice that can be distinguished by empirical observations of communicative practices in the various domains. In parallel to the ideal model negotiation is initiated by a free choice of parties who have a difference of positions rooted in a difference of interests, and who decide to resolve their difference by means of a discussion in which argumentation plays a significant role, and who are free to agree on an outcome that resolves their initial difference or disagree and get back to the initial situation of conflict.

The activity of negotiation, as a type of argumentative discourse, exhibits dialectical and rhetorical aims. Within a pragma-dialectical framework, the parties of argumentative discourse are assumed to be geared towards the satisfaction of a dialectical aim of critically testing the tenability of the standpoints at stake, as well as a rhetorical aim of resolving the difference of opinion, each to his own interest. The parties are further assumed to attempt to strike a balance between the two aims at every stage of resolving their difference of opinion. In addition to the dialectical and rhetorical aims of argumentative discourse, the parties in negotiation can be attributed an institutional aim that is specific to negotiation. This aim distinguishes negotiation from other types of argumentative discourse.

In negotiation encounters, each of the parties aims individually at satisfying the maximum of its interests, having engaged in negotiation, the parties' interaction becomes geared towards satisfying the maximum of their interdependent conflicting interests. The institutional aim of resolving the dispute in a way that satisfies the maximum of the negotiating parties' interests can be attributed to the participants in a negotiation encounter. The institutional aim and the related setting affect the pursuit of both dialectical and rhetorical aims of the participants, by posing constraints and providing opportunities for the participants as they attempt to win the discussion while maintaining certain standards of reasonableness. It is necessary for a pragma-dialectical approach that does not overlook the specific features of the argumentative activity type of negotiation, to take the institutional aim into consideration and incorporate it in the reconstruction of negotiation as a critical discussion.

As it has been sketched above, negotiation originates in a conflict of interests and a decision to resolve the conflict through discussion. Engaging in a discussion concerning the conflicting interests requires that the interests be expressed in terms of positions. Positions that the parties in negotiations adopt are usually demands that they make on their opponents or bids that they make themselves.

Even though a negotiation encounter originates in conflicting interests, interests are usually intangible; what both analysts and negotiating parties have access to is merely the interests that are expressed and included by the negotiators themselves in the positions they adopt. Taking this limitation into consideration, a pragma-dialectical approach can refer to a difference of positions that exists between the parties, and apply the ideal model of a critical discussion to analyze the resolution of this difference. Within a pragma-dialectical framework, an analyst would examine how argumentation is used by the negotiators to resolve their difference of positions which are the externalization of their interests. The positions of the parties can be reconstructed as standpoints that are subject to discussion in the course of negotiations. Negotiators advance their positions and revise or retract them in light of their opponent's criticism. A negotiation encounter can usually be broken into many disputes, each of which is marked by a new advanced position, and each can be the subject of pragma-dialectical analysis.

The view of restricting the analysis to the positions that negotiators adopt would not necessarily contradict with taking the interests of the parties into consideration, and accounting for the aims of the negotiating parties. The aim of satisfying the maximum of the parties' conflicting interests, being the underlying aim of negotiation, manifests itself in the discussion through which the difference of interests between the parties is resolved. The contribution of an adopted position to this aim is often the criteria upon which the rejection of the opponent's position is justified. Restricting the analysis to the positions that negotiators adopt does in fact account for the interests of the parties as it incorporates the interest-related aim of negotiation into the reconstruction of argumentation in negotiation encounters.

In a negotiation encounter where party 1 adopts a position like *party 2 should do X*, I suggest that an implicit argument of the form *X would satisfy the maximum of our conflicting interdependent interests* needs be reconstructed as an argument in support of the adopted position. Such an implicit argument which incorporates the underlying aim of the negotiation encounter is usually what an opponent addresses in his criticism of the adopted position. Though left unexpressed, this reconstructed argument plays a central role in a negotiation encounter. Negotiators often question the contribution of an adopted position to the satisfying of their interests, and make it clear that they reject a certain advanced position because it fails to satisfy their interests, and they also often justify their

acceptance of a revised position because it succeeds. It is also the case that negotiators defend their position by showing that it does lead to a solution where the interests of the parties are met to the maximum possible. In other words, this implicit argument becomes often the subject of the critical testing once it is challenged or criticized. Working within a pragma-dialectical framework, an analyst would make this implicit argument explicit when reconstructing the verbal interaction in negotiation as a critical discussion.

With the help of example (1) below, such a reconstruction will be illustrated. The example is borrowed from Fisher and Ury's *Getting to Yes: Negotiating Agreements without Giving In* (1981, pp. 3-4).

Example (1)

Customer: How much do you want for this brass dish?

Shopkeeper: That is a beautiful antique, isn't it? I guess I could let it go for 75\$.

Customer: Oh come on, it's dented. I'll give you 15\$.

Shopkeeper: Really! I might consider a serious offer, but 15\$ certainly isn't serious.

Customer: Well I could go to 20\$, but I would never pay anything like 75\$. Quote me a realistic price.

Shopkeeper: You drive a hard bargain, young lady. 60\$ cash, right now.

Customer: 25\$

Shopkeeper: It cost me a great deal more than that. Make me a serious offer.

Customer: 37.50\$. That's the highest I will go.

Shopkeeper: Have you noticed the engraving on the dish? Next year pieces like that will be worth twice what you pay today.

This negotiation exchange is typical of negotiation occurring at an interpersonal level, in the haggling that takes place between customers and shopkeepers. In this negotiation dialogue, a customer and an antique shopkeeper are having a bargain over the price of a brass dish. In this bargain, each of the parties presents an initial position, and they both revise their initial positions in light of the objections they get from the opponent. That is done again and again; whenever a party objects to the advanced position, the opponent revises his own position and introduces a new one. Argumentation is often provided either to support the position advanced, or the rejection of the opponent's position.

The dialogue can be divided into six successive disputes. In every dispute a

position by one of the parties is being advanced and challenged. The parties concede to their opponents' challenge and retract their positions. Even though such retraction is never explicit, the introduction of a new position can be considered as a manifestation of a retraction. The introduction of a new position also marks the initiation of a new dispute. The customer and shopkeeper in this dialogue do not reach a deal. None of them succeeds in defending his position; all presented positions do not stand up to the criticism directed at them. The difference of interests between the customer and the shopkeeper remains. They're free either to continue their negotiation aiming to resolve it or just keep the situation as it is.

The first dispute starts with the position advanced by the shopkeeper in the second turn, after the customer asks him about the price of the brass dish. In this second turn, the shopkeeper introduces his initial position: the brass dish costs 75\$. In this turn he also provides a justification for this price: the brass dish is a beautiful antique. The customer objects to the high price. She provides a reason to reject the shopkeeper's initial demand: the dish is dented, and advances an alternative bid: she should pay 15\$. The shopkeeper seems to accept her objection that the price is too high for a dented dish. And here ends the first dispute by the shopkeeper implicitly retracting his position. The initial position of the customer marks the start of a second dispute.

The second dispute is about the customer's bid to pay 15\$. Even though the shopkeeper concedes to the customer's criticism and retracts his initial demand, he nonetheless objects to her advanced bid. For the shopkeeper, the customer's initial bid is not a serious offer; it is too low to be serious. The customer concedes to the shopkeeper's criticism of her initial position; she revises it and advances a new bid: she should pay 20\$. In this turn, the second dispute is ended when the customer retracts her position in light of the criticism advanced by the shopkeeper, and the third dispute is initiated by the customer in her advancing a new bid. In the following turn, the shopkeeper does not react to the customer's last position but rather advances a revised version of his initial position: she should pay 60\$. That marks the start of a fourth dispute; the third dispute is implicitly concluded. In the next turn, the customer rejects the shopkeeper's revised position, and introduces a new one: 25\$. In this turn the fourth dispute is closed and a fifth dispute starts. The shopkeeper rejects the bid advanced by the customer in the fifth dispute; he criticizes it on the ground that it does not include a serious offer again. The shopkeeper supports his claim that the position advanced by his opponent does not include a serious offer by stating that he has

paid more for this dish himself. The customer concedes to this criticism; the fifth dispute is ended. The customer initiates a sixth dispute by advancing a new bid: 37.50\$. The shopkeeper rejects this position as well; he refers to the engravings on the dish implying that they justify a higher price than the one included in the last position. In each of the six disputes above, a position is advanced and retracted. In all disputes, the position is supported by the implicit argument that such a price satisfies the interests of both parties.

In this particular case, the interest of the customer is to get the brass dish with the lowest price, and the interest of the shopkeeper is to get the maximum price for his brass dish. The underlying common aim of the customer-shopkeeper bargaining encounter is to agree on a good price for the brass dish; a good price should satisfy the maximum of the parties' interests. The interaction in this encounter is geared towards the aim of agreeing upon a good price. The parties' advanced positions are supposed to contribute to this aim, thus an implicit argument in which every party asserts that its position includes a good price can be attributed to the parties. It is this implicit argument that is the subject of criticism when a party rejects the position advanced by its opponent such as in the fifth dispute.

Analyzing the first dispute, the initial position of the shopkeeper can be reconstructed as the standpoint *you should pay 75\$*. The shopkeeper is the protagonist of the positive standpoint to which customer is the antagonist. The customer does not merely challenge the protagonist standpoint, but also adopts a negative standpoint. The customer is the protagonist of the related negative standpoint *I should not pay 75\$*. Suggested by the nature of the negotiation exchange, an implicit argument such as 75\$ is a good price for this brass dish can be attributed to the protagonist of the positive standpoint, and be made explicit. The protagonist of the positive standpoint advances another argument (that the brass dish is a beautiful antique) in defense of this implicit argument. In support of her negative standpoint, the protagonist advances counter argumentation (that the dish is dented). The protagonist of the positive standpoints concedes to this criticism and retracts the initial standpoint.

The following is the argumentation and counter-argumentation that each of the parties advances in defense of his/her standpoint.

Argumentation by the shopkeeper- in defense of the positive standpoint:

1. You should pay 75\$ for the brass dish.

(1.1). 75\$ is a good price for such a brass dish.

(1.1'). We need to find a good price for this brass dish.

1.1.1. That is a beautiful antique.

(1.1.1'). A beautiful antique is worth 75\$.

Argumentation by the customer- in defense of the negative standpoint:

(1). I should not pay 75\$ for the brass dish.

(1.1). 75\$ is a not good price for such a brass dish.

(1.1'). We need to find a good price for this brass dish.

1.1.1. The dish is dented.

(1.1.1'). A dented dish is not worth 75\$.

The arguments *X is a good price* [i] and *we need to find a good price for this brass dish* can be made explicit in all reconstructed argumentative discussions in this dialogue. Making implicit argumentation explicit, as part of the dialectical transformation of addition in the pragma-dialectical terms, makes explicit the elements that are relevant to the resolution process but were left unexpressed. Such a transformation is important because it helps account for the specific aim of a negotiation exchange when it is reconstructed into a critical discussion. Though often left unexpressed, both of the arguments above are significant to the resolution of the difference of opinion concerning how to reconcile the conflicting interests of the parties in negotiation. Making these arguments explicit clarifies the link between the positions adopted by the negotiators and the arguments they advance in defense of these positions; it consequently, prepares for a critical evaluation of the discussion of the parties' positions.

Adopting a pragma-dialectical approach to negotiation, the analyst needs to adopt a notion of resolution that is different from the one that is common in negotiation research. Within pragma-dialectics, the analyst would be interested in the way the difference of interest-related positions in negotiation is resolved, rather than the difference of interests itself. The critical testing norm would then apply as a criterion to determine the resolution of the dispute. While it is usually necessary for the parties in negotiation to reach a deal for the difference of interests to be considered resolved, the difference of opinion needs not to yield a position that is accepted by the two parties in order for the dispute to be resolved. Being concerned with the difference of opinion in negotiation, disputes can be considered resolved even when the negotiation encounter yields no deal. However, because a pragma-dialectical reconstruction of the verbal interaction in

negotiation accounts for the interests and the interest-related aim of the parties, the quality of resolution of the dispute in the pragma-dialectical sense would still be indicative of the quality of the resolution in the sense used in negotiation literature.

4. The merits of a pragma-dialectical approach to negotiation

In this last section, example (2) below, is intended to demonstrate the merits a pragma-dialectical approach to negotiation. The example is intended to show how a pragma-dialectical approach interprets a negotiation activity and evaluates it. In a pragma-dialectical analysis, the negotiation encounter needs to be reconstructed into phases, roles and moves that are examined in terms of their contribution to the process of resolving the initial difference. And in the evaluation, the extent to which the resolution of the initial difference in negotiation was carried out reasonably is tested.

The negotiation encounter to be analyzed is a real life negotiation in an industrial context. It is borrowed from Morley and Stephenson's *The Social Psychology of Bargaining* (1977, pp. 229-252). It is an informal negotiation meeting between electricians and management representatives in the Demy Ltd Company that took place in January 1969. The meeting is almost totally devoted to negotiating the callout procedure on bank holidays, which can be considered to be the main issue in this negotiation encounter. The electricians object to their having to be on standby for callout on all bank holidays. They provide argumentation for their objection on the callout procedure as it is now, and ask to be relieved of this responsibility. The management representatives object to a complete stop of the callout on bank holiday because that would create a gap in the services of the company. However, they acknowledge that an alternative procedure for callout needs to be adopted.

The negotiation encounter is triggered by a difference of interests between the electricians and the management in the Demy Ltd Company. The electricians' interest is to have bank holidays off. It is expressed by the chief electrician spokesman when he says: "We just want bank holidays as bank holidays". The management's interest is to provide a cover of the electrical work needed in bank holidays; "somewhere there has got to be some form of coverage", as the chief management spokesman puts it.

Throughout the encounter, the parties adopt and discuss different positions aimed at reaching a deal that satisfies their interests. The discussion in the meeting can

be broken into several negotiation disputes, each of which pertains to a certain advanced position. Unfortunately, the space of this paper does not allow for a comprehensive discussion of the whole negotiation encounter. Nevertheless, the discussion to follow will examine the first of the disputes in the encounter by providing examples of a pragma-dialectical analysis in which the social interactive purposive nature of the negotiation activity is highlighted as well as an evaluation in which the reasonableness of the different moves in the encounter is tested within the normative framework of pragma-dialectics.

Analysis

To satisfy their interests, the electricians advance their initial position: *electricians should stop doing callout on bank holidays*. The management representatives seem to admit the need to satisfy the electricians' interest of having bank holidays off, however, they do remind the electricians that the management has also an interest that needs to be satisfied.

In defense of their initial position - *that electricians should stop doing callout on bank holidays* -, the electricians advance several arguments. The electricians argue that doing work on bank holidays is something that was never agreed on and that they never wanted to do it. They also argue that they should have bank holidays off because that's the time when they can do something with their families. They argue as well that they should stop doing callout on bank holidays because the other staff of the company do not work on bank holidays. The argumentation advanced by the electricians defends their position in terms of its role to satisfy their interest only. The position - and the argumentation in support of it - does not consider the common aim of negotiation, that of satisfying the maximum of the interests of both parties. That is the basis on which the management representatives reproach the electricians' position; the position does not serve the main goal of a negotiation encounter.

Initially, the management representatives do not advance any position; they just challenge the position of the electricians then reject it. Until that point in the meeting, there is only one position advanced - that of the electricians - . This position is defended by the electricians and challenged then rejected by the management. Analyzing the discussion concerning this position within a pragma-dialectical framework, a critical discussion can be reconstructed. In this discussion, the dispute is single and mixed, with one position and two related standpoints each with a protagonist and an antagonist. The electricians are the protagonist of the positive standpoint *electricians should stop doing callout on*

bank holidays. The management representatives are the antagonist of this standpoint, as they challenge it asking the electricians to defend it. However, the management representatives go beyond mere challenge when they criticize this standpoint on the ground that it fails to contribute to the aim of satisfying the maximum of the conflicting interests of the parties in negotiation. They then adopt a negative standpoint for the same position - that it is not the case that *electricians should stop doing callout on bank holidays* - , and argue in defense of it.

The difference of opinion concerning this position goes through the four stages of resolving a difference of opinion. First, the electricians advance a standpoint that does not get accepted by the management. Second, the management asks the electricians to defend their standpoint and the electricians agree, and the parties assume their dialectical roles (of protagonist and antagonist). Third, the electricians - with the role of a protagonist - advance argumentation in defense of their standpoint. And fourth, the argumentation advanced is assessed by the parties; the protagonist concedes to the criticism, and the dispute is resolved in favor of the antagonist.

The standpoints and argumentation of both electricians and management representatives pertaining to this dispute can be reconstructed as the following:

The electricians' standpoint and argumentation:

1. Electricians should stop doing callout on bank holidays
 - 1.1a. It was never agreed on to do callout on bank holidays.
 - 1.1b. Electricians should have bank holidays off.
 - 1.1b.1. Bank holidays are when electricians can do something with their families
 - 1.1c. Other staff of the company do not work on bank holidays.

The management's standpoint and counter-argumentation:

1. It is not the case that electricians should stop doing callout on bank holidays.
 - 1.1. That would not allow covering eventualities on bank holidays.
 - 1.1'. Coverage for eventualities on bank holidays should be provided and electricians should have bank holidays off.

Different argument schemes can be identified in this dispute. For example, the electricians employ argumentation by analogy - among other schemes of argument - in defending their position. An analogy scheme comes in the form Y is

true of X because Y is true of Z and X is comparable to Z. In 1.1c of the dispute at hand, the electrician argue that

Electricians should not do callout on bank holidays,
because other staff of the company do not work on bank holidays,
and electricians are comparable to other staff of the company.

Evaluation

Analysts adopting a pragma-dialectical approach to negotiation can refer to the ten rules for reasonable discussants, as presented by van Eemeren and Grootendorst (2004, pp. 190-196), in each stage of the resolution process to evaluate the extent to which negotiators resolve their difference of positions reasonably. The ten rules specify those dialectical obligations of the parties that are necessary for a critical resolution of the dispute, at each of the dialectical stages in the ideal model of a critical discussion. By comparing the behavior of the parties in a certain stage of the dispute to the relevant rule, the critical rationality of the argumentative exchange can be assessed.

Rule 8, the argument scheme rule, can for example be used to evaluate the internal organization of the argumentation advanced in support of a standpoint. With the use of the relevant critical questions, the link between the standpoint and the arguments advanced in support of it can be evaluated. A correct use of argument schemes supports a critical resolution of the dispute; an incorrect use on the other hand, obstructs such a resolution.

In the dispute at hand, the electricians employ an argument by analogy to defend their standpoint that *electricians should stop doing callout on bank holidays*. To evaluate this argument based on the analogy relation, and used by the electricians as they argue that *electricians should stop doing callout on bank holidays* because *the other staff of the company do not work on bank holidays*, the relevant critical question would be: are the electricians and the other staff of the company really comparable? And aren't there any significant differences between the electricians and the other staff of the company? While it is generally speaking true that electricians are comparable to other staff of the company, there is at least one significant difference between two. Unlike other staff of the company, the nature of the electricians' work is technical, which makes it needed even on bank holidays. Such a significant difference weakens the strength of the scheme applied. An analyst analyzing negotiation with a pragma-dialectical approach can

refer to the relevant critical question in explaining the weakness of this line of argumentation advanced by the electricians in defense of their initial position.

The incorrect use of the analogy scheme here obstructs a critical resolution of the difference of opinion, which the parties have concerning the position that *electricians should stop doing callout on bank holidays*. That, in turn, obstructs the negotiating parties' effort to achieve a resolution in which the maximum possible of their conflicting interests is satisfied. An analyst approaching negotiation from a pragma-dialectical perspective would be able to explain the unsuccessful attempt of defending this position in terms of the incorrect use of the argument scheme, and the effect of the latter on a fair resolution of the parties' interests in negotiation.

As it can be seen from the example, a pragma-dialectical examination of negotiation highlights and assesses the critical reasonableness of the discussion in negotiation. A pragma-dialectical analysis of negotiation accounts for the interactional and purposive nature of negotiation encounters, as well as the important role that interests play in discussing positions in negotiation. The analysis focuses on the dynamics that lay behind the resolution as a process, as it identifies the stages that are necessary for a reasonable resolution of disputes, and the moves that play a role in such a resolution. Even though a pragma-dialectical analysis is based on externalized positions, it yet recognizes the importance of the interests in discussing positions in negotiation. It takes the aim of satisfying the maximum of the interdependent interests of the parties to be the underlying aim of negotiation, and incorporates it in the discussion of the positions adopted by the parties. Such an incorporation of the underlying aim of negotiation in the argumentative discussion of positions supports the presupposing of reasonability in the discussions in negotiation.

Moreover, pragma dialectics makes it possible for an analyst to offer an explanation of the success or failure of the resolution of disputes in a negotiation encounter, based on the argumentative interaction of negotiators. Pragma-dialectics offers a framework of evaluating the reasonableness in negotiation, highlighting the relation between the quality of resolving the dispute of interests and that of resolving the dispute of positions related to them. Pragma-dialectics assesses the adherence to the norm of critical reasonableness in the argumentative discussion in negotiation, by evaluating the discussion moves of the parties in terms of their contribution to the critical resolution of the difference

of positions. Because the pragma-dialectical reconstruction of the verbal interaction in negotiation incorporates the parties' interests and aims, a pragma-dialectical approach enables the analyst to detect derailments in the argumentative discussion in negotiation that obstruct a reasonable resolution of the disputing positions that the parties adopt, and consequently obstruct a fair resolution of the related conflict of interests.

Conclusion

In this paper, I have sketched the preliminaries of a pragma-dialectical approach to negotiation. Starting from the argumentative nature of the verbal interaction in negotiation, pragma-dialectics offers an analysis and evaluation that highlight and assess the critical reasonableness of the discussion of positions in negotiation, based on the verbal interaction of negotiators. It provides the analyst with tools to examine how argumentation is used by the negotiators to resolve their difference of positions, as the externalization of their interests. A pragma-dialectical framework to negotiation equips the analyst with tools to detect derailments in the argumentative discussion that obstruct a reasonable resolution of the disputing positions. Because the pragma-dialectical analysis of the verbal interaction in negotiation incorporates the parties' interests and aims, obstructing the critical resolution of the difference of positions would also yield an obstruction of a fair resolution of the conflicting interests of the parties. In this paper, I have argued that a pragma-dialectical approach enables the analyst to infer the latter obstruction from the former.

NOTE

[i] X is not a good price is substituted in case of counter argument.

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ISSA Proceedings 2006 - Between Radical Democracy And Civic

Virtue: Political Piety And Public Moral Argument



The last two decades have seen an upsurge of concern among political philosophers and other scholars regarding the character of citizens and the challenges of diversity (often referred to as multiculturalism or pluralism) to democratic life (Macedo 1990; Guttman 1994; Kahane 1996; Kymlicka and Norman 2000; Galston 2002). These scholars contend that contemporary discussions of politics, public policy, education, and morality in the public sphere should be centrally concerned with the character of citizens in liberal democratic society. The issue of character has perhaps been most assiduously discussed under the theme of civic virtue, and specifically takes stock of a decline in civic participation, the responsibilities of citizenship, rising discontent and disconnect with the life of the polis, the inability of liberal theory to motivate individuals, in short a seeming crisis for liberal democracy. While conceptions of civic virtue are decidedly not new, in fact from the ancient Greeks, through Hobbes, Kant, Rosseau, Mills, and others, it has been an essential part of political theory, its re-emergence in connection with this crisis, and the changing face of democratic life can be seen as a response by liberal democratic theory to the various challenges posed by communitarianism, and radical democratic theories among other accounts of political community.

What motivates liberal political philosophers and other scholars is the search for an answer about the crisis of liberal democracy rooted in the character of the citizen as autonomous democratic subject. This concern has been traditionally articulated as a crisis of civic virtue. Contemporary society is, it is argued, facing a crisis due to the erosion of civic virtues necessary to sustain liberal democratic life. Perhaps the best characterization of this crisis comes from William Galston, who enumerates the various problems we face by noting that we are experiencing: *rising rates of crime, drug abuse, and family breakdown; of the near collapse of effective public education; of greed and shortsightedness run amok in public and private affairs; of a steady decline in political awareness and an equally steady rise in political cynicism; and of what I can only regard as the relentless tribalization and barbarization of American life* (Galston 1991, p. 6).

While Galston's formulation might legitimately be read as somewhat alarmist, especially his claim to 'relentless tribalization and barbarization', terms that at best require careful definition, the other points articulated are significant social concerns. In responding to such issues, political theorists of all camps, as well as liberal secularists and religious believers, look to citizen character as central node and element of public life. Other scholars have looked at the power of media, and the technocratization of the public sphere not just as narrowing and circumscribing possibilities for citizen participation, but often as corrosive to virtuous public life.

This disquiet over the character of citizens in contemporary society has been reinforced most recently by further concerns over how to strengthen the bonds of citizenship in modern democratic, pluralistic society. To be sure, much has been written about citizenship, diversity, and the demands of the ethno-cultural and religious diversity in our society (Kymlicka and Norman 2000; Gutmann 1994). To this list, the fact of religious pluralism in modern states is often added, and in particular in our post 9/11 world, the concerns over how security, ethnicity, and religion are enmeshed. To a great extent it has been only rather recently that these debates over religion, national security, and ethnicity have come to be discussed as integral to each other. The events of September 11 reawakened with much vigor a perspective that posits that the fate of modern liberal democracies is deeply connected to ethno-cultural diversity, civic virtue, religion, and national security.

A traditional response to this perceived crisis of individual character has been to offer religion as antidote, often followed by pundits and politicians making impassioned pleas for virtuous living according to specific faith traditions. To be sure, questions regarding the role that the religious dispositions of citizens plays, or ought to play in modern democratic states, have long been a staple of political philosophy. By and large however, such treatment has failed to generate answers that bridge division and overcome narrow self-interest formulations. Moreover, in our post 9/11 world religion as catalyst of civic virtue has generated debate from the vantage point of national security. After the events of September 11 however, this relationship has changed, and what we've seen is not an offer of a generalized notion of religiosity to attenuate the corrosive effects of modern life on the individual and the family, but a strong fundamentalist response that sees western values and civilization under attack, and which seeks to link religion, especially Christianity, indissolubly to responsible democratic citizenship as the

only way to secure the nation from the calamities sure to come. Given the centrality of such issues as democratic deliberation, moral argument, and norms of publicity and rhetorical culture to the role of citizens in the public square, to the exercise of voice in leading public life, one would expect that rhetoricians and argumentation theorists would be making key interventions in these debates regarding democratic life. Unfortunately, with a few exceptions, that has not been the case. Whether the allegiance be to liberal democratic, communitarian, libertarian, or other notions, there is a clear recognition that a duty of civic responsibility is responsible participation in the life of the polis. Issues of public discourse, civic education, and moral argument are central to resolving the dilemmas faced by a democratic citizenry. It is unfortunate then, that political theorists have largely ignored argumentation and rhetorical scholarship in this debate. A quick read through the most recent political theory work on these issues, although dealing with public morality, multiculturalism, speech codes, and more, reveals an at best antiquated notion of the role of rhetoric and argumentation. In general, the study of public discourse has been relegated (with exceptions by some radical democratic theorists), to a limited conception of public speaking.

In this brief presentation I make the case that scholars of argumentation need to inject themselves more forcefully into the reinvigorated debate about responsible democratic citizenship. Neither liberal democratic theorists of any stripe, communitarian, nor radical democratic theorists have taken enough stock of the rhetorical, and argumentative traditions and their intimate relation to democratic deliberation, beyond procedural norms for decision-making. In making this argument, I highlight briefly the notion of political piety that became rather widespread during the 2000 and 2004 elections in the U.S., as a case regarding the increasing move toward linking arguments regarding personal religiosity as exemplifying a key element of responsible democratic citizenship, albeit a religiosity that is supposedly 'politically illegible'.

1. Liberal democratic, communitarian, and radical democratic perspectives

The debates about character and the challenges of ethno-cultural diversity to democratic society have, by far, taken place within the underlying framework of liberal democratic theory. Political liberals recognize that profound differences exist in how we conceive of the good, and thus liberal democratic theory reflects a privileging of such recognition of the plurality of comprehensive notions of the

good as foundational condition for social justice (Rawls 1991, Galston 1991; 2002). Communitarians on the other hand, ground their claims to justice not in a notion of individual conceptions of the good, but in culturally or community-centered understandings of value (Etzioni 1992, Sandel 2005). Particular forms of life give rise to norms and principles for visions of a just society. We can refer to this communitarian perspective as a 'thick' conception rooted in ideas about the substance of such values. In contrast, liberal democratic theory is often described as 'thin' because it seeks to reconcile the plurality of ideas of the good by recourse to shared understandings that allow us to live in harmony, that is, to constitutional procedures by which we 'all can get along'. Liberal perspectives describe the qualities of character necessary to ensure harmonious living regardless of disagreements over comprehensive doctrines of the good (Mouffe 2005). In response to challenges by communitarians, and libertarians, liberal democratic theorists continue to seek the *right balance* to challenging issues of comprehensive notions of the good, in particular that of the role of religious dispositions in public life.

In seeking a balance, liberal democratic thought does not give enough consideration to the persistence, resistance, and/or recalcitrance that emerges not just from how deeply held particular value commitments are, but to the increasingly profound integration of political and non-political commitments of many religious folks. In other words, for at least a significant segment of the population it is particularly difficult to disassociate non-political commitments from political ideas, and as a corollary, to adopt 'thin' shared understandings. This brings us to another dilemma. Although representatives of all sides recognize the importance of collective decision-making in complex democratic society, strong models of democratic deliberation, while paying lip service to conditions of deep plurality, do not account very well for the tight integration of non-political commitments to political commitments by some religious folks in contemporary society. Various deliberative accounts have been advanced, but we remain mired in how to integrate comprehensive doctrines that are, at best, resistant to notions of democratic deliberation as practice of arriving at shared understandings.

Some hope may be gained from the critique posed to liberal democratic and communitarian thought by radical democratic theory. With its commitment to deep plurality, and to democratic deliberation notions based on a theory of agonism as constitutive of the political, radical democratic thought offers the possibility of opening the space and conditions of democratic deliberation (Mouffe 2000; 1993). However, insight about the role of religion as central to the

formative project of citizenship has not been treated extensively by radical democratic theorists.

Over the past generation radical democratic theories have emerged and blossomed as an important intellectual and political force. This emergence reflects a variety of elements, including the dissolution of the cold war, and the accompanying and dizzying crumbling of communist regimes and political philosophy, the challenges to Marxism leveled by political theorists from within, challenges to political liberalism and its reliance on notions of an autonomous self, the challenges to liberalism presented by multiculturalism and pluralism, and a confidence crisis in the capabilities of democratic regimes to meet the needs of citizens as globalizing pressures increase. Some of that is reflected in the rapid distancing from, and the growing apathy to, the people from governance. The disconcerting pace of globalization, undermining the nation-state as central unit of democratic government, the radicalization of xenophobic discourses, the diminution of civil rights, and the increase in fundamentalist violence (physical and discursive) all which have been exacerbated since September 11, 2001, also contribute to a perceived need to readdress the limits of liberalism and communitarianism as democratic theories. Radical democratic theorists have challenged dearly held assumptions about democratic life, governance, and political thought that need be heeded, even though it has received plenty of criticism itself as consisting of a weak political vision (Ackerman and Fishkin 2002; Fung 2004; Mouffe 2000).

Inspired by post-structuralist, and to some extent, postmodern, theories, Radical Democratic theorists walk a tightrope between Marxist, political liberal democratic, and communitarian perspectives, critiquing and borrowing from each. Perhaps quite telling still, is the opening line of what can be considered the first programmatic and comprehensive statement of Radical Democratic thought, Ernesto Laclau's and Chantal Mouffe's 1985 *Hegemony and Socialist Strategy: Left-wing thought today stands at a crossroads. The evident truths of the past have been seriously challenged by an avalanche of historical mutations which have riven the ground on which those truths were constituted* (Laclau, Mouffe 1985).

If anything their analysis is urgently significant today, in light of the issues I noted above, and not only for the 'left' as conceived in their original prescription. In other words, the radical democratic imaginary, no less now than in 1985,

operates deconstructively through and within democratic political thought.

The question of democratic legitimacy is central to radical democratic thought, as proponents of this approach seem committed to broader participation by the public in decisionmaking, and thus to a deliberative approach to democratic life. The radical democratic ethos is a commitment to a radical pluralist and inclusive democratic vision, with thorough contestation. In short, an agonistic model of the public sphere. Democracy thus conceived, is not a what, but a how, and constantly in motion as processes of democratization are always challenging any sedimentation, and always seeking to add new voices to challenge the adequacy of any particular account. Democracy for radical democrats is, as Slavoj Žižek would say, a sublime object of desire: something that drives us, but never to be attained. Democratic contestation is ongoing, and has as its core a continual challenge between that which unites us and that which dissolves those bonds, between the universal and particular. The wholeness we find in unity is perforce fictitious, it is a construction driven by symbolic inducement, as is also our division, our separateness.

Both Liberal and Radical democrats favor a deliberative model of civic participation in which citizens engage in reasoned debate about matters important to the polis. Such democratic deliberation is seen as better than systems of competitive representation because, 'of advantages in identifying problems, collaborating in their resolution, testing solutions to see if they are well-tailored to local circumstance, and disciplining solutions by reference to solutions adopted elsewhere' (Cohen, Fung, 24). However, the radical democratic inclination toward a proliferation of voices, identities, communities, and allegiances as part of an ongoing process of democratization seems to challenge the very possibility of reasoned deliberation as category of exclusion from the political community. Radical democratic thought therefore eschews the notion that legitimate discourse in a democracy emerges from a common ground, that is, it does not endorse some common ground, the shared understandings of liberal democratic theory, as needed for public reasoning for this would shut out some voices. Chantal Mouffe's critique of John Rawls's theory of political liberalism is particularly salient in highlighting the inherent limits of Rawls's position for true democratic deliberation (Mouffe 2005). Yet, radical democratic thought recognizes and fosters plurality at the same time that it calls us to recognize our inherent ability, and need, to build allegiances, to erect commonality (always

temporary and contingent), through the exercise of our public voice. In other words, radical democracy fosters unity and commonality out of difference, but reasserts difference and contestation as the basis of any project of identity and identification.

Contrary to political liberalism, radical democracy values what William Connolly calls a deep plurality, to be valued over a shallow secular pluralism, seen as part of the project of political liberalism that has attendant notions of demarcated spaces for different groups in the public realm (Connolly 2005). Moreover, radical democracy is not invested in the liberal project of finding just the right amount of religion to add to the public sphere. Radical democratic thought, unlike liberal theory, is not inclined to finding a balance between church and state of just the right universal proportion.

2. Political piety: legible illegibility

What continues to be most intriguing in this ever-present debate however, are the arguments by which religion is tied not just to citizen character, but to the character of the nation through the character of political candidates, and to the effective exercise of their office. From 2000 to now we've seen a tremendous shift in political strategy regarding the importance of religion to political officeholders and their office. From the old sedate position of recognizing the religious diversity of the nation and their own generalized religious understandings, political candidates have been moved to assert with deep conviction their personal religious beliefs and how these might influence their public policy thinking. In the recent political climate, political strategists apparently have advised candidates to wear their religion 'on their sleeves' during their campaigns. This strategy has come to be referred to by some pundits as the politics of political piety, and has replaced the conception of the role of elected officials as shapers of the inchoate moral longing of multiple publics into a generalized moral vision of the nation. A quick glance at U.S. history reveals that candidates specifying their religious commitments as a way to stake out virtuous identity amid moments of moral crisis is not a new phenomenon. Yet, a 1999 *New York Times* article titled 'White House Seekers Wear Faith on Sleeve and Stump' notes that the upcoming 2000 campaign 'the rite of political piety' moved 'far beyond the sacramental photo opportunity. The candidates are engaging in 'God talk' that is more explicit, more intimate and more pervasive than at any time in recent decades'. Hence, during the campaign we saw Al Gore stating that he was 'a child of the Kingdom and a person of strong faith', and George W. Bush describing how he recommitted 'my

life to Jesus Christ' (Goodstein 1999).

During the 1999 presidential campaign in the U.S. the term political piety gained particular salience. Elizabeth Dole noted that she had submitted to God completely. Gov. Bush at the time, made clear that he had recommitted his life to Jesus Christ, and in fact, that he believed the Bible was the most important philosophy book he had ever read. Vice President Gore, not far behind, stated that 'faith is the center of my life. I don't wear it on my sleeve. I think the purpose of life is to glorify god'. In addition, by including Joe Liebermann into the democratic party ticket, democratic strategists believed, and stated, that 'The Democratic party is going to take back God this time' (Goodstein 1999; Niebuhr 2000; Scheer 1999; Wheatcroft 2000). Political piety also makes great appearances in the 2004 campaign, with Howard Dean, Wesley Clark, John Kerry, and others making clear their religious bona fides, even granting interviews to internet giant Beliefnet.com. Religious leaders responded to such political piety in various ways, a telling guest editorial by the Rev. Jesse Jackson in 2004 carried the headline: 'Bush's public piety is appealing but his public policy is destructive' (Jackson 2004). Many other articles in various newspapers and magazines noted the importance of political piety, with party strategists recommending that candidates clearly express their religious beliefs as part of the campaign stumping (Chadwick 2004; McNamara 2004; Mulligan 2004; Waldman 2004).

Concomitant to these expressions of political piety, a major provocative tension emerged. For many candidates, political piety was conceived as a strategic appeal. On one hand expressing the deep significance of their religious conviction, yet on the other hand denying that such convictions held any theopolitical influence on their governance. The argument for the acceptance of such political piety as fine part of the political life of candidates was grounded on the supposed political illegibility of religious belief. Political piety (religious disposition), candidates and some commentators tell us, is neither right nor left. If we are to believe this argument for religion's political illegibility religion does not fit within liberal, progressive, democratic, conservative, or republican labels. This argument has perhaps been made most assiduously by a popular bumper sticker that reads 'God is neither Democrat nor Republican' (Sojourner's Community). In effect, as Jason Bivins argues, political illegibility has emerged as a defining argument of various religious groups in the American landscape (Bivins 2003). Such political piety thus is conceived as inhabiting an illegible space between religious argument and civic virtue, seen as free of the dangers of religion in the

public square.

There is, of course, a serious contradiction in claiming the significance of religious disposition to political character, while at the same time discounting its political legibility. Religious claims to political illegibility constitute a strategic way of enunciating public moral arguments that seek to avoid the political contestation necessary for building and sustaining democratic community. Paradoxically, this attitude reveals a conception of democracy as procedural form, rather than the substantive engagement and non-neutral perspective for building democratic community that religious leaders hold it to be. Political piety after all is completely about religious value being not only legible, but central to the articulation of political identity and democratic values. Hence, political illegibility claims on the part of religion constitute a privileged claim to public participation, while carving an exemption of sorts to the radical democratic ethos of deep agonistic deliberation.

3. *Conclusion*

Under radical democratic thought, no less than under political liberalism and communitarianism, we still remain with a persistent question: 'can religious belief be a legitimate ground for constructing public policy'. Can it be so within a radically pluralist and inclusivist democratic philosophy? Other ways to formulate the questions remain, and I offer them as food for thought: 'what kind of challenge does religious diversity pose for radical democratic politics?' Given the deep commitment to inclusivity and agon in radical democratic politics, these questions can be easily extended to argument theory. One way of giving expression to such concerns is the following: 'what are the ethical implications of arguments (and for argument theory) over the place of religion in democratic society, given the agonistic politics of radical democracy, that as Chantal Mouffe has argued, cannot prescribe specific goods to its citizens?'

I offer here that we have had minimal theorizing about this issue within radical democratic thought, and that we as argumentation scholars are uniquely positioned to advance this debate. In pondering these questions we ought to be motivated by the growing talk, first, of political piety, especially during the 1999-2000 political campaign, and more recently of 'values' voters, in the 2004 campaign, and in general U.S. politics. The values voter phrase in particular is intriguing, for it begs the question 'who isn't?' The advent of radical democratic thought calls us to pay attention to notions of vigorous argumentation and discursive contestation to democratic participatory culture. However, scholars in

public argument should recognize that public moral argument cannot be conceived solely in terms of deliberation as drawing citizens into the public square. Citizens are already deeply entrenched in the public in myriad ways, and with tightly held non-political commitments, in other words, there is already thick participation in ways that might not accord to proposed deliberative models. Alternative conceptions of political participation and substantial deliberation must be explored and proposed.

The poles of the dilemma posed by the persistent question of religious belief as legitimate ground for public policy can be characterized in two sides, those that are radically inclusivist (these take the position that religion in the public square is not threatening to the actual possibility of agreement), and those in favor of a model of civic virtue that sees arguments from specific faith traditions as finding the right home in the private. With its ethos to radical pluralism, radical democratic thought seems to be inclined toward an inclusivist position, even if only because, it believes new approaches, democratic possibility, and reinvigoration of democratic practice can be had through the multiplicity of discourses. And yet, it is precisely the limits of such position that have not been thoroughly examined. Can we confer democratic legitimacy on the efforts of fundamentalists that are inimical to democratic thought itself, and that eschew or have no interest in democratic deliberation to begin with, remaining insulated from the actual practice of argument, from political debate? I believe scholars of argumentation, are not only well poised, but best suited to move these arguments forward.

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